

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1287

On May 31st, 1991, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Highland Town Center, Inc., a Michigan corporation, 2736 E. Highland Road, Highland, Michigan 48356

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
GTE North, Incorporated, a Wisconsin corporation, 455 E. Ellis, Muskegon, Michigan 49443

"Grantor's Land" is in Township of Highland, Oakland County, Michigan described as:

NW 1/4, Sec. 24, T3N., R7E., Browning's sub lot 1. Sidwell No: 11-24-126(006) now-013 93038

The "Right of Way Area" is a part of Grantor's Land described as:

The west ten (10) feet of the above described property.

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead utility line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories.
- 2. Access:** Grantee has the right of access to and from the Right of Way Area.
- 3. Buildings or other Permanent Structures:** No buildings or other permanent structures shall be placed in the Right of Way Area without Grantee's prior written consent.
- 4. Trees, Bushes, Branches or Roots:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches or roots in the Right of Way Area (or that could grow into the Right of Way Area) that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities.
- 5. Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land for the purposes stated in this Right of Way, then Grantee shall restore Grantor's Land as nearly as can be to its original condition.
- 6. Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

Witnesses:

Grantor:

Wanda Fayz
WANDA FAYZ

James D. McDonald
JAMES D. McDONALD

Highland Town Center, Inc.
By Allie F. Fayz
[Signature]
Its: PRESIDENT

Acknowledged before me in Oakland County, Michigan, on MAY 31, 19 91

by ALLIE F. FAYZ the PRESIDENT

of HIGHLAND TOWN CENTER, INC., a Michigan corporation, for the corporation

A#36 REG/DEEDS PAID
0001 JUL.31.91 10:43AM
1096 MISC 7.00

[Signature]
Notary's Signature

MARIA T STOLLINGS
Notary Public, Wayne County, MI
My Commission Expires Dec. 2, 1991

A#36 REG/DEEDS PAID
0001 JUL.31.91 10:43AM
1096 Notary's Stamp 2.00

RECORDED RIGHT OF WAY NO. 41904

7.00
2.00 PMT
RR

Prepared by and Return to:

James D. McDonald, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48010