

**OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1265**

On JUNE 19, 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:**

Jonathan L. Marsh and Sheryl L. Marsh, husband and wife, 1415 E. Lake, Walled Lake, Michigan 48390

**"Grantee" is:**

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

# "Grantor's Land" is in Township of Highland, Oakland County, Michigan described as:  
Part of E 1/2 of SW 1/4 Sec 9, T3N, R7E, beg at pt dist N 89° 49'12" E 2116.31 ft from SW sec cor, th N 01° 05'36" E 680 ft, th N 35° 17'07" W 244.41 ft, th N 89° 49'12" E 365 ft, th S 01° 05'36" W 880 ft, th S 89° 49'12" W 220 ft to beg 4.77 acres.  
Sidwell No: 11-09-376-013

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

Permission to install a pole at the easterly property line with anchor extending westerly as shown on detroit Edison Company drawing O-1265 dated 5/3/91 which is attached herto and make a part hereof. The right of way is ten (10) feet in width.

- 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:

Elena M. Erb  
ELENA M. ERB

Candance Hermann  
CANDANCE HERMANN

Jon Marsh  
Jonathan L. Marsh

Sheryl L. Marsh, HIS WIFE  
Sheryl L. Marsh

Acknowledged before me in Oakland County, Michigan, on JUNE 19, 1991

by Jonathan L. Marsh and Sheryl L. Marsh, husband and wife.

A#36 REG/DEEDS PAID  
0001 AUG.28.91 12:42PM  
6953 MISC 9.00

A#36 REG/DEEDS PAID  
0001 AUG.28.91 12:42PM  
6953 RMT FEE 2.00

O.K. - LM

Annie P. Grimm My NOTARY Expires 9-28-91 Notary's Stamp  
Notary's Signature ANNIE P. GRIMMETT  
NOTARY OF WAYNE COUNTY ACTING IN OAKLAND COUNTY  
Prepared by and Return to:  
Annie P. Grimm, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48010

RECORDED BY EXX NO. 42038