

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1307

On 7/3/91, 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:

Jeffrey Lynn Kern and Cindy N. Kern, husband and wife, 4237 Curtis, Highland, Michigan 48357

"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 the Township of Highland, Oakland County, Michigan described as:**
Sec. 13, T3N., R7E., part of E 1/2 of NW 1/4 beg at SW cor of lot 45 of "Sunrise Heights on White Lake" th N 88° 41'00" W 559.00 ft, th N 01° 19'00" E 50.00 ft, th S 88° 41'00" E 559.00 ft, th S 01° 19'00" W 50.00 ft to beg. 0.64 acres.
Sidwell No: 11-13-176(10) 049 pt to Highland

The "Right of Way Area" is a part of Grantor's Land described as:
The northerly 10 feet of the easterly 160 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:

X
Russel Haglund
Frances Haglund

Jeffrey L. Kern
Cindy N. Kern

Acknowledged before me in Oakland County, Michigan, on 3rd July, 1991 A#36 REG/DEEDS PAID
0001 AUG.28.91 12:43PM
6953 MISC O.K. 7.00 - LM

Terry L. Benedict
Notary's Signature

TERRY L. BENEDICT
Notary Public, Oakland County, MI
My Commission Expires July 1, 1992

A#36 REG/DEEDS PAID
0001 AUG.28.91 12:43PM
6953 RNT FEE Stamp 2.00

Prepared by and Return to:

Terry L. Benedict, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48010

RECORDED FOR 11.03.42041

① Grants.

Jeffrey Lynn Kern
Cindy M. Kern

② Sec. 13, part of E 1/2
of NW 1/4 beg at SW
cor. of lot 45 of "Sunrise
Hights on White Lake"

③ Highland Twp., Oakland
County

RETURN TO
J. D. McDONALD
THE DETROIT EDISON COMPANY
30400 TELEGRAPH ROAD, 277 OAKDH
BIRMINGHAM, MICHIGAN