

LIBER 12095 PG 448

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1330

On 7-23-91, 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:

Larkin Residential Construction, Inc., a Michigan corporation, 5235 Highland Road, Waterford, Michigan 48327

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Greater Media Cablevision, Inc., a Michigan corporation of 3166 Martin Road, Walled Lake, Michigan 48088

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

Part of SE 1/4, Sec. 18, T3N., R7E., beg at pt dist N 00° 03' 11" E 935.89 ft from SE sec cor, th S 89° 58' 32" W 527.51 ft, th N 00° 03' 11" E 388.39 ft, th S 89° 54' 55" E 527.51 ft, th S 00° 03' 11" W 387.39 ft to beginning. 4.70 acres. Sidwell No: 11-18-476-004

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

In a northeasterly and southwesterly direction from a pt on the west property line approximately 20 feet north of the south property line thence north easterly direction to a pt located approximately 30 feet east of the west property line and approximately 235 feet north of the south property line. The right of way is ten feet in width.

Pl of 11-18-476-004

- 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:

Denise G. Curd
DENISE G CURD

Boris Whaley
BORIS WHALEY

Larkin Residential Construction, Inc.
a Michigan corporation

By: *[Signature]*
LARKIN JACKSON

Its: *[Signature]*
President

4#36 REG/DEEDS PAID
0001 SEP.30'91 01:26PM
3202 MISC 9.00

4#36 REG/DEEDS PAID
0001 SEP.30'91 01:26PM
3202 RMT FEE 2.00

Prepared by and Return to:
Terry L. Benedict, 30400 Telegraph Rd., Suite 277, Birmingham, Mi 48025

MISC. RIGHT OF WAY FILE NO. 252038
 REGISTERED RIGHT OF WAY NO. 42278
 O.K. - TS

RW #O-1330

Acknowledged before me in Oakland County, Michigan, on July 23, 19 91

by Larkin Jackson the President

of LARKIN RESIDENTIAL CONSTRUCTION, INC., a Michigan corporation, for the corporation.

Denise G. Curd

Notary's Signature

DENISE G. CURD
NOTARY PUBLIC-OAKLAND COUNTY, MICH.
MY COMMISSION EXPIRES 11-23-91

Notary's Stamp

RECORDED RIGHT OF WAY NO. 42278
See Also
MISC. RIGHT OF WAY FILE NO. 252038