

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1343

On August 6, 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: 6450 Sand Lake Rd., Dayton, OH 45414 American Aggregates Corporation, a Ohio corporation, P.O. Drawer 160 East Ave., Greenville, Ohio 45331-0160

"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: Sec. 4, T3N., R7E., SE 1/4 exc beg at SE sec cor, th N 01° 36'00" E 333 ft, th W 132 ft, th S 01° 36'00" W 333 ft, th E 132 ft to beginning. 158.99 acres. Sidwell No: 11-04-400-006

The "Right of Way Area" is a part of Grantor's Land described as: The east 2 feet of the west 1788 ft of the north 25 feet of the south 265 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.

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

Witnesses: Duane J. Salswedel Katherine A. Hartman

Grantor: American Aggregates Corporation By: G. Max Brown

Its: Region Manager

REG/DEEDS PAID 0001 SEP.30 '91 01:26PM 3202 RMT FEE 2.00 O.K. - LM

Prepared by and Return to:

Terry L. Benedict, 30400 Telegraph Rd., Suite 277, Birmingham, Mi 48025

7. Liability: The Grantee shall indemnify and hold harmless the Grantor, its successors and assigns, lessees thereof, and all of their agents, employees and/or representatives from and against all claims, damages, losses, suits and actions, including attorneys' fees, arising or resulting from the installation, construction, operation, maintenance, repair, renewal, replacement and/or removal of said overhead utility line on, over and across the subject premises and any damages and losses on contiguous real estate unless caused by the negligence of Grantor, its successors, assigns, lessees thereof or their agents, employees and/or representatives.

RECORDED RIGHT OF WAY NO. 42285