

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1479

On November 12, 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:

American Aggregates Corporation, a ~~Ohio~~ ^{Delaware} corporation, ~~350 Dunlap Road, Oxford, Michigan 48371~~

"Grantee" is:

6450 Sand Lake Rd., Dayton, OH 45414
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
Greater Media Cablevision, Inc., a Michigan corporation, 3166 Martin Road, Walled Lake, Michigan 48088

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

Sec. 5, T3N., R7E., NW 1/4 exc N 20 acres of NW 1/4 of NW 1/4, also exc beg at pt dist N 1488.20 ft from W 1/4 cor, th N 88°44'00" E 500 ft th N 142 ft, th S 88°44'00" W 500 ft, th S 142 ft to beg, also W 36.79 acres of N 113.57 acres of NE 1/4, also W 58 acres of S 80 acres of NE 1/4, also W 1/2 of SE 1/4, also NE 1/4 of SE 1/4, also N 10 acres of SE 1/4 of SE 1/4. 402.41 acres. Sidwell No: 11-05-100-008

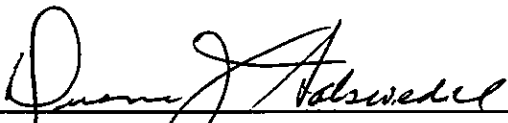
The "Right of Way Area" is a part of Grantor's Land and is described as:

The north 10 feet of the south 63 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.
- 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.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)



Duane J. Salswedel

American Aggregates Corporation, a ~~Ohio~~ ^{Delaware} Corporation

Delaware



Kathleen M. Marian



By: G. Max Brown
Its: Region Manager

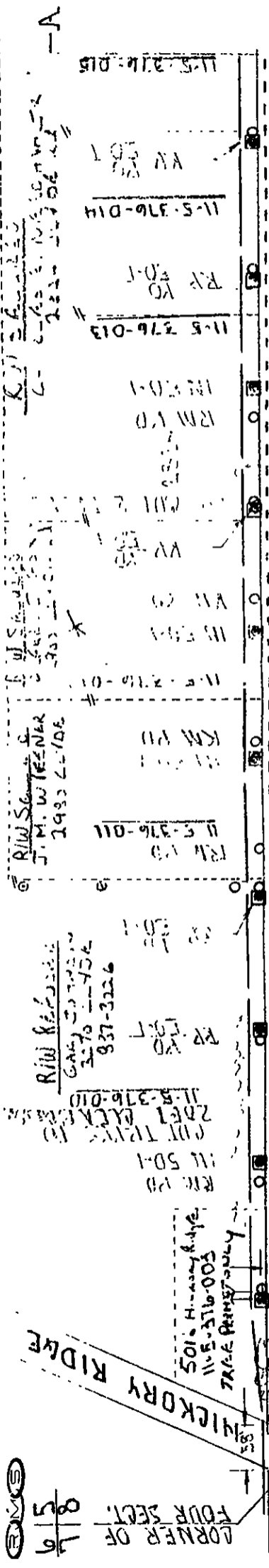
Acknowledged before me in Oakland County, Michigan, on November 12, 1991 by G. Max Brown
the Region Manager of American Aggregates Corporation, a ~~Ohio~~ ^{Delaware} corporation, for the corporation.

Notary's Stamp
KATHLEEN A. HARTMAN
Notary Public, Oakland County, Michigan
My Comm. Expires July 13, 1992

Notary's Signature Kathleen A. Hartman

RECORDED RIGHT OF WAY NO. 43832

2-175-428
1-154-430



CORNER OF FOUR SECT. 8 5 16

NO CAT PER CUSTOMER 013-04-05

CORNER OF FOUR SECT. 8 5 16

R/W R. KUPFER
WILLIAM H. DICKERSON
210 CLYDE RD
837-7640

R/W S. MARRAS
AMERICAN ALLEGATES COND.
DURAND S. MARRAS
623-2511
2350 CLYDE RD

R/W S. MARRAS
EDWARD T. BUGIS
2118 CLYDE RD

NOT BY CUSTOMER
ADJUSTED IN YARD
1930 CLYDE RD

2930 CLYDE RD
UTILITY SEALINGS
1/2 SUB NEAR R/W

* TRAIL PLANNED S. MARRAS
2400 CLYDE RD
2350 CLYDE RD
5016 MILLWAD RIDGE

JOINT USE NENE E 1/2 04 GTE
JOINT USE NENE E 1/2 10 GTE

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W REQUIRED AS INDICATED ON THIS SURCH	10-15-91
DATE	11-15-91
PROJECT NO.	11-2001
SCALE	1" = 200'
BUDGET ITEM NO.	521-90
Q.P.W. SO. OR P.E. NO.	
PROJ. OR PART NO.	
JOINT R/W REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
RANGE	3N 1E
TOWNSHIP	3N
COUNTY	OSHTON
DEPT. ORDER NO.	
Q.P.W. SO. OR P.E. NO.	

THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT	
LEGEND	ATTENDANT
FOREIGN POLE	EXIST. O.E. CO. POLE
PROPOSED POLE	EXIST. ANCHOR
PROPOSED ANCHOR	TREE
120/240 V LINE	4800 V LINE
13,200 V LINE	60,000 V LINE