

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1609

On DECEMBER 17, 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:

David Dugall and Diana Dugall, Husband and Wife, 1050 Dolane, White Lake, Michigan 48383-2401

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
General Telephone, a Michigan corporation, 7362 Davison Road, Davison, Michigan 48423

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

T3N, R7E, Sec. 4, Part of NE 1/4, beginning at a point distant, S 89°06'14" W 1327.50 ft. and N 00°58'40" E 660.00 ft. from E 1/4 corner, th N 89°30'46" W 1354.87 ft., th N 00°59'23" E 330.00 ft., alg N & S 1/4 line, th S 89°30'46" E 1354.80 ft., th S 00°58'40" W 330.00 ft. to beginning. 10.26 acres. Sidwell No. 11-04-251-011.

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

Beginning at a point on the south property line approximately 300 feet west of east property line, thence in a northwesterly direction approximately 90 feet to a point, said point being 400 feet west of east property line and 63 feet north of south property line thence in a westerly direction approximately 90 feet to a point, said point being approximately 490 feet west of east property line and 63 feet north of south property line and point of ending. Sidwell No. 11-04-251-011.
The right of way is ten 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:(type or print name below signature)

Omer V Racine
OMER V RACINE
Deborah W. Thomas
DEBORAH W. THOMAS

Grantor:(type or print name below signature)

David Dugall
DAVID DUGALL
Diana K. Dugall
DIANA DUGALL
7.00
2.00 RMA

Acknowledged before me in Oakland County, Michigan, on DECEMBER 17, 1991 by DAVID DUGALL and DIANA K. DUGALL, Husband and Wife.

Notary's Stamp
OMER V. RACINE
Notary Public, Oakland County, MI
My Commission Expires May 29, 1994

Notary's Signature Omer V Racine O.K. - TS

RECORDED RIGHT OF WAY NO. 43105