

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1671

On 2-23-92, 1992, 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:

Daniel D. Smock and Suzanne Smock, Husband and Wife, 1830 W. Wardlow, Highland, Michigan

"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, Section 9, part of E 1/2 of SW 1/4, beg at point distant N 89°49'12" E 2336.31 ft., and N 01°05'36" E 880 ft., from SW section corner, th S 89°49'12" W 665.43 ft., th N 00°44'19" E 440.49 ft., th N 89°33'03" E 668.24 ft., th S 01°05'36" W 443.94 ft., to beg. 6.72 Acres. Sidwell No. 11-09-376-010.

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

The southerly 10 feet of the northerly 159 feet of the easterly 125 feet of the above described property. The right of way is 10 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 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.

RECORDED RIGHT OF WAY NO. 43107

Witnesses:(type or print name below signature)

harnold Magee

Grantor:(type or print name below signature)

[Signature of Daniel D. Smock]

DANIEL D. SMOCK

7:00
2:00 P.M.E

WARWICK MAGEE

Patricia A. Wright
Patricia A. Wright

SUZANNE SMOCK

Acknowledged before me in Oakland County, Michigan, on 2-23, 1992 by DANIEL D. SMOCK and SUZANNE SMOCK, Husband and Wife.

JUDITH C. BRIAN
Notary Public, Oakland County, MI
My Commission Expires Sept. 10, 1995

Notary's Stamp

Notary's Signature

[Signature of Judith C. Brian]

Prepared by and Return to: Omer V. Racine, 30400 Telegraph Road, Room 277, Bingham Farms, Michigan 48025

OK - G.K.