

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:

James R. Fox, III and Bridget M. Fox, Husband and Wife, 3601 Loch, Highland, Michigan 48357-2601

"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 SW¼, beg at point distant N 89°30'30" W 364.50 ft., and N 01°00'00" E 670.00 ft., from S ¼ corner, th N 01°00'00" E 530.00 ft., th S 89°30'30" E 169.50 ft., th N 76°29'20" E 25.82 ft., th S 01°00'00" W 536.25 ft., th N 89°30'30" W 194.50 ft., to beginning. 2.37 Acres. Sidwell No. 11-09-376-008

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

Beginning at a point on the north property line said point being 25 ft. west of the east property line. Thence southwesterly 265 ft to a point on the west property line said point being 35 ft., south of the north property line. The right of way is 10 feet in width.

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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.
- 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. 43108

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

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Warwick Magee
WARWICK MAGEE

James R. Fox III
JAMES R. FOX, III

Patricia A. Wright
Patricia A. Wright

Bridget M. Fox
BRIDGET M. FOX

Acknowledged before me in Oakland County, Michigan, on 2-23, 1992 by JAMES R. FOX, III and BRIDGET M. FOX, Husband and Wife.

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

Notary's Stamp _____ Notary's Signature Judith C. Brian

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

OK - G.K.