

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1470 R1

On March 17, 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: Delaware 6450 Sand Lake Rd. ~~JUL 16 1992 12:38 PM~~
American Aggregates Corporation, a ~~Ohio~~ corporation, ~~1100 Clyde, Highland, Michigan 48820~~ 9.00

"Grantee" is:
The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Greater Michigan Cablevision, Inc., a Michigan corporation, 3166 Martin Road, Walled Lake, Michigan 48088

"Grantor's Land" is in Highland Township, Oakland County, described as:
Sec. 4, T3N., R7E., NE 1/4 of SW 1/4, also S 1/2 of SW 1/4. 120 acres. Sidwell No: 11-04-300-006

The "Right of Way Area" is a part of Grantor's Land and is described as:
C/L of a 15 foot easement. Beg at a pt on the W P/L said pt is 50 feet N of the S sect. line th cont easterly to a pt on the most southerly E P/L said pt is 50 feet N of the S sect line and the pt of ending. Also install 25 feet northerly extending anchor guys at proposed 1st, 7th and 8th pole that are E of the W P/L. Also install a 25 foot northwesterly extending anchor guy at the proposed 10th pole that is E of the W P/L and also install a 25 foot westerly extending anchor guy to an existing pole, said pole is located 280 feet N of S sect line and 350 feet E of the W P/L also install a 25 foot easterly extending anchor guy to an existing pole, said pole is located 280 feet N of S sect line and 570 feet E of the W P/L. The right of way is 15 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.
- 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 on their agents, employees and/or representatives.

RECORDED RIGHT OF WAY NO. 43243

9.00
2.00 RMT

B#92 REG/DEEDS PAID
0001 JUL.16'92 12:38PM
\$213. RMT. FEE

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Judy Sroka
Judy Sroka
Duane J. Salswedel
Duane J. Salswedel

American Aggregates Corporation
G. Max Brown
G. Max Brown, Region Manager

O.K. - TS