

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1519 R1

On January 20, 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:
American Aggregates Corporation, a Delaware corporation, P.O. Box 147515, Dayton, Ohio 45413-7515
"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
Greater Media Cablevision, Inc., a Michigan corporation, 3166 Martin Road, Walled Lake, Michigan 48088

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

T3N, R7E, Section 5, NW ¼ exc N 20 acres of NW ¼ of NW ¼, also exc beginning at point distant N 1488.20 ft., from W ¼ corner, 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 beginning, also W 36.79 acres of N 113.57 acres of NE ¼, also W 58 acres of S 80 acres of NE ¼, also W ½ of SE ¼, also NE ¼ of SE ¼, also N 10 acres of SE ¼ of SE ¼. 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 easterly 10 ft. of the westerly 63 ft. The easement runs in a northerly and southerly direction across said land along a line 58 ft. east of the centerline of Hickory Ridge Road. The right of way is ten (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 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 estates unless caused by the negligence of Grantor, its successors, assigns, lessees thereof or their agents, employees and/or representatives.

B#92 REG/DEEDS PAID
0001 JAN 14 '93 03:35PM
6878 MISC 9.00

RECORDED RIGHT OF WAY NO. 44337

Witnesses:(type or print name below signature)

Judy Sroka
Judy Sroka

Kathleen M. Marian
Kathleen M. Marian

Grantor:(type or print name below signature)

AMERICAN AGGREGATES CORPORATION, a Delaware corporation
G. Max Brown
G. Max Brown, Region Manager

B#92 REG/DEEDS PAID
0001 JAN 14 '93 03:35PM
6878 MISC 2.00

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