

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9300552-10

On May 13<sup>th</sup>, 1993, 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:

Frank Properties, Inc., A Michigan corporation, 124 W. Grand River, Howell, MI 48833

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

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

Section 13, T3N, R7E, La Salle Gardens, lot 27, ex that part taken for rd, also all of lots 28 & 29 - Sidwell No: 11-13-455-018

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

The Easterly 10 feet of Grantor's land.

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. Building 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.

46013

B#92 REG/DEEDS PAID  
0001 JUL 21 1993 02:39PM  
3564 MISC 7.00

RECORDED RIGHT OF WAY NO. 44991

Witnesses:(type or print name below signature)

Richard H. Babcock  
RICHARD H. BABCOCK

Kay Riemann  
KAY RIEMANN

Grantor:(type or print name below signature)

Frank Properties, Inc.

Andrew J. Frank  
Andrew J. Frank, President

Acknowledged before me in Livingston County, Michigan, on May 13<sup>th</sup>, 1993 by Andrew J. Frank, the President of Frank Properties, Inc., A Michigan corporation, for the corporation.

KAY RIEMANN  
Notary Public, Livingston County, Michigan  
My Commission Expires May 23, 1995

Notary's Stamp \_\_\_\_\_ Notary's Signature Kay Riemann  
(Notary's name, county and date commission expires)

Prepared by and Return to: Omer V. Racine, 30400 Telegraph Road, Suite 277, Birmingham, Michigan 48025/caa.

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