

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R9311057-01

On 12-9, 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:

Highland Hye Company, a Michigan Co-Partnership,
31523 W. Thirteen Mile Road, Farmington Hills, Michigan 48334

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"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
GTE North, Inc., a Wisconsin corporation, 455 E. Ellis Road, Muskegon, Michigan 49443

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

Part of the East one-half (1/2) of fractional section 3, Town 3 North, Range 7 East, beginning at a point distant North 01°30'36" East 1062 feet from Southeast section corner, thence North 89°12'34" West 1303 feet, thence North 46°20'04" West 614.44 feet, thence South 84°29'56" East 439.57 feet, thence South 89°12'34" East 1320 feet, thence South 01°30'36" West 382 feet to the beginning, containing 9.90 acres, more or less, Oakland County Records. Sidwell No. 11-03-400-014-5614

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

The North Five (5) feet of Grantor's land, also the West Fifteen (15) feet of the Easterly Forty-Eight (48) 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.

Witnesses:(type or print name below signature)

Omer V. Racine
OMER V. RACINE

James D. McDonald
JAMES D. McDONALD

Grantor:(type or print name below signature)

Highland Hye Company, a Michigan Co-Partnership

Jack H. Kaulakian
By: JACK H. KAULAKIAN

Its: Co-Partner O.K. — LM

Acknowledged before me in OAKLAND County, Michigan, on 12-9, 1993 by JACK H. KAULAKIAN, the Co-Partner of Highland Hye Company, a Michigan Co-Partnership, for the Co-Partnership.

Notary's Stamp JAMES D. McDONALD
Notary Public, Oakland County, MI
My Commission Expires April 26, 1995
(Notary's name, county and date commission expires)

Notary's Signature *James D. McDonald*

Prepared by and Return to: James D. McDonald, 30400 Telegraph Road, Suite 210, Birmingham, Michigan 48025/kad

RECORDED RIGHT OF WAY NO. 45574
See A/50:
RIGHT OF WAY FILE NO.