

**OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9311547-01**

On 10-15-93, 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:**

Herbert A. Swartz and Joan Swartz, Husband and Wife,  
4445 Strathcona, Highland, Michigan 48357-2754

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6669 MISC 7.00

**"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  
T.C.I. Cablevision of West Oakland County, Inc., a Michigan corporation, 3166 Martin Road, Walled Lake, Michigan 48088

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

Part of the Northeast one-quarter (1/4), Section 9, Town 3 North, Range 7 East, beginning at a point distant South 89°44'30" West 1587.25 feet and South 09°49'38" East 142.70 feet and South 19°35'30" East 98.56 feet and South 29°21'30" East 260 feet from Northeast section corner, thence South 29°21'30" East 493.40 feet, thence South 68°09'00" West 264.11 feet, thence South 10°59'18" East 100 feet, thence along curve to left, radius 29.48 feet, chord bears South 56°29'18" East 42.05 feet, distance of 45.72 feet, thence along curve to left, radius 789.22 feet, chord bears South 75°39'06" West 65 feet, distance of 65.02 feet, thence along curve to left, radius 222.92 feet, chord bears South 58°39'21" West 112.63 feet, distance of 113.89 feet, thence North 48°19'00" West 141.48 feet, thence North 18°07'00" West 438.25 feet, thence North 58°33'42" East 410.28 feet to the beginning, containing 5.22 acres, more or less. Sidwell No. 11-09-201-012.

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

The North Ten (10) feet of the Southerly One Hundred Forty-Five (145) feet of the Westerly Twenty (20) 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.

RECORDED RIGHT OF WAY NO. 455777

**Witnesses:**(type or print name below signature)

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**Grantor:**(type or print name below signature)

*John A. Guttererson*  
JOHN A. GUTTERERSON  
*Norma D. Guttererson*  
NORMA D. GUTTERERSON

*Herbert A. Swartz* O.K. - LM  
Herbert A. Swartz  
*Joan Swartz*  
Joan Swartz

Acknowledged before me in OAKLAND County, Michigan, on 10-15-93, 1993 by  
Herbert A. Swartz and Joan Swartz, Husband and Wife.

**JAMES D. McDONALD**  
Notary Public, Oakland County, MI  
My Commission Expires April 24, 1995

Notary's Signature *James D. McDonald*

(Notary's name, county and date commission expires)