

**OVERHEAD EASEMENT (RIGHT OF WAY) NO. R9311166-01**

On 12-1, 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:**

James E. Johnson and Margaret A. Johnson, Husband and Wife,  
1759 Phinney, Highland, Michigan 48357

**"Grantee" is:**

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

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

Part of the Southeast one-quarter (1/4), Section 18, Town 3 North, Range 7 East, beginning at a point distant South 89°51'57" West 1008.86 feet and North 06°50'10" West 843.29 feet and North 00°10'24" West 75 feet from Southeast section corner, thence South 89°54'55" East 582.79 feet, thence South 00°03'11" West 386.79 feet, thence South 73°46'12" West 487.38 feet, thence North 05°50'10" West 447.93 feet, thence North 37°42'05" West 100 feet to the beginning, containing 5.32 acres, more or less, Oakland County Records. Sidwell No. 11-18-476-007.

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

As shown on the attached Right-of-Way drawing No. R9311166, dated 10/12/93.  
The Right-of-Way is Five (5) 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. 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)

STEVEN F. HALLER  
JAMES D. McDONALD  
JAMES D. McDONALD

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

James E. Johnson  
Margaret A. Johnson

Acknowledged before me in OAKLAND County, Michigan, on 12-1, 1993 by James E. Johnson and Margaret A. Johnson, Husband and Wife.

**JAMES D. McDONALD**  
 Notary Public, Oakland County, MI  
 Notary's Stamp M. Commission Expires April 24, 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

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RECORDED RIGHT OF WAY NO. 49-5-779