

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

On 11-9, 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:

NBD Bank N.A., Trustee under Agreement with Rhino Sales Company Profit Sharing Plan, Segregated Account No. 417609900/Steiner, 101 N. Alloy Drive, Fenton, Michigan 48430

"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 North 00°03'11" East 1323.28 feet and North 89°54'55" West 1112.05 feet from Southeast section corner, thence South 00°10'24" East 415.00 feet, thence North 89°54'55" West 495.00 feet, thence North 00°10'24" West 415.00 feet, thence South 89°54'55" East 495.00 feet to the beginning, containing 4.72 acres. Sidwell No. 11-18-452-002.

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

The South Five (5) feet of the Easterly One Hundred (100) 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. 415580

Witnesses:(type or print name below signature)

Carol M. Rathke

Carol M. Rathke

Anna M. Barlow

Anna Barlow

Grantor:(type or print name below signature)

NBD Bank N.A.

Leann M. Barter

By: Leann M. Barter

Its: Assistant Vice President

Acknowledged before me in Genesee County, Michigan, on November 9, 1993 by Leann M. Barter, the Assistant Vice President of NBD Bank N.A., Trustee under Agreement with Rhino Sales Company Profit Sharing Plan, Segregated Account No. 417609900/Steiner.

JULIE M. JOHNSON Notary Public, Genesee County, MI My Commission Expires Sept. 1, 1996

Notary's Stamp

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

Notary's Signature

Julie M. Johnson

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

O.K. - LM