

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R9311076-01

On 11-19, 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:

Thomas Clarence Maiberger, a/k/a Thomas C. Maiberger, and a/k/a Tom Clarence Maiberger, and a/k/a Tom Maiberger and Suzanne P. Maiberger, a/k/a Suzanne Price Maiberger, 201 Lone Tree, Milford, Michigan 48380

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
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 North one-half (1/2) of Northwest one-quarter (1/4), Section 34, Town 3 North, Range 7 East, beginning at a point distant East 275 feet from Northwest section corner, thence East 200 feet, thence South 00°12'35" East 480.77 feet, thence North 89°52'00" West 200 feet, thence North 00°12'35" West 480.30 feet to the beginning, containing 2.20 acres, more or less, Oakland County Records. Sidwell No. 11-34-101-017.

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

The South Ten (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.

RECORDED RIGHT OF WAY NO. 45589

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Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Carol A. Porter
CAROL A. PORTER

James D. McDonald
JAMES D. McDONALD

Tom Maiberger
Tom Maiberger

Suzanne P. Maiberger
Suzanne P. Maiberger

Acknowledged before me in OAKLAND County, Michigan, on 11-19, 1993 by

Tom Maiberger A/K/A THOMAS CLARENCE MAIBERGER, A/K/A THOMAS C. MAIBERGER, A/K/A TOM CLARENCE MAIBERGER AND SUZANNE P. MAIBERGER A/K/A SUZANNE PRICE MAIBERGER
CAROL A. PORTER NOTARY FOR TOM MAIBERGER

Notary Public for the State of Michigan
My Comm. Expires April 1, 1996

Notary's Stamp ACTING IN OAKLAND COUNTY Notary's Signature Carol A. Porter
(Notary's name, county and date commission expires)

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

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