

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9400000-02

On 5-8, 1995, 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:

D. L. Partners, a Michigan Co-Partnership, 25200 Telegraph Road, Suite 410, Southfield, Michigan 48034,

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226 P.M. RECEIPT# 126B

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

See attached Appendix "A" for legal description. Sidwell No. 11-14 (100-055) 251-005 LYNNE J. ALLEN, CLERK/REGISTER OF DEEDS

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

The Right-of-Way is Ten (10) feet in width as shown on attached Detroit Edison drawing No. R-9400000-02 dated 06/21/94.

- 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.

And Witnesses: (type or print name below signature)

Grantor: (type or print name below signature) D. L. Partners, a Michigan Co-Partnership

Maureen E. Bennane MAUREEN E. BENNANE

By: WALTER COHEN

Vicky R. Levesque VICKY R. LEVESQUE

Its: PARTNER

Acknowledged before me in Oakland County, Michigan, on May 8, 1995 by

Walter Cohen the PARTNER of D. L. Partners, a Michigan Co-Partnership, for the Michigan Co-Partnership.

Notary's Stamp MAUREEN E. BENNANE PUBLIC - WAYNE COUNTY, MICH. COMMISSION EXPIRES 03-15-97 (Notary's name, county and date commission expires)

Notary's Signature Maureen E. Bennane

APPENDIX "A"
PAGE 1 OF 2

OVERALL DESCRIPTION

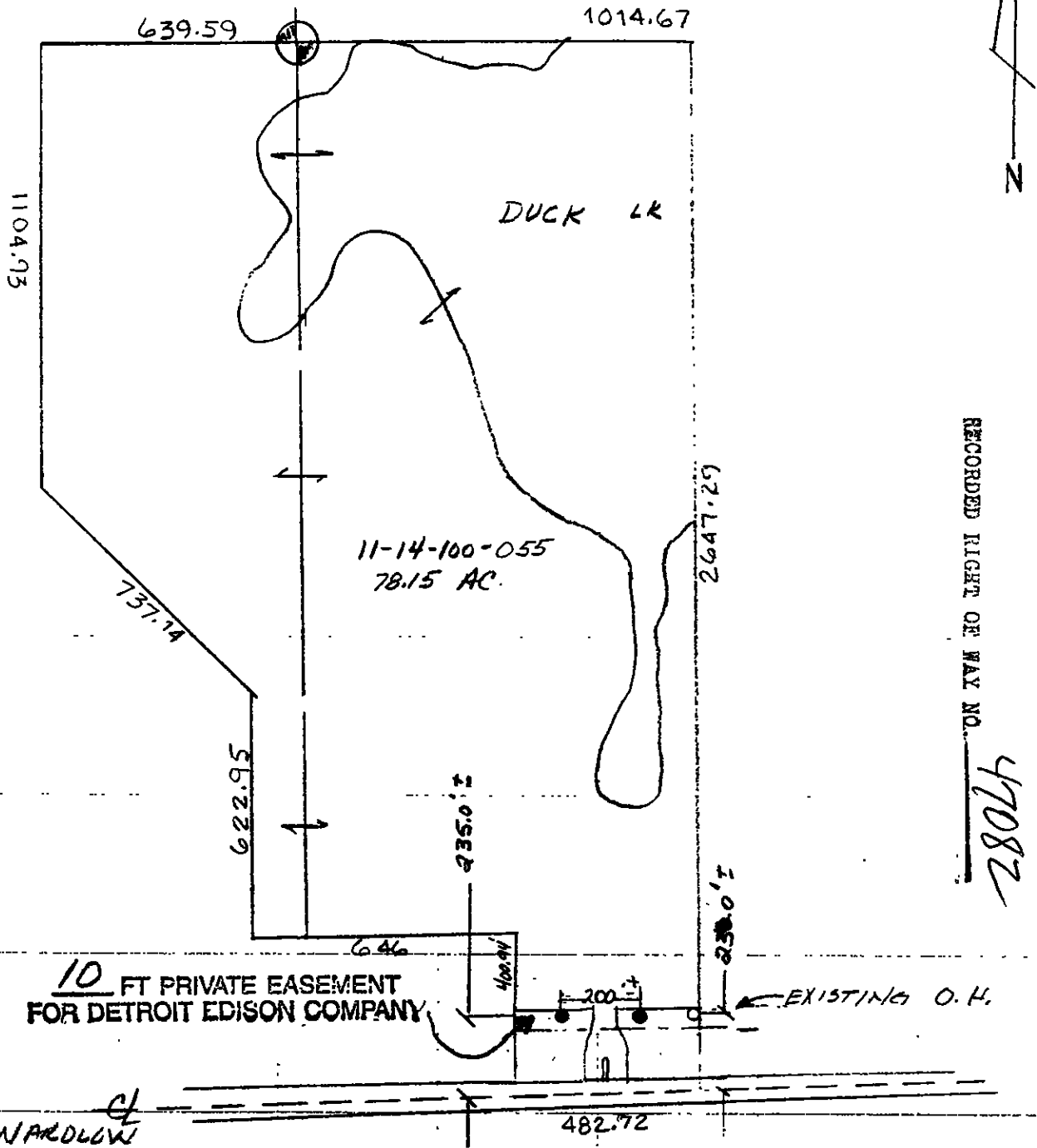
A PARCEL OF LAND LOCATED IN PART OF THE N. 1/2 OF SECTION 11, T. 3 N., R. 7 E., HIGHLAND TOWNSHIP, OAKLAND COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT THE N. 1/4 CORNER OF SAID SECTION 11 AND PROCEEDING S. 89°31'19" E., 436.12 FEET ALONG THE NORTH LINE OF SECTION 11; THENCE S. 11°42'56" E., 47.56 FEET; THENCE S. 86°01'22" E., 191.29 FEET RECORD, 190.69 FEET MEASURED; THENCE N. 47°43'55" E., 85.63 FEET; THENCE CONTINUING ALONG SAID NORTH SECTION LINE S. 89°31'19" E., 315.24 FEET TO A POINT IN DUCK LAKE; THENCE S. 00°27'56" W., 2,647.29 FEET RECORD, 2,646.69 FEET MEASURED; THENCE ALONG THE EAST-WEST 1/4 LINE OF SECTION 11, ALSO BEING THE CENTERLINE OF WARDLOW ROAD 33 FEET WIDE (1/2 WIDTH) N. 89°58'40" W., 482.72 FEET RECORD, 482.90 FEET MEASURED; THENCE N. 01°52'24" E., 400.80 FEET RECORD, 400.94 FEET MEASURED; THENCE N. 89°13'12" W., 646.00 FEET RECORD, 646.13 FEET MEASURED; THENCE N. 01°04'08" W., 636.94 FEET; THENCE N. 45°03'30" W., 717.39 FEET; THENCE N. 00°08'55" E., 1,107.08 FEET TO A POINT ON THE NORTH LINE OF SECTION 11, SAID LINE ALSO BEING THE SOUTH LINE OF "AXFORD ACRES NO. 15" AS RECORDED IN LIBER 139 PAGES 39 AND 40 OAKLAND COUNTY RECORDS; THENCE ALONG SAID NORTH SECTION LINE AND SOUTH SUBDIVISION LINE S. 89°31'32" E., 639.59 FEET TO SAID N. 1/4 CORNER OF SECTION 11, ALSO, BEING THE POINT OF BEGINNING, CONTAINING 78.67 ACRES

The above legal N/A
South Bay Shores Condo.
Units P-61, OCC# 894
Snt 11-14-251-000
9000894
And
Pt NW 1/4 and NE 1/4
11-14-127-001 sec 14
Highland

RECORDED RIGHT OF WAY NO.

47082

N 1/4 COR



RECORDED RIGHT OF WAY NO. 47082

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THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT				
LEGEND FOREIGN POLE EXIST D.E. CO. POLE PROPOSED POLE EXIST ANCHOR PROPOSED ANCHOR TREE 120/240 VOLT LINE 4800 VOLT LINE 13,200 VOLT LINE 40,000 VOLT LINE	CITY OR TOWNSHIP HIGHLAND		COUNTY OAKLAND	
	QTR. & TWP. SECT. NO. W 1/2 E 1/2 SEC 14		DEPT. ORDER NO. R-9400000-02	
	MAP SECT. 1-199-424	TOWN T.3N	RANGE R.7E	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	PROJECT NAME SOUTH BAY SHORES		TEL. ENGR' & DIST. TEL. ENGR' & DIST.	PROJ. OR PART NO. PROJ. OR PART NO.
	CIRCUIT 8255 WDLW		O.E.W. S.O. OR P.E. NO. O.E.W. S.O. OR P.E. NO.	
	REASON O.H. R/W REQ. 10FT IN WIDTH		BUDGET ITEM NO. BUDGET ITEM NO.	
	PLANNER D.W. THOMAS		SCALE 1" = 400'	DATE 6-21-94