

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-4745

On December 13th, 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:

Gordon Brooks and Susan Brooks, husband and wife, 800 Lone Tree, Milford, Michigan 48380

"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 E 1/2 of SE 1/4 T3N, R7E, Sec 28, beginning at point distance, S 02-05-30 E 1325.19 ft & S 01-50-13 E 1323.27 ft & S 87-30-48 W 660.00 ft from E 1/4 cor, th S 87-30-48 W 331.79 ft alg cen line Lone Tree Rd., th N 01-50-13 W 660.00 ft, th N 87-30-49 E 331.79 ft, th S 01-50-13 E 660.00 ft to beginning. 5.03 Acres. Sidwell No. 11-28-400-018

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

As shown on the attached Detroit Edison Company drawing No. R-4745, dated November 27, 1995. Width of Right of Way is ten (10) feet.

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)

Sandra Graf
SANDRA GRAF

E. Leslie Nave
E. LESLIE NAVE

Grantor:(type or print name below signature)

Gordon Brooks
Gordon Brooks

Susan Brooks
Susan Brooks

Acknowledged before me in Oakland County, Michigan, on December 13, 1995 by Gordon Brooks and Susan Brooks, husband and wife.

SANDRA GRAF
NOTARY PUBLIC STATE OF MICHIGAN
OAKLAND COUNTY
MY COMMISSION EXP. JAN. 5, 1997

Notary's Stamp _____ Notary's Signature *Sandra Graf*
(Notary's name, county and date of commission)

\$ 9.00 MISCELLANEOUS RECORDING
 \$ 2.00 REMONUMENTATION
 26 JAN 96 1:48 P.M. RECEIPT# 79A
 PAID RECORDED - OAKLAND COUNTY
 LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

Prepared by and Return to: Terry Benedict, 56500 Grand River, New Hudson, MI 48165

O.K. -S.R.