

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-20606-2

\$ 13.00 MISCELLANEOUS RECORDING
\$ 2.00 RECOMMENDATION
PAID
RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

On APR 22, 1996, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

American Aggregates of Michigan Inc., a Michigan Corporation, 42400 Grand River, Suite 101, Novi, Michigan 48375

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
General Telephone Company, 7362 Davison Road, Davison, Michigan 48423

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

See attached Appendix "A". Sidwell No. 11-04-400-006, 11-04-300-006, 11-05-100-008.

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-20606-2, dated March 25, 1996. Width of Right of Way is ten (10) feet. ~~AND (12) TWELVE FEET~~

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead and underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. **Access:** Grantee has the right of access to and from the Right of Way Area.
3. **Buildings 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. **Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
6. **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.
7. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licenses and assigns.
8. **Liability:** The Grantee shall indemnify and hold harmless the Grantor, its successors and assigns, lessees thereof, and all of their agents, employees and/or representatives from and against all claims, damages, losses, suits and actions, including attorneys' fees, arising or resulting from the installation, construction, operation, maintenance, repair, renewal, replacement and/or removal of said overhead utility line on, over and across the subject premises and any damages and losses on contiguous real estate unless caused by the negligence of Grantor, its successors, assigns, lessees thereof or their agents, employees and/or representatives.

RECORDED RIGHT OF WAY NO. 49281

O.K. - J.S.

13.00
+ 2.00

LIBEP 16283 PG 254

Witnesses:(type or print name below signature)

Paula J. Buehler
Paula J. Buehler
Lisa A. Mowery
Lisa A. Mowery

Grantor:(type or print name below signature)
American Aggregates of Michigan Inc..
a Michigan Corporation

BY: Geoffrey C. Harris
Geoffrey C. Harris
President, CEO, & Vice Chairman
BY: Peter W. Trimble
Peter W. Trimble
Vice President & Treasurer

Acknowledged before me in Montgomery County, Ohio, on April 26, 1996 by
Geoffrey C. Harris & Peter W. Trimble the President, CEO & Vice Chairman & Vice President & Treasurer of American Aggregates of Michigan
Inc., a Michigan Corporation, for the Corporation.

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

Notary's Signature Lisa A. Mowery
Lisa A. Doyle
Notary Public, State of Ohio
My Commission Expires June 4, 1998
formerly Doyle



RECORDED RIGHT OF WAY NO. 49281

APPENDIX "A"

LISEP 16283 PG. 255

SIDWELL NO: 11 04 400 006

PROPERTY DESCRIPTION:

- 01 T3N, R7E, SEC 4
- 02 SE 1/4 EXC
- 03 BEG AT SE SEC COR,
- 04 TH N 01-36-00 E 333 FT,
- 05 TH W 132 FT,
- 06 TH S 01-36-00 W 333 FT,
- 07 TH E 132 FT
- 08 TO BEG 158.99 A

SIDWELL NO: 11 04 300 006

PROPERTY DESCRIPTION:

- 01 T3N, R7E, SEC 4
- 02 NE 1/4 OF SW 1/4, ALSO
- 03 S 1/2 OF SW 1/4 120 A

SIDWELL NO: 11 05 100 008

NW 1/4 & SE 1/4, & NE 1/4

PROPERTY DESCRIPTION:

- 01 T3N, R7E, SEC 5
- 02 NW 1/4 EXC
- 03 N 20 ACRES OF NW 1/4 OF
- 04 NW 1/4, ALSO EXC
- 05 BEG AT PT DIST N 1488.20 FT
- 06 FROM W 1/4 COR,
- 07 TH N 88-44-00 E 500 FT
- 08 TH N 142 FT,
- 09 TH S 88-44-00 W 500 FT.
- 10 TH S 142 FT
- 11 TO BEG. ALSO
- 12 W 36.79 ACRES OF
- 13 N 113.57 ACRES OF NE 1/4,
- 14 ALSO W 58 ACRES OF
- 15 S 80 ACRES OF NE 1/4, ALSO
- 16 W 1/2 OF SE 1/4, ALSO
- 17 NE 1/4 OF SE 1/4, ALSO
- 18 N 10 ACRES OF
- 19 SE 1/4 OF SE 1/4 402.41 A

RECORDED RIGHT OF WAY NO. 49281

SIDWELL # 11-05-100-008

RIW SACURLO

12' UG EASEMENT

12' UG EASEMENT

10' WIDE EASEMENT

3012' +/- OHL

10' OHL EASEMENT

570' +/-

510' +/-

700' +/-

200' +/-

2716' +/-

10' WIDE EASEMENT

628' +/- OHL

10' WIDE EASEMENT

3050' +/- OHL

SIDWELL # 11-05-100-008

RIW SACURLO

SIDWELL # 11-04-300-006

1366' +/-

10' WIDE EASEMENT OHL

852' +/-

1330' +/-

1330' +/-

10' WIDE EASEMENT

1455' +/- OHL

RIW SACURLO

SIDWELL # 11-04-400-006

USEP 16283 PC 256

2724' +/-

1356' +/-

1012' +/-

1034' +/-

1300' +/-

SE 1/4 COR SEC 4 T3N R7E

SW 1/4 COR SEC 4 T3N R7E

SE 1/4 COR SEC 4 T3N R7E

JPL RFW20606J-2

<p>LEGEND</p> <p>○ EXIST. D.E. CO. POLE</p> <p>● PROPOSED POLE</p> <p>○ EXIST. ANCHOR</p> <p>○ PROPOSED ANCHOR</p> <p>--- 120/240 V LINE</p> <p>--- 4800 V LINE</p> <p>--- 13,700 V LINE</p> <p>--- 40,000 V LINE</p>		<p>THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT</p> <p>CITY OR TWP: HIGHLAND COUNTY: OAKLAND T3N R7E</p> <p>MAP SECT. 256 RANGE 7 TOWNSHIP 11 RANGE 7 SECTION 256</p> <p>PROJECT NAME: AMER. AGGREGATE</p> <p>TOWNSHIP: HLD SERVICE CENTER: NHS POWER: EDM MAILING: 111</p> <p>CIRCUIT: D.C. 9070 CLYDE 13.2</p> <p>RI 4504</p> <p>R/W</p> <p>PE ANCHOR</p> <p>B. SHERMAN 313.213.3916</p>		<p>INSTR. OR REF. NO. MULTIPLE</p> <p>R/W NO. R-20606-2</p> <p>DATE OF WORK</p> <p>DATE</p> <p>03-25-96</p>	
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RECORDED RIGHT OF WAY NO. 149281