

On JULY 16, 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: Old Kent Bank, a Michigan Banking Corporation,
2920 Highland Road, Highland, Michigan 48356

"Grantee" is: The Detroit Edison Company, a Michigan corporation
2000 Second Avenue, Detroit, Michigan 48226

\$ 11.00 MISCELLANEOUS RECORDING
REMONUMENTATION
16 AUG 96 2:04 P.M. RECEIPT# 268A
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

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

~~Sec 24, T3N, R7E, part of NE 1/4 beginning at N 1/4 cor, th E 240.00 ft, th S 00-57-16 W 300.04 ft, th W 235.00 ft, th N 300.00 ft to beg exc Nly 60.0 ft taken for M-59 Hwy 1.31 A. Sidwell #11-24-200-003.~~

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

As shown and cross hatched on the attached Detroit Edison Company drawing No. R-20692-120, dated May 25, 1996.

Width of Right of Way is twelve (12) and ten (10) feet.

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area and no further access is granted hereunder.
- Buildings or other Permanent Structures:** No buildings or other permanent structures shall be placed in the Right of Way Area without Grantee's written prior consent, provided however that Grantee shall give its consent within thirty (30) days of request if such buildings or structures shall not overlie any underground facilities.
- Excavation:** As required by Public Act 33 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
- Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may (a) trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or upon prior written notice to Grantor, that could grow into the Right of Way Area), and (b) except for structures for which Grantee's consent has been given pursuant to Paragraph 3 hereof, 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 in the Right of Way Area within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet closures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in such area and in front of transformer doors.

RECORDED RIGHT OF WAY 52152

1110
210

OK - G.K.

- 6. **Restoration:** If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land, then Grantee shall restore Grantor's Land as nearly as can be to its original condition.
- 7. **Indemnity:** Grantee, by its acceptance hereof agrees to indemnify and hold harmless Grantor from all claims and liability arising from the acts or omissions of Grantee, or its employees, agents, licensees, guests or others exercising rights hereunder, including without limitation, all attorneys fees incurred by Grantor in connection therewith.
- 8. **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)

Janet H Beckman
Janet H Beckman
Joanne M Haas
Joanne M Haas

Grantor: (type or print name below signature)

Old Kent Bank (formerly Old Kent Bank of Brighton) of Brighton, a Michigan Banking Corporation

By: [Signature]

Its: REGIONAL FACILITIES MANAGER

Acknowledged before me in LIVINGSTON County, Michigan, on JULY 16, 1996 by DAN LABUTTE the REGIONAL FACILITIES of Old Kent Bank, a Michigan Banking corporation for the Corporation. MOR.

Notary's Stamp LINDA K. LAVELY
Notary Public, Livingston County, MI
My Commission Expires 4-13-2000

Notary's Signature [Signature]

Prepared by and return to: Terry Benedict, 56500 Grand River, New Hudson, Michigan 48165

961719018-0002-DLS

RECORDED RIGHT OF WAY 50/50

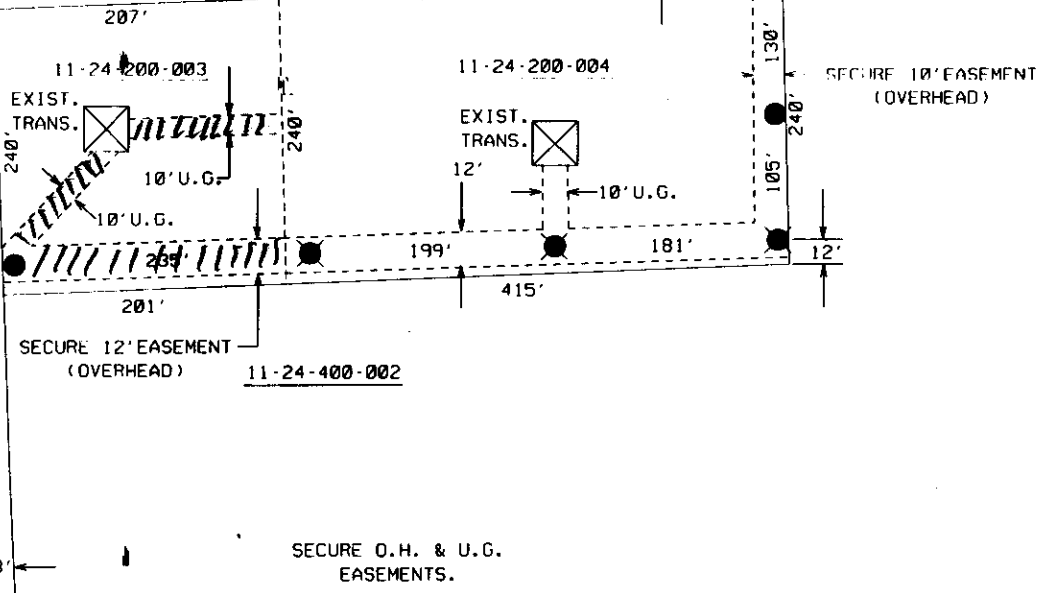
North

CTR. 1/4 COR.
SEC. 24

HIGHLAND

11-24-126-013

DUCK LAKE



120 KV
13.2 KV

RFW 20692
SRW 120

JPL

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT					
CITY OR TWP. HIGHLAND	COUNTY OAKLAND	TWP. SEC. QTR. 24 NE	DEPT. ORDER NO. C-54277		
MAP SECT. 1-202-420	TOWN RANGE T3N R7E	JOINT R/W REG'D	R/W NO. 10123		
PROJECT NAME PRIZM SUB.	TEL. ENGR. & DIST.	SMT MEMO#			
TOWNSHIP HIGHLAND	SERVICE CENTER NHS	COMP. CODE	MAILING CITY	CATY MEMO#	
CIRCUIT DC-9064 WOLW			O.F. #. 5KV2F9/B06		
REASON INCREASED LD. IN AREA			BUDGET ITEM NO. 5KV2F-KIM		
PLANNER RON GRAY 437-9665	SCALE 1" = 100'		DATE 5-25-96		

- LEGEND**
- EXIST. D.E.CO. POLE
 - PROPOSED POLE
 - FOREIGN POLE
 - EXIST. ANCHOR
 - PROPOSED ANCHOR
 - IREE
 - 120/240 V LINE
 - 4800 V LINE
 - 13,200 V LINE
 - 40,000 V LINE

LIBER 16527 PG 730

RECORDED RIGHT OF WAY 50152