

OVERHEAD AND UNDERGROUND EASEMENT (R/W) NO. R-9406201-02

On Aug 28, 1995, for the consideration of <sup>\$1.00</sup> 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

"Grantor" is:

Mark D. Onweller and Arlene E. Onweller, husband and wife, 768 S. Long Lake Blvd., Lake Orion, MI 48362

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

"Grantor's Land" is in Leonard Village, Oakland County, Michigan described as:

T5N-R11E, All that part of the Northeast 1/4 of the Northwest 1/4 of Section 11, lying West of Pontiac, Oxford, and Northern Railroad.

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

Addison

A 12' wide easement as shown on Exhibit "A", which is attached hereto and made a part hereof.

- 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.
- 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.
- 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.
- 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.
- 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.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

05-11-126-001

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\$ 9.00 MISCELLANEOUS RECORDING  
 \$ 2.00 REMONUMENTATION  
 24 OCT 95 3:14 P.M. RECEIPT# 231B  
 PAID RECORDED - OAKLAND COUNTY  
 LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

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Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

Michael Onweller  
MICHAEL J. ONWELLER

Mark D Onweller  
Mark D Onweller

Mary J. Onweller  
MARY J. ONWELLER

Arlene E. Onweller  
Arlene E. Onweller, HIS WIFE

Acknowledged before me in Lapeer County, Michigan, on August 28, 1995 by Mark D. Onweller and Arlene E. Onweller, husband and wife.

BETTY J. DEAN  
Notary Public, Lapeer County, MI  
My Commission Expires Jan. 9, 1999

Notary's Stamp

Notary's Signature

Betty Dean