

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1267

On 10 June, 1991, 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:

Thomas F. Middleton and Kathryn R. Middleton, husband and wife, 641 Hurd, Ortonville, Michigan 48462

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226
Concord Tele-Communications, 21 S. Washington, Oxford, MI 48051

"Grantor's Land" is in Township of Brandon, Oakland County, Michigan described as:

Part of the Northwest 1/4 of the Northwest 1/4 of Section 12, Town 5 North, Range 9 East, Brandon Township, Oakland County, Michigan. Being more particularly described as commencing at the Northwest corner of said Section 12; thence South 00° 34'40" East 330.00 feet along the West line of said Section 12 to the point of beginning; thence proceeding South 00° 34'40" East 330.00 feet along the West line of said Section 12 to a point; thence North 89° 25'20" East 330.00 feet to a point; thence North 00° 34'40" West 330.00 feet to a point; thence South 89° 25'20" West 330.00 feet to the point of beginning. Containing 2.500 acres. Reserved therefrom all easements and rights of ways of record. Sidwell No: Part of 03-12-100-005

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

In a northerly and southerly direction across said land along a line approximately 60 feet east of the westerly property line as shown on Detroit Edison Company drawing O-1267 dated 5/6/91 which is attached hereto and made a part hereof. The right of way is ten (10) feet in width.

- 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. 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. 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:

Loretta Hallead
LORETTA HALLEAD
Shirley D. Conner
SHIRLEY D. CONNER

Grantor: O.K. - LM
Thomas F. Middleton
Kathryn R. Middleton, HUSBAND & wife

Prepared by and Registered

A#36 REG/DEEDS PAID
0001 JUL.31.91 10:38AM
1096 MISC 11.00

Annie P. Grimmett, 30400 Telegraph Rd., Suite 277, Birmingham, MI 48010

RECORDED RIGHT OF WAY NO. 11862

11.00
2.00 PMT
NL

RW #O-1267

Acknowledged before me in Oakland County, Michigan, on June 10, 1991

by Thomas F. Middleton and Kathryn R. Middleton, husband and wife.

Annie P. Grimmatt  
Notary's Signature  
ANNIE P. GRIMMETT

my Commission Expires: 9-28-91 Notary's Stamp  
NOTARY PUBLIC WAYNE COUNTY MICHIGAN  
ACTING IN OAKLAND COUNTY

RECORDED RIGHT OF WAY NO. 41862

NW COR  
SEC 12  
TSN. R9E

BRANDON RD

40 POLE WITH 45 POLE  
GUY & ANC 25'± N.

119950098

PARCEL "A" OWNER  
JANET VAN TINE  
BRANDON TWP  
(313) 627-2851  
SIDWEL 03-12-100-006

PARCEL "B" OWNER  
TOM MIDDLETON  
641 HURD  
ORTONVILLE, MICH. 48462  
(517) 373 1798 W  
(313) 628-4511 H  
SID WEL 03-12-100-005

PARCEL "C" OWNER  
GERALD KOUKLE  
365 GRANGER RD APT #4  
ORTONVILLE MICH 48462  
PHONE # (313) 627-6729  
SIDWEL # 03-12-100-007

40-5 POLE  
GUY & ANC 25'± S



FUT. JOINT MEMO # 5319 MBT & CBTV

APPROVED RIGHT OF WAY # 41862

| 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    |

| THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT |                                       |  |   |
|--|---------------------------------------|--|---|
| CITY OR TOWNSHIP<br><b>BRANDON TWP</b>                 | COUNTY<br><b>DAKLAND</b>              | QTR. & TWP. SECT. NO.<br><b>SEC 12</b> | DEPT. ORDER NO.<br><b>A-52674</b>   |
| MAP SECT.<br><b>7-256-496</b>                          | TOWN<br><b>T:5:N.1</b>                | RANGE<br><b>R:9:E.</b>                 | JOINT R/W REQUIRED<br>YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| PROJECT NAME<br><b>HURD RD PARCEL</b>                  | TEL ENGR & DIST.                      | R/W NO.<br><b>01267</b>                |   |
| CIRCUIT<br><b>D.C. 8074 OXFORD 13.2 KV</b>             | PROJ. OR PART NO.                     |  | O.F.W. S.O. OR P.E. NO.   |
| REASON<br><b>PROVIDE SERVICE TO NEW HOMES</b>          | PLANNER<br><b>ROBERT K. BLACKSHER</b> |  | BUDGET ITEM NO.<br><b>1MHOA-MAH</b>   |
| SCALE<br><b>1=200</b>                                  | DATE<br><b>5-6-91</b>                 |  | DE FORM 963-2237 1-80   |