

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1358

On August 14, 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:

Hadley Lake Estates, a Michigan Limited Partnership, 1750 Telegraph Rd., Suite 306, Bloomfield Hills, Michigan 48302

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
GTE North, Incorporated, a Wisconsin corporation, 455 E. Ellis, Muskegon, Michigan 49443

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

Part of SW 1/4, Sec. 21, T5N., R9E., beg at pt dist S 89°07'06" W 654.15 ft from S 1/4 cor, th S 89°07'06" W 325.90 ft, th N 00°12'03" E 669.85 ft, th N 89°23'14" E 325.88 ft, th S 00°12'03" W 668.32 ft to beginning. 5 acres. Sidwell No: 03-21-300-028

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

The east 10 feet of the south 240 feet of the above described property.

- 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:

Grantor:

Marie Rosenzweig

Todd Rosenzweig

Hadley Lake Estates, a Michigan Limited Partnership

 By: *Jack Rosenzweig*

 Its: General Partner

Prepared by and Return to:

Terry L. Benedict, 30400 Telegraph Rd., Suite 277, Birmingham, Mi 48025

A#36 REG/DEEDS PAID
 0001 SEP.30 '91 01:25PM
 3202 MISC 9.00

A#36 REG/DEEDS PAID
 0001 SEP.30 '91 01:25PM
 3202 RNT FEE 2.00

9.00
 2.00 RNT
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RECORDED RIGHT OF WAY NO. 42119