

OVERHEAD EASEMENT (RIGHT OF WAY) NO. O-1429

On 10-3-, 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:

Richard C. Mahoney and Portia Mahoney, husband and wife, 2400 Hummer Lake Road, Ortonville, Michigan 48462

"Grantee" is:

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

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

Part of NW 1/4, Sec. 16, T5N., R9E., beg at N 1/4 cor, th S 00°24'08" W 364 ft, th W 229.47 ft, th N 42°45'10" W 171.10 ft, th N 00°24'08" E 238.36 ft, th E 346.50 ft to beginning. 2.72 acres. Sidwell No: 03-16-126-007

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0001 DEC.10 '91 02:34PM
7491 MISC 7.00

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

The east ten feet of the south 220 feet of the above described property.

Pt of 03-16-126-007

- 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:

Kenneth E. Wiaznicz

 KENNETH E. WIAZNICZ

Robert Sousa

 ROBERT SOUSA

Richard C. Mahoney

 Richard C. Mahoney

Portia Mahoney

 Portia Mahoney

Acknowledged before me in Oakland County, Michigan, on 3rd of October, 1991

by RICHARD C. MAHONEY AND PORTIA MAHONEY, HUSBAND AND WIFE

REG/DEEDS PAID
0001 DEC.10 '91 02:34PM
7491 RMT FEE 2.00

*7.00
2.00 RMT*

TERRY L. BENEDICT

Notary's Stamp
Notary Public, Oakland County, MI
My Commission Expires July 1, 1992

Notary's Signature

Terry L. Benedict

Prepared by and Return to:

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