

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9306777-10R

On 8/1, 1993, 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:

Gary P. Johnston and Judith C. Johnston, Husband and Wife, 4855 Sawmill Lake Road, Ortonville, Michigan 48462

"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
Concord Telecommunications, a Michigan corporation, 2410 Metamora Road, Oxford, Michigan 48371

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

Part of Northwest 1/4 of Section 4, T5N, R9E, beginning at point distance South 00°00'11" E 524.32 feet from North 1/4 corner; thence South 00°00'11" E 165 feet; thence South 89°12'47" W 660.06 feet; thence North 00°00'11" W 173.08 feet; thence North 89°54'50" E 660 feet to beginning. 2.56 acres. Sidwell No: 03-04-100-019

DECOY #

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

The North 5 feet of the East 310 feet of the Grantor's Land.

- 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. Building 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.

RECORDED RIGHT OF WAY NO 45864

#32 REG/FEES PAID 0001 NOV.04 '93 12:21PM 1098 MISC 7.00

7.00 fee 2.00

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Dawn Morris
DAWN MORRIS
Joe Talbot
JOE TALBOT

Gary P. Johnston
Gary P. Johnston
Judith C. Johnston
Judith C. Johnston

Acknowledged before me in OAKLAND County, Michigan, on 8/1, 1993 by Gary P. Johnston and Judith C. Johnston, Husband and Wife.

#35 REG/FEES PAID 0001 NOV.04 '93 12:21PM 1098 RMT FEE 2.00

TERRY L. BENEDICT
Notary Public, Oakland County, MI
My Commission Expires June 17, 1996
Notary's Stamp (Notary's name, county and date commission expires)

Terry L. Benedict
Notary's Signature

Prepared by and Return to: Terry L. Benedict, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320/kjk.