

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9312341-01

On March 25, 1994, 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 N. Hurd Road, 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 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 12, T5N, R9E, beginning at point distance South 89°25'20" W 661 feet from North 1/4 corner; thence South 89°25'20" W 330.50 feet; thence South 00°20'29" E 1320 feet; thence North 89°25'20" E 330.50 feet; thence North 00°20'29" W 1320 feet to beginning. 10.02 acres. Sidwell No: 03-12-100-011 ✓

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

The East 10 feet of the North 580 feet of the Grantor's Land. The right of way is ten feet in width.

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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.

Witnesses:(type or print name below signature)

Margaret Mary Sans
Margaret Mary Sans
Ada M Fehrenbach
ADA M FEHRENBACH

Grantor:(type or print name below signature)

Thomas F. Middleton
Thomas F. Middleton
Kathryn R. Middleton
Kathryn R. Middleton

Acknowledged before me in OAKLAND County, Michigan, on MAR 25, 1994 by Thomas F. Middleton and Kathryn R. Middleton, husband and wife.

Notary's Stamp SHARON L. ROBB Notary's Signature Sharon L. Robb
(Notary's name, county and date commission expires) SHARON L. ROBB

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

\$ 7.00 MISCELLANEOUS RECORDING
\$ 2.00 REINUMENTATION
14 JUN 94 12:43 P.M. RECEIPT# 103B
PAID RECORDED - OAKLAND COUNTY
LARRY ALLEN, CLERK/REGISTER OF DEEDS

RECORDED RIGHT OF WAY NO. 45-995