

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9401785-01

On 4-16, 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:

Larry Gibson and Lori Rose Gibson, husband and wife and James C. Lambert and Deborah A. Lambert, husband and wife, 3074 Davison, Lapeer, MI 48446

"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, MI 48371.

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

Part of Northwest 1/4 of Section 11, T5N, R9E, beginning at point distance West 662.87 feet from North 1/4 corner; thence South 663.15 feet; thence West 665.06 feet; thence North 00°18'25" E 663.16 feet; thence East 661.50 feet to beginning excluding North 60 feet taken for Oakwood Road. 9.19 acres. Sidwell No: 03-11-100-008

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

The South 10 feet of the East 300 feet of the Grantor's Land. The right of way is 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. 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.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Amy Sowers (handwritten signature)

Larry Gibson (handwritten signature)

Amy Sowers (printed name)

Lori R. Gibson (handwritten signature)

Terry D Maley (handwritten signature)

James C. Lambert (handwritten signature)

Laurence R Maley (handwritten signature)

Deborah A. Lambert (handwritten signature)

Acknowledged before me in Oakland County, Michigan, on April 16, 1994 by Larry Gibson and Lori Rose Gibson, husband and wife and James C. Lambert and Deborah A. Lambert, husband and wife.

ROGER L. FIDDINGTON Notary Public, Genesee County, MI My Commission Expires Dec. 12, 1995

Notary's Stamp

Notary's Signature

(Notary's name, county and date commission expires)

ACTING FOR OAKLAND

Prepared by and Return to: John C. Greenlee, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320/kjk.

OK - G.K.

RECORDED RIGHT OF WAY NO. 46220