

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9402079-01R

On May 31, 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:

Hallmark Quality Homes Inc., a Michigan corporation, 2899 E. Big Beaver Road, Troy, Michigan 48083

"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 Southeast 1/4 of Section 29, T5N, R9E, beginning at point distance South 89°52'00" E 1313.04 feet and North 82°48'01" W 333.78 feet and South 00°12'10" W 718.62 feet from center of section; thence South 00°12'10" W 660 feet; thence South 88°41'00" W 165 feet; thence North 00°11'45" E 660 feet; thence North 88°41'00" E 165.08 feet to beginning. 2.50 acres. Sidwell No: 03-29-401-012

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

Shown on the attached D.E. Company Drawing No. R-9402079-01R dated 04-04-94. The right of way is 3 feet and 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)

Robert Black
ROBERT BLACK
Terry L. Benedict

TERRY L. BENEDICT

Grantor:(type or print name below signature)

Hallmark Quality Homes Inc.
by: Stefano Mularoni
Stefano Mularoni
its: president

RECORDED RIGHT OF WAY NO. 46323

Acknowledged before me in OAKLAND County, Michigan, on May 31, 1994 by Stefano Mularoni, the president of Hallmark Quality Homes Inc., a Michigan corporation, for the corporation.

Notary's Stamp
TERRY L. BENEDICT
Notary Public, Oakland County, MI
My Commission Expires June 17, 1996

Notary's Signature Terry L. Benedict

Prepared by and Return to: Terry L. Benedict, 1970 Orchard Lake Road, Sylvan Lake, Michigan 48320
MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION
4 OCT 94 2:55 P.M. RECEIPT# 1878
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK OK-G.K.

3-29-401-007
MIKE DOYLE
348-5774
E.T. 201

HSE

GUY & ANCHOR
INSTALLED 2 1/2" DIA. W. 2 FT PARALLEL ALL
SIDE OF LINE OF DECO NO. 7
DISTURBS

388.96
233.94
15.22
167.8
116.24
CENTERPOST
SECT. 29
T. 51. R. 9 E.

TREE PERMIT
REQUIRE FOR
TRIM AND REMOVAL
FOR THE W. 10' FL
ALONG E. PL

3-29-401-009
EN REQ'D FOR
INSTALLATION
GUY & ANCHOR OF DOWN
AND 6 FT EASEMENT ALONG S. P (E LIFE TO N.E.)

RIGHTS OF WAY REQUESTED
FOR INSTALLATION OF OVERHEAD CONDUCTORS,
POLES, GUY'S, AND ANCHORS AS SHOWN WITH
A 10' FT WIDE EASEMENT FOR OVERHEAD
PERMIT.

03-29-401-013
PARCEL "A"

PRIVATE

2-29-401-010

RECORDED RIGHT OF WAY NO. 46325



EASEMENT PROVIDED
FOR FUTURE UNDERGROUND
SECONDARY TO INSTALL
(BUILDER TO INSTALL
DUCT FOR FUTURE.)

10' FT
EASEMENT FOR
OVERHEAD DISTRIBUTION

3-29-401-11

3-29-401-17

DECO

DATE: 4-4-94
PLN: LHC: D: X: 0
9402079-01R

HSE
150

014
3-29-401-
PARCEL "B"
STEFANO MULARDI
689-9582