

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

On 4-28-94, 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:

Bobby Wayne Smith and David Noel Thompson, D.B.A. Clear Creek Custom Builders, 2930 Allen Road, Ortonville, MI 48462

"Grantee" is: P.O.A. Cynthia R. Smith as recorded in Liber 14846, page 458, Oakland County Records

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 and South 88°41'00" W 165.08 feet from center of section; thence South 00°11'45" W 660 feet; thence South 88°41'00" W 165 feet; thence North 00°11'20" E 660 feet; thence North 88°41'00" E 165.08 feet to beginning. 2.50 acres. Sidwell No: 03-29-401-011

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)

Witness signatures: Nancy J. Hanks

Grantor:(type or print name below signature)

Grantor signatures: Bobby Wayne Smith, David Noel Thompson, P.O.A. Cynthia R. Smith

RECORDED - RIGHT OF WAY NO. R-9402079-01R 46328

Acknowledged before me in OAKLAND County, Michigan, on APRIL 28, 1994 by Bobby Wayne Smith and David Noel Thompson, D.B.A. Clear Creek Custom Builders. P.O.A. Cynthia R. Smith as recorded in Liber 14846, page 458, Oakland County Records

Notary's Stamp: NANCY J. HANKS, NOTARY PUBLIC - OAKLAND COUNTY, MICH. MY COMMISSION EXPIRES 4-30-96

Notary's Signature: Nancy J. Hanks

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

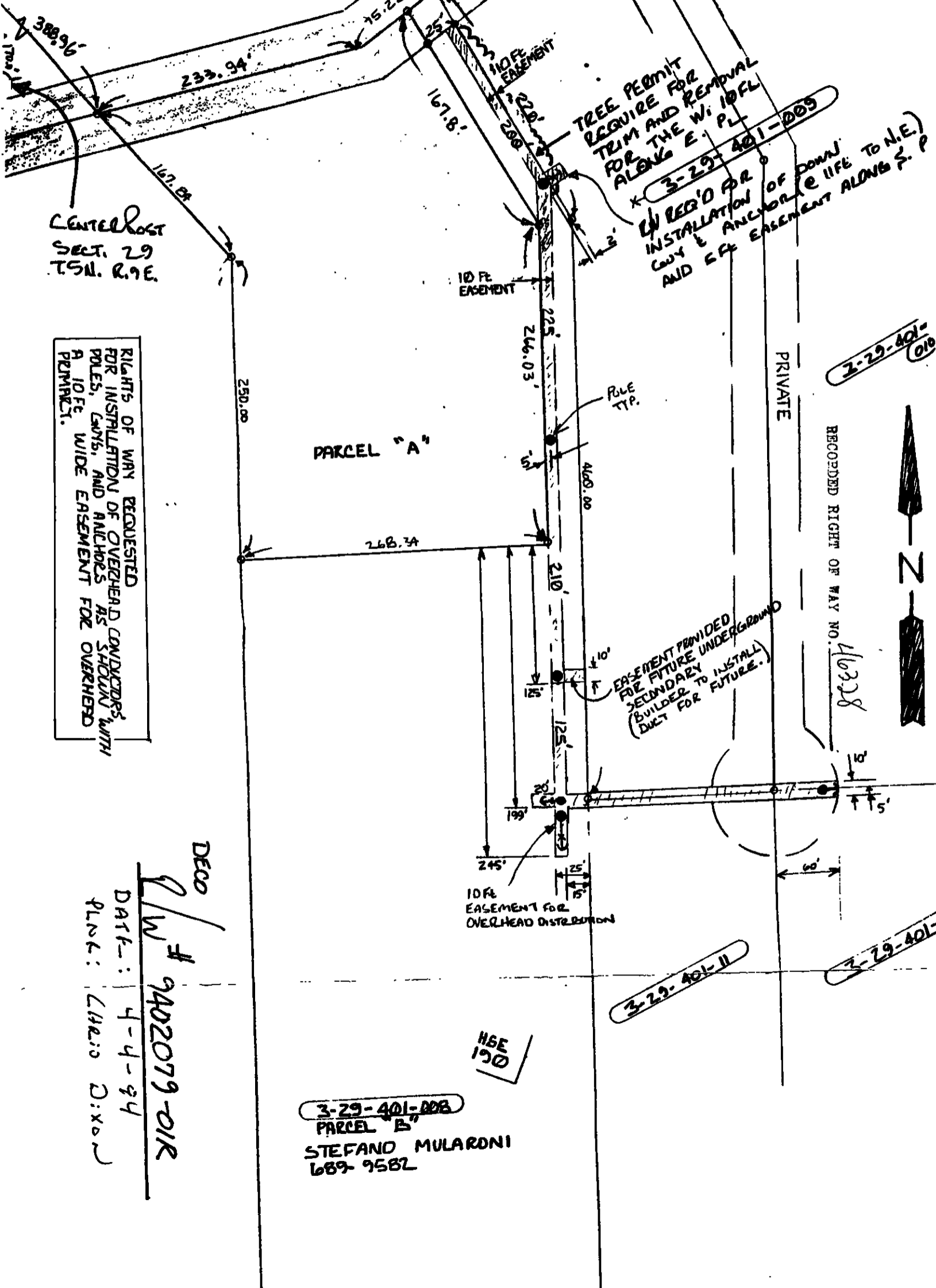
\$ 9.00 MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION
4 OCT 94 2:52 P.M. RECEIPT# 1873
PAID RECORDER - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

3-29-401-007

MIKE DOYLE
348-5774
EXT. 201

HSE

GUY & ANCHOR
INSTALLED 2 1/2 FE FT
W. PARALLEL AL
SIDE OF PRO.
DECO NOT
DISTURB



TREE PERMIT
REQUIRE FOR
TRIM AND REMOVAL
FOR THE W/ 10 FT
ALONG E. PL

3-29-401-005

REG'D OR
INSTALLATION OF DOWN
GUY & ANCHOR (E LIFE TO N.E.)
AND 5 FT EASEMENT ALONG S. P

Centerlost
SECT. 29
T5N. R9E.

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

PARCEL "A"

PRIVATE

2-29-401-010

RECORDED RIGHT OF WAY NO. 46328

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

10 FE
EASEMENT FOR
OVERHEAD DISTRIBUTION

3-29-401-11

3-29-401-11

HSE
190

3-29-401-008
PARCEL "B"

STEFANO MULARDI
689-9582

DECO
DATE: 4-4-94
PLNK: LIBRIO DIXON
9402079-01R