

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 Northeast 1/4 and 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 North 87°28'57" W 299.38 feet from center of section; thence South 30°06'00" E 265.68 feet; thence South 00°11'45" W 505.71 feet; thence South 88°41'00" W 165.08 feet; thence North 00°11'20" E 460 feet; thence North 30°06'00" W 220 feet; thence North 55°39'54" E 158.71 feet; thence South 87°28'57" E 11.29 feet to beginning. 2.78 acres. Sidwell No: 03-29-401-009

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: Jeffrey R. Dawley, Nancy J. Hanks

Grantor:(type or print name below signature)

Grantor signatures: Bobby Wayne Smith, David Noel Thompson

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 4-30-98. 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 2:51 P.M. RECEIPT# 1878
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS
OK - G.K.

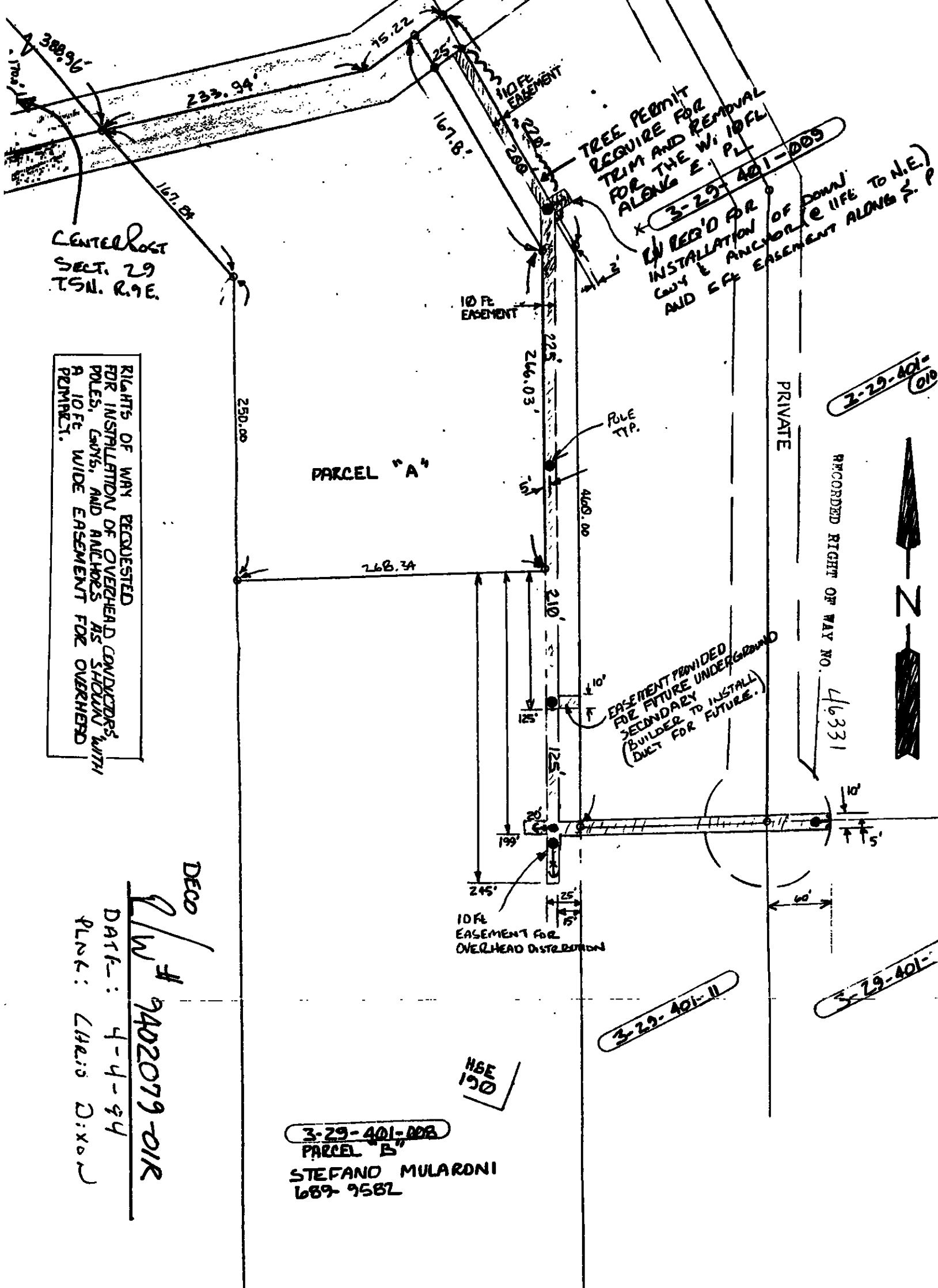
RECORDED RIGHT OF WAY NO. 46331

3-29-401-007

MIKE DOYLE
348-5774
EXT. 201

HSE

USER 15017 PG 563
GUY & ANCHOR
INSTALLED 21 FE FROM
2 FE PARALLEL AL
W. SIDE OF PRO
DECO NOT
DISTURB



Centerlost
SECT. 29
T5N. R.9E.

RIGHTS OF WAY REQUESTED
FOR INSTALLATION OF OVERHEAD CONDUCTORS,
POLES, GUYS, AND ANCHORS AS SHOWN WITH
A 10 FE. WIDE EASEMENT FOR OVERHEAD
PERMIT.

TREE PERMIT
REQUIRE FOR
TRIM AND REMOVAL
FOR THE W/ 10 FE
ALONG E. PL
3-29-401-009
BY REG'D FOR
INSTALLATION OF DOWN
GUY & ANCHOR (E LIFE TO N.E.)
AND 5 FE EASEMENT ALONG S. P

3-29-401-010

PRIVATE

RECORDED RIGHT OF WAY NO. 46331



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

10 FE
EASEMENT FOR
OVERHEAD DISTRIBUTION

3-29-401-11

3-29-401-

DECO

DATE: 4-4-94
PLN: Chris Dixon
W/F 9402079-01R

3-29-401-008
PARCEL "B"

STEFANO MULARDI
689-9582

HSE
101