

Detroit Edison

LIBER 15245 PC 612

FEB 9 95 02 44 95

9.00 MISCELLANEOUS RECORDING
\$ 2.00 REINSTATEMENT
9 FEB 95 11:00 A.M. RECEIPT# 127B
PAID RECORDED - OAKLAND COUNTY
CLERK/REGISTER OF DEEDS

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9409409-01

On 1/7, 1995, 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:

Daniel T. Whelan and Mary L. Whelan, husband and wife and Paul Bindig, Jr. and Betty Bindig, husband and wife, 825 Granger, Ortonville, Michigan 48462

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
GTE, Inc., a Wisconsin corporation, 455 E. Ellis, Muskegon, Michigan

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

Part of SE 1/4, Sec. 6., T5N., R9E., beg at pt dist N 01°47'38" W 190 ft., and N 88°08'07" E 245 ft., from S 1/4 cor, th N 88°08'07" E 338.13 ft., th N 00°33'01" W 352.38 ft., th N 79°49'55" W 353.45 ft th S 01°47'38" E 425.97 ft to beginning. 3.06 acres. Sidwell No: 03-06-451-008

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

As shown on right of way drawing No: R-9409409-01 dated 11/22/94 attached hereto and made a part thereof. 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.

RECORDED RIGHT OF WAY NO. 46817

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

9.00
2.00
rmt

James A. Ware
James A. Ware

Daniel T. Whelan
Daniel T. Whelan

Mary L. Whelan
Mary L. Whelan

Mary L. Whelan
Mary L. Whelan

Paul Bindig Jr
Paul Bindig, Jr.

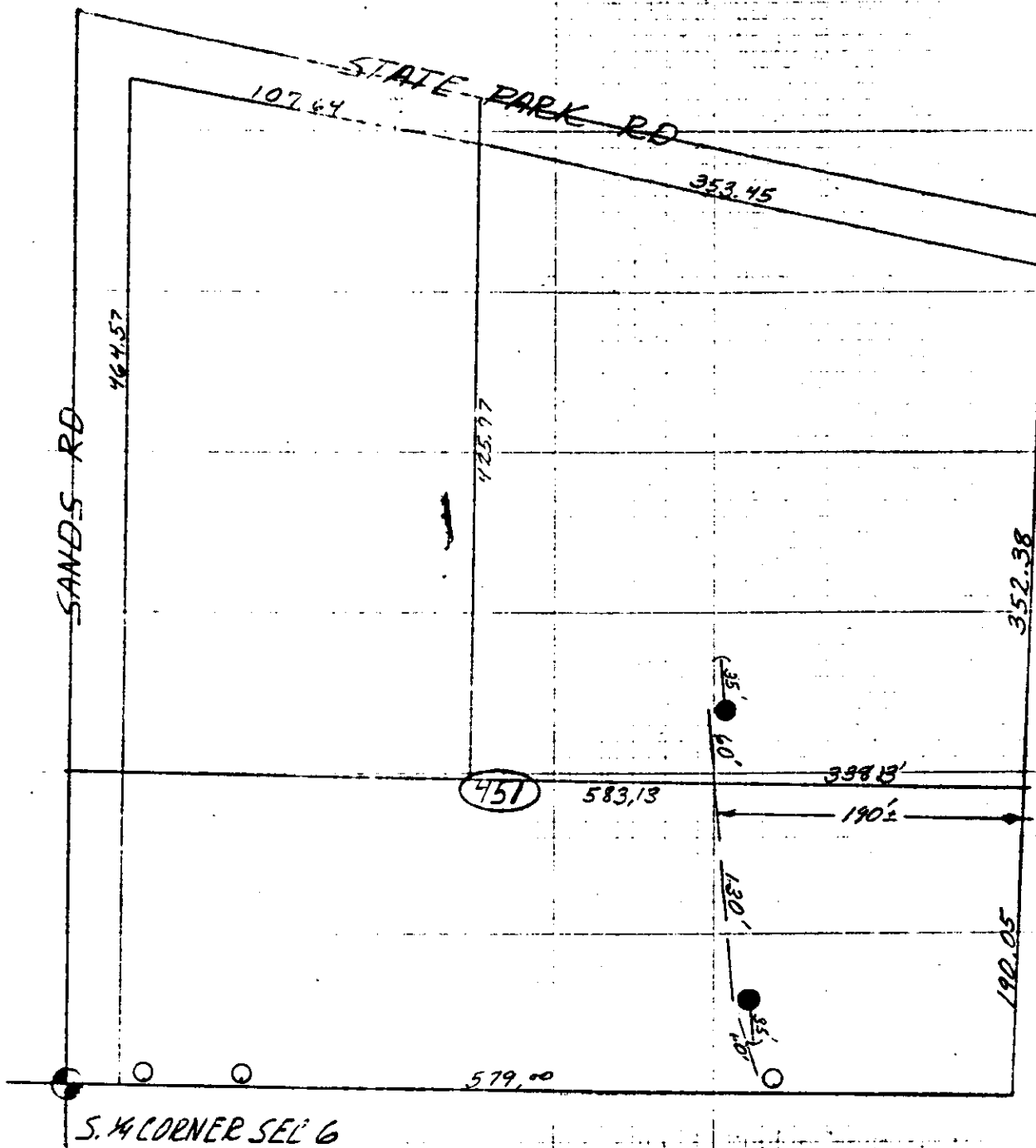
Betty Bindig
Betty Bindig

Acknowledged before me in OAKLAND County, Michigan, on JAN 7, 1995 by Daniel T. Whelan and Mary L. Whelan, husband and wife and Paul Bindig, Jr., and Betty Bindig, husband and wife.

Notary's Stamp JAMES A. WARE
NOTARY PUBLIC - OAKLAND COUNTY, MICH.
MY COMMISSION EXPIRES 01-24-96
(Notary's name, county and date commission expires)

Notary's Signature James A. Ware
James A. Ware

N



RECORDED RIGHT OF WAY NO. 416217

3-6

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT				
LEGEND FOREIGN POLE EXIST D.E. CO. POLE PROPOSED POLE EXIST ANCHOR PROPOSED ANCHOR TREE 120/240 VOLT LINE 4800 VOLT LINE 13,200 VOLT LINE 40,000 VOLT LINE	CITY OR TOWNSHIP	COUNTY	QTR. & TWP. SECT. NO.	
	BRANDON	OAKLAND	S.E.W. SECC	
	MAP SECT.	TOWN	RANGE	JOINT R/W REQUIRED
	2-238-496			YES <input type="checkbox"/> NO <input type="checkbox"/>
	PROJECT NAME	TEL ENGR & DIST.		DEPT. ORDER NO.
			R/W NO.	
			8-9109409-01	
			PROJ. OR PART NO.	
			O.F.W. S.O. OR P.E. NO.	
			BUDGET ITEM NO.	
	CIRCUIT	PLANNER	DATE	
	WOLF 8838	F.H. GOTT	11-22-74	
	REASON	SCALE		
	PROVIDE SERVICE TO 878 STATE PARK	1"=100'		