

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9404310-01

On July 6, 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:

Darrell Nieporte and Revonda Nieporte, husband and wife, 5790 William, Oxford, Michigan

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

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

Part of East 1/2 of Section 24, T5N, R9E, beginning at point distance North 2173.87 feet and North 00°01'40" W 1178.56 feet and South 87°22'02" W 728 feet from Southeast section corner; thence South 87°22'02" W 592.73 feet; thence North 00°23'10" W 269.40 feet; thence North 88°20'31" E 583.69 feet; thence South 02°18'53" E 259.27 feet to beginning. 3.57 acres. Sidwell No: 03-24-200-032

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

The South 10 feet of the East 30 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)

[Signature] Daniel M. [Name]

[Signature] JOHN C. GREENLEE

Grantor:(type or print name below signature)

[Signature] Darrell Nieporte
Darrell Nieporte

[Signature] Revonda Nieporte
Revonda Nieporte

Acknowledged before me in Oakland County, Michigan, on July 9, 1994 by Darrell Nieporte and Revonda Nieporte, husband and wife.

JOAN M. WECKIE

Notary's Stamp LADEER 12-26-94 (Notary's name, county and date commission expires) ACTING IN OAKLAND

Notary's Signature [Signature]

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

\$ 7.00 MISCELLANEOUS RECORDING
\$ 2.00 REINDEMENTATION
16 MAR 95 11:29 A.M. RECEIPT# 21A
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

RECORDED - RIGHT OF WAY NO. 46819