

7.00 MISCELLANEOUS RECORDING
\$ 2.00 REMONUMENTATION
9 FEB 95 11:04 A.M. RECEIPT# 127B
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9405871-01

On 10-27, 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:

Robert Ihrke and Martha L. Ihrke, husband and wife, 2851 Amy Ct., Oxford, Michigan 48371

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Concord Cable, a Michigan corporation, 2410 Metamora Road, Oxford, Michigan 48371

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

Part of NW 1/4, Sec. 36., T5N., R9E., beg at pt dist N 00°02'30" E 511.50 ft from W 1/4 cor, th N 00°02'30" E 239.25 ft, th S 89°33'30" E 440 ft, th S 00°02'30" W 239.25 ft, th N 89°33'30" W 440 ft to beginning. 2.42 acres.
Sidwell No: 03-36-100-007

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

The north 10 feet of the south 38 feet of the west 140 feet of Grantor's Land.

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)

Grantor:(type or print name below signature)

Michael J. Jakubic

Robert Ihrke

MICHAEL J. JAKUBIC

Martha L. Ihrke

John C. Greenlee
JOHN C. GREENLEE

Martha L. Ihrke

Acknowledged before me in Oakland County, Michigan, on Oct 27th, 1994 by Robert Ihrke and Martha L. Ihrke, husband and wife.

TONYA R. JAKUBIC
Notary Public, Oakland County, Mich.
My Commission Expires Oct. 19, 1996

Notary's Stamp (Notary's name, county and date commission expires)

Notary's Signature *Tony R. Jakubic*

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

RECORDED RIGHT OF WAY NO. 46823

70c
22c