

*Joint*

SEC. 28

FILE # 39-C-816  
PARCEL # 3 39-E-908

EASEMENT

71 77037

HARAMBEE OF OAKLAND COUNTY, INC., 91 Lake Street, Pontiac, Michigan 48053

Grantor, in consideration of One Dollars (\$1.00) to him in hand paid by CONSUMERS POWER COMPANY, a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan, Grantee, the receipt of which is hereby acknowledged, Conveys and Warrants to Grantee, its successors and assigns, Forever, the easement and right to lay, construct, maintain, repair, remove, patrol, improve and enlarge underground cables, pipes, conduits, wires, conductors, surface-mounted pedestals, subsurface junction vaults, subsurface transformer vaults, transformers, valves, or regulators, together with concrete pads or other supports therefor, and other fixtures and appurtenances for the purpose of transmitting and distributing gas, electricity and/or conducting a communication business on, in, under, over, through and across the following described parcel of land, including all public highways upon or adjacent to said land, which land is situate in the City of Pontiac, County of Oakland and State of Michigan, to wit:

Lot 22 of Assessor's Plat 117, a replat of Assessor's Plats Nos. 61 and 93 and part of North's Addition, City of Pontiac, Oakland County, Michigan, according to the plat thereof as recorded in Liber 53 of Plats, Page 37, Oakland County Records.

RECORDED RIGHT OF WAY NO. 38972 Pt 2 p 146

The route to be taken by said underground cables, conduits, pipes, wires and conductors on, in, under, over, through and across said land being more specifically described as follows:

Second party may locate said gas mains and electric lines in, under, through and across the above described lot as shown on a drawing prepared by Consumers Power Company, marked Exhibit "A", attached hereto and made a part hereof.

RECORDED MICHIGAN COUNTY RECORDS  
OCT 1 PM 2 01

Said surface-mounted pedestals, subsurface junction vaults, subsurface transformer vaults, transformers, valves, regulators, transformer pads or other supports, and other fixtures and appurtenances shall be constructed at such locations along said route as may be required.

Also conveying the right to trim, remove, destroy, or otherwise control any trees, roots, brush or other vegetation which may, in the opinion of Grantee, interfere or threaten to interfere with or be hazardous to the construction, operation and maintenance of said facilities.

Grantor hereby agrees that no buildings or other structures will be placed over said facilities and that no buildings or other structures will be placed within such close proximity to any of said facilities as to interfere with or, in the opinion of Grantee, threaten to interfere with the construction, operation or maintenance of said gas, electrical and/or communication facilities.

Grantor covenants and agrees that the average ground elevation within 6 feet of any such cable, pipe, conduit, wire, conductor or other underground facility will be maintained at a level not to exceed 12 inches above or 6 inches below the level established at the time of installation of said underground facilities. Grantor further covenants and agrees to maintain the ground surface elevation in an area 4 feet wide around any transformer pad, subsurface transformer, junction vault or other support at an elevation of not less than 3 inches and not more than 6 inches below the base of any transformer mounted on a pad or other support and not more than 6 inches below the top of any transformer, junction vault, gas valve or regulator pit. It is further agreed that nonuse or a limited use of the easement herein granted shall not prevent Grantee from later making use of this easement to the full extent herein authorized.

When applicable, pronouns and relative words used herein shall be read as plural, feminine or neuter.

RETURN TO:  
CONSUMERS POWER CO.  
1030 FEATHERSTONE  
P.O. BOX 390  
PONTIAC, MICHIGAN 48056

*Handwritten mark*

IN WITNESS WHEREOF, Grantor has executed this instrument or has caused this instrument to be executed by its President this 26th day of March, 1971.

Witnesses:

*Richard E. Johnson*

Richard E. Johnson

*Theodore R. Pearson*

Theodore R. Pearson

HARAMBEE OF OAKLAND COUNTY

*Levy Williams*

Levy Williams

President

RECORDED RIGHT OF WAY NO.

38976-142  
P146

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
County of \_\_\_\_\_ ) SS.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_

Notary Public, \_\_\_\_\_ County, Michigan

My commission expires \_\_\_\_\_

(CORPORATE ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
County of Oakland ) SS.

The foregoing instrument was acknowledged before me this 26th day of March, 1971, by Levy Williams President of HARAMBEE OF OAKLAND COUNTY, INC. a Michigan corporation, on behalf of the corporation.

PREPARED BY T. R. PEARSON, CONSUMERS POWER CO.  
1030 FEATHERSTONE ROAD, PONTIAC, MICHIGAN, P.O. BOX 390

*Theodore Robert Pearson*

Theodore Robert Pearson  
Notary Public, Oakland County, Michigan

My commission expires June 26, 1972

RETURN TO:  
CONSUMERS POWER CO.  
1030 FEATHERSTONE  
P.O. BOX 390  
PONTIAC, MICHIGAN 48056

LIBER 18370PG247

\$ 7.00 MISCELLANEOUS RECORDING  
\$ 2.00 REMONUMENTATION  
21 APR 98 3:34 P.M. RECEIPT# 167A  
PAID RECORDED - OAKLAND COUNTY  
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

RELEASE OF RIGHT OF WAY

On 4/14, 1998, for one dollar and other valuable consideration, Edison releases all the rights that Edison has in a certain Right of Way.

"Edison" is:

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

The "Right of Way":

- a) Was granted to Consumers Power Company by Harambee of Oakland County, Inc., on March 26, 1971 and assigned to Edison on October 1, 1987.
- b) Is recorded in Liber 5740 Page 827 of Oakland County Records.
- c) Concerns land in the NE 1/4 of Section 32 in the City of Pontiac, Oakland County, Michigan and described as Lot 22 of Assessor's Plat 117, a replat of Assessor's Plats Nos. 61 and 93 and a part of North's Addition, City of Pontiac, Oakland County, Michigan, according to the plat thereof as recorded in Liber 53 of Plats, Page 37, Oakland County Records.

PT 14-32-207-002

Witnessed by: (type or print name under signature)

John C. Erb  
John C. Erb

Karun A. Shakaria  
Karun A. Shakaria

The Detroit Edison Company

Paul W. Potter  
Paul W. Potter, Director  
Corporate Real Estate Services

700  
200

Acknowledged before me in Wayne County, Michigan, on 4/14, 1998, by Paul W. Potter, Director of Corporate Real Estate Services of The Detroit Edison Company, a Michigan corporation, for the corporation.

Notary's Stamp: JOHN C. ERB  
Notary Public, Oakland County, MI  
Acting In Wayne Co., MI  
My Commission Expires Apr. 13, 2002

Notary's Signature: John C. Erb  
John C. Erb

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

Prepared by and return to:  
George Hathaway, Detroit Edison, 2000 Second Avenue, Detroit, Michigan 48226

O.K. - MJ



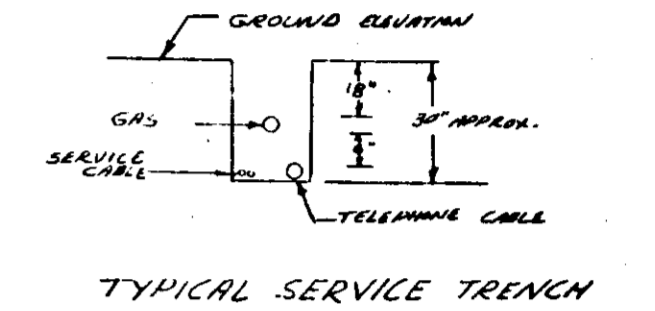
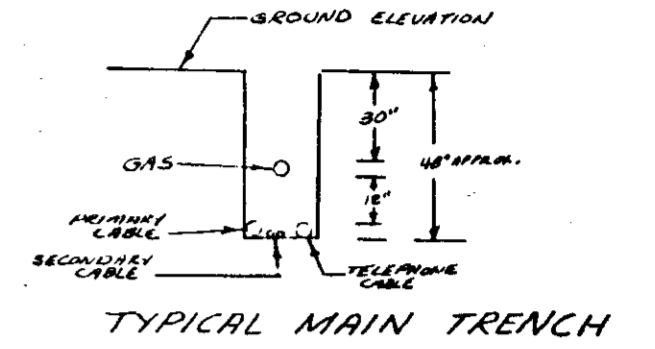
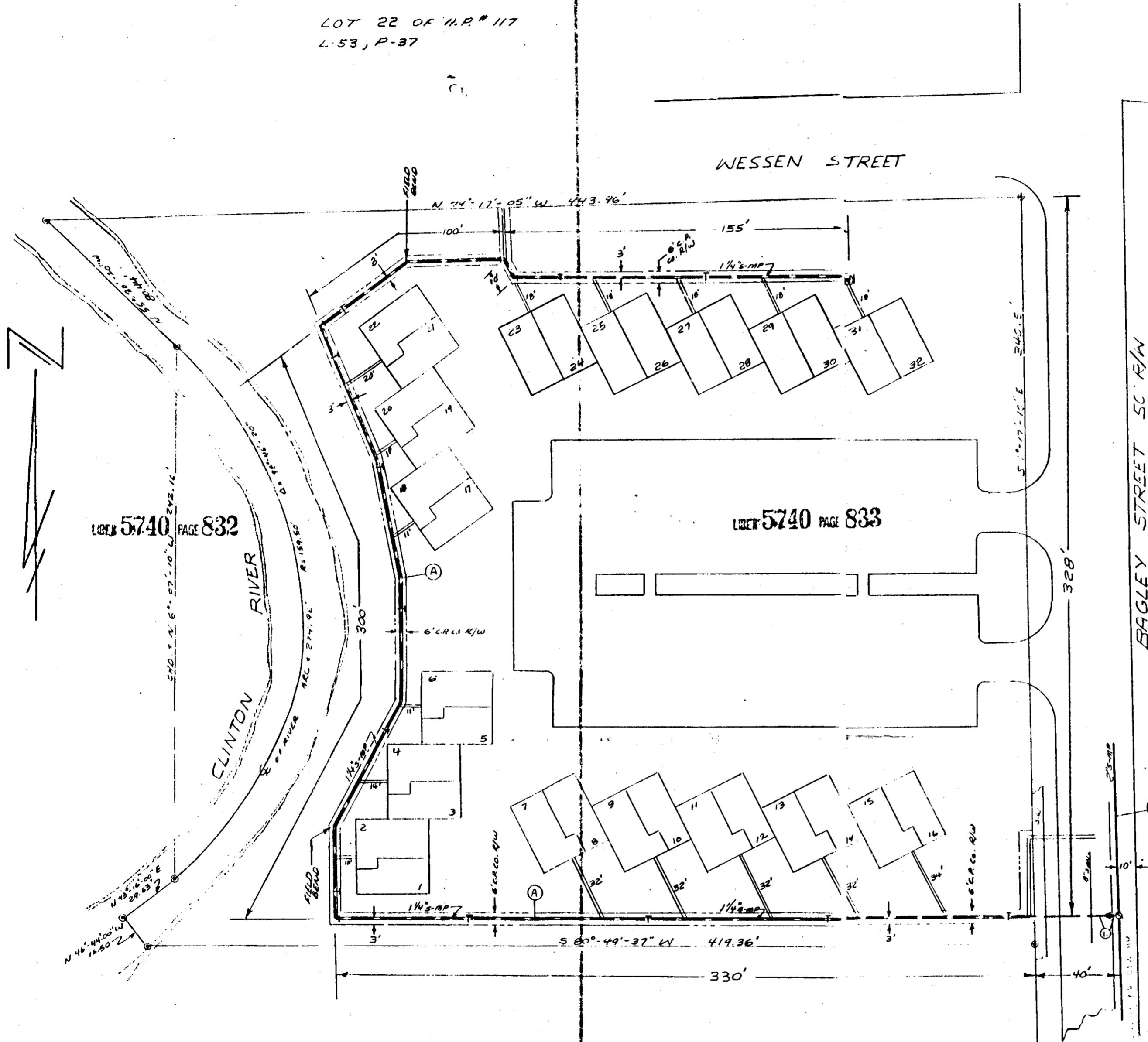
Faint, illegible text or stamp in the upper middle section of the page.

Faint, illegible text or stamp in the lower middle section of the page.

APPROVED AS TO FORM 4/8/98 DATE  
LEGAL DEPARTMENT 6/11/6M

# CONSUMERS POWER COMPANY MHT MARKED EXHIBIT "A"

LOT 22 OF H.P. # 117  
L-53, P-37



### NOTES

1. CONSTRUCT APPROX. 895' OF 1 1/4" S-MP GAS MAIN, C&W, .140" W.T.
2. THIS CONSTRUCTION IS TO BE JOINT CONSTRUCTION WITH C.P. CO. ELECTRIC, LVO # 0431-4732-1-10064
3. ALL JOINT CONSTRUCTION WORK IS TO BE DONE ACCORDING TO GAS DEPT. STDS. 2-442-D.

LIBER 5740 PAGE 834

*Joint with 39-E-908*

|                             |                      |                        |
|-----------------------------|----------------------|------------------------|
| EST. NO. 71-73              | W.O. NO. 0448-4110-4 | FILE # 39-G-816        |
| ENG. _____ DATE _____       | DUBOIS MANOR         | CONSUMERS POWER CO.    |
| DWG. TRP _____ DATE 3-11-71 | CITY OF PONTIAC      | DIVISION PONTIAC       |
| CHK. _____ DATE _____       | TEN-RIDE-32B         | SCALE NONE             |
| APP. _____ DATE _____       | OAKLAND COUNTY       | NO. _____ SHEET 1 OF 1 |
|                             | TAX CODE 853606      |                        |

RECORDED RIGHT OF WAY NO. 31776 142  
P146