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RIGHT OF WAY FILE #

R40069

GRANTOR NAME

[Empty grid for Grantor Name]

[Empty grid for Grantor Name]

STREET ADDRESS

[Empty grid for Street Address]

[Empty grid for City/Town]

ST

[Empty grid for Street Suffix]

CITY/TOWN

ZIP CODE

[Empty grid for City/Town]

[Empty grid for ZIP Code]

EASEMENT DESCRIPTION

AGREEMENT DATE

AGREEMENT TYPE

12

[Empty grid for Agreement Date]

[Empty grid for Agreement Type]

R P C

LIBER #

PAGE #

DRAWING R/W #

[Empty grid for Liber #]

[Empty grid for Page #]

[Empty grid for Drawing R/W #]

PVT CL#

SECTION

QUARTER SECTION 3

QUARTER SECTION 2

QUARTER SECTION 1

[Empty grid for PVT CL#]

[Empty grid for Section]

[Empty grid for Quarter Section 3]

1/4

1/2

[Empty grid for Quarter Section 2]

1/4

1/2

[Empty grid for Quarter Section 1]

1/4

1/2

TOWNSHIP

COUNTY

RTE OF LINE

[Empty grid for Township]

[Empty grid for County]

N/S E/W B

TOWNSHIP RANGE

DIVISION CODE

[Empty grid for Township Range]

[Empty grid for Division Code]

A D M O T W

SUBDIVISION NAME

OUT LOT

[Empty grid for Subdivision Name]

[Empty grid for Out Lot]

EAST OF

BLOCK #1

[Empty grid for East of]

[Empty grid for Block #1]

WEST OF

LOT #1

[Empty grid for West of]

[Empty grid for Lot #1]

NORTH OF

BLOCK #2

[Empty grid for North of]

[Empty grid for Block #2]

SOUTH OF

LOT #2

[Empty grid for South of]

[Empty grid for Lot #2]

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12/27/89
WJ



Real Estate and Rights of Way
**Overhead and Underground
Right of Way Agreement**

December 27, 1989

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan hereinafter referred to as "EDISON," the right to construct, reconstruct, modify, add to, operate and maintain overhead and underground line facilities consisting of poles, guys, anchors, conduits, wires, cables, manholes, transformers and accessories required to provide electric service in, under, upon, over and across property located in the NW 1/4 of Section 22 of Twp. of Frenchtown, County of Monroe, State of Michigan, further described as:

Part of the N.W. 1/4 of Section 22, T.6S., R.9E., Frenchtown Township, Monroe County, Michigan, described as beginning at a point on the north line of Section 22 distant N. 89°51'00" W. 1125.14 feet from the North 1/4 corner of Section 22, T.6S., R.9E., thence along the westerly boundary of the I-75 right-of-way the following ten (10) courses: (1) S. 0°09'00" W. 50 feet, (2) S. 30°48'50" E. 145.77 feet, (3) S. 0°09'00" W. 171.77 feet, (4) S. 4°04'45" W. 199.11 feet, (5) S. 11°56'14" W. 199.10 feet, (6) S. 19°47'42" W. 199.10 feet, (7) S. 27°39'10" W. 199.10 feet, (8) S. 31°34'54" W. 44.41 feet, (9) S. 31°56'33" W. 42.41 feet, and (10) S. 32°55'02" W. 365.53 feet; thence N. 0°15'15" W. 1485.76 feet to the north line of Section 22; thence S. 89°51'00" E. 392.01 feet along said north line to the point of beginning.

Carl J. Garrison
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MONROE COUNTY, MICH.

with said overhead and underground line facilities to be located only as shown on the attached drawing "Appendix A" which is made a part hereof and which is signed by Grantor.

The right of way is 6 ft. (underground segments) and 12 ft. (overhead segment) in width. Additional conditions of Grant are as in the attached "Appendix B" which is made a part hereof.

The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either within the right of way or on property adjoining the right of way which in the opinion of EDISON interferes with the construction or operation of the line facilities. It is expressly understood and agreed that EDISON shall, at no time, trim or cut down any trees unless, in EDISON'S opinion, it is absolutely necessary to do so. EDISON shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein.

No buildings or structures are to be placed within said right of way herein granted without the written consent of EDISON.

This grant is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

Grantors:

Ernest J. Garrison
Ernest J. Garrison
Louis J. Abundis
Louis J. Abundis

Dietrich R. Bergmann
Dietrich R. Bergmann, Trustee
Dietrich R. Bergmann Living Trust
dated 06 June, 1988.

Prepared by: Ernest J. Garrison, Supv.
Real Estate, R/W & Claims,
8001 S. Haggerty Rd., Belleville, MI., 48111

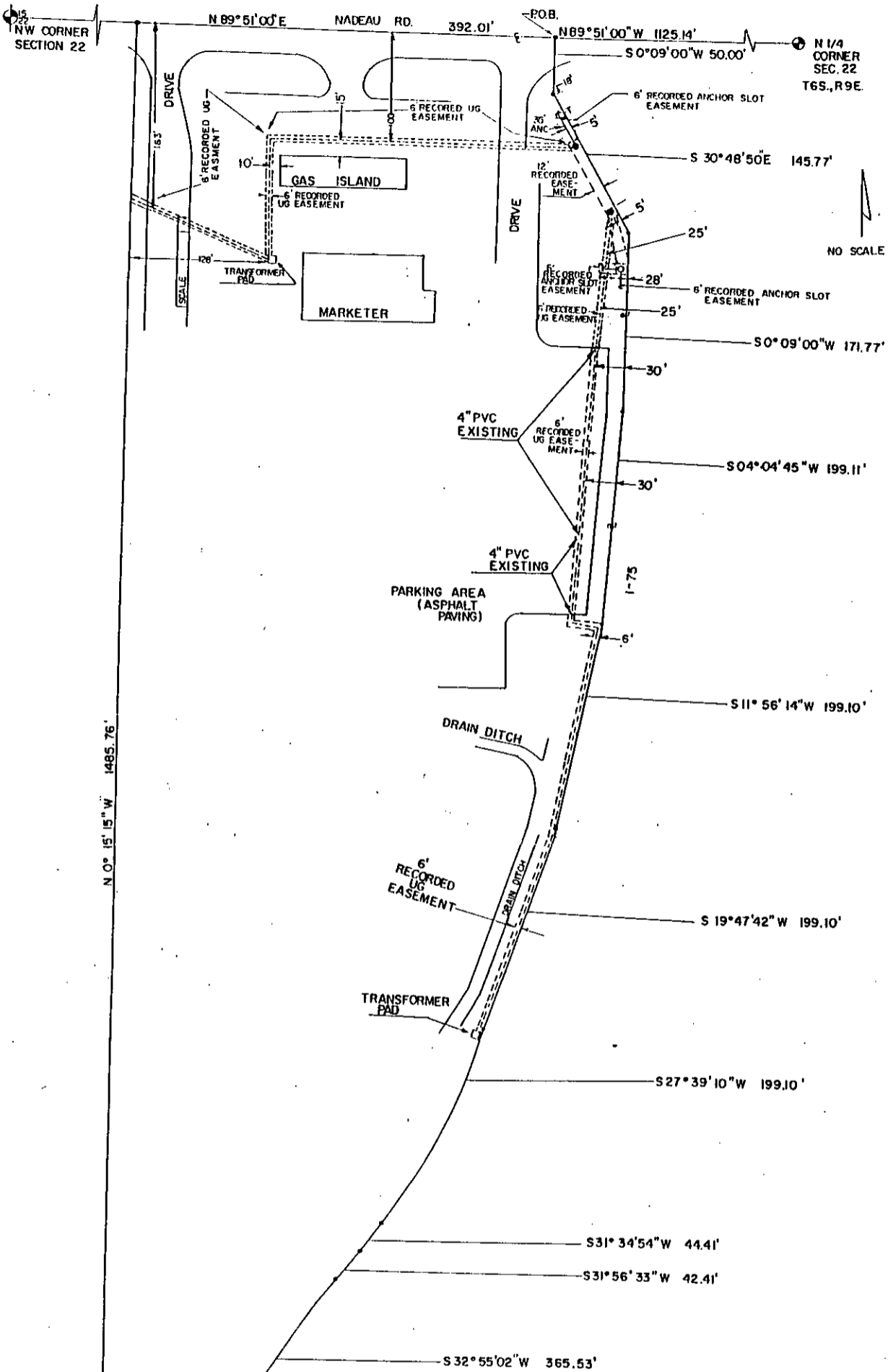
Address: 1154 Roslyn Rd.
Grosse Pointe Woods, MI., 48236-1350

RECORDED RIGHT OF WAY NO. 40269

Approved by Tom Legal Dept 12/27/89

APPENDIX "A"

M-2676



RECORDED RIGHT OF WAY NO. 40069

APPROVED

DEBORAH L. SEALMANN
 LIVING TRUST DATES
 16 JUNE 1998
 BY: Richard R. Bergmann
 SURVEYOR & REGISTERED
 LAND SURVEYOR
 027 27 DECEMBER 1989
 FILED IN RECORDS
 AT: (Signature)
 WILLIAM J. FINCH
 DATE: 12/28/89

NO SCALE

≡ ≡ ≡ ≡ 6' UNDERGROUND EASEMENT (UG)
 - - - - - 12' OVERHEAD EASEMENT (OH)

Part of the N.W. 1/4 of Section 22, T.65., R.9E., Frenchtown Township, Monroe County, Michigan, described as beginning at a point on the north line of Section 22 distant N. 89° 51' 00" W. 1125.14 feet from the North 1/4 corner of Section 22, T.65., R.9E., thence along the westerly boundary of the I-75 right-of-way the following ten (10) courses: (1) S. 0° 09' 00" W. 50 feet, (2) S. 30° 48' 50" E. 145.77 feet, (3) S. 0° 09' 00" W. 171.77 feet, (4) S. 04° 04' 45" W. 199.11 feet, (5) S. 11° 56' 14" W. 199.10 feet, (6) S. 19° 47' 42" W. 199.10 feet, (7) S. 27° 39' 10" W. 199.10 feet, (8) S. 31° 24' 54" W. 44.41 feet, (9) S. 31° 56' 33" W. 42.41 feet, and (10) S. 32° 55' 02" W. 365.53 feet; thence N. 0° 15' 15" W. 1485.76 feet to the north line of Section 22; thence S. 89° 51' 00" E. 392.01 feet along said north line to the point of beginning.