

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. L-3901

On June 27, 1991, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Gary Van Childers and Sandra Lee Childers, husband and wife, 1420 Lake Nepessing Road, Lapeer, Michigan 48446

"Grantee" is:

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

"Grantor's Land" is in Township of Elba, Lapeer County, Michigan described as:

See Reverse Side - Appendix "A"

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

As shown on the attached Detroit Edison drawing #L-3901-UG, dated 6-17-91. The right of way is six (6) feet in width.

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. **Access:** Grantee has the right of access to and from the Right of Way Area.
3. **Buildings 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. **Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
6. **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.
7. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

Witnesses:

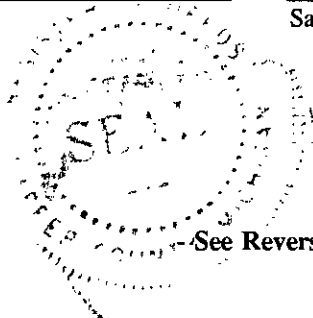
Mark F. Glasby
Mark F. Glasby

Tony Adelin
Tony Adelin

Grantor:

Gary Van Childers
Gary Van Childers

Sandra Lee Childers
Sandra Lee Childers, his wife



RECORDED AS TO FEEL 7/27/91 DATE
LEGAL DEPARTMENT MAA

- See Reverse Side -

RECORDED HIGH ON FAX NO. 49027

Appendix "A"

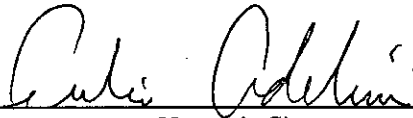
Part of the Southwest 1/4 of Section 13, T7N-R9E, BEGINNING at a point on the West line of Section 13 that is North 01°12'35" East 1133.88 feet from the Southwest corner of said section; thence continuing along said West line North 01°12'35" East 503.44 feet; thence South 89°05'30" East 1344.34 feet along the centerline of Lake Nepessing Road; thence South 01°26'05" West 473.77 feet along said centerline; thence South 89°38'30" West 1343.06 feet to the point of beginning.

Acknowledged before me in Lapeer County, Michigan, on June 27th, 1991

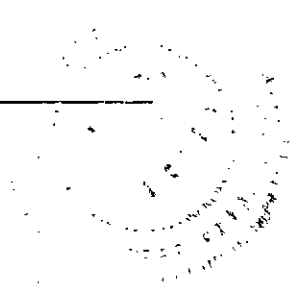
by Gary Van Childers and Sandra Lee Childers, husband and wife

TUJO ADELINI
Notary Public, Lapeer County, MI
My Commission Expires Feb. 6, 1994

Notary's Stamp

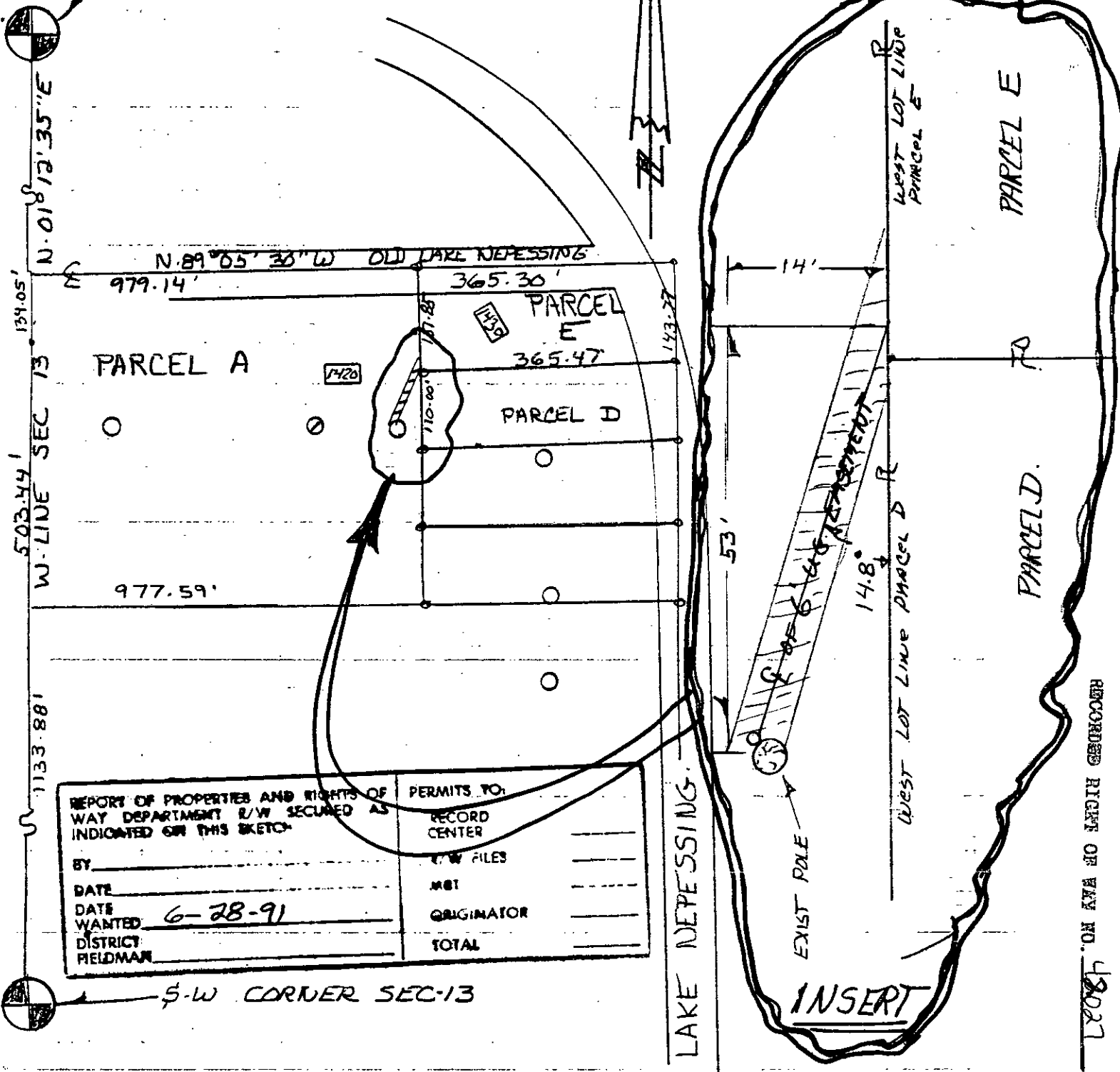


Notary's Signature



Prepared by and Return to:
Tony Adelini, Representative, 1075 Suncrest, Lapeer, Michigan 48446 (667-1648)

W. 1/4 COR SEC 13



REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	PERMITS TO: RECORD CENTER
BY _____	E.W. FILES _____
DATE _____	MBT _____
DATE WANTED <u>6-28-91</u>	ORIGINATOR _____
DISTRICT _____	TOTAL _____
FIELDMAN _____	

S-W CORNER SEC-13

RECORDED RIGHT OF WAY NO. 48027

LEGEND 	THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT				
	CITY OR TOWNSHIP <u>ELBA TWP.</u>	COUNTY <u>LAFEE</u>	QTR. & TWP. SECT. NO. <u>S11/4 13</u>	DEPT. ORDER NO.	
	MAP SECT. <u>2-256-532</u>	TOWN <u>T7N</u>	RANGE <u>R9E</u>	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	R/W NO. <u>L-3901-UG</u>
	PROJECT NAME		TEL ENGR & DIST.	PROJ. OR PART NO.	
	CIRCUIT <u>DC 8035 META MORA</u>			O.F.W. S.O. OR P.E. NO.	
	REASON <u>PROVIDE UG SERV TO PARCEL E NEPESING</u>			BUDGET ITEM NO.	
PLANNER <u>M-CHILDS</u>			DATE <u>6-17-91</u>		
			SCALE <u>1"=200'</u>		