

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. L-3737-R3

On July 31, 1991, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

John Doncea and Nancy L. Doncea, his wife, 5573 Heathdale, Warren, Michigan 48092

"Grantee" is:

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

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

See Reverse Side - Appendix "A"

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

The Southerly 12 feet of the Northerly 45 feet of the above described property. The right of way is twelve (12) feet in width.

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead and 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.

RECEIVED FOR RECORD

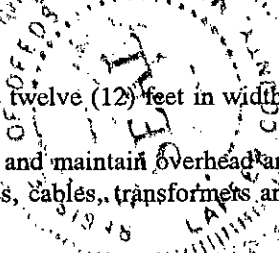
1991 SEP 30 PM 4: 07

LIBER NO. 730 PAGE NO. 191

Melissa Miles

REGISTER OF DEEDS

LAPPEER COUNTY MICHIGAN



RECORDED RIGHT OF WAY NO. 42269

Witnesses:

Grantor:

John E. Sharp

 John E. Sharp

Tony Adeline

 Tony Adeline

John Doncea

 John Doncea

Nancy L. Doncea

 Nancy L. Doncea, his wife



Appendix "A"

Part of the North half of the Northeast quarter of Section 17, Town 8 North, Range 12 East; BEGINNING at the North quarter corner of said Section 17; thence along the North Section line, South 89°01'49" East 660.00 feet; thence South 01°33'06" West 1321.47 feet; thence along the South line of said North half of the Northeast quarter, North 88°59'09" West 660.00 feet; thence along the North-South-quarter line, North 01°33'06" East 1320.96 feet to the point of beginning.

MISC D 9.00
R/W P0010
REMOVT 2.00

Acknowledged before me in Lapeer County, Michigan, on July 31, 1991

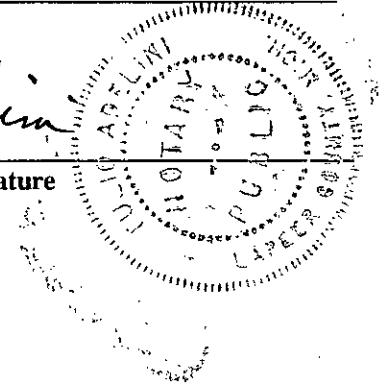
by John Doncea and Nancy L. Doncea, his wife

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

Notary's Stamp

Tullio Adelini
Tullio Adelini

Notary's Signature



Prepared by and Return to:
Tony Adelini, Representative, 1075 Suncrest, Lapeer, Michigan 48446 (313)667-1648

