

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. B-701

On JAN 28, 1992, 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:

Bonnie Finan, a single woman, 1536 Port Austin Road, Port Austin, Michigan 48467

"Grantee" is:

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

"Grantor's Land" is in Hume Township, Huron County, described as:

See Reverse Side - Appendix "A"

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

A 10 foot width as shown on the attached Detroit Edison drawing No. B-701 dated 1-10-92.

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.

MAR 5 1 43 PM 1992
REGISTER OF DEEDS
HURON COUNTY, MICHIGAN

RECORDED

RECORDED RIGHT OF WAY NO. 42677

Witnesses:(type or print name below signature)

Robert Kessler
Robert Kessler

Richard F. Collins
Richard F. Collins

Grantor:(type or print name below signature)

Bonnie Finan
Bonnie Finan, a single woman

Acknowledged before me in HURON County, Michigan, on JAN. 28, 1992 by Bonnie Finan, a single woman.

RICHARD F. COLLINS
Notary Public, St. Clair County, MI
My Commission Expires Oct. 24, 1993

Notary's Stamp

Notary's Signature

Richard Collins

APPROVED AS TO FORM 2/12/92 DATE
LEGAL DEPARTMENT *GMA*

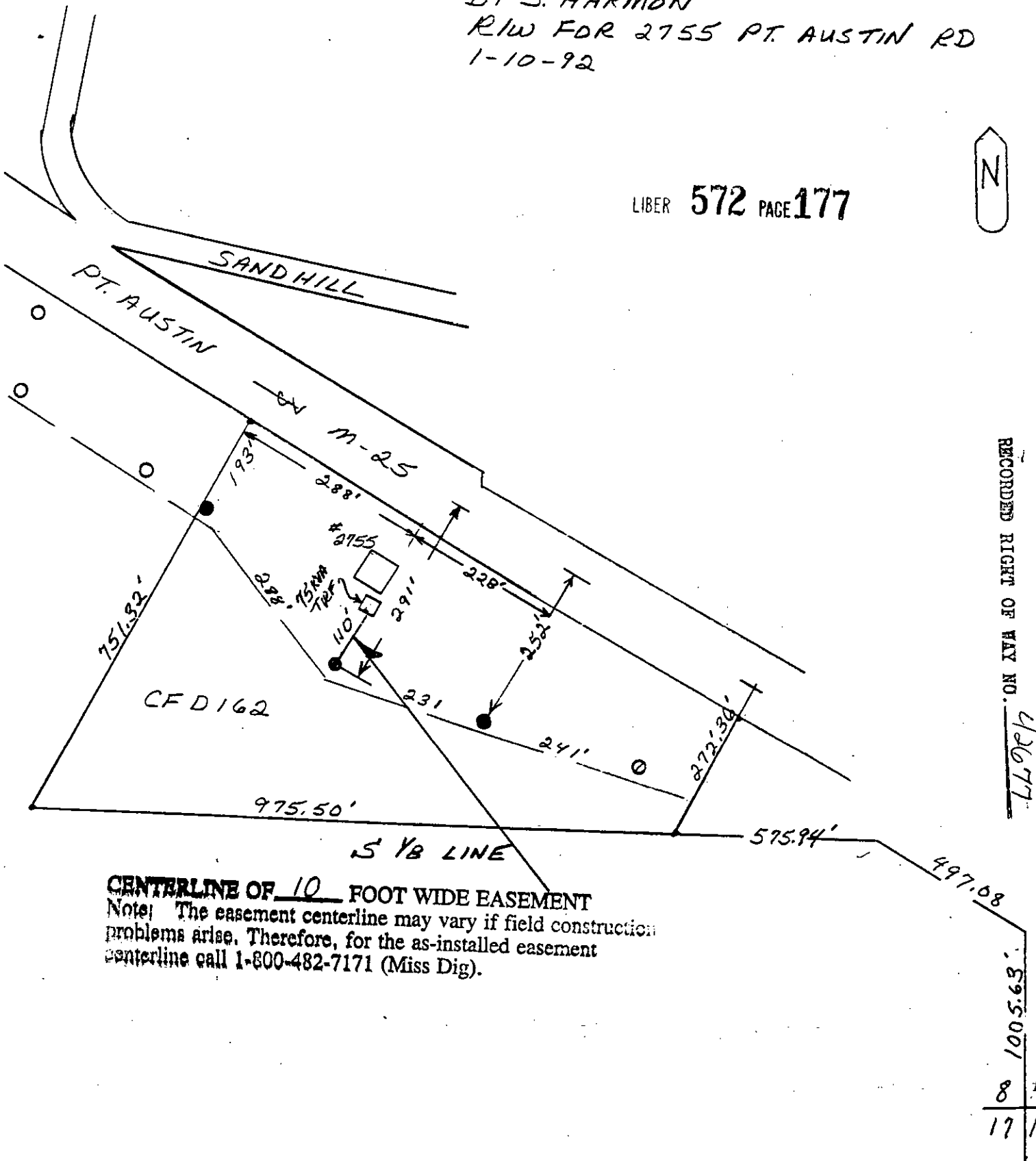
Appendix "A"

Commencing at the Southeast corner of Fractional Section 8, T18N-R12E; thence N03°56'14"E 1005.63 feet along the East line of said Fractional Section 8; thence N63°57'30"W 497.08 feet along the centerline of State Trunkline M-25 to the intersection of State Trunkline M-25 and the South 1/8 line of said Fractional Section 8; thence S88°12'10"W 575.94 feet along the South 1/8 line of said Fractional Section 8 to the Point of Beginning; RUNNING THENCE S88°12'10"W 975.50 feet along the South 1/8 line of said Fractional Section 8; thence N26°02'30"E 751.32 feet; thence along a curve to the left (Long Chord Bearing and Distance = S62°24'12"E 862.92 feet; Radius = 33.545.67 feet) an Arc Distance of 862.94 feet along the Centerline of State Trunkline M-25; thence S26°02'30"W 272.36 feet to the point of beginning. Being a part of Government Lots 1 and 2, Fractional Section 8, T18N-R12E.

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DRAWING # D 701
 BY S. HARMON
 RIW FOR 2755 PT. AUSTIN RD
 1-10-92

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CENTERLINE OF 10 FOOT WIDE EASEMENT
 Note: The easement centerline may vary if field construction problems arise. Therefore, for the as-installed easement centerline call 1-800-482-7171 (Miss Dig).

RECORDED RIGHT OF WAY NO. 42677

595.001'
 8 9 / 17 16