

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. C-1241

On 9-26-91, 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:

Mt. Morris Coatings, Inc., P.O. Box 128, 11400 Industrial Ave., Mt. Morris, Michigan 48458-2205

"Grantee" is:

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

"Grantor's Land" is in Township of Millington, Tuscola 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 above described land and the Westerly 12 feet of the Eastely 99 feet of the Southerly 80 feet of the above described land.

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.

RECORDED RIGHT OF WAY NO. 13122

Witnesses:

Grantor:

Mark R. McCreedy 9-26-91
 Mark R. McCreedy

Sharon Thalos
 Sharon Thalos

Paul Bailey 9-26-91
 Paul Bailey, President - Mt Morris Coatings, Inc.

2000 McCreedy
900 Thalos

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LIBER NO. 627 PAGE NO. 77-78
FILING NO. _____

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VIRGINIA M. McLAREN
TUSCOLA COUNTY
REGISTER OF DEEDS

Appendix "A"

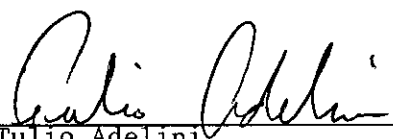
Parcel D:

Part of the Northeast 1/4 of the Southeast 1/4 of Section 9, T10N-R8E, Millington Township, Tuscola County, Michigan. Described as beginning at a point on the East-West 1/4 line which is North 89°44'47" West 967.88 feet from the East 1/4 corner of said Section; thence South 00°08'49" West 247.50 feet; thence parallel to said East-West 1/4 line, North 89°44'47" West 310.00 feet; thence along the West line of said Northeast 1/4 of the Southeast 1/4, North 00°08'49" East 247.50 feet; thence along the East-West 1/4 line, South 89°44'47" East 310.00 feet to the Point of Beginning.

Acknowledged before me in Tuscola County, Michigan, on September 26, 1991

by Paul Bailey the President of Mt. Morris Coatings, Inc., a Michigan corporation, for the corporation.

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

Notary's Signature

Tulio Adelini