

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. L-4117
PROJECT NAME Pineview Estates**

764
Melissa 1/16
393-394

On MAY 6, 1992, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Rex Curtiss, Jr. and Susan Curtiss, husband and wife, 4928 Curtiss Drive, Lapeer, Michigan 48446

"Grantee" is:

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

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

Parcel A: North half of the Northwest quarter of Section 21, T7N-R10E, Lapeer Township, Lapeer County, Michigan. Also Parcel C: The South half of the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter, all in Section 16, T7N-R10E, Lapeer Township, Lapeer County, Michigan.

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

As shown on Attachment "A".

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain 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. Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
- 7. Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
- 8. Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

Chris Curtiss
Chris Curtiss

Gene R. Wieg
Gene R. Wieg

Rex Curtiss Jr.
REX S. CURTISS JR.
Susan K. Curtiss, his wife
Susan K. Curtiss

Acknowledged before me in Lapeer County, Michigan, on May 6, 1992

by Rex Curtiss, Jr. and Susan Curtiss husband and wife.

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

Notary's Stamp _____
(Notary's name, county, and date commission expires)

Notary's Signature Tullio Adelini
Tullio Adelini

RECORDED RIGHT OF WAY NO. 43468

APPROVED AS TO FORM 4/3/92 DATE
LEGAL DEPARTMENT [Signature]

CLARK

ROAD

N-01°30'00"-W 1324.88'



SW COR. SEC. 16
N.W. COR. SEC. 21

RECORDED RIGHT OF WAY NO. 43468

33'

N. LINE SEC. 21

N 89°04'39" E 1275.85'

N 01°39'22" W
660.67'

67' PRIVATE EASEMENT
FOR PUBLIC UTILITIES
WITHIN PINEVIEW DR.

PINEVIEW

DRIVE

10' PRIVATE
EASEMENT
FOR PUBLIC
UTILITIES
98.57 ACRES

N 89°04'39" E 1308.86'

S. LINE SEC. 16

N 89°04'38" E 1309.48'

ATTACHMENT "A"

S 01°33'43" E 1328.03'

660.68'

S 89°08'50" W

2586.18'

67'

33'