

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R92040952AR

On NOV 2, 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:

ROBERT TAPPEN AND BARBARA TAPPEN, HUSBAND AND WIFE, 1285 Barron, Howell, Michigan 48843

"Grantee" is:

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

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

PARCEL B: A parcel of land in the Southwest ¼ of Section 14, T3N-R4E, Howell Township, Livingston County, Michigan, more particularly described by Darrell Hughes, Michigan Registered Land Surveyor No. 19834, as follows: beginning at a point, said point being distant North 01°17'58" West 919.63 feet (previously described as North 01°18'20" West) along the North and South ¼ line of Section 14 and North 89°49'10" West 325.60 feet (previously described as North 89°45'17" West) from the South ¼ corner of Section 14; proceeding thence from said point of beginning North 89°49'10" West 389.30 feet (previously described as North 89°45'17" West); thence North 01°18'20" West 240 feet; thence North 83°10'29" East 391.02 feet; thence South 01°17'58" East 287.71 feet to the point of beginning.

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

All in accordance with Detroit Edison Drawing R92040952AR.

- 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.
- Access:** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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.
- 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.
- Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licenses and assigns.

LIBER 1634 PAGE 0367
LIBER 1643 PAGE 0538

RECORDED RIGHT OF WAY NO. 44131

Witnesses: (type or print name below signature)
 ✓ Kristen L. Van Ostran
 ✓ Kay Lynn K. Ottke

Grantor: (type or print name below signature)
Robert A. Tappen
Barbara Tappen

RECORDED
 DEC 15 9 07 AM 1992
 NANCY HAVILAND
 REGISTER OF DEEDS
 LIVINGSTON COUNTY, MICHIGAN
 48843

NOV 19 12 58 PM '92

Acknowledged before me in Howell County, Michigan, on 11/2, 1992 by ROBERT TAPPEN AND BARBARA TAPPEN, HUSBAND AND WIFE.

Notary's Stamp: KRISTEN L. VAN OSTRAN, Notary Public, Livingston County, MI
 My Commission Expires: 7-17-94

Notary's Signature: Kristen L. Van Ostran

MISC. RIGHT OF WAY FILE NO. 25-3995
See Also

Nov 18

8:20 AM 09/11/92

RECORDED

DEC 12 9 04 AM '95

RECORDED

NOV 18 12 28 PM '95

LIVINGSTON COUNTY
CLERK OF SUPERIOR COURT
NANCY HAYLAND

APPROVED AS TO FORM 11/18/92 DATE
LEGAL DEPARTMENT [Signature]

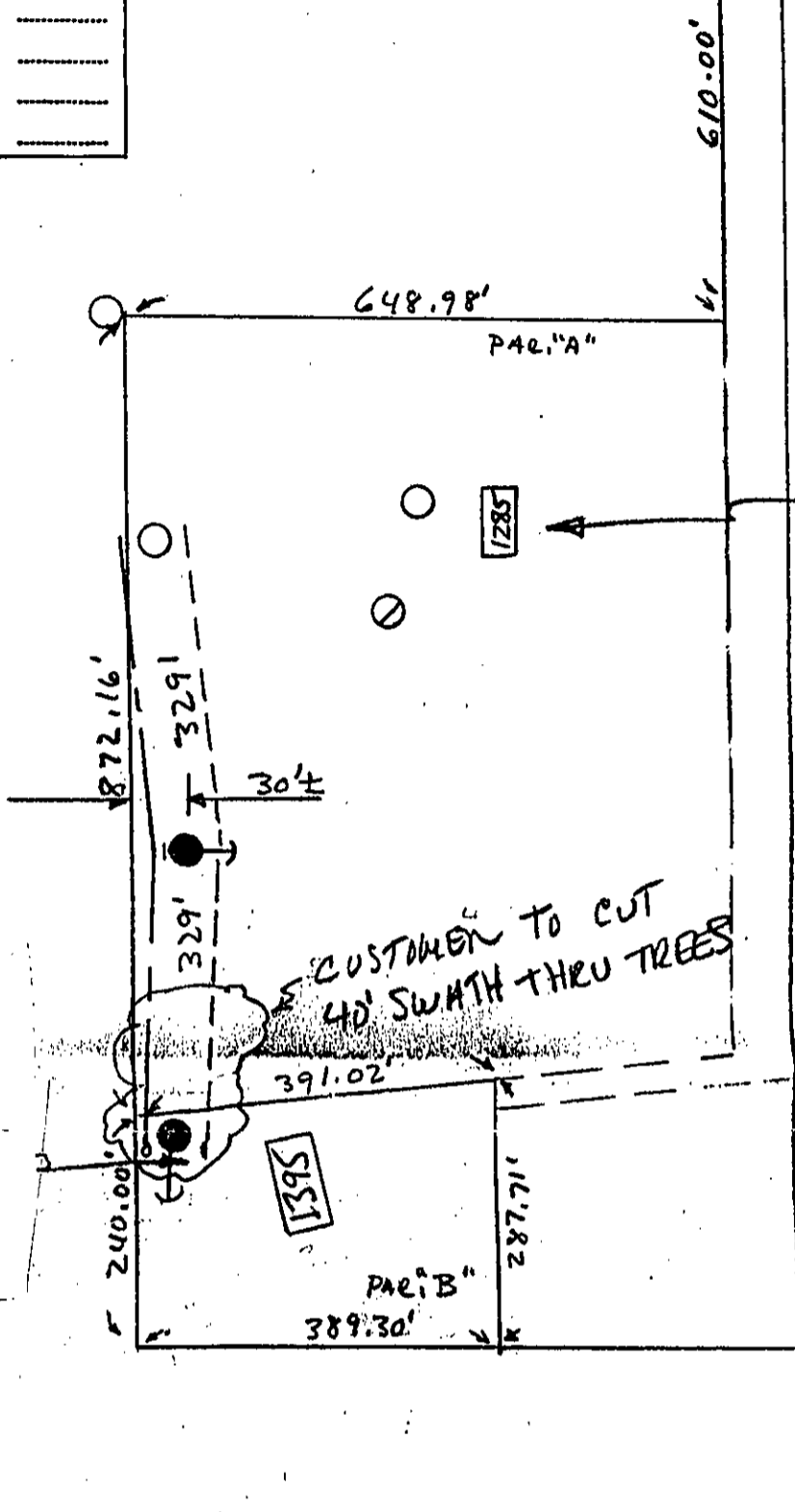
BARRON

66.02'

33.00'

CTR. SEC. 14

| | |
|---|---------------------|
| REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH | PERMITS TO: |
| BY _____ | RECORD CENTER _____ |
| DATE _____ | R/W FILES _____ |
| DATE WANTED 10-22-92 | MBT _____ |
| DISTRICT _____ | ORIGINATOR _____ |
| FIELDMAN _____ | TOTAL _____ |



LIBER 1643 PAGE 0540

BYRON

CUSTOMER TO CUT 40' SWATH THRU TREES

* ALL POLES TO BE 40' OR 45' AND ANCL. 60 YS @ 30'

REVISED 10-7-92

9204095

LIBER 1643 PAGE 0539

| THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT | | | |
|--|--|----------------------------------|---|
| LEGEND | CITY OR TWP. HOWELL | COUNTY LIVINGSTON | QTR. & TWP. SECT. NO. 14 |
| ○ FOREIGN POLE | MAP SECT. 2-100-416 | TOWN RANGE | JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |
| ○ EXIST. D.E. CO. POLE | PROJECT NAME | | R/W NO. R-9204095-2AR |
| ● PROPOSED POLE | TEL. ENGR. & DIST. | | PROJ. OR PART NO. |
| — EXIST. ANCHOR | CIRCUIT D.C. 8130 CONRAD @ 13.2 KV. | O.F.W. S.O. OR P.E. NO. | |
| — PROPOSED ANCHOR | REASON NEW HOUSE AT 1395 BARRON | BUDGET ITEM NO. 2MJOA-MAJ | |
| ○ TREE | PLANNER CHUCK LARSEN | SCALE 1" = 200' | DATE 10-7-92 |
| — 120/240 V LINE | | | |
| — 4800 V LINE | | | |
| — 13,200 V LINE | | | |
| — 40,000 V LINE | | | |

RECORDED RIGHT OF WAY NO. 44131

See Also:

MISC. RIGHT OF WAY FILE NO. 253995

RECORDED NO. 240

RECORDED NO. 240