

UNDERGROUND DISTRIBUTION EASEMENT (R/W) NO. R-9205765
PROJECT NAME Northwood Lake Condominium

On JANUARY 28, 1993, 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:

Herron Development, Inc., a Michigan corporation, 4805 Hospital Drive, Cass City, Michigan 48726

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
C-Tec Cablevision, 814 S. Main, Suite 3, Lapeer, Michigan 48446
General Telephone Company, 7362 Davison Road, Davison, Michigan 48423

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

Part of the Northwest 1/4 of Section 28, T14N, R11E described as: Beginning at the center of said Section 28; thence running Westerly 865 feet more or less to the right-of-way of P.O. & N. Railroad; thence Northwesterly along the right-of-way of P.O. & N. Railroad 1703 feet; thence Easterly 1904 feet; thence Southerly 1321.82 feet to the point of beginning.

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

Shown on the attached drawing; the exact location of underground equipment must be determined by the utility companies. For exact location, telephone Miss Dig at 1-800-482-7171. The exact location of underground equipment indicates the centerline of said right-of-way.

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)

Kelli J. Hendrick

Kelli J. Hendrick

Pamela LaFave

Pamela LaFave

Grantor: (type or print name below signature)

Thomas E. Herron

THOMAS E. HERRON, PRESIDENT
HERRON DEVELOPMENT CORPORATION

Acknowledged before me in Tuscola County, Michigan, on Jan. 28, 1993 by Thomas E. Herron,
President of Herron Development, Inc., a Michigan corporation.

KELLI J. HENDRICK, NOTARY PUBLIC

Notary's Stamp SANILAC COUNTY, STATE OF MICHIGAN
MY COMMISSION EXPIRES 08-06-94

Notary's Signature Kelli J. Hendrick

Kelli J. Hendrick

Prepared by and Return to: Tony Adelini, 1075 Suncrest Drive, Lapeer, Michigan 48446/ACG

RECORDED RIGHT OF WAY NO. 45306 under 1993

3/17/94

Ava -

Per our conversation
regarding no copy in
company files.

~~4/10/94~~
~~4/12/97~~

Thanks!

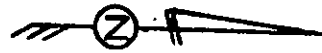
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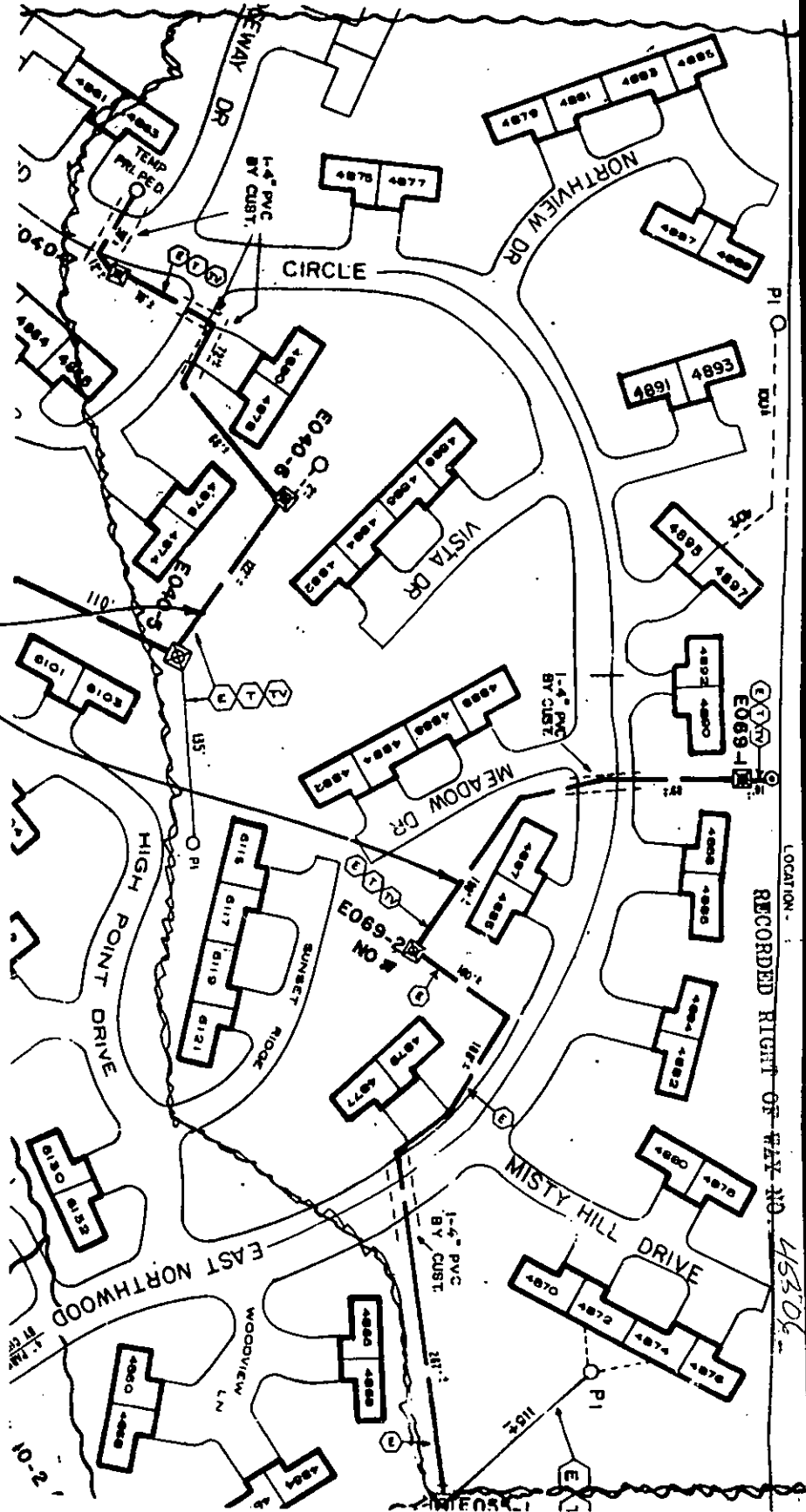
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VIRGINIA M. McCLAREN
TUSCOLA COUNTY
REGISTER OF DEEDS



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).



LIBERTY 506 PAGE 1202
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This instrument, made Oct. 7 1989
between DEAN J. TUCKEY and LENA E. TUCKEY, husband and wife,
of 4785 Koenigsen Road, Cass City, Michigan 48726,
parties of the first part,
and HERMON DEVELOPMENT, INC., a Michigan Corporation,

party of the second part
whose address is 4805 Hospital Drive, Cass City, Michigan 48726,
Witnesseth: That the said party of the first part, for and in consideration of ONE AND NO/100

(\$1.00) DOLLAR
to him in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, does by these presents grant,
bargain, sell, remise, release, alien and confirm unto the said party of the second part his heirs
However, all that certain piece or parcel of land situate and being in the Township
of Elkland County of Tuscola and State of Michigan, and described as follows, to-wit

Commencing at the Center of Section 28, T14N, R11E, thence West
400 feet to the point of beginning; thence continuing Westerly
465 feet more or less to the right of way of P. O. & N. Railroad;
thence Northwesterly along the right of way of P. O. & N. Railroad
1703 feet; thence Easterly 1504 feet; thence Southerly 1321.82
feet to the point of beginning, Elkland Township, Tuscola County,
Michigan.



(This deed is exempt from revenue stamps pursuant to MSA 7.456(5)(a).)

pt of 79-35-028-000-2400

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining. To Have and to Hold
the said premises, as herein described, with the appurtenances, unto the said party of the second part and to his heirs
and assigns. Forever. And the said party of the first part, for himself, his heirs, executors and administrators, does covenant, grant, bargain and
agree to and with the said party of the second part, his heirs and assigns, that at the time of the delivery of these presents
he is well seized of the above granted premises in fee simple; that they are free from all incumbrances whatever except easements
and restrictions of record,

and that he will, and his heirs, executors, and administrators shall Warrant and Defend the same against all lawful claims whatsoever.

When applicable, pronouns and relative words shall be read as plural, feminine or neuter.
In Witness Whereof, The said party of the first part has hereunto set his hand the day and year first above written.

Signed, and Delivered in Presence of

Dean J. Tuckey
Dean J. Tuckey

Joyce McGathy
Joyce McGathy

Lena E. Tuckey
Lena E. Tuckey

Jeanine M. Comment
Jeanine M. Comment

STATE OF MICHIGAN, } on October 7th, 1989
COUNTY OF Tuscola } before me, a Notary Public, in and for said County, personally appeared
Dean J. Tuckey and Lena E. Tuckey

to me known to be the same person^s described in and who executed the within instrument, who
acknowledged the same to be their free act and deed.

Prepared by: KIM DAVID GLASPIE P31610
Attorney at Law
4455 Doerr Road, #2
Cass City, MI 48726
Tele: (517) 872-1358

Dale J. McIntosh
Dale J. McIntosh Notary Public,
Tuscola County, Michigan.
My commission expires Aug. 16th 1992