

**OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9306915-02**

On 2/10, 1994, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

**"Grantor" is:**

James R. Hawley and Kim M. Hawley, husband and wife, 3428 Rdigecliff Dr., Flint, Michigan 48532

**"Grantee" is:**

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

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

PARCEL 1: That part of Section 3, T9N-R9E, described as: Beginning at a point that is South 988.35 feet from the East 1/4 corner of said Section 3, thence South 337.01 feet, thence West 1308.28 feet, thence North 335.74 feet, thence East 1308.36 feet to the point of beginning.

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

The West 15 feet of the East 66 feet of the said Grantor's Land.

1. **Purpose** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead utility line facilities consisting of poles, guys, anchors, wires, 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. **Trees, Bushes, Branches or Roots** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches or roots in the Right of Way Area (or that could grow into the Right of Way Area) that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities.
5. **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.
6. **Successors** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

RECORDED ALIEN OF WAY NO. 436780

**Witnesses:** (type or print name below signature) **Grantor:** (type or print name below signature)

Tim Hawley      James R. Hawley  
 TIMOTHY HAWLEY      JAMES R. HAWLEY  
Kimberly M. Hawley      Kim M. Hawley  
 KIMBERLY M HAWLEY      KIM M. HAWLEY, his wife

RECEIVED FOR RECORD  
 94 APR 14 AM 10:05  
 852 840  
 Melissa Vilas  
 REGISTERED DEEDS  
 Lapeer County Michigan

see also MISC. RIGHT OF WAY FILE No. 2556278

Acknowledged before me in Lapeer County, Michigan, on FEBRUARY 10, 1994 by James R. Hawley and Kim M. Hawley, husband and wife.

Notary's Stamp: **GARY W. KENNEY**  
 Notary Public, Lapeer County, MI  
 My Commission Expires Jan. 22, 1995

Notary's Signature: Gary W. Kenney  
 GARY W. KENNEY

Prepared by and Return to: Betty J. Dean, 1075 Suncrest Dr., Lapeer, Michigan 48446/SEB

MISC D 7.00  
ESMT P0009  
REMOINT 2.00

APPROVED AS TO FORM 2/29/94 DATE  
LEGAL DEPARTMENT [Signature]

193-0239-

WARRANTY DEED-

(State Bar of Michigan Form)

The Grantor(s) Michael L. Miller, a single man,

3828 Otter Lake Road, Otter Lake, MI 48464

convey(s) and warrant(s) to James R. Hawley and Kim M. Hawley, his wife

whose address is 3428 Ridgcliffe Drive, Flint, MI 48532

the following described premises situated in the Township of Marathon County of Lapeer and State of Michigan:

See Legal Description attached hereto

for the sum of Eighteen Thousand and no/100 (\$18,000.00) Dollars

subject to easements and building and use restrictions and reservations of record and subject to such claims as may have accrued by or through the acts or negligence of parties other than the grantors subsequent to the 21st day of December, 1991, that bear the date of an executory contract for the sale of said lands, pursuant to the terms of which this deed is given.

Dated this 12th day of April, 1993

Signed in presence of:

Signed by:

Signed by Susan S. Harsen, Laura Michelson

Signed by Michael L. Miller

FIRST AMERICAN TITLE INSURANCE COMPANY

MAKE YOUR REAL ESTATE TRANSFERS SAFE BY USING FIRST AMERICAN TITLE INSURANCE COMPANY

STATE OF MICHIGAN } SS

COUNTY OF Lapeer

The foregoing instrument was acknowledged before me this 12th day of April 1993 by Michael L. Miller

Signed by Susan S. Harsen, Notary Public, Lapeer County, Michigan, My commission expires: 8-6-95

County Treasurer's Certificate, City Treasurer's Certificate

When Recorded Return To Grantees, Send Subsequent Tax Bk To, Drafted By L. JOHN NOWAK (P23212) Business Address 385 W. Nepping Street Lapeer, MI 48446 (313) 664-9908

Tax Parcel #, Recording Fee 11.00, Transfer Tax 19.80

\* TYPE OR PRINT NAMES UNDER SIGNATURES.

47-080-073

RECEIVED FOR RECORD 93 MAY 25 PM 4:07 LIBRARY NO 803 FILE NO 474- Melissa Files

RECORDED RIGHT OF WAY NO. 436784 MISC. RIGHT OF WAY FILE NO. 255678

*Handwritten initials*

*013 003-159 70*

Parcel 1: Part of the Northeast 1/4 of the Southeast 1/4 of Section 3, T9N-R9E, Marathon Township, Lapeer County, Michigan, described as beginning at a point on the East section line that is South 00 deg. 40 min. 15 sec. East 988.35 feet from the East 1/4 corner of Section 3, thence continuing along said East section line, South 00 deg. 40 min. 15 sec. East 337.01 feet, thence South 89 deg. 51 min. 45 sec. West 1308.28 feet along the south line of the Northeast 1/4 of the Southeast 1/4, thence North 00 deg. 41 min. 13 sec. West 335.57 feet along the West line of the Northeast 1/4 of the Southeast 1/4, thence North 89 deg. 47 min. 59 sec. East 1308.36 feet to the point of beginning.

*013 003-199 40*

Parcel 2: Part of the Northeast 1/4 of the Southeast 1/4 of Section 3, T9N-R9E, Marathon Township, Lapeer County, Michigan, described as beginning at a point on the East section line that is South 00 deg. 40 min. 15 sec. East 652.08 feet from the East 1/4 corner of Section 3, thence continuing along said East section line, South 00 deg. 40 min. 15 sec. East 336.27 feet, thence South 89 deg. 47 min. 59 sec. West 1308.38 feet, thence North 00 deg. 41 min. 13 sec. West 336.27 feet along the West line of the Northeast 1/4 of the Southeast 1/4, thence North 89 deg. 47 min. 59 sec. East 1308.46 feet to the point of beginning.

15C. RIGHT OF WAY FILE NO. 255678

Office of The Treasurer of Lapeer County, Michigan

5-25-1993

This is to certify that the above described parcels held by the state of Michigan are as described herein, and all taxes and assessments thereon for the years previous to the date of this return have been paid to the records in my office.

*Signature of County Treasurer*  
County Treasurer

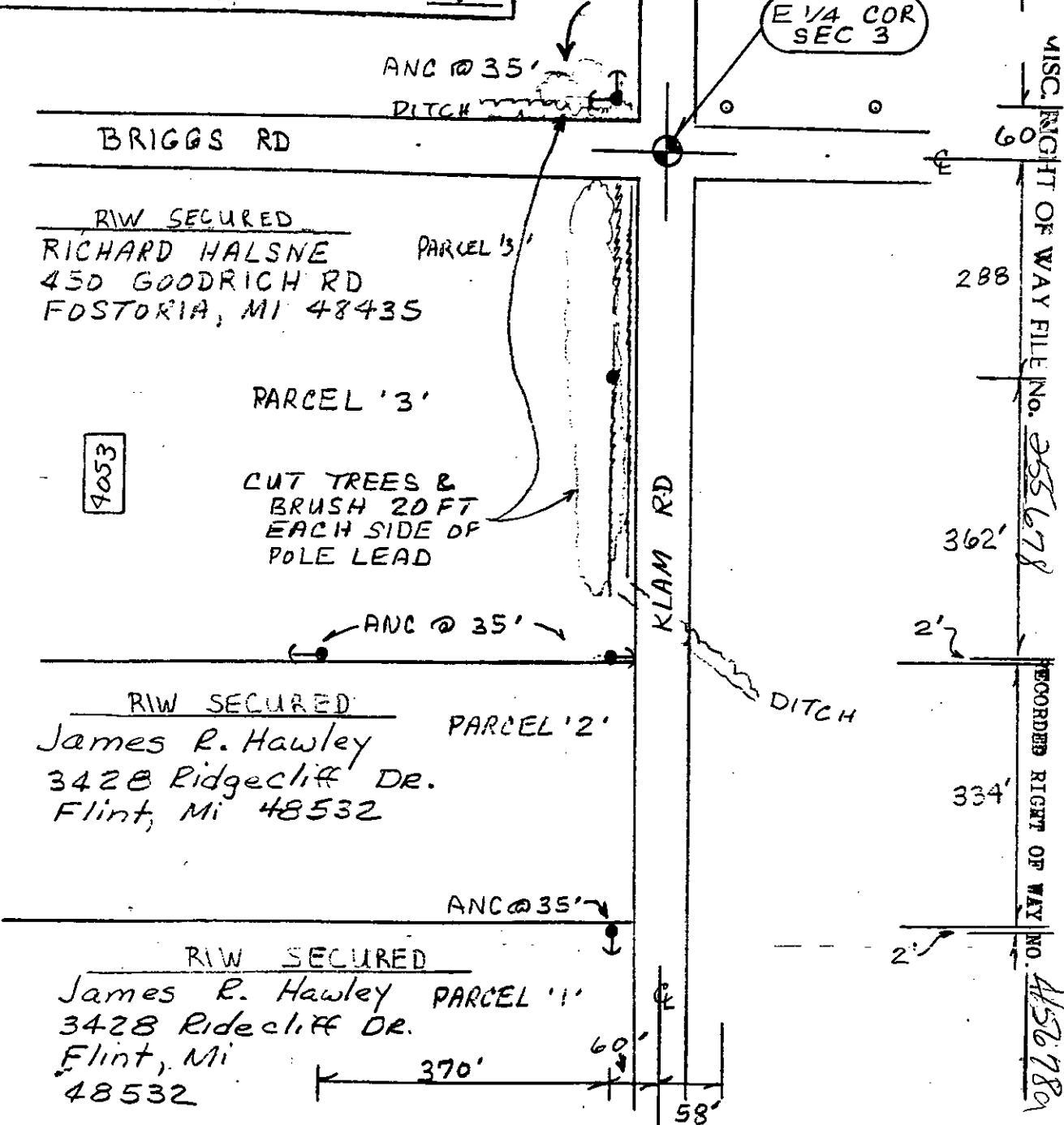
RECORDED RIGHT OF WAY NO. 450789

EXHIBIT "A"

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	PERMITS TO:
BY <u>BIDEAN</u>	RECORD CENTER <u>4</u>
DATE _____	R/W FILES <u>0</u>
DATE WANTED <u>ASAP</u>	MBT <u>0</u>
DISTRICT FIELDMAN _____	ORIGINATOR <u>0</u>
	TOTAL <u>4</u>

R/W SECURED  
 Lyle Jones  
 6737 Klam Rd.  
 Otter Lake Mi 48464

E 1/4 COR  
 SEC 3



<p>LEGEND</p> <p>○ FOREIGN POLE</p> <p>○ EXIST D.E. CO. POLE</p> <p>● PROPOSED POLE</p> <p>— EXIST ANCHOR</p> <p>— PROPOSED ANCHOR</p> <p>○ TREE</p> <p>--- 120/240 VOLT LINE</p> <p>--- 4800 VOLT LINE</p> <p>--- 13,200 VOLT LINE</p> <p>--- 40,000 VOLT LINE</p>	THE DETROIT EDISON COMPANY—SERVICE PLANNING DEPARTMENT				
	CITY OR TOWNSHIP <u>MARATHON</u>	COUNTY <u>LAPEER</u>	QTR. & TWP. SECT. NO. <u>SE 1/4 3</u>	DEPT. ORDER NO.	
	MAP SECT. <u>2-250-628</u>	TOWN <u>9N</u>	RANGE <u>9E</u>	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	R/W NO. <u>R-9306915-02</u>
	PROJECT NAME <u>RICHARD HALSNE</u>		TEL ENGR & DIST.	PROJ. OR PART NO.	
	CIRCUIT <u>RUSH 8089 4.8KV</u>		O.F.W. S.O. OR P.E. NO.		
	REASON <u>SERVE 4053 BRIGGS RD</u>		BUDGET ITEM NO. <u>3MLDA-MAC</u>		
	PLANNER <u>J.M. HEILIG</u>		SCALE <u>1"=200'</u>	DATE <u>10/20/93</u>	