

OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9300914-2T

On Jun 19, 1993, 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:

EDWARD D. HERTZ AND SANDRA A. HERTZ, HIS WIFE, 3158 DALLAS, WARREN, MI. 48091

"Grantee" is:

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

"Grantor's Land" is in VASSAR TOWNSHIP, TUSCOLA County, described as:

SEE ATTACHMENT "A"

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

THE WEST 12 FEET ALONG AND ADJACENT TO IRISH RD. R/W.

- 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. Building 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.

Witnesses:(type or print name below signature)

Marlene M Wilson

Marlene M Wilson

Janis S. LeClear

Janis S. LeClear

Grantor:(type or print name below signature)

Edward D. Hertz

EDWARD D. HERTZ

Sandra A. Hertz

SANDRA A. HERTZ, HIS WIFE

Acknowledged before me in Tuscola County, Michigan, on June 19, 1993 by EDWARD D. HERTZ AND SANDRA A. HERTZ, HIS WIFE

MARLENE M WILSON
 NOTARY PUBLIC STATE OF MICHIGAN
 TUSCOLA COUNTY
 MY COMMISSION EXP. APR. 17, 1996

Notary's Stamp

Notary's Signature

Marlene M Wilson

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

Prepared by and Return to: TONY ADELINI, 1075 SUNCREST, LAPEER, MI. 48446, 313-667-1648/DST

RECORDED RIGHT OF WAY NO. 457907a

RECEIVED FOR RECORD
 LIBER NO. 655 PAGE NO. 72 -
 FILING NO. 73
 94 MAR -2 PM 1:46
 VIRGINIA M. MCCLAREN
 TUSCOLA COUNTY
 REGISTER OF DEEDS

g. a. b. dean

APPROVED AS TO FORM 7/22/93 DATE
LEGAL DEPARTMENT [Signature]

ATTACHMENT A

PARCEL G--Part of the Northwest $\frac{1}{4}$ of Section 32, Township 11 North, Range 8 East, Vassar Township, Tuscola County, Michigan. Described as beginning at a point on the West line of said Northwest $\frac{1}{4}$ which is $N00^{\circ}47'37''E$, along said West line, 746.68 feet from the West $\frac{1}{4}$ corner of said Section 32; thence continuing $N00^{\circ}47'37''E$, along said West line, 245.84 feet; thence $S87^{\circ}49'42''E$, parallel with the South line of said Northwest $\frac{1}{4}$, 1965.04 feet; thence $S00^{\circ}47'37''W$, parallel with said West line, 245.84 feet; thence $N87^{\circ}49'42''W$, parallel with said South line, 1965.04 feet to the point of beginning. Containing 11.09 acres of land and subject to the use of the Westerly 33 feet thereof as Irish Road and subject to all easements, rights-of-way, and restrictions of record.

RECORDED RIGHT OF WAY NO.

457075