

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

On 6-12, 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 HERTZ, 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)

Grantor:(type or print name below signature)

Anthony R. Buschmann
Anthony R. Buschmann

Dennis H. Hertz
Dennis H. Hertz

x Edward D. Hertz
EDWARD HERTZ AKA EDWARD D. HERTZ

x Sandra A. Hertz
Sandra A. Hertz his wife

Acknowledged before me in Macomb County, Michigan, on 6-12, 1993 by EDWARD HERTZ

BARBARA M. VITTI
Notary Public, Macomb County, MI
My Commission Expires Oct. 16, 1996

Notary's Stamp _____ Notary's Signature Barbara M. Vitti

Prepared by and Return to: PHILIP J. BALON, R/W REPRESENTATIVE, 3223 RAVENSWOOD RD, MARYSVILLE, MI 48040, 313-364-2029/DST

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VIRGINIA M. McLAREN
TUSCOLA COUNTY
REGISTER OF DEEDS

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 VIRGINIA M. McLAREN
 TUSCOLA COUNTY
 REGISTER OF DEEDS
 4570914
 Dr. Jansen 48446

STATE OF CALIFORNIA
COUNTY OF [illegible]
[illegible]
[illegible]

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

ATTACHMENT A

PARCEL I--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°47'37"E, along said West line, 255.00 feet from the West $\frac{1}{4}$ corner of said Section 32; thence continuing N00°47'37"E, along said West line, 245.84 feet; thence S87°49'42"E, parallel with the South line of said Northwest $\frac{1}{4}$, 1965.04 feet; thence S00°47'37"W, parallel with said West line, 245.84 feet; thence N87°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.

Parcel I

RECORDS RIGHT OF WAY NO.

45709 a