

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9404919-1AR

On 12/4/94, 1994, 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:

WILLIAM TOTH AND JANET TOTH, HUSBAND AND WIFE, 1660 20TH STREET, WYANDOTTE, MI 48192

"Grantee" is: * AKA WILLIAM F. TOTH AND JANET B. TOTH

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

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

SEC 23 T2N R5E COM N 1/4 COR, TH S2*E 1781.58 FT TO POB, TH N56*E 430.05 FT, TH S43*E 1454.91 FT, TH S2*E 196.96 FT, TH S86*W 912.04 FT, TH N50*W 552.84 FT, TH N2*W 719.46 FT TO POB, ALSO BEG COS, TH N2*W 42.01 FT, TH S50*E 62.44 FT, TH S86*W 46.97 FT TO POB 24.95 AC M/L PAR B SPLIT.

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

AS SHOWN ON ATTACHED DECO DRAWING NO. R-9404919-1AR DATED 11-16-94. WIDTH OF RIGHT OF WAY IS TWELVE (12) FEET.

- 1. 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.
- 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. 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.
- 7. Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licenses and assigns.

Witnesses: (type or print name below signature)

Thomas E. Kelly

 THOMAS E. KELLY

Michael Ashe

 MICHAEL ASHE

Grantor: (type or print name below signature)

William F. Toth

 WILLIAM TOTH AKA WILLIAM F. TOTH

Janet B. Toth

 JANET TOTH AKA JANET B. TOTH

Acknowledged before me in Wayne County, Michigan, on Dec. 4, 1994 by William Toth and Janet Toth.

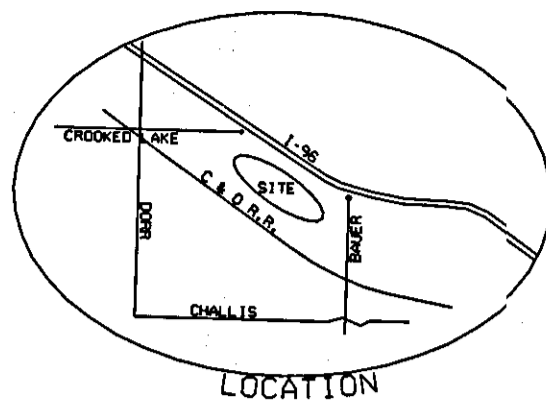
ANITA L. JIMENEZ
 Notary Public, Wayne County, MI
 My Commission Expires Dec. 6, 1994

Notary's Stamp _____ Notary's Signature *Anita Jimenez*
 (Notary's name, county and date commission expires)

Prepared by and Return to: Edward F. Camps, Detroit Edison, 1095 Lawson Drive, Howell, Michigan

47555
 ON THE RIGHT OF WAY NO. R-9404919-1AR
 RECORDED
 MAY 16 9 32 AM '95
 MARGIE WILLIAMS
 REGISTERED DEEDS
 LIVINGSTON COUNTY, MI
 48043

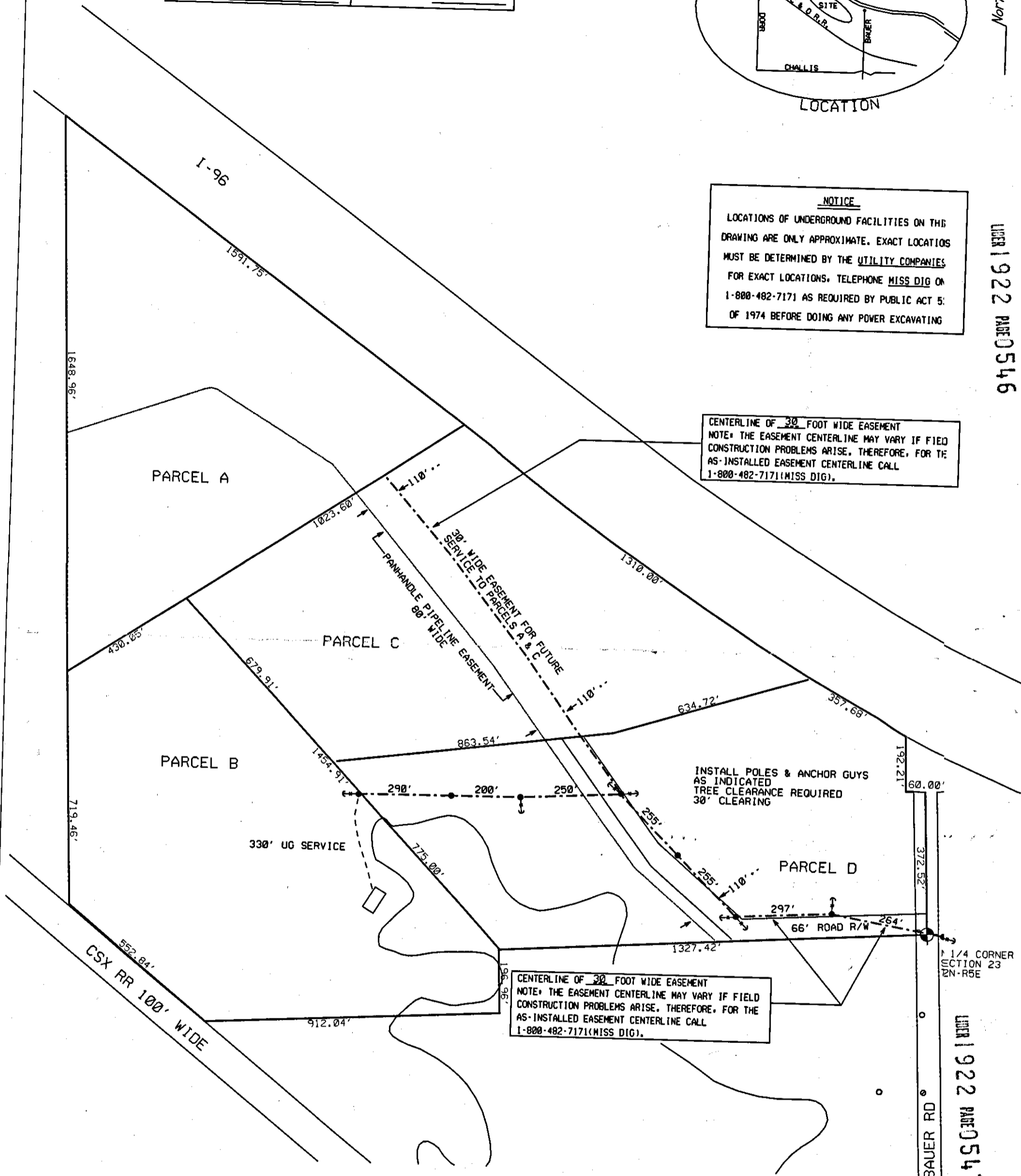
REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY _____	RECORD CENTER _____	R/W FILES _____	MBT _____
DATE _____	ORIGINATOR _____	TOTAL _____	
DATE WANTED _____			
DISTRICT FIELDMAN _____			



NOTICE
 LOCATIONS OF UNDERGROUND FACILITIES ON THE DRAWING ARE ONLY APPROXIMATE. EXACT LOCATIONS MUST BE DETERMINED BY THE UTILITY COMPANIES FOR EXACT LOCATIONS. TELEPHONE MISS DIG ON 1-800-482-7171 AS REQUIRED BY PUBLIC ACT 5 OF 1974 BEFORE DOING ANY POWER EXCAVATING

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CENTERLINE OF 30' 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).



INSTALL POLES & ANCHOR GUYS AS INDICATED
 TREE CLEARANCE REQUIRED
 30' CLEARING

CENTERLINE OF 30' 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).

1/4 CORNER SECTION 23 2N-R5E

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LEGEND	
○	EXIST. D.E.CO. POLE
●	PROPOSED POLE
○	FOREIGN POLE
⊕	EXIST. ANCHOR
⊕	PROPOSED ANCHOR
○	TREE
---	120/240 V LINE
---	4800 V LINE
---	13,200 V LINE
---	40,000 V LINE

JPL 9404919

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT

CITY OR TWP. GENOA	COUNTY LIVINGSTON	TWP SEC QTR 23 NE	DEPT. OR DEF NO. A-47014
MAP SECT. 2-136-380	TOWN RANGE T2N R5E	JOINT R/W REQ'D	R/W NO. R-9404919-1AR
PROJECT NAME TOTH RESIDENCE	TEL. ENGR. & DIST.		MBT MEMO#
TOWNSHIP GEN	SERVICE CENTER HWL	COMP. CODE UC	MAILING CITY BTN
CIRCUIT			CATV MEMO#
REASON PROVIDE SERVICE TO PARCELS A, B, C & D			O.F.W.
PLANNER T.R. ROWE			BUDGET ITEMNO.
	SCALE 1" = 300'		DATE 11-16-94

SALES TAXES OF THE STATE

47355+

47356