

OVERHEAD EASEMENT (RIGHT OF WAY) NO. 16798/2

On October 21, 1995, 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:

Onalee Van Alstine, Trustee of the Kingsbury Family Trust of the 10th day of March, 1976, 95 E. Hunters Creek Rd., Lapeer, MI 48446

Daryl L. McArthur and Susan K. McArthur, husband and wife, 54659 Shelby Rd., Shelby Twp., MI 48316

"Grantee" is:

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

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

Part of the Northwest 1/4 of the Northwest 1/4 of Section 28, T7N-R10E, described as beginning at a point on the North section line that is North 89°15'39" East 665.86 feet from the Northwest corner of said Section 28; thence continuing North 89°15'39" East 647.00 feet; thence along the East line of said Northwest 1/4 of the Northwest 1/4, South 01°23'41" East 1323.93 feet; thence along the South line of said Northwest 1/4 of the Northwest 1/4, South 89°18'09" West 280.00 feet; thence North 16°50'36" West 1377.70 feet to the point of beginning.

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

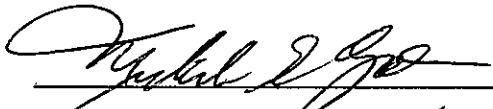
A 12' wide easement as shown on Exhibit "A", which is attached hereto and made a part hereof.

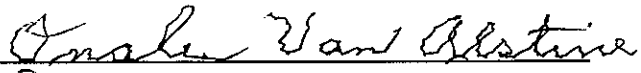
1. **Purpose** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead utility line facilities consisting of poles, guys, anchors, wires, cables, transformers and accessories.
2. **Access** Grantee has the right of access to and from the Right of Way 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 RIGHT OF WAY NO. 47670

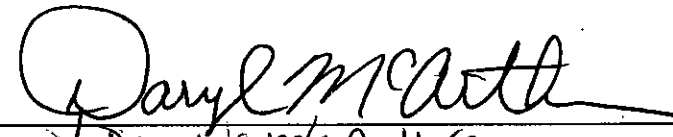
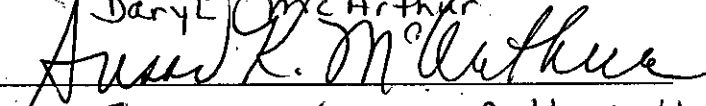
Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)


Michelle E. Gatti


Onalee Van Alstine, Trustee


melanie morse


Daryl L. McArthur

Susan K. McArthur, His WIFE

RECEIVED FOR RECORD

95 NOV 30 PM 4:11

LIBER NO. 926 PAGE NO. 984

Melissa DeVaugh 986

REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

Acknowledged before me in Lapeer County, Michigan, on October 21, 1995
by Onalee Van Alstine, Trustee of the Kingsbury Family Trust of the 10th day of March, 1976.

TAMMY S. REZNY
NOTARY PUBLIC - LAPEER COUNTY, MI
MY COMMISSION EXPIRES 10/22/99

Notary's Stamp

Notary's Signature

Tammy Rezny

Acknowledged before me in Lapeer County, Michigan, on October 21, 1995
by Daryl McArthur and Susan K. McArthur, husband and wife.

TAMMY S. REZNY
NOTARY PUBLIC - LAPEER COUNTY, MI
MY COMMISSION EXPIRES 10/22/99

Notary's Stamp

Notary's Signature

Tammy Rezny

Prepared by and Return to: **Betty J. Dean, 1075 Suncrest Drive, Lapeer, MI 48446/jmm**

RECORDED HIGH OF WAY TO. 47670

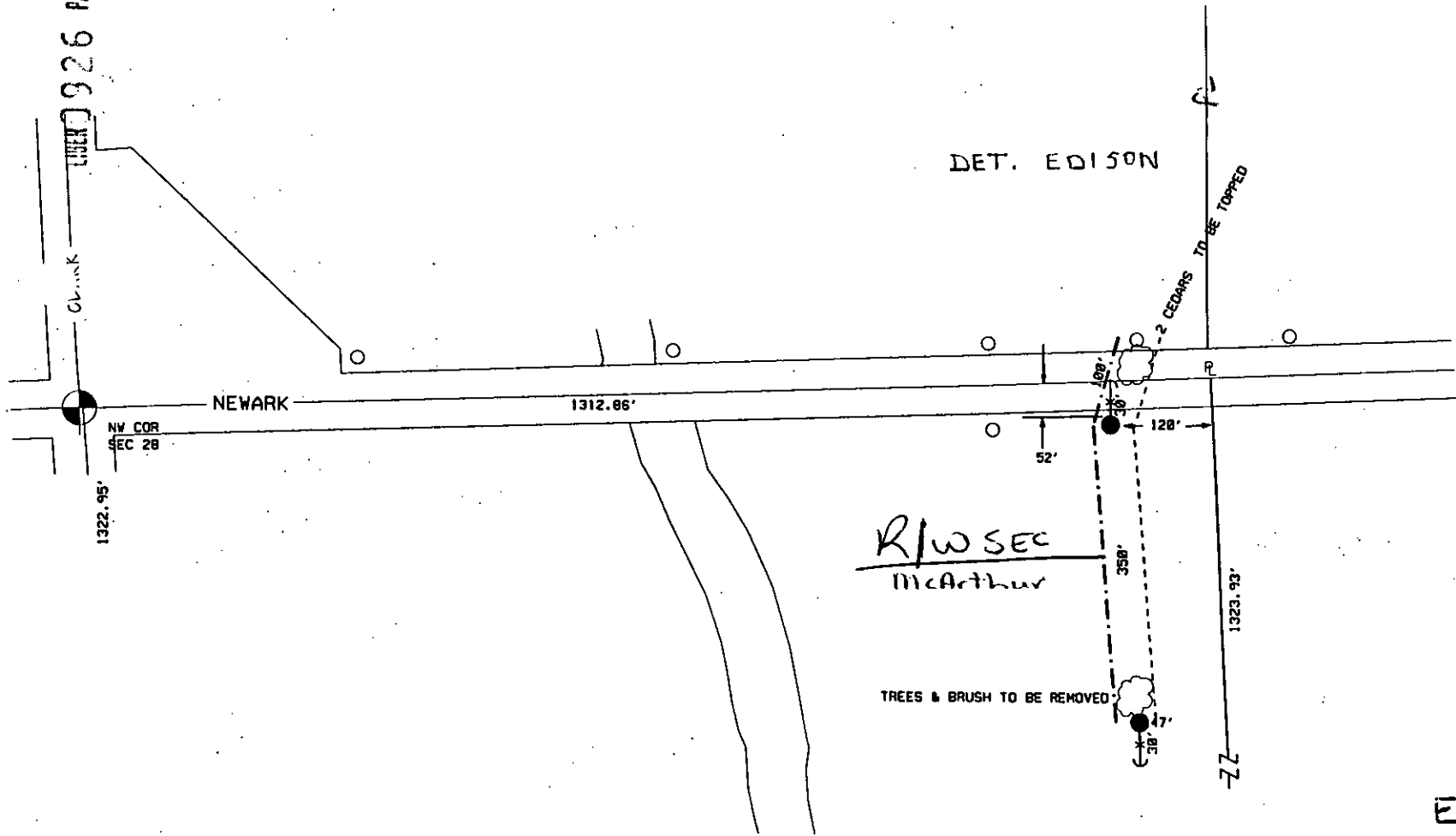


EXHIBIT 'A'

JPL 16798/3

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT				
CITY OR TWP. LAPEER	COUNTY LAPEER	TWP SEC QTR 28 NW	DEPT. ORDER NO. A-94332	
MAP SECT. 2-274-548	TOWN RANGE 7N 10E	JOINT R/W REQ'D	R/W NO. 16798/2	
PROJECT NAME MCARTHUR RES		TEL. ENGR. & DIST.		MBT MEMO# 3969
TOWNSHIP LAP	SERVICE CENTER LAP	COMP. CODE UC	MAILING CITY LAP	CATV MEMO#
CIRCUIT 8785 LAPEER				O.F.W.
REASON R/W FOR OH EXT TO SERV 128 NEWARK RD E				BUDGET ITEM NO.
PLANNER	SCALE			DATE

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

MISC D 11.00
ESMT P0009
REMOINT 2.00

029LF DE DATA ED TENDIN CENRODRI

