

OVERHEAD AND UNDERGROUND EASEMENT (R/W) NO. R-9504589-01

On 8/8, 1995, 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

"Grantor" is:

John H. Miller and Sharon L. Miller, husband and wife, 3925 Fish Lake Rd., Lapeer, MI 48446

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
MBT, a Michigan corporation, DBA Ameritech, 502 Beach St., Room 402, Flint, MI 48502

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

Part of the Northwest fractional 1/4 of Section 1, T8N-R10E, described as beginning at a point on the North section line that is South 89°41'00" West 544.0 feet from the North 1/4 corner of Section 1; thence continuing along said North section line, South 89°41'00" West 770.8 feet; thence South 00°31'20" East 1830.78 feet; thence South 84°25'30" East 674.12 feet; thence North 01°46'30" East 433.8 feet; thence South 86°27'00" East 624.41 feet to the North-South 1/4 line; thence North 00°21'40" West 1188.27 feet along said North-South 1/4 line; thence South 89°41'00" West 544.0 feet; thence North 00°21'40" West 320.3 feet to the point of beginning.

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

A 10' 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 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, licensees and assigns.

47696

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

[Signature]
John H. Miller

RECEIVED FOR RECORD

95 OCT 18 PM 3:54

[Signature]
JOHN H. MILLER

LIBER NO. 921 PAGE NO. 39

[Signature]
Dana M. Miller

REGISTRY OF DEEDS
LAPEER COUNTY, MICHIGAN

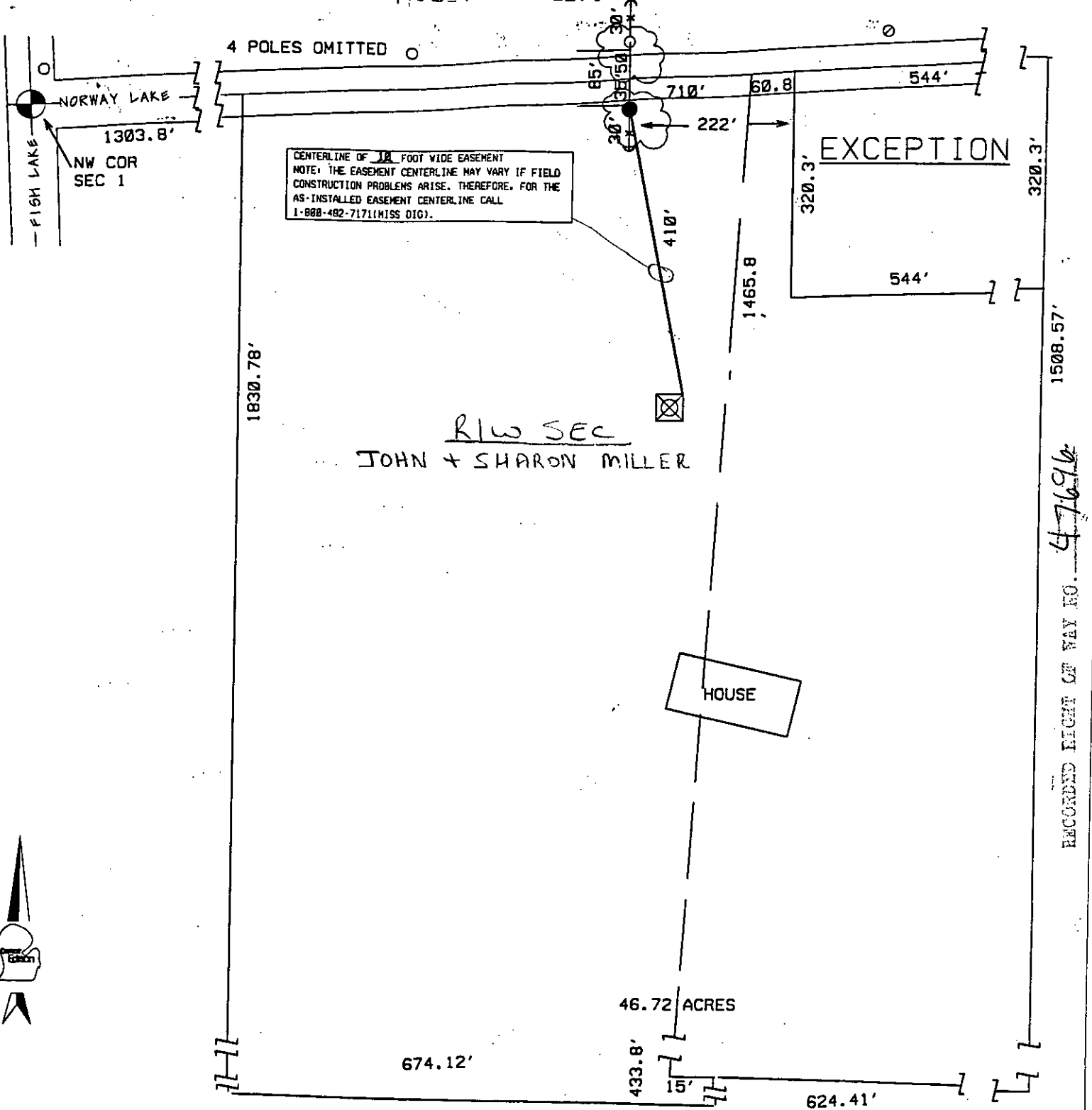
[Signature]
SHARON L. MILLER, HIS WIFE

Acknowledged before me in Lapeer County, Michigan, on 8-8, 1995
by John H. Miller and Sharon L. Miller, husband and wife.

MARY B. SCHROEDER

Notary's Stamp My Commission Expires May 27, 1999

Notary's Signature *[Signature]*



CENTERLINE OF 10 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).

RIW SEC
JOHN + SHARON MILLER

HOUSE

46.72 ACRES

EXCEPTION

EXHIBIT 'A'

JPL 9504589

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT

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

CITY OR TWP. MAYFIELD	COUNTY LAPEER	TWP SEC QTR 1 NW	DEPT. ORDER NO. A-90574
MAP SECT. 286-600+292-600	TOWN RANGE 8N 10E	JOINT R/W REQ'D MBT	R/W NO. R-9504589-01
PROJECT NAME MILLER RES	TEL. ENGR. & DIST.		MBT MEMO#
TOWNSHIP MYD	SERVICE CENTER LAP	COMP. CODE UC	MAILING CITY LAP
CIRCUIT 8755 FAWN			CATV MEMO#
REASON R/W FOR NEW RES - NORWAY LK RD			O.F.W.
PLANNER SUZANNE M. FAIRCHILD			BUDGET ITEM NO.
	SCALE 1" = 200'		DATE 8-01-95

RECORDED EIGHT OF MAY MO. 476916