

OVERHEAD EASEMENT (RIGHT OF WAY) NO. 19967/5

On 11-28-95, 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:

John F. Krakker and Francis A. Krakker, husband and wife, 4108 Pierce Rd., Lapeer, MI 48446

"Grantee" is:

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

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

Section 16, T7N-R9E, Beginning at a point 1319.18 feet South and 75.33 feet West of the North 1/4 corner; thence South 583.48 feet; thence South 68°24'35" West 255.82 feet; thence South 21°35'25" East 20 feet; thence 68°24'35" West 1085.73 feet; thence North 820.08 feet; thence East 470.23 feet; thence North 190 feet; thence East 778.74 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.

10617

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.

RECEIVED FOR RECORD

95 DEC 19 PM 2: 24

LIBER NO. 929 PAGE NO. 607-

Melissa De Vaux 609

REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

Ann C. Blaser
ANN C. BLASER

John F. Krakker
John F. Krakker

Betty J. Dean
Betty J. DEAN

Frances A. Krakker
Frances A. Krakker, HIS WIFE

Acknowledged before me in Lapeer County, Michigan, on 11/28, 1995
by John F. Krakker and Frances A. Krakker, husband and wife.

BETTY J. DEAN

Notary Public, Lapeer County, MI

Notary's Stamp

My Commission Expires Jan. 9, 1999

Notary's Signature

Betty J. Dean

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

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L06LH

N 1 / 4 COR SEC 16

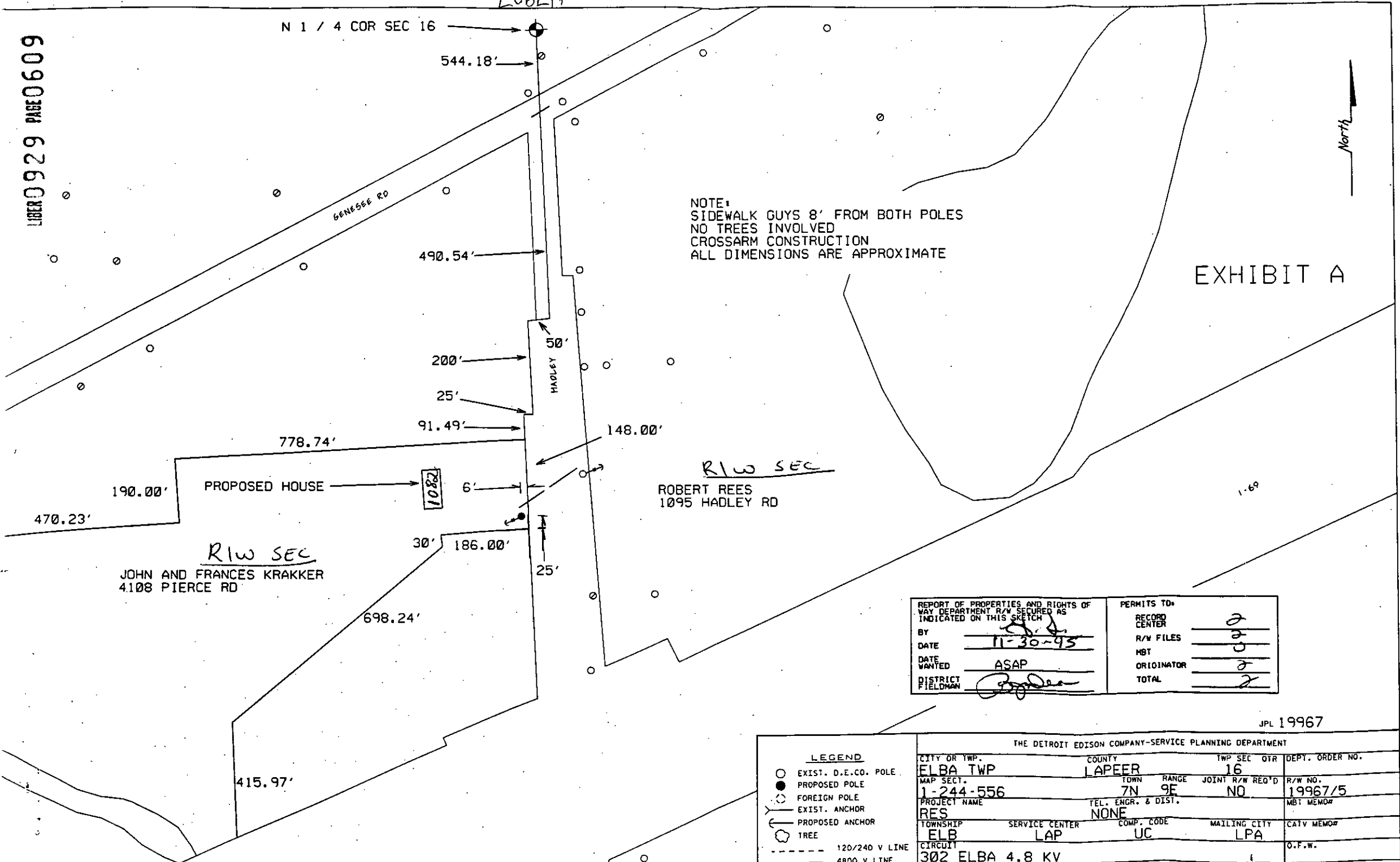
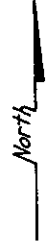


EXHIBIT A



R/W SEC
 ROBERT REES
 1095 HADLEY RD

R/W SEC
 JOHN AND FRANCES KRAKKER
 4108 PIERCE RD

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY	<i>[Signature]</i>	RECORD CENTER	<i>[Signature]</i>
DATE	11-30-93	R/W FILES	<i>[Signature]</i>
DATE WANTED	ASAP	MBT	<i>[Signature]</i>
DISTRICT FIELDMAN	<i>[Signature]</i>	ORIGINATOR	<i>[Signature]</i>
		TOTAL	<i>[Signature]</i>

JPL 19967

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TWP.	COUNTY	TWP SEC QTR	DEPT. ORDER NO.
ELBA TWP	LAPEER	16	
MAP SECT.	TOWN RANGE	JOINT R/W REQ'D	R/W NO.
1-244-556	7N 9E	NO	19967/5
PROJECT NAME	TEL. ENGR. & DIST.		MBT MEMO#
RES	NONE		
TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
ELB	LAP	UC	LPA
CIRCUIT			O.F.W.
302 ELBA 4.8 KV			
REASON			BUDGET ITEM NO.

- LEGEND**
- EXIST. D.E.CO. POLE
 - PROPOSED POLE
 - FOREIGN POLE
 - EXIST. ANCHOR
 - PROPOSED ANCHOR
 - TREE
 - 120/240 V LINE
 - 4800 V LINE