

**OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R94039501AR**

LIBER 1893 PAGE 0584

On AUGUST 24, 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:**

MICHAEL AND ESTHER FEARER, HUSBAND AND WIFE, 11131 Garrett Drive, Fowlerville, Michigan 48836, AND RAYMOND AND BEVERLY THOMAS, HUSBAND AND WIFE, 11520 West Grand River, Fowlerville, Michigan 48836

**"Grantee" is:**

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

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

PARCEL H: A 10.01 acre parcel of land in the Southeast ¼ of Section 16, T3N-R3E, Handy Township, Livingston County, Michigan described as: Commencing at the Southeast corner of said Section 16, said corner being the point of beginning; thence North 89°22'02" West, 530.00 feet along the South line of said section and the centerline of Van Buren Road; thence North 00°37'58" East, 330.00 feet; thence North 89°22'02" West, 264.00 feet; thence North 00°37'58" East, 340.50 feet; thence South 89°38'46" East, 762.23 feet; thence South 02°03'56" East, 674.96 feet along the East line of said section and the centerline of Gregory Road to the point of beginning.

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

The Northerly thirty (30) feet of the Southerly sixty-three (63) feet. The width of Right of Way is thirty (30) 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, licensees and assigns.

47917

RECORDED

JAN 11 9 40 AM '95

NANCY HAVILAND  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MI  
48043

LIBER 1893 PAGE 0585

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

Leslie J. Haviland  
LESLIE J. HAVILAND  
Ann Mack  
ANN MACK

Michael Fearer  
MICHAEL FEARER  
Esther Fearer  
ESTHER FEARER

Acknowledged before me in Livingston County, Michigan, on August 24, 1994 by Michael and Esther Fearer, husband and wife.

Notary's Stamp PEGGY L. HALL  
NOTARY PUBLIC - LIVINGSTON COUNTY, MICH.  
MY COMMISSION EXPIRES 12-5-98  
(Notary's name, county and date commission expires)

Notary's Signature Peggy L. Hall

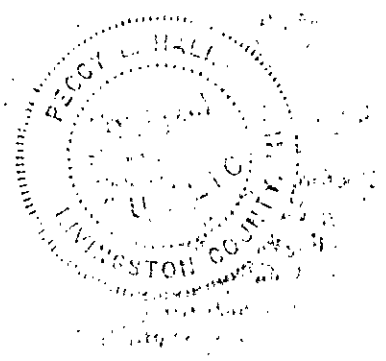
Leslie J. Haviland  
LESLIE J. HAVILAND  
Ann Mack  
ANN MACK

Raymond Thomas  
RAYMOND THOMAS  
Beverly Thomas  
BEVERLY THOMAS

Acknowledged before me in Livingston County, Michigan, on August 24, 1994 by Raymond and Beverly Thomas, husband and wife.

Notary's Stamp PEGGY L. HALL  
NOTARY PUBLIC - LIVINGSTON COUNTY, MICH.  
MY COMMISSION EXPIRES 12-5-98  
(Notary's name, county and date commission expires)

Notary's Signature Peggy L. Hall



APPROVED AS TO FORM 9/15/94 DATE  
LEGAL DEPARTMENT [Signature]