

Overhead Easement (Right of Way) No. R-9506872-01R

On 12-19, 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:

KEVIN AND MICHELLE MICHELS, 21489 DOEPFER, WARREN MI. 48091

"Grantee" is:

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

"Grantor's Land" is in KENOCKEE TOWNSHIP, ST. CLAIR County, described as:

PARCEL 1; LAND IN NE 1/4 DESCRIBED AS, COMM AT N 1/4 COR SEC 29, T7N-R15E TH E 716 FEET TO BEG, TH E 284 FT, TH S0* 10' W 2641.66 FT, TH N89* 40' 33" W 284 FT, TH N0* 10' E 2640.06 FT TO THE BEG.

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

A TWELVE FOOT WIDE EASEMENT PER ATTACHED DETROIT EDISON DRAWING R-9506872-01R

- 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 are allowed in the Right of Way Area without Grantee's prior written consent.
4. 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.
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 will 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 and assigns.

Witnesses: (Type or print name below signature)

Grantor: (Type or print name below signature)

Witness signatures: Philip J. Balon, Kevin E. Michels

Grantor signature: Kevin E. Michels, with stamp 'DEVOICED' and 'RECORDED RIGHT OF WAY NO. 47932'

Acknowledged before me in ST. CLAIR County, Michigan, on DEC 19, 1995 by KEVIN E. MICHELS - DEVOICED

Notary's Stamp: PHILIP J. BALON, Notary Public, St. Clair County, MI, My Commission Expires June 23, 1997

Notary's Signature: Philip J. Balon

Prepared by and Return to: PHIL BALON R/W 3223 RAVENSWOOD RD MARYSVILLE MI 48040(810) 3642011

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