

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 16507/2

On NOVEMBER 16, 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:

Harold J. Lozen and Mary L. Lozen, husband and wife, 881 Rolling Hills Lane #2, Lapeer, MI 48446

"Grantee" is:

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

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

Commencing at the North 1/4 corner, Section 14, T8N-R10E, RUNNING THENCE South 89°39'27" West 673.68 feet along the North Section line; thence South 00°45'32" East 1433.95 feet; thence North 89°39'40" East 337.47 feet; thence North 00°38'33" West 102.12 feet; thence North 89°39'40" East 333.30 feet; thence North 00°38'33" West 1331.85 feet along the North-South 1/4 line 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 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.

47952

RECEIVED FOR RECORD

95 DEC 19 PM 2: 57

Witnesses: (type or print name below signature) 929 660 Grantor: (type or print name below signature)

LIBER NO. 929 PAGE NO. 660

Notary Public

REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

HAROLD J. LOZEN

Janida H. Lowler
Julie A. Stock
JULIE A. STOCK

Harold J. Lozen
Mary L. Lozen
MARY L. LOZEN (HIS WIFE)

Acknowledged before me in oakland County, Michigan, on Nov 16, 1995 by Harold J. Lozen and Mary L. Lozen, husband and wife.

Notary's Stamp
DONAMITA MARSHALL
NOTARY PUBLIC - OAKLAND COUNTY, MI
MY COMMISSION EXPIRES 08/15/99

Notary's Signature Donamita Marshall
Donamita Marshall

Prepared by and Return to: Betty J. Dean, 1075 Suncrest Drive, Lapeer, MI 48446/jmm
SUSAN E. GLOMSKI
Notary Public Lapeer County MI
My Commission Expires June 18, 1997
NOTARIZED SIGNATURE OF MARY LOZEN ONLY.
SUSAN E. GLOMSKI
November 15, 1995

1/4 COR. SEC. 14
T8N-R10E
MAYFIELD TWP.

19615
RECORDED RIGHT OF WAY NO.

STAKED

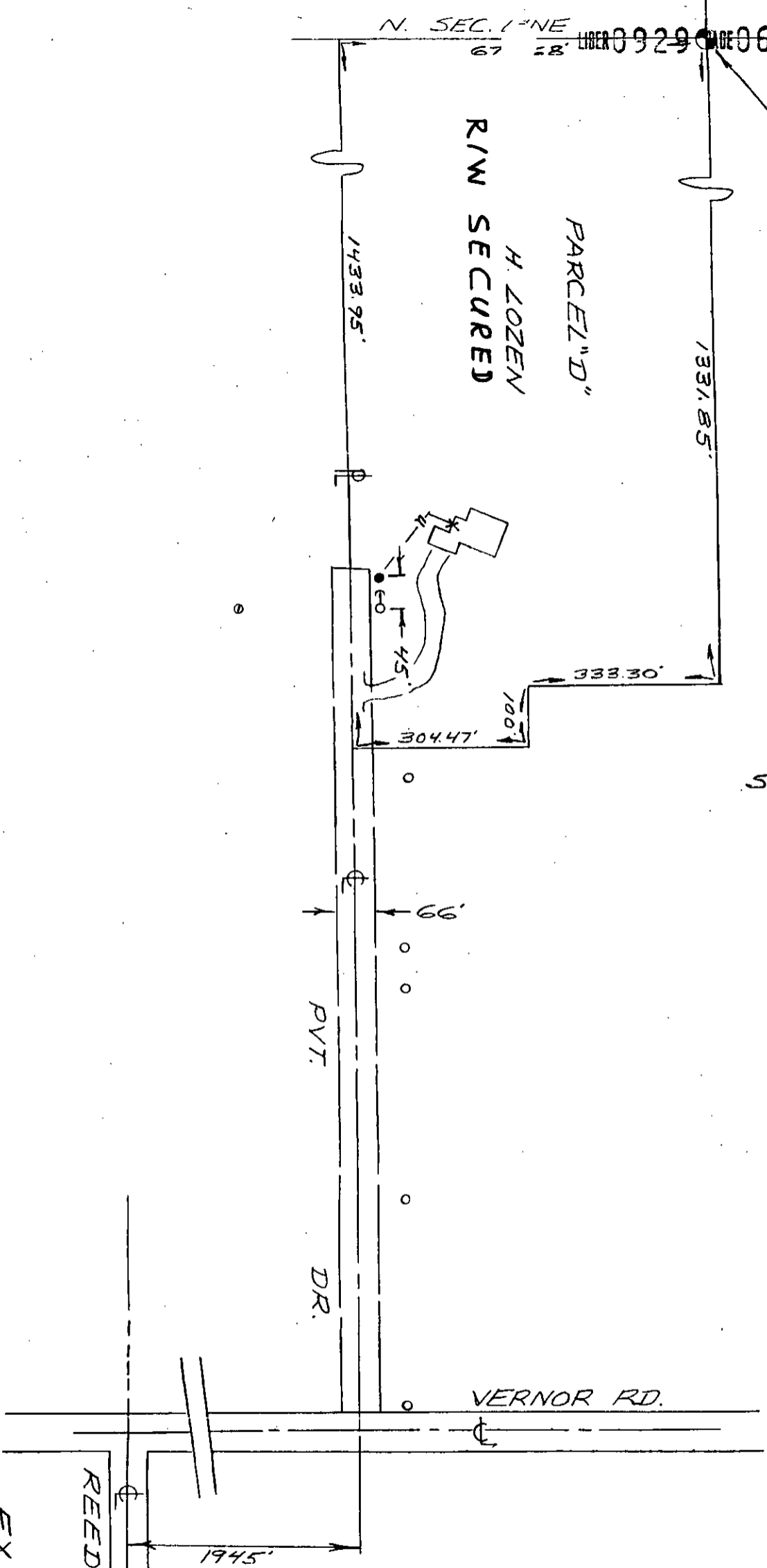


EXHIBIT "A"

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH

BY _____

DATE 11-21-95

DATE WRITTEN _____

DISTRICT FIELDMAN B.J. DEAN

PERMITS TO:	
RECORD CENTER	1
R/W FILES	0
NET	1
ORIGINATOR	1
TOTAL	3

LEGEND	
○	FOREIGN POLE
○	EXIST. D.E. CO. POLE
●	PROPOSED POLE
○	EXIST. ANCHOR
○	PROPOSED ANCHOR
○	TREE
—	120/240 V LINE
—	4800 V LINE
—	13,200 V LINE
—	40,000 V LINE

THE DETROIT EDISON COMPANY - SERVICE PLANNING DEPARTMENT	
TWP. MAYFIELD	COUNTY LAPEER
MAP SECT. 1-286-588	TOWN RANGE
PROJECT NAME HAROLD LOZEN	JOINT R/W REQUIRED
REASON RES. A.B. @	NO
PLANNER DICK VANCE	NO
SCALE 1"=200'	NO
VERNOR RD.	R/W NO. 185071E
	PROJ. OR PART NO.
	D.F.W. S.O. OR P.E.
	BUDGET ITEM NO.
	DATE 10-19-95

KNOW ALL MEN BY THESE PRESENTS: That THOMAS E. SCHLAUD AND GENEVIVE SCHLAUD,
HIS WIFE
whose address is 2318 VERNOR ROAD, LAPEER, MI 48446

Convey(s) and Warrant(s) to HAROLD J. LOZEN AND MARY L. LOZEN, HIS WIFE
whose address is 16556 TERRA BELLA, CLINTON TOWNSHIP, MI 48038

the following described premises situated in the TOWNSHIP of MAYFIELD
County of LAPEER and State of Michigan, to-wit:

SEE RIDER ATTACHED HERETO

ABSTRACTS . . . TITLE INSURANCE . . . ESCROWS

for the full consideration of THIRTY TWO THOUSAND DOLLARS AND NO/100ths(\$32,000.00)

subject to Exempt MCL 207.526 (6) "R"

THIS DEED IS GIVEN IN FULLFILLMENT OF A CERTAIN LAND CONTRACT
DATED JULY 11, 1979

Dated this 3rd day of AUGUST 19 95

Witnesses:

Signed and Sealed:

William L. Schlaud
WILLIAM L. SCHLAUD
Mae A. Schlaud
MAE A. SCHLAUD

Thomas E. Schlaud (L.S.)
THOMAS E. SCHLAUD
Genevieve Schlaud (L.S.)
GENEVIVE SCHLAUD
(L.S.)
(L.S.)

STATE OF MICHIGAN }
COUNTY OF LAPEER } ss.

The foregoing instrument was acknowledged before me this 3rd day of AUGUST 1995
by THOMAS E. SCHLAUD AND GENEVIVE SCHLAUD

My commission expires
10/29/96

William L. Schlaud
WILLIAM L. SCHLAUD
Notary Public LAPEER County, Michigan
Business Address 3980 FIVE LAKES ROAD
NORTH BRANCH, MI 48461

Instrument DRAFTED BY BILL SCHLAUD
Drafted by BILL SCHLAUD REALTY

County Treasurer's Certificate	City Treasurer's Certificate
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Recording Fee \$12.00
State Transfer Tax \$35.20

When recorded return to GRANTEE
Send subsequent tax bills GRANTEE
to

Tax Parcel # 014-014-011-00

RECORDED RIGHT CT MAY 10 47952

Commencing at the North 1/4 corner, Section 14, T8N-R10E, Mayfield Township, Lapeer County, Michigan, RUNNING THENCE South 89°39'27" West 673.68 feet along the North Section line, thence South 0°45'32" East 1433.95 feet; thence North 89°39'40" East 337.47 feet; thence North 0°38'33" West 102.12 feet; thence North 89°39'40" East 333.30 feet; thence North 0°38'33" West 1331.85 feet along the North-South 1/4 line to the Point of Beginning. Being part of the Northwest 1/4, Section 14, T8N-R10E, Mayfield Township, Lapeer County, Michigan.

Together with and subject to an easement for Ingress and Egress described as: Commencing at the North 1/4 corner, Section 14, T8N-R10E, Mayfield Township, Lapeer County, Michigan, thence South 89°39'27" West 673.68 feet along the North section line, thence South 0°45'32" East 1133.95 feet to the point of beginning. RUNNING THENCE South 89°39'40" West 33.0 feet, thence South 0°45'32" East 300.0 feet; thence South 0°38'33" East 1217.88 feet; thence North 89°39'40" East 66.0 feet along the East-West 1/4 line, thence North 0°38'33" West 1217.88 feet, thence North 0°45'32" West 300.0 feet; thence South 89°39'40" West 33.0 feet to the Point of Beginning. Being part of the Northwest 1/4, Section 14, T8N-R10E, Mayfield Township, Lapeer County, Michigan. Being Parcel D of a survey recorded in Liber 4 of Surveys, pages 91-93, and Liber 4 of Surveys, pages 123-125, Lapeer County Records.

47952
RECORDED

The Note provides for the Borrower's option to convert from an adjustable interest rate with interest rate limits to a fixed interest rate, as follows:

5. FIXED INTEREST RATE CONVERSION OPTION

(A) Option to Convert to Fixed Rate

I have a Conversion Option which I can exercise unless I am in default or this Section 5(A) will not permit me to do so. The "Conversion Option" is my option to convert the interest rate I am required to pay by this Note from an adjustable rate with interest rate limits to the fixed rate calculated under Section 5(B) below.

The conversion can only take place on a date(s) specified by the Note Holder during the period beginning on the first Change Date and ending on the fifth Change Date. Each date on which my adjustable interest rate can convert to the new fixed rate is called the "Conversion Date."