

Detroit Edison

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 15808/2

On 11-3, 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

"Grantor" is:

Clyde E. Davis and Lorelei M. Davis, husband and wife, 5627 Davison Rd. #96, Lapeer, MI 48446
Elmer L. Middleton and Deloris M. Middleton, husband and wife, 7272 E. Baldwin Rd. Grand Blanc, MI 48439

"Grantee" is:

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

"Grantor's Land" is in Oregon Township, Lapeer County, Michigan

described as:

Part of the Northeast 1/4 of Section 25, T8N-R9E, described as beginning at a point on the East section line that is South 00°31'27" East 1316.00 feet from the Northeast corner of Section 25; thence continuing along the East section line, South 00°31'27" East 330.39 feet; thence South 89°57'10" west 1323.88 feet; thence North 00°38'37" West 330.40 feet; thence North 89°57'10" East 1324.57 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.

Witnesses:(type or print name below signature)

Grantor:(type or print name below)

RECEIVED FOR RECORD
 55 DEC 19 PM 2:36
 LIBER NO. 929 PAGE NO. 625
 REGISTER OF DEEDS LAPEER COUNTY, MICHIGAN

Nancy J. Sommerville
 Nancy J. Sommerville

Clyde E. Davis
 Clyde E. DAVIS

Lorelei A. Davis
 Lorelei M. DAVIS, HIS WIFE

Faye R. Forrest
 Faye R. Forrest

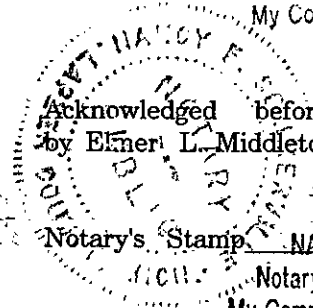
Elmer L. Middleton
 Elmer L. Middleton

Deloris M. Middleton
 Deloris M. Middleton, HIS WIFE

10087-15808

Acknowledged before me in Lapeer County, Michigan, on November 3, 1995
by Clyde E. Davis and Lorelei M. Davis, husband and wife.

Notary's Stamp NANCY F. SOMMERVILLE Notary's Signature Nancy F. Somerville
Notary Public, Lapeer County, MI
My Commission Expires Jan. 11, 1997



Acknowledged before me in Lapeer County, Michigan, on November 3, 1995
by Elmer L. Middleton and Deloris M. Middleton, husband and wife.

Notary's Stamp NANCY F. SOMMERVILLE Notary's Signature Nancy F. Somerville
Notary Public, Lapeer County, MI
My Commission Expires Jan. 11, 1997

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

48001

The Grantor(s) Stanley K. Ostrander and Mary M. Ostrander, husband and wife,

whose address is

3278 Oregon Road, Lapeer, MI 48446

convey(s) and warrant(s) to Elmer L. Middleton and Deloris M. Middleton, husband and wife, and Clyde Edward Davis and Lorelei Marie Davis, husband & wife, whose address is 7272 E. Baldwin Rd, Grand Blanc, MI

the following described premises situated in the Township of Oregon County of Lapeer and State of Michigan:

Part of the Northeast 1/4 of Section 25, T8N-R9E, Oregon Township, Lapeer County, Michigan, described as beginning at a point on the East section line that is South 00°31'27" East 1316.00 feet from the Northeast corner of Section 25; thence continuing along the East section line, South 00°31'27" East 330.39 feet; thence South 89°57'10" West 1323.88 feet; thence North 00°38'37" West 330.40 feet; thence North 89°57'10" East 1324.57 feet to the point of beginning. Contains 10.044 acres, including that part reserved for Millville Road so-called. Being subject to any restrictions, easements and/or right of ways of record.

for the sum of Forty-one Thousand Nine Hundred and 00/100 Dollars (\$41,900.00)

subject to easements and building and use restrictions of record and further subject to rights of the public in that part taken, used or deeded for street, road or highway purposes and such claims as may have accrued by or through the acts or negligence of parties other than the grantors subsequent to the 14th day of July, 1995, that being the date of an executory contract for the sale of lands

Dated this 25th day of October, 1995 pursuant to the terms of which this deed is given.

Signed in presence of:

Colleen M. Davis

* COLLEEN M. DAVIS

Bryon Kontak

Stanley K. Ostrander

* STANLEY K. OSTRANDER

Mary M. Ostrander

* MARY M. OSTRANDER

STATE OF MICHIGAN.

SS.

COUNTY OF LAPEER

The foregoing instrument was acknowledged before me this 25th day of October 19 95 by Stanley K. Ostrander and Mary M. Ostrander

Colleen M. Davis

* COLLEEN M. DAVIS

Notary Public. Michigan

LAPEER County.

My commission expires: 8-30-98

County Treasurer's Certificate

City Treasurer's Certificate

When Recorded Return To: Elmer L. & Deloris M. Middleton; Clyde E. & Lorelei M. Davis (Name) 7272 E. Baldwin Road (Street Address) Grand Blanc, MI 48439 (City and State)

Send Subsequent Tax Bills To: Elmer L. & Deloris M. Middleton; Clyde E. & Lorelei M. Davis 7272 E. Baldwin Road Grand Blanc, MI 48439

Drafted By: Barry Shoults, Esq. Business Address 392 W. Nepeensing St. Suite 6 Lapeer, MI 48446 (810) 664-9534

Tax Parcel # Recording Fee Transfer Tax

MAKE YOUR REAL ESTATE TRANSFERS SAFE BY USING FIRST AMERICAN TITLE INSURANCE COMPANY

10087 OF THE TO BE RECORDED

