

OVERHEAD EASEMENT (RIGHT OF WAY) NO. 19865/2

On Dec 6, 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:

David Metcalf and Tracy Metcalf, husband and wife, 57525 Woodcreek, Lenox, MI 48048

"Grantee" is:

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

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

A parcel of land located in and being a part of the North 1/2 of Section 36, T10N-R10E, and being more particularly described as follows: Commencing at a point 1362.53 feet South 01°44'06" West from the North 1/4 corner of said Section 36; thence extending South 01°44'06" West 63.79 feet; thence 306.07 feet along the arc of a curve concave to the Northwest whose long chord is described as bearing South 22°20'48" West 299.52 feet; thence South 89°09'56" East 1353.39 feet; thence North 01°15'15" East 342.45 feet; thence North 89°09'56" West 1245.07 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.

- 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.
- Access** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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.
- 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 signature)

Patti Boyce
PATTI BOYCE
RECEIVED FOR RECORD
95 DEC 19 PM 1:24

David P. Metcalf
DAVID P. Metcalf AKA DAVID Metcalf

Karen Bochatyn
KAREN BOCHATYN
LIBER NO. 929 PAGE NO. 563-564
REGISTER OF DEEDS
LAPPEER COUNTY, MICHIGAN

Tracy Metcalf
Tracy Metcalf, HIS WIFE

Acknowledged before me in Lapeer County, Michigan, on December 6th, 1995 by David Metcalf and Tracy, husband and wife.

Notary's Stamp MICHELLE ANN TRIBULA Notary's Signature Michelle Ann Tribula
NOTARY PUBLIC-LAPEER COUNTY, MICH.
MY COMMISSION EXPIRES 09-27-98

WARRANTY DEED
Individual-Statutory Form
Drafted by:
THOMAS K. BUTTERFIELD
303 WEST NEPESSING
LAPEER, MICHIGAN 48446

KNOW ALL MEN BY THESE PRESENTS, That on
for the sum of SIXTEEN THOUSAND AND 00/100 (\$16,000.00)

Paul J Brown and Patricia J Brown, his wife
whose address is 1670 TOZER ROAD, NORTH BRANCH, MI 48461
CONVEY AND WARRANT TO David Metcalf and Tracy Metcalf, his wife
whose address is 57525 WOODCREEK, LENOX, MI. 48048
the following described premises situated in Township of Rich, Lapeer County, Michigan to wit:

SEE ATTACHED RIDER

Subject to Easements, Restrictions and Reservations of Record.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

Signed in Presence of:

Signed by:

RUSSELL S. DAWSON

PAUL J. BROWN

Robert A. Faba, Jr.

PATRICIA J. BROWN

STATE OF MICHIGAN
County of Lapeer

The foregoing instrument was acknowledged before me this
by PAUL J BROWN PATRICIA J BROWN

RUSSELL S. DAWSON Notary Public
LAPEER County, Michigan

My commission expires: 7-2-99

TAX CODE NO.

COUNTY TRANSFER TAX \$ 17.60
STATE TRANSFER TAX \$ 120.-

When recorded return to:
GRANTEE

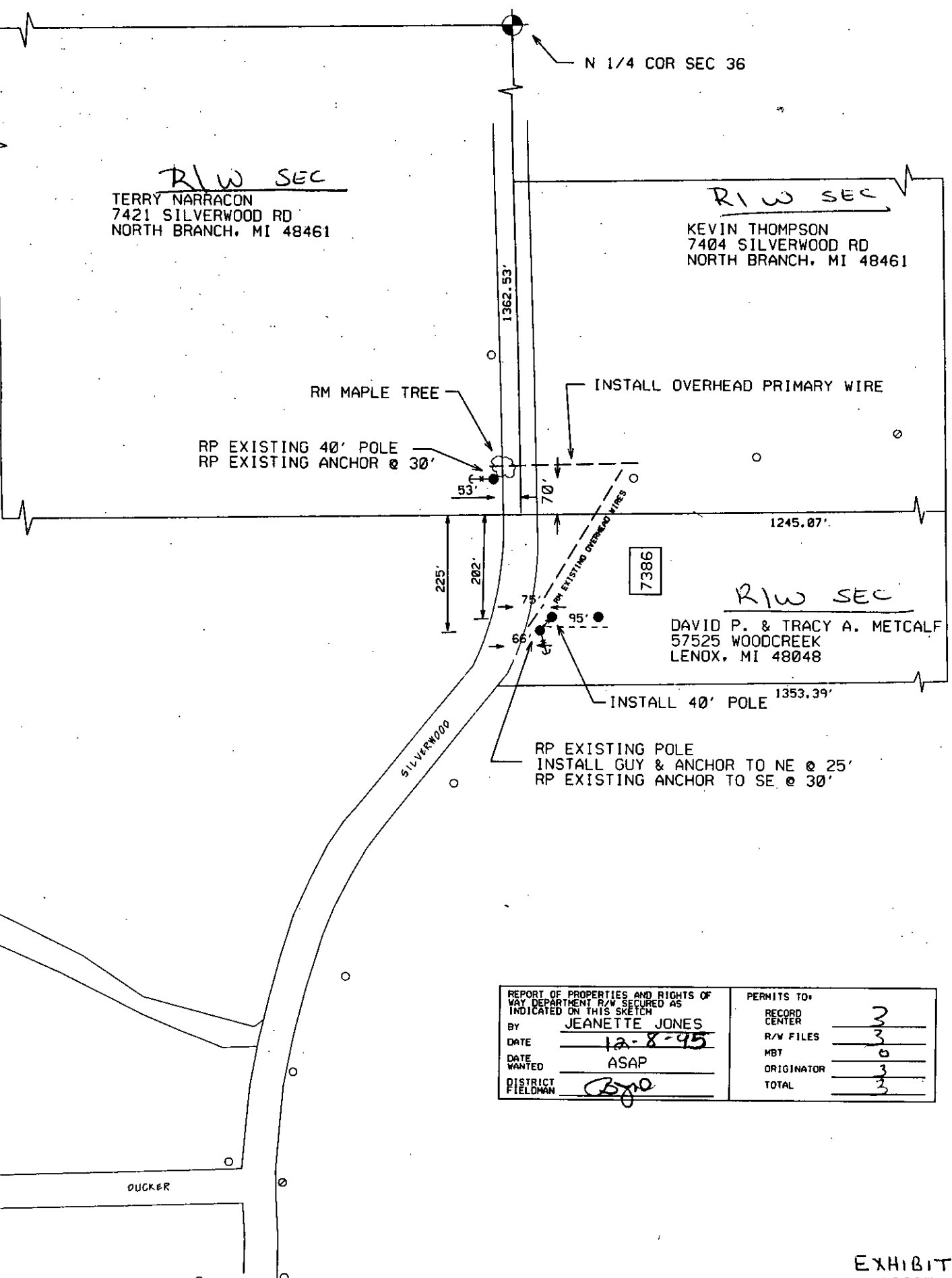
Date _____ 19____

This is to certify that there are no tax liens or titles on this property and that the taxes are paid for FIVE YEARS previous to the date of this instrument. This certification does not include taxes, if any now in the process of collection by the City, Village or Township Treasurer.

By: _____

RECORDED RIGHT OF WAY NO. 48005

North



RECORDED RIGHT OF WAY NO. 48005

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY	JEANETTE JONES	RECORD CENTER	3
DATE	12-8-95	R/W FILES	3
DATE WANTED	ASAP	MBT	0
DISTRICT FIELDMAN	Bjo	ORIGINATOR	3
		TOTAL	3

EXHIBIT 'A'
JPL 19865/2

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TWP.	COUNTY	TWP SEC OTR	DEPT. ORDER NO.
RICH TWP	LAPEER	36 NE	
MAP SECT.	TOWN	RANGE	R/W NO.
1-289-638	10N	10E	R-19865/2
PROJECT NAME	TEL. ENGR. & DIST.		MBT MEMO#
METCALF			
TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
RIC	LAP	UC	NOB
CIRCUIT			O.F.W.
D.C. 2655 NRBRN	4.8KV		
REASON	SERVE RESIDENCE AT 7386 SILVERWOOD RD		BUDGET ITEM NO.
PLANNER	JEANETTE JONES		DATE
	SCALE 1" = 200'		11-14-95

LEGEND

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