

OVERHEAD EASEMENT (RIGHT OF WAY) NO. 15197/17

On Jan 19, 1996, 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:

Bruce A. Hempton and Laura Hempton, husband and wife, 123 Sunset Hills, Attica, MI 48412
Paul Menzing and Danette Menzing, husband and wife, 605 Golf Rd., Lapeer, MI 48446

"Grantee" is:

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

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

Part of the Northwest 1/4 of Section 13, T7N-R11E, described as beginning at a point that is South 00°01'35" West 1332.50 feet along the North-South 1/4 line, as occupied, and South 87°53'00" West 517.00 from the North 1/4 corner of Section 13, T7N-R11E, thence South 00°01'35" West 270.00 feet; thence North 82°54'45" West 624.78 feet; thence South 87°53'00" West 180.00 feet to a point on the centerline of Youngs Road, so-called; thence along said centerline, North 170.00 feet; thence North 87°53'00" East 800.55 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.

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 shall be placed in the Right of Way Area without Grantee's prior written consent.
4. **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.
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 shall 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, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 48226

RECEIVED FOR RECORD

96 FEB 12 PM 1:42

LIBER NO. 936 PAGE NO. 413-

REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

Melissa DeVaugh
415

L-407 P 274

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

Patricia L. Lisaius
PATRICIA L. LISAIUS

Bruce Hempton
BRUCE HEMPTON (AKA BRUCE A. HEMPTON)

Laura Hempton
LAURA HEMPTON (HIS WIFE)

Colleen Schultz
Colleen Schultz

Paul Menzing
PAUL MENZING

Danette Menzing
DANETTE MENZING (HIS WIFE)

Acknowledged before me in OAKLAND County, Michigan, on JAN. 19, 1996
by Bruce A. Hempton and Laura Hempton, husband and wife.

Notary's Stamp 2-7-97 Notary's Signature Patricia L. Lisaius
MACOMB COUNTY
ACTING IN OAKLAND
(PATRICIA L. LISAIUS)

Acknowledged before me in OAKLAND County, Michigan, on JAN. 19, 1996
by Paul Menzing and Danette Menzing, husband and wife.

Notary's Stamp 2-7-97 Notary's Signature Patricia L. Lisaius
MACOMB COUNTY
ACTING IN OAKLAND
(PATRICIA L. LISAIUS)

Prepared by and Return to: Gary W. Kenney, 1075 Suncrest Drive, Lapeer, MI 48446/jmm

RECORDED RIGHT OF WAY NO. 48227

N 1 / 4 COR SECTION 13

ATTICA RD

YOUNG RD

North

NOTE:
ALL DIMENSIONS ARE APPROXIMATE.
ANCHORS AT 25' FROM POLES AS SHOWN.
CROSSARM CONSTRUCTION.
EXISTING TREES ARE CURRENTLY OK.

R/W SECURED

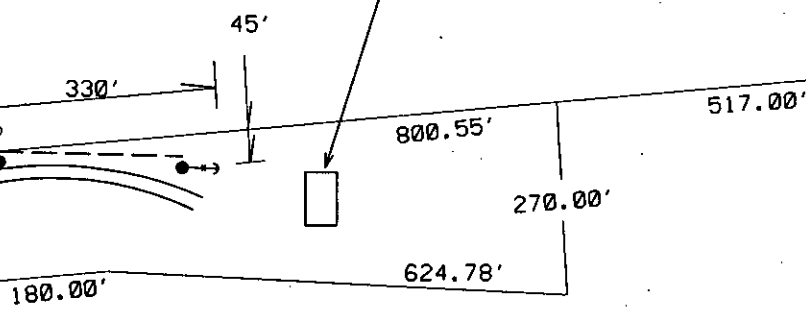
PAUL MENZING
605 GOLF RD
LAPEER MI 48446
664-5052

1332.50'

RECORDED RIGHT OF WAY TO 48227

20'

EXHIBIT A



RAIL ROAD ROW 9061-04

RX 1567

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY		RECORD CENTER	1
DATE	1-20-96	R/W FILES	1
DATE WANTED	ASAP	MBT	0
DISTRICT FIELDMAN	G.W. KENNEY	ORIGINATOR	1
		TOTAL	1

JPL 15197/17

LEGEND				THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
○	EXIST. D.E.CO. POLE	CITY OR TWP.	ATTICA TWP	COUNTY	LAPEER	TWP SEC	13
●	PROPOSED POLE	DEPT. ORDER NO.					
○	FOREIGN POLE	MAP SECT.	1-322-558	TOWN	7N	RANGE	11E
○	EXIST. ANCHOR	PROJECT NAME	RES	JOINT R/W REQ'D	NO		
○	PROPOSED ANCHOR	REASON	NEW RES	TEL. ENGR. & DIST.	NONE		
○	TREE	TOWNSHIP	ATA	COMP. CODE	UC	MAILING CITY	ATA
---	120/240 V LINE	SERVICE CENTER	LAP			CATV MEMO#	
---	4800 V LINE	CIRCUIT	8803 OSTEGO 4.8KV			O.F.W.	
---	13,200 V LINE	PLANNER	G STOCKMAN			BUDGET ITEM NO.	5MLOA-MAB
---	40,000 V LINE	SCALE	1" = 200'			DATE	12-15-95

MISC D	11.00
ESMT	P0009
REMOVT	2.00