

OVERHEAD EASEMENT (RIGHT OF WAY) NO. 21512/5

On JANUARY 11, 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:

Matthew Plotzke and Dianne Plotzke, husband and wife, 9704 Slattery Rd., Clifford, MI 48727

"Grantee" is:

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

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

Section 1, T10N-R11E, Commencing at the West 1/4 corner of Section; thence South 01° 35'40" West 666.66 feet along the West Section line to the point of beginning; thence South 88°24'20" East 424 feet; thence North 01°35'40" East 194.0 feet; thence South 88°24'20" East 309.0 feet; thence South 01°35'40" West 244.0 feet; thence North 88°24'20" West 733.0 feet; thence North 01°35'40" East 50.0 feet to the point of beginning and part of the Southwest 1/4.

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.

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RECORDED RIGHTS OF WAY

Witnesses:(type or print name below signature)

Grantor: (type or print name below signature)

Randy Diegel
RANDY DIEGEL
RECEIVED FOR RECORD
96 FEB 12 PM 3:04

Matthew Plotzke
Matthew Plotzke

Karen S. Diegel
KAREN S. DIEGEL
LIBER NO. 936 PAGE NO. 451
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

Diane L. Plotzke
Diane L. Plotzke, HIS WIFE

Acknowledged before me in LAPEER County, Michigan, on JANUARY 11, 1996 by Matthew Plotzke and Dianne Plotzke, husband and wife.

Notary Public, Lapeer County, MI

My Commission Expires June 23, 1999

Notary's Stamp

Notary's Signature

Gary W. Kenney
GARY W. KENNEY

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