



OVERHEAD EASEMENT (RIGHT OF WAY) NO. R-9406805-02

On Jan 26, 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:

Christina C. Withrow and Thomas R. Powers, ^{ASM} as joint tenants and not as tenants in common, 6160 Ewalt Rd., Imlay City, MI 48444

"Grantee" is:

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

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

Commencing at the center of Section 7, T8N, R12E, and the point of beginning: Running thence South 00°37'51" East 1330.37 feet along the North and South 1/4 line of said Section 7; thence South 89°53'26" West 1320.52 feet along the South 1/8 line of said Section 7; thence North 0°30'14" West 1330.00 feet along the West 1/8 line of said Section 7; thence North 89°52'32" East 1317.57 feet along the East and West 1/4 line of said Section 7 to the point of beginning.

The "Right of Way Area" is a part of Grantor's Land and is described 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. 4887

Witnesses: (type or print name below signature)

Charity C. Kerbyson
Charity C. Kerbyson

Brandon L. Kerbyson
Brandon L. Kerbyson

Grantor: (type or print name below signature)

Christina C. Withrow
Christina C. Withrow

Thomas R. Powers
Thomas R. Powers

Acknowledged before me in Lapeer County, Michigan, on JAN. 26, 1996 by Christina C. Withrow and Thomas R. Powers, as joint tenants and not as tenants in common.

BETTY J. DEAN

Notary Public, Lapeer County, MI

Notary's Stamp My Commission Expires Jan. 9, 1999 Notary's Signature

Betty J. Dean

RECEIVED FOR RECORD

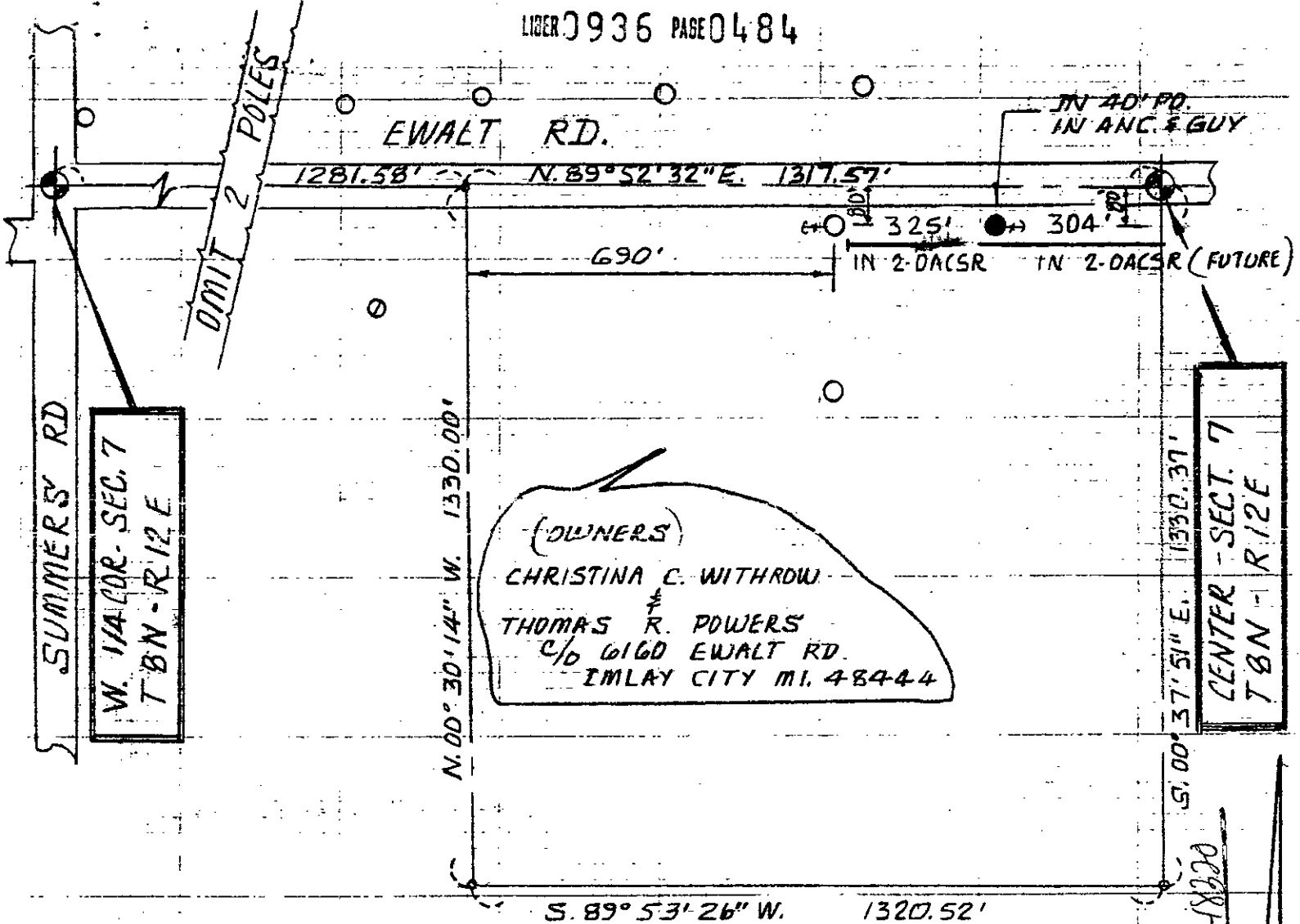
96 FEB 13 AM 9:56

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

LIBER NO. 936 PAGE NO. 483

REGISTER OF DEEDS
LAPPEER COUNTY, MICHIGAN

484



NOTE R/W
 REQUIRES 40' CLEARANCE FROM ALL TREES

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SHEET		PERMITS TO:	
BY: <u>D. Debus</u>		RECORD CENTER	<u>1</u>
DATE: <u>1-31-96</u>		R/W FILES	<u>1</u>
DATE WANTED: <u>1-20-95</u>		MBI	<u>0</u>
DISTRICT FIELDMAN: <u>[Signature]</u>		ORIGINATOR	<u>1</u>
		TOTAL	<u>1</u>

"Exhibit A"

ATLAS # 9406805

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

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TOWNSHIP <u>GOODLAND</u>	COUNTY <u>Lapeer</u>	QTR. & TWP. SECT. NO. <u>CENTER 7</u>	DEPT. ORDER NO.
MAP SECT. <u>2-322-596</u>	TOWN <u>BN</u>	RANGE <u>12E</u>	R/W NO. <u>R-9406805-02</u>
PROJECT NAME	TEL ENGR & DIST.	JOINT R/W REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	PROJ. OR PART NO.
CIRCUIT			O.F.W. S.O. OR P.E. NO.
REASON <u>NEW BUS. @ 6160 EWALT RD.</u>			BUDGET ITEM NO.
PLANNER <u>D DEBUS</u>	SCALE <u>1"=300'</u>	DATE <u>1-09-95</u>	

MISC-D	9.00
ESMT	P0009
REMONT	2.00

WARRANTY DEED

Statutory Form
(C.L. 1948, 565.151)

Prepared By:
Marilyn J. Zimmerman
MORRICE, LENGEMANN
& ZIMMERMAN, P.C.
Attorneys at Law
202 E. Third Street
P.O. Box 68
Imlay City, Michigan 48444
(313) 724-2565

KNOW ALL MEN BY THESE PRESENTS: HAROLD E. HOLT, a single man,

whose address is 1717 Twelfth Avenue South, Lake Worth, Florida 33460-5399,

Convey(s) and Warrant(s) to CHRISTINA C. WITHROW and THOMAS R. POWERS, as joint tenants and not as tenants in common,

whose address is 2380 Haines Road, Lapeer, Michigan 48446,

the following described premises situated in the Township of Goodland

County of Lapeer and State of Michigan, to-wit:

Commencing at the center of Section 7, Town 8 North, Range 12 East, Goodland Township, Lapeer County, Michigan and the point of beginning: Running thence South 0 degrees 37' 51" East 1330.37 feet along the North and South 1/4 line of said Section 7; thence South 89 degrees 53' 26" West 1320.52 feet along the South 1/8 line of said Section 7, thence North 0 degrees 30' 14" West 1330.00 feet along the West 1/8 line of said Section 7, thence North 89 degrees 52' 32" East 1317.57 feet along the East and West 1/4 line of said Section 7 to the point of beginning. Being the Northeast 1/4 of the Southwest 1/4 of Section 7, Town 8 North, Range 12 East, Goodland Township, Lapeer County, Michigan.

FOR THE FULL CONSIDERATION OF: Forty Thousand Dollars (\$40,000.00).

SUBJECT TO: Building and use restrictions, easements and reservations, if any. Also subject to existing Tenants' possession of farmland until present crop harvested following 1992 growing season and *

Dated this 26 day of August, 1992.

WITNESS:

Marilyn J. Zimmerman

Harold E. Holt
HAROLD E. HOLT

Richard J. Scobee

Florida
STATE OF MICHIGAN--)
COUNTY OF P. Beach) SS.

The foregoing instrument was acknowledged before me this 26 day of August, 1992, by HAROLD E. HOLT, a single man. and who presented a Florida Drivers License as identification.

* existing Tenant's possession of barn until March 1, 1993 or earlier provided present Tenant has removed any feed or personalty stored therein.

Marilyn J. Zimmerman
Notary Public
County, Michigan I.L.A.
My Comm. Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMERCIAL EXP. SEPT 27, 1992
BOUNDED THROUGH GENERAL REG. DIV.

RECORDED RIGHT OF WAY NO. 4830

MORRICE,
LENGEMANN
GREENER, P.C.
ATTORNEYS & COUNSELORS
AT LAW
202 E. THIRD STREET
P.O. BOX 68
IMLAY CITY
MICHIGAN 48444
313-724-2565
313-664-1052
FAX 313-724-2500