

OVERHEAD EASEMENT (RIGHT OF WAY) NO. 22223

On 1-9-95, 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:

Scott A. Walkup and Regina D. Walkup, husband and wife, 57 N. Elm, Lapeer, MI 48446 **664-1902**

"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:

PARCEL "D":

Part of the North 1/2 of the Northeast 1/4 of Section 8, T8N-R12E, described as: Beginning at a point on the North line of Section 8, T8N-R12E, that is South 89°05'21" East 1294.32 feet from the North 1/4 corner of said Section 8; thence continuing along said North Section line South 89°05'21" East 330.00 feet; thence South 01°29'02" West 660.00 feet; thence North 89°05'21" West 330.00 feet; thence North 01°29'02" East 660.00 feet to the point of beginning.

The "Right of Way Area" is a part of Grantor's Land and is described as:

- 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. 48322

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

RECEIVED FOR RECORD

Michael J. Louwsma
MICHAEL J. LOUWSMA
LIDER NO. 936 PAGE NO. 411-
95 FEB 12 PM 1:41

Scott A. Walkup
SCOTT A. WALKUP

Denise Sutherby
DENISE SUTHERBY
LAPPEER COUNTY, MICHIGAN

Regina D. Walkup
REGINA D WALKUP (HIS WIFE)

Acknowledged before me in LAPPEER County, Michigan, on JANUARY 9, 1995 by Scott A. Walkup and Regina D. Walkup, husband and wife.

Notary's Stamp
GARY W. KENNEY
Notary Public, Lapeer County, MI
My Commission Expires June 23, 1999

Notary's Signature Gary W. Kenney
GARY W. KENNEY

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EVERETT KEMNER
Everett Kemner

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1955

EVERETT KEMNER

EVERETT KEMNER (MID WEST)

MICHAEL S. GOLDMAN

EVERETT KEMNER

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