

OVERHEAD EASEMENT (RIGHT OF WAY) NO. 18705/5

On January 6, 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:

Thomas S. Marth and Jorene M. Marth, husband and wife, 3151 W. Oregon, Lapeer, MI 48446

"Grantee" is:

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

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

PARCEL 15C: Part of the Northwest fractional 1/4 of Section 2, T7N-R10E, described as beginning at a point that is South 00°03'10" West 1560.46 feet along the West section line and South 89°17'45" East 556.73 feet from the Northwest corner of Section 2; thence continuing South 89°17'45" East 251.45 feet; thence North 00°03'10" East 346.50 feet; thence North 89°17'45" West 251.45 feet; thence South 00°03'10" West 346.50 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. 48336

RECEIVED FOR RECORD

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

96 JAN 24 AM 10:09

x Richard C. Uoss

LIBER NO. 934

Thomas S. Marth

Matison De Vaughn 108

Thomas S. Marth

REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

x Daniel J. Sharkey

x Jorene M. Marth
Jorene M. Marth, HIS WIFE

Acknowledged before me in Lapeer County, Michigan, on January 6, 1996 by Thomas S. Marth and Jorene M. Marth, husband and wife.

Notary's Stamp _____ Notary's Signature _____

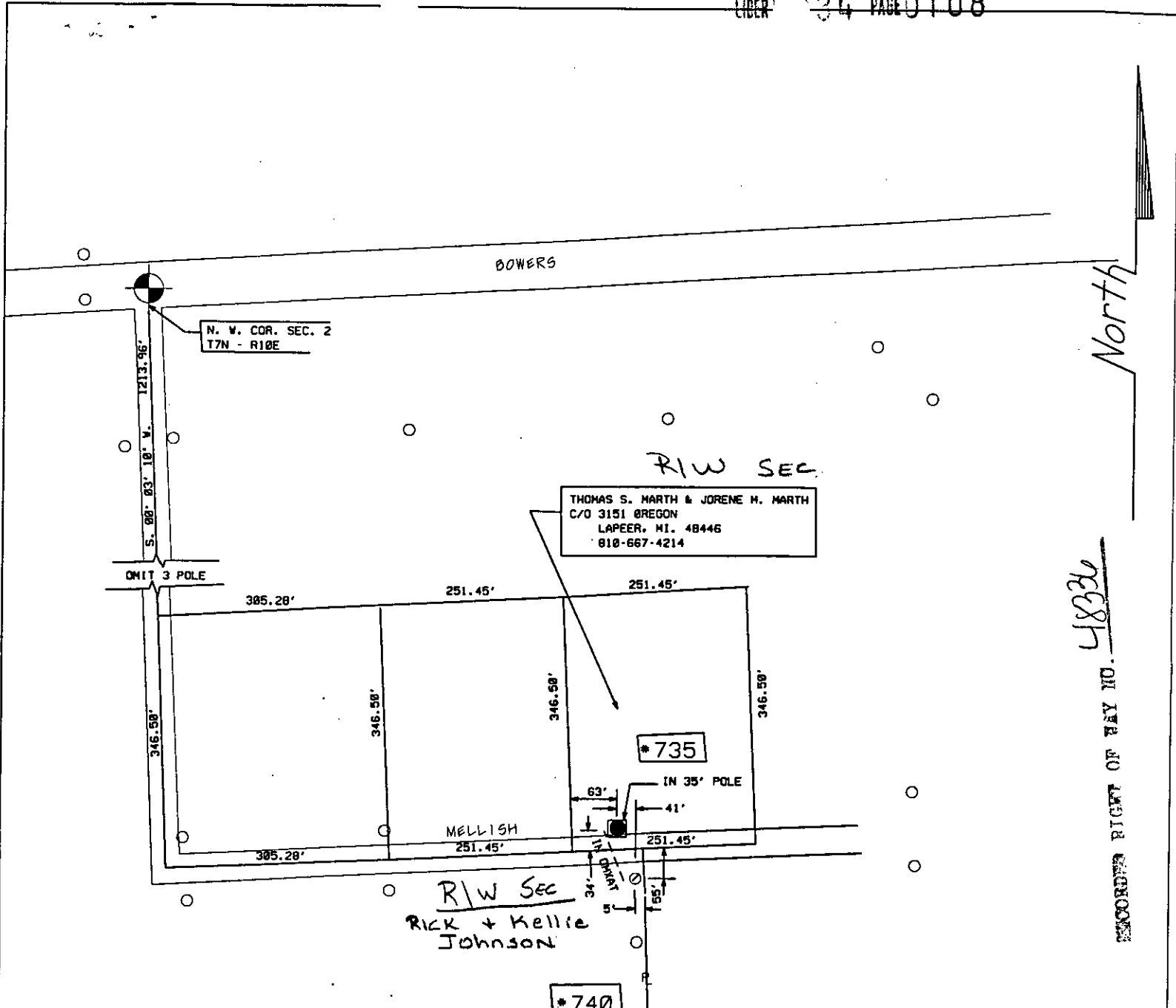
County of Lapeer, State of Michigan

My Commission Expires 10-15-1998

Daniel J. Sharkey

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

L 916 p 920



North

RECORDED RIGHT OF WAY NO. 48336

| | | | |
|---|--------------------|---------------|----------|
| REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH | | PERMITS TO: | |
| BY | <u>D. Debus</u> | RECORD CENTER | <u>2</u> |
| DATE | <u>1-10-96</u> | R/W FILES | <u>2</u> |
| DATE WANTED | | MBT | <u>0</u> |
| DISTRICT FIELDMAN | <u>[Signature]</u> | ORIGINATOR | <u>2</u> |
| | | TOTAL | <u>2</u> |

EXHIBIT 'A'
JPL RFW18705/5

| | | | | |
|--|--|--------------------|-----------------|-----------------|
| <p>LEGEND</p> <ul style="list-style-type: none"> ○ 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 | THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT | | | |
| | CITY OR TWP. | COUNTY | TWP SEC QTR | DEPT. ORDER NO. |
| | LAPEER | LAPEER | 2 NW | A-90083 |
| | MAP SECT. | TOWN RANGE | JOINT R/W REQ'D | R/W NO. |
| | 2-280-568 | 7N 10E | | 18705/5 |
| | PROJECT NAME | TEL. ENGR. & DIST. | MBT MEMO# | |
| | TOWNSHIP | SERVICE CENTER | COMP. CODE | MAILING CITY |
| | LAP | LPR | UC | LAP |
| | CIRCUIT | O.F.W. | | |
| | 8765 LAPEER - 13.2KV | BUDGET ITEM NO. | | |
| REASON | DATE | | | |
| NEW RES. @ 735 MELLISH DR. | 12-21-95 | | | |
| PLANNER | SCALE | | | |
| D. DEBUS | 1" = 200' | | | |

| | |
|--------|-------|
| MISC D | 9.00 |
| ESMT | P0009 |
| REMOVT | 2.00 |