

96 FEB 12 PM 1:45

LIBER 136 PAGE 0420

LIBER NO. 936 PAGE NO. 420  
Melissa DeVaugh 422  
REGISTER OF DEEDS  
LAPEER COUNTY MICHIGAN



**OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 15287/2**

On Jan. 24, 1996, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way

**"Grantor" is:**

Lee Patrick Orr and Gabriele Orr, husband and wife, 3864 LeValley Road, Columbiaville, Michigan 48421

**"Grantee" is:**

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

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

Section 35, T9N, R9E, S50A of East 1/2 of Northwest 1/4 except part of the East 1/2 of the Northwest 1/4 of Section 35, T9N-R9E, described as beginning at a point on the East-West 1/4 line of Section 35 that is North 90°00'00" East 1601.35 feet from the West 1/4 corner of Section 35; thence continuing along said East-West 1/4 line, North 90°00'00" East 335.08 feet; thence North 00°00'00" seconds East 650.00 feet; thence South 90°00'00" West 335.08 feet; thence South 00°00'00" West 650.00 feet to the point of beginning.

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

A 10 foot 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 and underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, 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. **Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
5. **Trees, Bushes, Branches, Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
6. **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.
7. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

**Witnesses:** (type or print name below signature)

**Grantor:** (type or print name below signature)

Gary W. Kenney  
GARY W. KENNEY

Lee Patrick Orr  
Lee Patrick Orr

Betty J. Dean  
Betty J. DEAN

Gabriele Orr  
Gabriele Orr, HIS WIFE

48016  
RECORDED

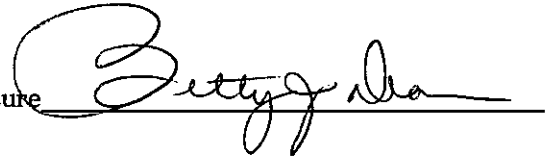
Deed L 617 p 849

Acknowledged before me in Lapeer County, Michigan, on Jan. 24, 1996 by Lee Patrick Orr and Gabriele Orr, husband and wife .

BETTY J. DEAN  
Notary Public, Lapeer County, MI  
My Commission Expires Jan. 9, 1999

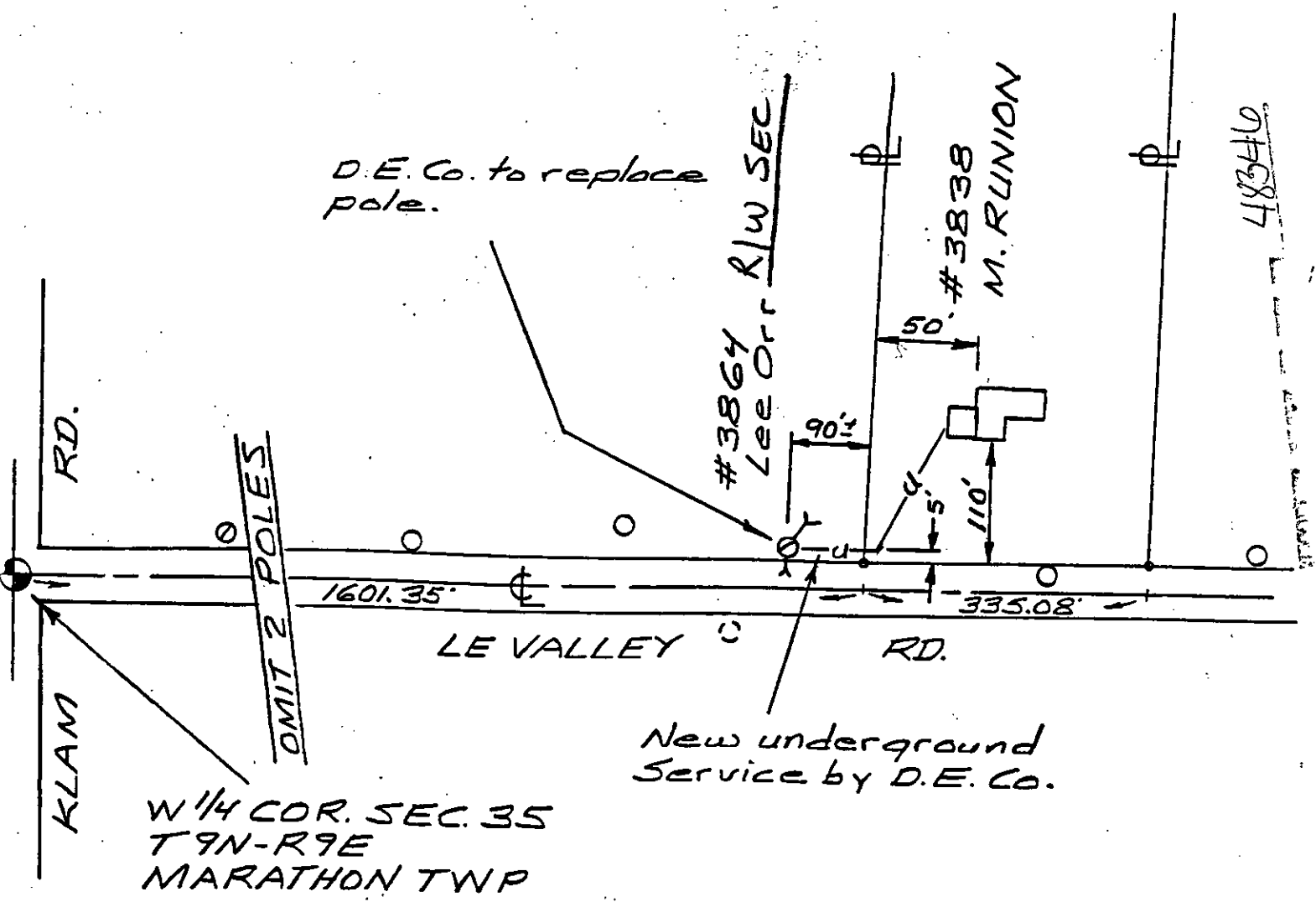
Notary's Stamp \_\_\_\_\_

Notary's Signature \_\_\_\_\_



Prepared by and Return to: **Betty J. Dean, 1075 Suncrest Drive, Lapeer, Michigan 48446/cs**

RECORDED INDEX OF TAX NO. 48346



W 1/4 COR. SEC. 35  
T 9N-R 9E  
MARATHON TWP

**EXHIBIT "IA"**

Legend		The Detroit Edison Company - Service Planning				
	Foreign Pole	City/Township	County	Service Center	Comp. Code	Dept. Order No.
	Exist D.E. Co. Pole	MARATHON LAPEER		LAP		A-94292
	Proposed Pole	Qtr. & Twp.	Sect No.	Town	Range	Tel Engr & Dist.
	Exist Anchor	NW 1/4	35	9N	9E	Joint R/W Required
	Proposed Anchor					<input type="checkbox"/> Yes <input type="checkbox"/> No
	Tree	CATV Memo#		MBT Memo#		R/W No.
	120/240 Volt Line					O.F.W.
	4800 Volt Line	Reason				Budget Item No.
	13,200 Volt Line	RES. N.B. @ #3838 LE VALLEY RD.				
	40,000 Volt Line	Planner	Scale		Date	
		DICK VANCE	1" = 200'		10-3-95	

MISC D	11.00
ESMT	P0009
REMO	2.00