

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 23052/2**

On 26 JANUARY, 1996, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

**"Grantor" is:**

Charles F. Cappellano and Linda G. Cappellano, husband and wife, 2435 Orpington, Troy, MI 48083

**"Grantee" is:**

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

**"Grantor's Land" is in Oregon Township, Lapeer County, Michigan**

**described as:**

Part of the Northeast 1/4 of Section 25, T8N-R9E, described as beginning at a point on the East section line that is South 00°31'27" East 1977.39 feet from the Northeast corner of Section 25; thence continuing along the East section line, South 00°31'27" East 331.00 feet; thence South 89°57'10" West 1322.50 feet; thence North 00°38'37" West 331.00 feet; thence North 89°57'10" East 1323.19 feet to the point of beginning.

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

**A 10' 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 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.

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**Witnesses:** (type or print name below signature) **RECEIVED FOR RECORD**

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

Christian A. Jensen  
**CHRISTIAN A. JENSEN**

96 FEB 12 PM 1:14

LIBER NO. 936 PAGE NO. 417  
Marilyn DeVaugh

Charles F. Cappellano  
**CHARLES F. CAPPELLANO**

Gregg F. Stockman  
**GREGG F. STOCKMAN**

REGISTER OF DEEDS  
LAPEER COUNTY, MICHIGAN

Linda G. Cappellano  
**LINDA G. CAPPELLANO (HIS WIFE)**

Acknowledged before me in Lapeer County, Michigan, on January 26, 1996 by Charles F. Cappellano and Linda G. Cappellano, husband and wife.

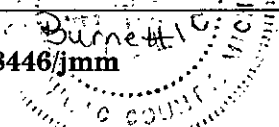
Notary Public, Sanilac County, MI

Notary's Stamp **My Commission Expires Oct. 11, 1998** Notary's Signature

Oct. 11, 1998

Marilyn M. Burnett  
Marilyn M. Burnett

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



L-787-P-605

1960-1961

1960-1961

1960-1961

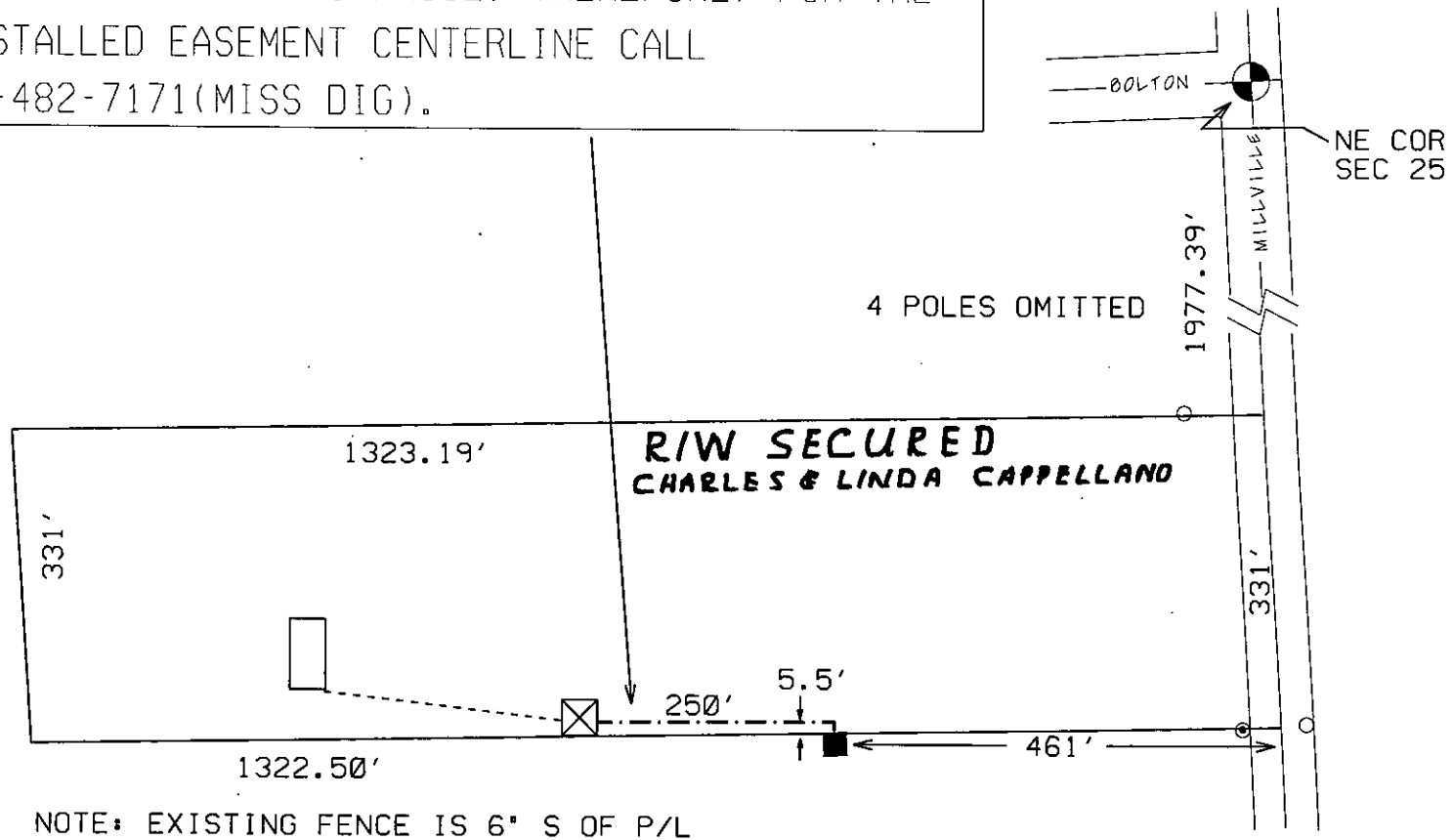
1960-1961

LIBER 0936 PAGE 0419

*69887*

# EXHIBIT A

CENTERLINE OF 10 FOOT WIDE EASEMENT  
 NOTE: THE EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE. THEREFORE, FOR THE AS-INSTALLED EASEMENT CENTERLINE CALL 1-800-482-7171(MISS DIG).



REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT MAY SECURED AS INDICATED ON THIS SKETCH BY: _____ DATE: <b>1-26-96</b> DATE INSTALLED: _____ DISTRICT FIELDMAN: <b>B.J. DEAN</b>	PERMITS TO: RECORD CENTER: <b>1</b> P/W FILES: <b>1</b> MBT: <b>0</b> ORIGINATOR: <b>1</b> TOTAL: <b>1</b>
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JPL 23052/20

LEGEND			
○	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. <b>OREGON</b>	COUNTY <b>LAPEER</b>	TWP SEC QTR	DEPT. ORDER NO. <b>A-94775</b>
MAP SECT. <b>262-572</b>	TOWN RANGE <b>8N 9E</b>	JOINT R/W REQ'D	R/W NO. <b>23052/2</b>
PROJECT NAME <b>CAPPELLANO RES</b>		TEL. ENCR. & DIST.	MBT MEMO#
TOWNSHIP <b>ORE</b>	SERVICE CENTER <b>LAP</b>	COMP. CODE <b>UC</b>	MAILING CITY <b>LAP</b>
CIRCUIT <b>8794 FAWN</b>		CATV MEMO#	
REASON <b>R/W FOR SERV TO 1851 MILLVILLE RD</b>		O.F.W.	
PLANNER <b>SUZANNE M. FAIRCHILD</b>		BUDGET ITEM NO.	
		SCALE <b>1" = 200'</b>	DATE <b>1-19-96</b>

CHARLES & LINDA CAMPBELL  
RIM RECEIVED

MISC D	9.00
ESMT	P0009
REMOVT	2.00

B. J. DEAN

1-30-60

1-0-1