

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 45580**

On 5-10-96, 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 H. Rathka and Geraldine Rathka, husband and wife, 3175 Dryden Rd., Metamora, MI 48455

**"Grantee" is:**

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

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

Section 7, T6N-R11E, The East 200 feet of the West 2029.5 feet of the South 1000 feet of the Southwest 1/4.

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

A 16' 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.

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

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

Betty J. Dean  
Betty J. Dean

Charles Rathka  
Charles Rathka AKA Charles H. Rathka

Shannon E. Gadowski  
Shannon E. Gadowski

Geraldine Rathka  
Geraldine Rathka

Acknowledged before me in Lapeer County, Michigan, on May 10, 1996 by Charles H. Rathka and Geraldine Rathka, husband and wife.

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

Notary's Stamp

Notary's Signature



RECORDED RIGHT OF WAY NO. 49493

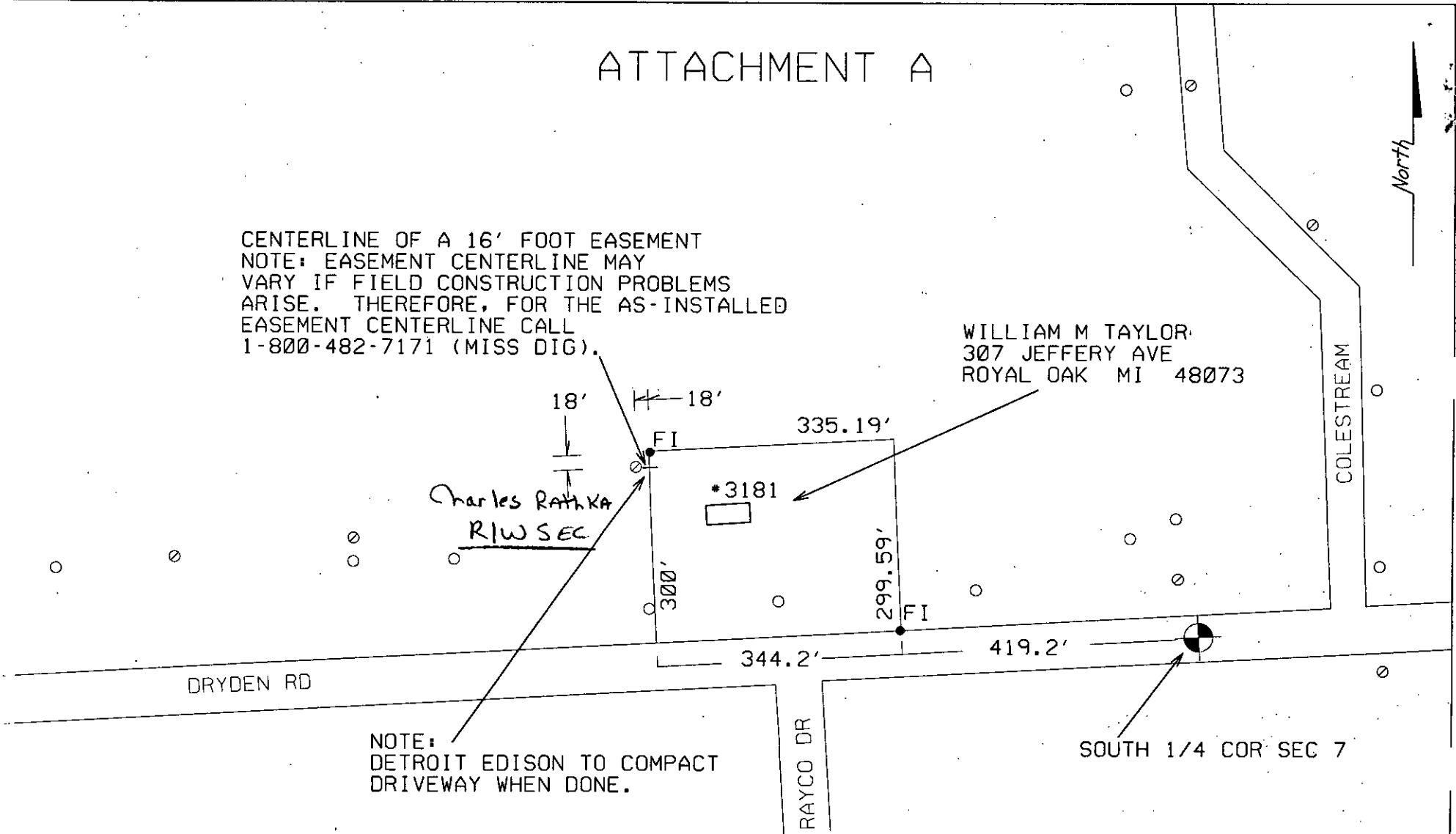
# ATTACHMENT A

CENTERLINE OF A 16' FOOT EASEMENT  
 NOTE: EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE. THEREFORE, FOR THE AS-INSTALLED EASEMENT CENTERLINE CALL 1-800-482-7171 (MISS DIG).

WILLIAM M TAYLOR  
 307 JEFFERY AVE  
 ROYAL OAK MI 48073

*Charles RATHKA  
 RIW SEC*

NOTE: DETROIT EDISON TO COMPACT DRIVEWAY WHEN DONE.



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>DRYDEN TWP</b>	COUNTY <b>LAPEER</b>	TWP SEC QTR <b>7</b>	DEPT. ORDER NO.
MAP SECT. <b>1-298-528</b>	TOWN RANGE <b>6N 11E</b>	JOINT R/W REQ'D <b>NO</b>	R/W NO. <b>45580/5</b>
PROJECT NAME <b>RES</b>	TEL. ENGR. & DIST. <b>NONE</b>	MBT MEMO#	
TOWNSHIP <b>DRY</b>	SERVICE CENTER <b>LAP</b>	COMP. CODE <b>UC</b>	MAILING CITY <b>DRY</b>
CIRCUIT <b>8750 ROBIN 7.6 KV</b>	O.F.W.		
REASON <b>NEW RES 3181 DRYDEN RD</b>	BUDGET ITEM NO.		
PLANNER <b>G STOCKMAN</b>	SCALE <b>1" = NONE'</b>	DATE <b>5-1-96</b>	

RECORDED RIGHT OF WAY 49493

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