

RECEIVED FOR RECORD  
Dryden Sec 25  
96 JUN 14 PM 2:12  
LIBER NO. 956 PAGE NO. 523-  
Melissa DeVaugh 524  
REGISTER OF DEEDS  
LAPEER COUNTY MICHIGAN

**UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 35358**

On 5/19/96, 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:**

Steven J. Brown and Sheryl E. Brown, husband and wife, 3353 Bishop Rd., Dryden, MI 48428

**"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:**

PARCEL 2: Part of the Southeast 1/4 of the Northeast 1/4 of Section 25, T6N-R11E, described as beginning at a point on the East line of Section 25, T6N-R11E, that is North 02°58'16" East 648.59 feet from the East 1/4 corner of said Section 25; thence South 89°50'12" West 1328.10 feet; thence North 03°09'12" East 330 feet; thence North 89°50'03" East 1327.05 feet to a point on the East line of said Section 25; thence along said East line, South 02°58'16" West 330 feet to the point of beginning. Contains 10.041 acres. Reserving therefrom any portion deeded, taken or used for road purposes and subject to easements and restrictions of record, if any.

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

A 15' 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)

Philip R. Updegr  
Philip R. Updegr

James L. Langebartels  
James L. Langebartels

Steven J. Brown 5/19/96  
Steven J. Brown

Sheryl E. Brown 5/19/96  
Sheryl E. Brown

Acknowledged before me in Lapeer County, Michigan, on May 19, 1996 by Steven J. Brown and Sheryl E. Brown, husband and wife.

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

Notary's Stamp \_\_\_\_\_ Notary's Signature Betty J. Dean

RECORDED RIGHT OF WAY 49495

LIBER 0956 E0524

N. E. COR. - SEC. 25  
T6N - R11E

GENERAL SQUIRE

North

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>1</u>
DATE <u>5-23-96</u>	R/W FILES <u>1</u>
DATE WANTED	MBT <u>0</u>
DISTRICT FIELDMAN <u>Copier</u>	ORIGINATOR
	TOTAL <u>1</u>

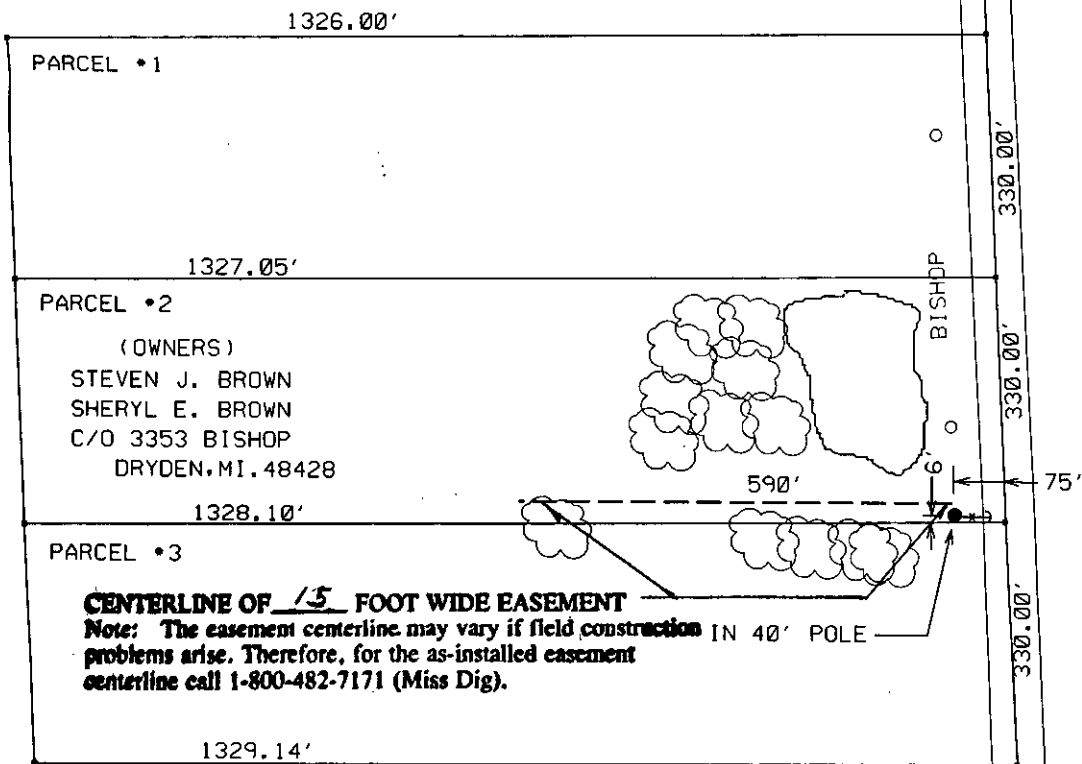


Exhibit 'A'  
JPL 35358

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TWP. <b>DRYDEN</b>	COUNTY <b>LAPPEER</b>	TWP SEC QTR <b>25 NE</b>	DEPT. ORDER NO.
MAP SECT. <b>2-328-516</b>	TOWN RANGE <b>8N 11E</b>	JOINT R/W REQ'D	R/W NO. <b>35358 / 5</b>
PROJECT NAME	TEL. ENGR. & DIST.		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</b>	ISO-DN. - 4.8KV		CATV MEMO#
REASON <b>NEW BUS.</b>			O.F.W.
PLANNER <b>D. DEBUS</b>	SCALE <b>1" = 200'</b>		BUDGET ITEM NO.
			DATE <b>4-18-96</b>

RECORDED RIGHT OF WAY 49495