



RECEIVED FOR RECORD
Elba sec 3
96 JUN 14 AM 9:06
LIBER NO. 956 PAGE NO. 437-
Melissa De Vaughn 438
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

OVERHEAD EASEMENT (RIGHT OF WAY) NO. 36521/5

On May 16, 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 M. Gibbs and Sherry A. Gibbs, husband and wife, 475 Gray Rd., Lapeer, MI 48446

"Grantee" is:

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

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

PARCEL A: Commencing at the Northeast corner of Fractional Section 3, T7N-R9E, and the point of beginning; Running thence South 00°55'14" West 531 feet along the East line of said Fractional Section 3; thence South 87°05'19" West 458.46 feet; thence North 22°03'04" West 188.85 feet; thence North 00°00' East 379.18 feet; thence North 90°00' East 537.30 feet along the North line of said Fractional Section 3, to the point of beginning.

PARCEL C: Commencing at the Northeast corner of Fractional Section 3, T7N-R9E, thence South 00°55'14" West 531 feet along the East line of said Fractional Section 3 to the point of beginning; Running thence South 00°55'14" West 100 feet along the East line of said Fractional Section 3; thence South 86°18'05" West 411.33 feet; thence South 00°55'14" West 442 feet; thence North 88°48'43" West 903.41 feet along the North 1/8 line of said Fractional Section 3; thence North 00°47'22" East 701.55 feet along the East 1/8 line of said Fractional Section 3; thence North 90°00' East 783.96 feet; thence South 22°03'04" East 188.85 feet; thence North 87°05'19" East 458.46 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.

- 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.
- Access** Grantee has the right of access to and from the Right of Way Area.
- 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.
- 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.
- 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.
- 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)

Tammy Harris
TAMMY HARRIS
Dawn Buhl
DAWN BUHL

Grantor:(type or print name below signature)

Thomas M. Gibbs
Thomas M. Gibbs
Sherry A. Gibbs
Sherry A. Gibbs

Acknowledged before me in LAPEER County, Michigan, on MAY 16, 1996 by Thomas M. Gibbs and Sherry A. Gibbs, husband and wife.

FAYE R. FORREST

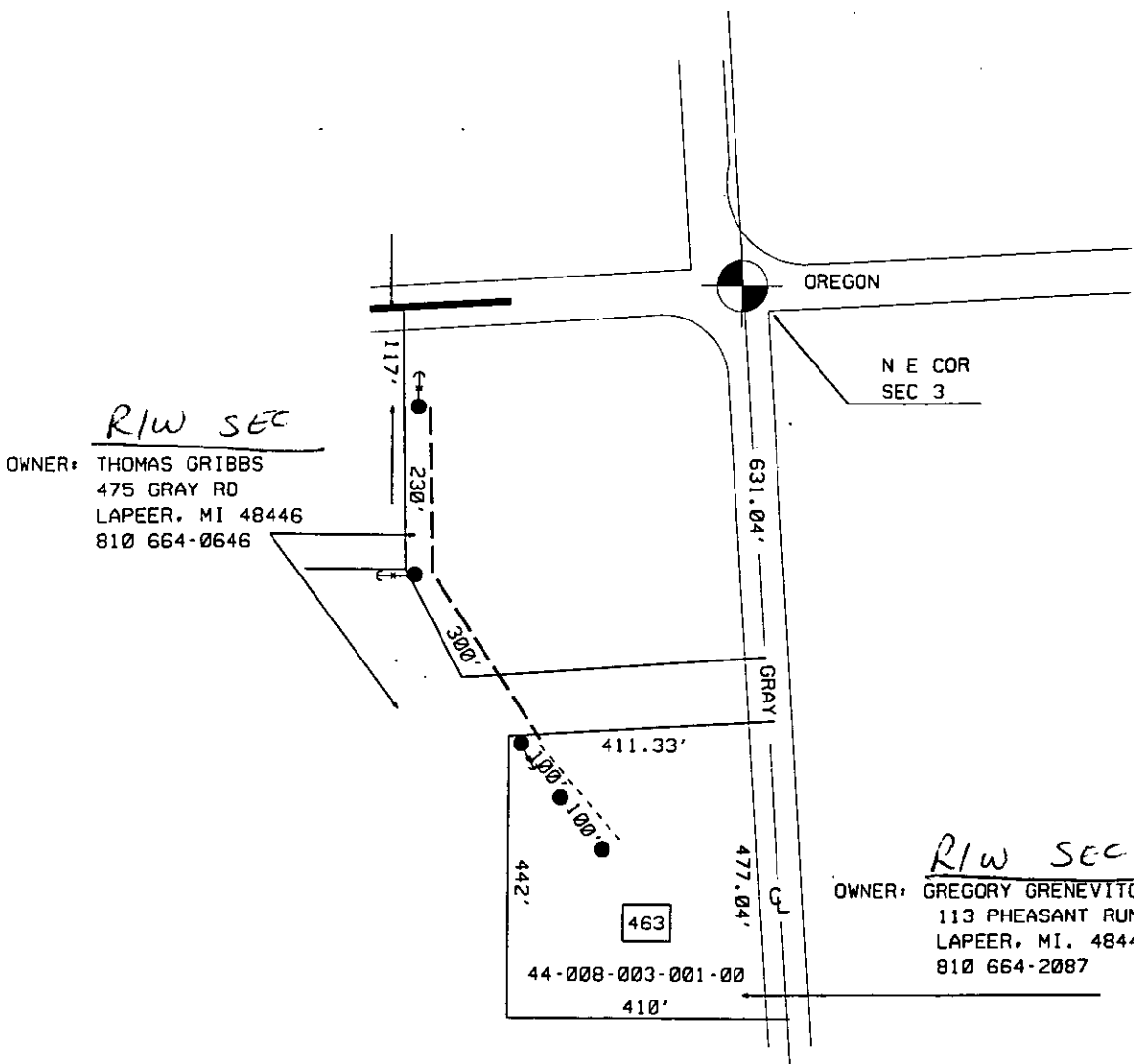
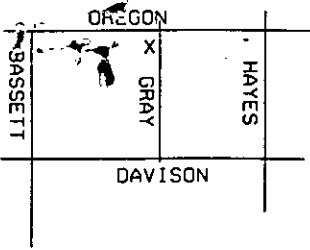
Notary Public, Genesee County, MI

Notary's Stamp: Acting in Lapeer County, MI Notary's Signature

My Commission Expires May 13, 1998

Faye R. Forrest

49497 OF THE RECORDS OF THE REGISTER OF DEEDS



R/W SEC

OWNER: THOMAS GRIBBS
475 GRAY RD
LAPEER, MI 48446
810 664-0646

R/W SEC

OWNER: GREGORY GRENEVITCH
113 PHEASANT RUN
LAPEER, MI. 48446
810 664-2087

49497
RICKS OF RES. RD.

EXHIBIT "A"

JPL

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT

<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 	CITY OR TWP.			COUNTY	TWP SEC QTR	DEPT. ORDER NO.
	ELBA			LAPEER	3 NE	
	MAP SECT.			TOWN RANGE	JOINT R/W REQ'D	R/W NO.
				7N 9E		36521 / 5
	PROJECT NAME			TEL. ENGR. & DIST.		MBT MEMO#
	GRENEVITCH RES.					
	TOWNSHIP SERVICE CENTER			COMP. CODE	MAILING CITY	CATV MEMO#
CIRCUIT					O.F.W.	
REASON					BUDGET ITEM NO.	
SECURE ROW TO SERVE #44-008-003-001						
PLANNER			SCALE	DATE		
R. SOUSA			1" = N/A'	4-1-96		