

**OVERHEAD EASEMENT (RIGHT OF WAY) NO. 48100**

On 21-MAY-96, 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:**

Mark A. Clements and Karyn Lee Clements, husband and wife, 44 S. Elba 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:**

Commencing at a point 13 1/3 rods South of the Northeast corner of the Northeast 1/4 of Section 7, T7N-R9E, thence South 26 2/3 rods, thence West 24 rods, thence North 26 2/3 rods, thence East 24 rods to beginning. Except commencing at a point 13 1/3 rods South of the Northeast corner of the Northeast 1/4 of Section 7, thence South 80 feet, thence West 24 rods; thence North 80 feet, thence East 24 rods to the point of beginning; and also Except beginning at a point on the East line of said Section 7 which is South 551.30 feet from the Northeast corner of Section 7, thence North 89°44' West 404.11 feet, thence South 00°05' West 100 feet, thence South 89°44' East 404.25 feet to the East line of said Section 7, thence North 100 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.

- 1. 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.
- 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. 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.
- 5. 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.
- 6. 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)

*Stephen Kaye*  
Stephen Kaye

*Donna M. McTutt*  
Donna M. McTutt

*Mark A. Clements*  
Mark A. Clements

*Karyn Lee Clements*  
Karyn Lee Clements

Acknowledged before me in Lapeer County, Michigan, on May 21, 1996 by Mark A. Clements and Karyn Lee Clements, husband and wife.

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

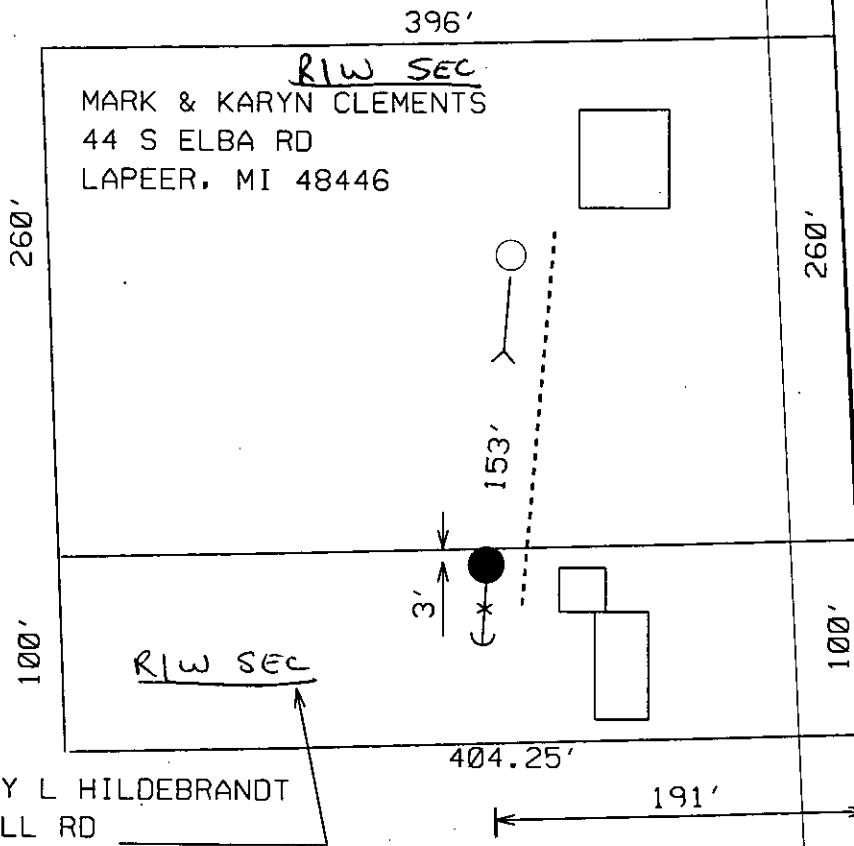
Notary's Stamp \_\_\_\_\_ Notary's Signature *Betty J. Dean*  
Betty J. Dean

RECORDED RIGHTS OF WAY NO 49501

DAVISON

NOTES:  
 POLES TO BE 35 FT  
 ANCHOR TO BE @ 20 FT  
 R/W AREA TO BE 12 FT WIDE  
 RM EXISTING ANCHOR ON CLEMENT'S PROPERTY

NE 1/4  
 SEC 7



PERMITS TO:	
RECORD CENTER	2
R/W FILES	20
MBT	2
ORIGINATOR	2
TOTAL	2
REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	
BY	JEANETTE JONES
DATE	5-30-96
DATE WANTED	ASAP
DISTRICT FIELDMAN	<i>[Signature]</i>

RECORDED RIGHTS OF WAY NO. 49501

Exhibit 'A'

JPL 48100/20

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TWP.	COUNTY	TWP SEC QTR	DEPT. ORDER NO.
ELBA TWP	LAPEER	7 NE	
MAP SECT.	TOWN RANGE	JOINT R/W REQ'D	R/W NO.
1-238-560	7N 9E		R-48100/5
PROJECT NAME	TEL. ENGR. & DIST.		MBT MEMO#
HILDEBRANDT			
TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
ELB	LAP	UC	LAP
CIRCUIT			O.F.W.
D.C.	302 ELBA 4.8KV		
REASON			BUDGET ITEM NO.
SERVE RESIDENCE @ 60 S ELBA RD			
PLANNER	SCALE	DATE	
JEANETTE JONES	1" = 200'	4-14-96	

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