

Emmett
TWJ
JUL 19

Overhead Easement (Right of Way) No. 39810-2

On JUNE 25, 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:

M.V.I., L.L.C., a Michigan Limited Liability Company, 116 N. Main Street, PO Box 160, Capac, Michigan 48014

"Grantee" is:

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

"Grantor's Land" is in Emmett Township, St. Clair County, described as:

A parcel of land in the West 1/2 of the Northwest 1/4 of Section 19, Town 7 North, Range 14 East, Emmett Township, St. Clair County, Michigan, described as: Beginning at the North 1/4 corner of said Section 19; thence 89 degrees 31 minutes East 66.0 feet along the section line; thence South 00 degrees 18 minutes 44 seconds West 1336.0 feet; thence South 89 degrees 31 minutes East 1239.9 feet; thence South 00 degrees 19 minutes West 1301.99 feet; thence North 89 degrees 21 minutes 32 seconds West 1305.81 feet; thence North 00 degrees 18 minutes 44 seconds East 2634.4 feet to the beginning.

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

As shown on the attached Right of Way Drawing No. 39810-2, dated 3-27-96.

- 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 are allowed in the Right of Way Area without Grantee's prior written consent.
- 4. 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.
- 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 will 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 and assigns.

Witnesses: (Type or print name below signature)

Grantor: (Type or print name below signature)

M.V.I., L.L.C., a Michigan Limited Liability Company
CLERK REGISTER
ST. CLAIR COUNTY
RECEIVED FOR RECORD

Cynthia A. Hulett
CYNTHIA A. HULETT

By: *Michael James Vinckier*
Michael James Vinckier, member
JUL 23 1996
LIBER 528 PAGE 969 TIME 9:02

Karen K. Brozowski
KAREN K. BROZOWSKI

By: *Gregory A. McConnell*
Gregory A. McConnell, member
MARILYN DUNN

Acknowledged before me in ST. CLAIR County, Michigan, on JUNE 25, 1996 by Michael James Vinckier, member, and Gregory A. McConnell, member, M.V.I., L.L.C., a Michigan Limited Liability Company, for the Michigan Limited Liability Company.

CYNTHIA A HULETT
NOTARY PUBLIC STATE OF MICHIGAN
ST. CLAIR COUNTY
MY COMMISSION EXP. MAR. 16, 2000

Notary's Stamp

Notary's Signature

(Notary's name, county, and date commission expires)

49505
RIGHT OF WAY NO.

