

**OVERHEAD EASEMENT (RIGHT OF WAY) NO. 31962**

REGISTER OF DEEDS  
LAPEER COUNTY, MICHIGAN

On 5-21-96, 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:**

Randall L. Berry and Rosalie A. Berry, husband and wife, 3202 Farmers Creek Rd., Metamora, MI 48455

**"Grantee" is:**

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

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

Part of the Northeast fractional 1/4 of Section 1, T6N-R9E, described as: Beginning at a point on the East-West 1/4 line of Section 1, that is North 88°48'00" West 2017.51 feet from the East 1/4 corner of Section 1; thence North 88°48'00" West 310 feet along the East-West 1/4 line of said Section 1; thence North 01°23'47" East 1410.45 feet; thence South 88°48'00" East 310 feet; thence South 01°23'47" West 1410.45 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)

Rachael Berry  
Rachael Berry

Randall L. Berry  
Randall L. Berry  
Rosalie A. Berry  
Rosalie A. Berry

Alesha Berry  
Alesha Berry

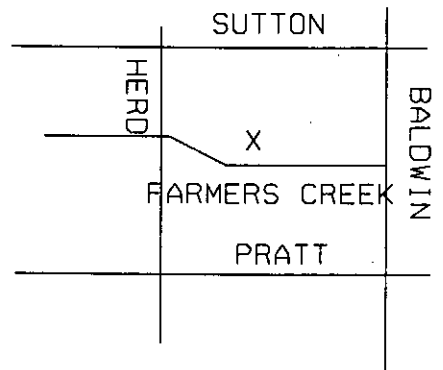
Acknowledged before me in Lapeer County, Michigan, on May 21, 1996 by Randall L. Berry and Rosalie A. Berry, husband and wife

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

Notary's Stamp \_\_\_\_\_ Notary's Signature \_\_\_\_\_

Betty J. Dean  
Betty J. Dean

RECORDED RIGHT OF WAY NO. 49531



N 1/4 COR  
SEC. 1

EXHIBIT 'A'

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH

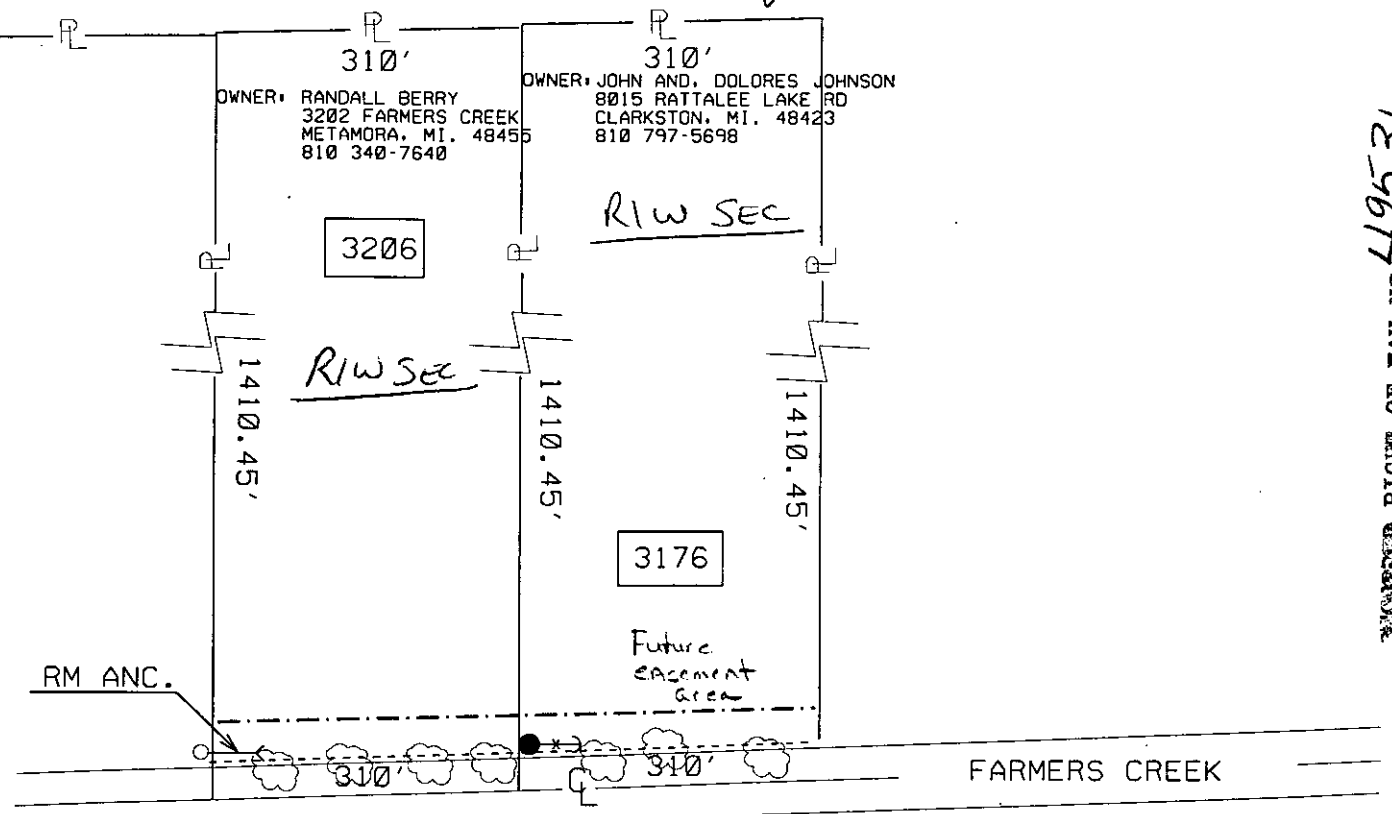
BY R. Sousa

DATE 5-21-96

DATE WANTED \_\_\_\_\_

DISTRICT FIELDMAN [Signature]

PERMITS TO:	
RECORD CENTER	<u>2</u>
R/W FILES	<u>2</u>
MBT	<u>0</u>
ORIGINATOR	<u>2</u>
TOTAL	<u>2</u>



75677 ON ROW TO SERVE 3176

JPL 31962 / 2

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.	COUNTY	TWP SEC QTR	DEPT. ORDER NO.
HADLEY	LAPEER	1 NE	A-90376
MAP SECT.	TOWN	RANGE	JOINT R/W REQ'D
262-534	6N	9E	
PROJECT NAME	TEL. ENGR. & DIST.		MBT MEMO#
JOHNSON RES.			
TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
CIRCUIT			O.F.W.
REASON			BUDGET ITEM NO.
SECURE ROW TO SERVE 3176 FARMERS CREEK			
PLANNER	SCALE	DATE	
R SOUSA	1" = N/A'	4-29-96	