

Overhead Easement (Right of Way) No. 58907-5

On Aug 6, 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:

GARY AND SANDRA EAGLE, 6988 LAPEER RD, NORTH ST. MI. 48049

"Grantee" is:

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

"Grantor's Land" is in KIMBALL TOWNSHIP, ST. CLAIR County, described as:

PARCEL C; BEG S89\* 42' 7" E 990.0 FT FROM SW COR, TH CONT S89\* 42' 07" E 165.0 FT, TH N 660.0 FT, TH N89\* 42' 07" W 165.0 FT, TH S 660.0 FT TO POB. SECTION 9 T6N,R16E

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

THE EAST SIX FEET OF SAID LAND.

- 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)

Tammy Kettlewell signature and name

Gary Eagle signature and name

Tamra Barber signature and name

Sandra K. Eagle signature and name

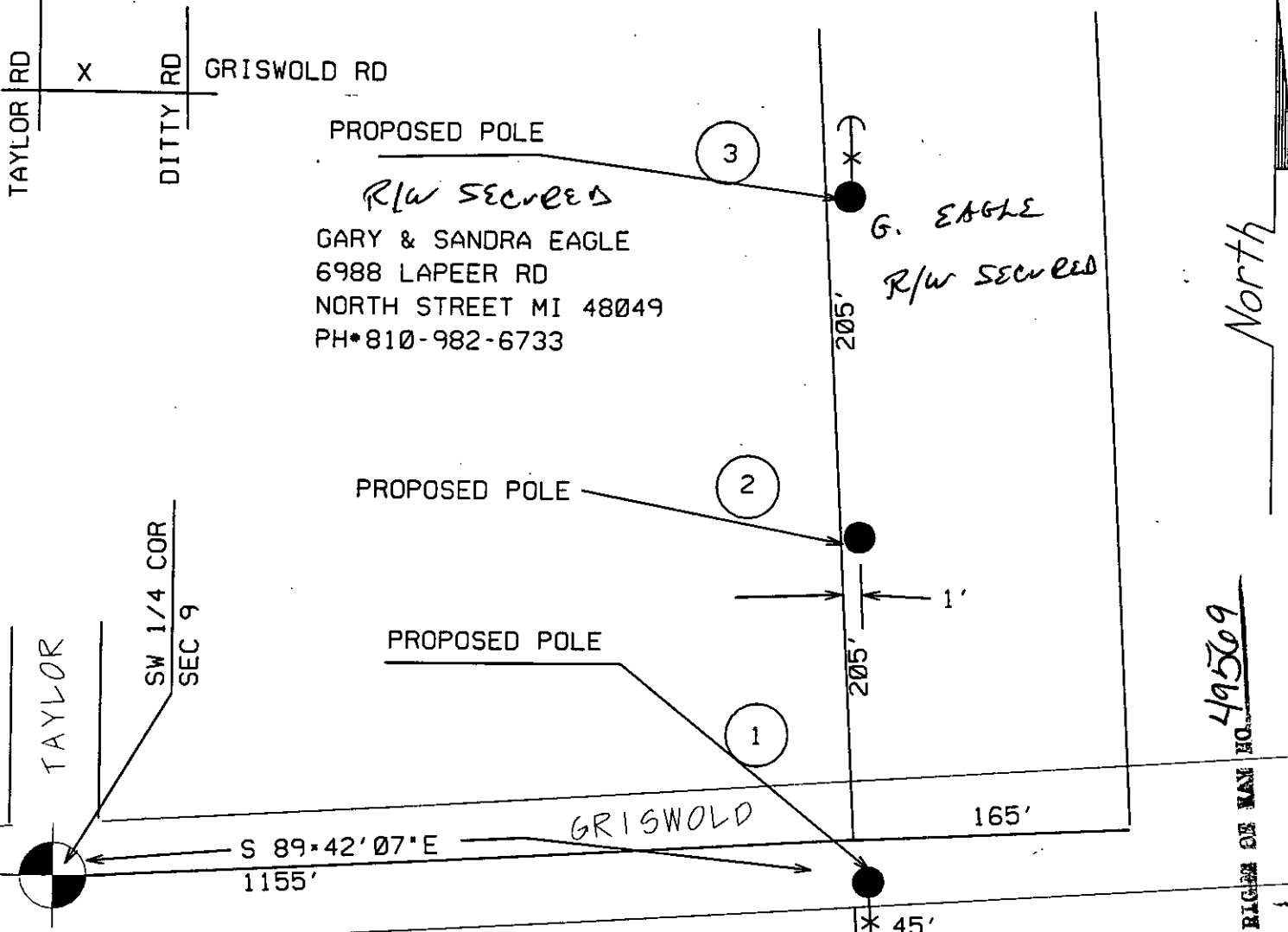
RECORDED RICE OF MAY NO. 49569

Notary Public section containing acknowledgment text, notary stamp for Tamra K. Barber, and notary signature.

Prepared by and Return to: PHIL BALON R/W 3223 RAVENSWOOD RD. MARYSVILLE MI. 48040 810-364-0352

CLERK REGISTER ST. CLAIR COUNTY RECEIVED FOR RECORD

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MARYSVILLE SERVICE CENTER RIGHT OF WAY FACILITATOR R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY	_____	RECORD CENTER	<u>3</u>
DATE	<u>8-9-96</u>	R/W FILES	<u>3</u>
DATE WANTED	_____	TOTAL	<u>3</u>
FACILITATOR OF R/W	<i>[Signature]</i>		

6373

*Roderick Sloan*  
*R/W Secured*

49567  
 OF THE RIGHT COMPANY KIM 2-466-536

JPL

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TWP. <b>KIMBALL TWP</b>		COUNTY <b>ST CLAIR</b>	
MAP SECT. <b>2-466-536</b>		TWP SEC QTR <b>9 SW</b>	
PROJECT NAME <b>TO SERVE A NEW HOME</b>		DEPT. ORDER NO. <b>A-75015</b>	
TOWNSHIP <b>KIM</b>		SERVICE CENTER <b>MAR</b>	
COMP. CODE <b>UC</b>		MAILING CITY <b>KIM</b>	
REASON <b>TO SERVE A NEW HOME</b>		R/W NO. <b>58907/5</b>	
PLANNER <b>J RUSHTON</b>		MBT MEMO# <b>12303</b>	
SCALE <b>1" = 100'</b>		DATE <b>7-27-96</b>	

- 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