

RECEIVED FOR RECORD
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LIBER NO. 956 PAGE NO. 411
Melissa DeLoach 412
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

OVERHEAD EASEMENT (RIGHT OF WAY) NO. 39333

On 4-29-96, 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:

Alan Lee Fias and Annette Marie Fias, husband and wife, 9112 N. Linden Rd., Clio, MI 48420

"Grantee" is:

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

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

PARCEL B: Commencing at the Northwest corner of Section 11, T9N-R9E, thence south 87°13'32" East 210 feet along the North line of Section 11 to the point of beginning. Running thence South 87°13'32" East 311 feet along the North line of said Section 11; thence South 02°08'02" West 305 feet; thence North 87°13'32" West 311 feet; thence North 02°08'02" East 305 feet to the point of beginning. Being part of the Northwest 1/4 of Section 11, T9N-R9E.

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)

Donna L. Fias
Donna L. Fias

Tracey Belonger
Tracey Belonger

Alan L. Fias
Alan L. Fias AKA Alan Lee Fias

Annette Marie Fias
Annette Marie Fias

Acknowledged before me in Saginaw County, Michigan, on April 29, 1996 by Alan Lee Fias and Annette Marie Fias, husband and wife. acting in Genesee County

Notary's Stamp _____ Notary's Signature *Tracey Belonger*
Tracey Belonger
April 22, 2000
Saginaw County

Prepared by and Return to: Betty J. Dean, 1075 Suncrest Dr., Lapeer, MI 48446/seg
Acting in Genesee County

ENCLOSURE RIGHT OF WAY NO. 49593

49593
 PROPOSED RIGHT OF WAY TO SERVE 38333/20

North

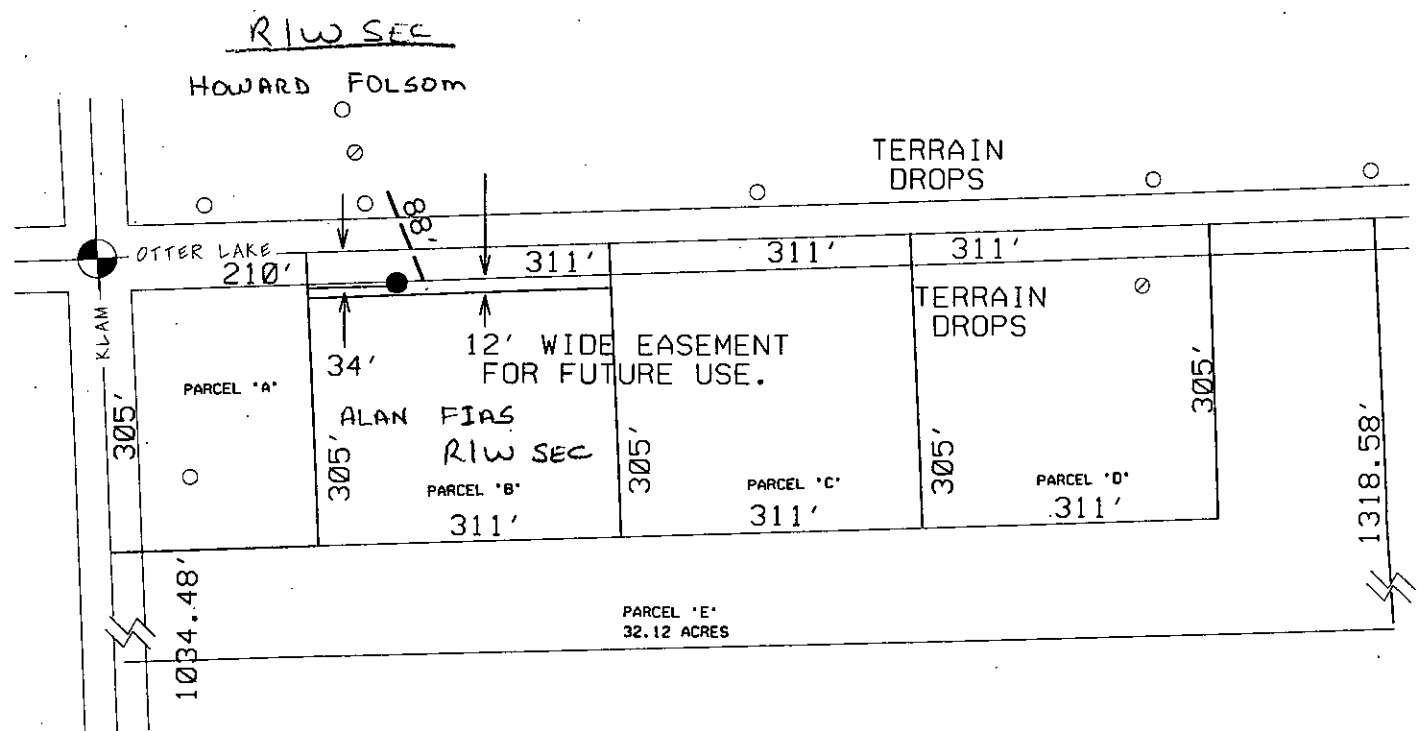


EXHIBIT 'A'
 JPL 39333/20

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT				
CITY OR TWP. MARATHON		COUNTY LAPEER	TWP SEC QTR 11 NW	DEPT. ORDER NO. A-90337
MAP SECT. 1-250-626		TOWN RANGE 9N 9E	JOINT R/W REQ'D	R/W NO. 39333/5
PROJECT NAME FIAS RES		TEL. ENGR. & DIST.		MBT MEMO#
TOWNSHIP MTN	SERVICE CENTER LAP	COMP. CODE UC	MAILING CITY OLK	CATV MEMO#
CIRCUIT 302 OTTER LAKE				O.F.W.
REASON R/W FOR OHL EXT TO SERV 3833 OTTER LK +				BUDGET ITEM NO.
PLANNER SUZANNE M. FAIRCHILD			SCALE 1" = 200'	DATE 4-11-96

- 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

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