

**OVERHEAD EASEMENT (RIGHT OF WAY) NO. 59399/5**

On July 17, 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:**  
Bella Villa, Inc., A Michigan Corporation, 62324 Van Dyke, Washington, MI 48095

**"Grantee" is:**  
The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

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

PARCEL E: Part of the Northeast 1/4 of Section 32, T6N-R12E, described as beginning at a point on the East section line that is South 00°16'42" West 1110.15 feet from the Northeast corner of said Section 32; thence continuing South 00°16'42" West 501.48 feet; thence South 88°43'28" West 908.10 feet; thence North 00°16'42" East 256.63 feet; thence North 26°50'36" East 277.51 feet; thence North 88°43'28" East 783.95 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)

*Marcelle K. Uore*  
 \_\_\_\_\_  
 MARCELLE K. UORE  
*Leah M. DiLiber*  
 \_\_\_\_\_  
 LEAH M. DILIBER

*Peter P. Caruso Jr*  
 \_\_\_\_\_  
 PETER P. CARUSO JR  
 PRESIDENT OF BELLA VILLA

*Oakland acting in*

Acknowledged before me in Macomb County, Michigan, on July 17, 1996 by Peter P. Caruso, Jr., President of Bella Villa, Inc., A Michigan Corporation, for the corporation.

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

Notary Public, Oakland County, MI  
My Commission Expires June 22, 1993

*Marcelle K. Uore*  
 \_\_\_\_\_  
 MARCELLE K. UORE

RECEIVED FOR RECORD

96 JUL 23 PM 4: 37

LIBER NO. 963 PAGE NO. 20-

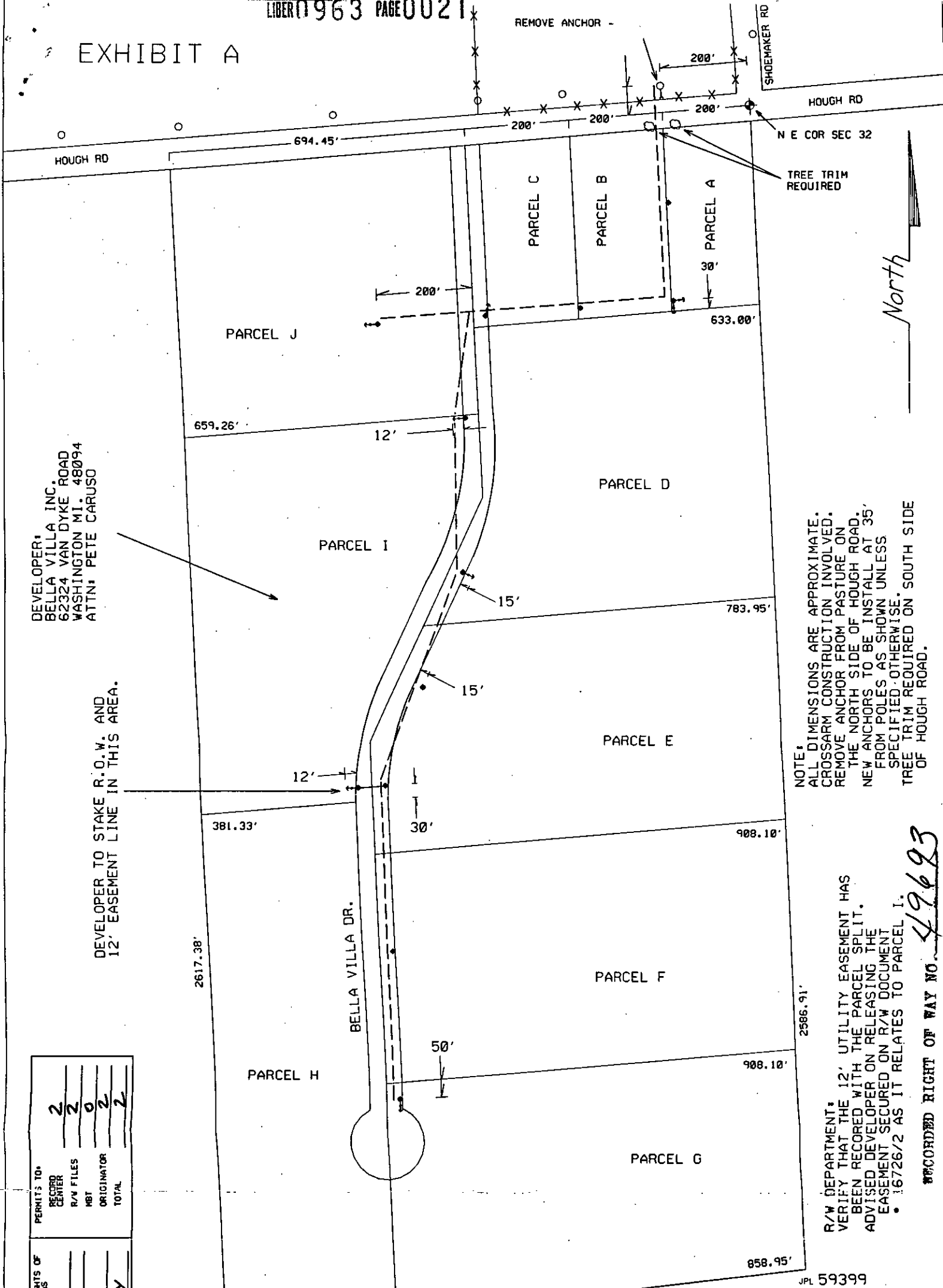
*Melissa Daugh*  
 \_\_\_\_\_  
 REGISTER OF DEEDS  
 LAPEER COUNTY, MICHIGAN

Prepared by and Return to: Gary W. Kenney, 1075 Suncrest Dr., Lapeer, MI 48446/seg

RECORDED RIGHT OF WAY NO. 49693

EXHIBIT A

REMOVE ANCHOR -



DEVELOPER:  
BELLA VILLA INC.  
62324 VAN DYKE ROAD  
WASHINGTON MI. 48094  
ATTN: PETE CARUSO

DEVELOPER TO STAKE R.O.W. AND  
12' EASEMENT LINE IN THIS AREA.

TREE TRIM  
REQUIRED

North

NOTE:  
ALL DIMENSIONS ARE APPROXIMATE.  
CROSSARM CONSTRUCTION INVOLVED.  
REMOVE ANCHOR FROM PASTURE ON  
THE NORTH SIDE OF HOUGH ROAD.  
NEW ANCHORS TO BE INSTALL AT 35'  
FROM POLES AS SHOWN UNLESS  
SPECIFIED OTHERWISE.  
TREE TRIM REQUIRED ON SOUTH SIDE  
OF HOUGH ROAD.

R/W DEPARTMENT HAS  
VERIFY THAT THE 12' UTILITY EASEMENT HAS  
BEEN RECORDED WITH THE PARCEL SPLIT.  
ADVISED DEVELOPER ON RELEASING THE  
EASEMENT SECURED ON R/W DOCUMENT  
• 16726/2 AS IT RELATES TO PARCEL I.

RECORDED RIGHT OF WAY NO. 49623

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	PERMITS TO: RECORD CENTER
BY DATE DATE VANTED DISTRICT FIELDMAN	R/W FILES MBT ORIGINATOR TOTAL
7-23-96 ASAP G. KENNEY	2 0 2 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. ALMONT TWP	COUNTY LAPEER	TWP SEC OTR 32	DEPT. ORDER NO.
MAP SECT. 2-334-512	TOWN RANGE 6N 12E	JOINT R/W REQ'D NO	R/W NO. 59399/5
PROJECT NAME BELLA VILLA	TEL. ENGR. & DIST. NONE		MBT MEMO#
TOWNSHIP ALM	SERVICE CENTER LAP	COMP. CODE UC	MAILING CITY ALM
CIRCUIT 303 ALMONT 4.8KV			CATV MEMO#
REASON RELOCATION REQUEST			O.F.W.
PLANNER IG STOCKMAN		SCALE 1" = NONE'	BUDGET ITEM NO.
			DATE 7-9-96

JPL 59399