

Overhead Easement (Right of Way) No. 63137/5

On 9-3, 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:

EMMA VANPOELVOORDE, 14642 HOUGH RD., ALLENTON MI. 48002
CAROL BOVENSCHEN, 14596 HOUGH RD. ALLENTON MI. 48002

"Grantee" is:

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

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

SEE ATTACHMENT 'A'

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

THE SOUTH 12 FEET ALONG AND ADJACENT TO GILBERT RD. R/W

- 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)

Richard Chamberlin

 RICHARD CHAMBERLIN

Helen Christian

 Helen Christian

Grantor: (Type or print name below signature)

Emma Vanpoelvoorde

 EMMA VAN POELVOORDE

Carol Bovensch

 CAROL BOVENSCHEN

RECORDED RIGHT OF WAY NO. 49714

Acknowledged before me in Macomb County, Michigan, on Sept 3, 1996
 by EMMA VAN POELVOORDE AND CAROL BOVENSCHEN
 MARGUERITE A. WOLFE
 NOTARY PUBLIC
 Macomb County, MI
 My Commission Expires Jan. 22, 1997

Notary's Stamp _____ Notary's Signature Marguerite A Wolfe
 (Notary's name, county, and date commission expires)

MARGUERITE A. WOLFE
NOTARY PUBLIC
Macomb County, MI
My Commission Expires Jan. 22, 1997

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

SEP 19 1996
LIBER 1546 PAGE 103 TIME 8:00 AM
Marilyn Dunn
MARILYN DUNN

**Detroit
Edison**

Overhead Easement (Right of Way) No. 63137/5

ATTACHMENT 'A'

The West $\frac{1}{4}$ of Northwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ and Southwest $\frac{1}{4}$ of Northeast $\frac{1}{4}$ and East 24 rods of South 120 rods of East $\frac{1}{4}$ of Northwest $\frac{1}{4}$ and East 28 rods and 9 feet of North 28 rods of Northeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 25, Town 6 North, Range 13 East. Also, all that part of Southeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$ of Section 26, Town 6 North, Range 13 East, lying East of Lathrop Road,

EXCEPT:

A parcel of land located in and being a part of the Northeast $\frac{1}{4}$ of Section 26, Town 6 North, Range 13 East, Berlin Township, St. Clair County, Michigan, and is more particularly described as beginning at a point in the center line of Lathrop Road (66 feet wide) and being a distance of 675.60 feet North 89 degrees 48 minutes 50 seconds West and a distance of 502.15 feet North 08 degrees 28 minutes West of the East $\frac{1}{4}$ corner of said Section 26; thence continuing N 08 degrees 28 minutes West 114.65 feet; thence North 81 degrees 32 minutes East 384.26 feet; thence South 04 degrees 09 minutes 27 seconds East 114.98 feet; thence South 81 degrees 32 minutes West 375.62 feet to the point of beginning. Containing 1.00 Acre of Land.

PERMITS TO:

RECORD CENTER _____

R/W FILES _____

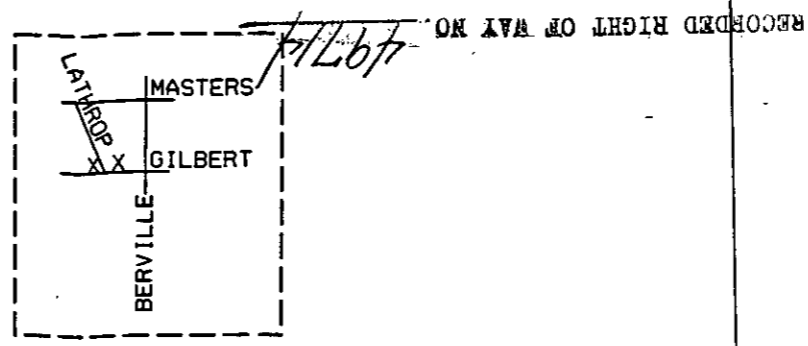
TOTAL _____

MARYSVILLE SERVICE CENTER
RIGHT OF WAY FACILITATOR
R/W SECURED AS
INDICATED ON THIS SKETCH

BY: _____ DATE: 9-4-86

DATE WANTED: _____

FACILITATOR OF R/W: *[Signature]*



EMMA VAN POOLVOORDE
CAROL BOVENSCHEN

- 2 - IN 40-4
- DET 5023
- IN 25-3
- DET 1724C
- IN 1521
- IN 608A
- IN DET 985-3/0

IN 2 • OACSR
S.T. 2

MARK NUMBER
20501 33 MILE RD
ARMADA, MI. 48005
1-810-784-5192

BERVILLE

LATHROP

GILBERT

E 1/4 COR. SEC. 26

- RP G.T.E. POLE 1
45-4
DET 5021A 1G
DET 5023 BG
- RP 6M
5/16" GUY @ 28' 7M
G.T.E. TO TRANSFER OWN
CAT-V TO TSFR THRU CABLE
TOP CUT POLE

MISS DIG
LOC-1- 31' N C/L GILBERT & 62' W C/L LATHROP
LOC-2- 34' N C/L GILBERT & 298' E C/L LATHROP

COH/20
PH/15
JPL 63137

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT					
CITY OR TWP.	COUNTY	TWP SEC	QTR	DEPT. ORDER NO.	
BERLIN	ST CLAIR	26		A-75150	
MAP SECT.	TOWN	RANGE	JOINT R/W	REQ'D	R/W NO.
2-312-516	6N	13E			63137/5
PROJECT NAME	TEL. ENGR. & DIST.				
TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY	CATV MEMO#	
BES	MAR	UC			
CIRCUIT	O.F.W.				
DC-8013-CAPAC 4.8KV					
REASON	BUDGET ITEM NO.				
NEW HOME 771 BERVILLE					
PLANNER	SCALE	DATE			
KEN ENDELMAN	1" = 100'	8-14-96			

- 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

