

Overhead Easement (Right of Way) No. 51875-5

On 7-6-96, 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:

TOM AND CLAUDIA JAKUBIAK, 8080 SMITHS CREEK RD., GOODELLS MI. 48027

"Grantee" is:

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

"Grantor's Land" is in ^{Columbus} ~~KENTON~~ TOWNSHIP, ST. CLAIR County, described as:

BEG AT A POINT N89* 39' 40" E 1358.6 FT & S 1914.0 FT FROM THE NW COR, TH CONT. S 250.0 FT, TH S89* 39' 40" W 435.6 FT, TH N 250.0 FT, TH N89* 39' 40" E 435.6 FT TO POB. SECTION 3 T5N,R15E

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

A SIX FOOT WIDE EASEMENT ALONG THE NORTH PROPERTY LINE.

- 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)

Mary C. Oldham
MARY C. OLDHAM

Tom Jakubiak
TOM JAKUBIAK

Heather Hearn
HEATHER HEARN

Claudia Jakubiak
CLAUDIA JAKUBIAK his wife

Acknowledged before me in St. Clair County, Michigan, on 7-6, 1996
by TOM AND CLAUDIA JAKUBIAK husband and wife

Notary's Stamp: **MARY C. OLDHAM**
Notary Public, St. Clair County, MI
My Comm. Expires 12/31/97

Notary's Signature: Mary C. Oldham

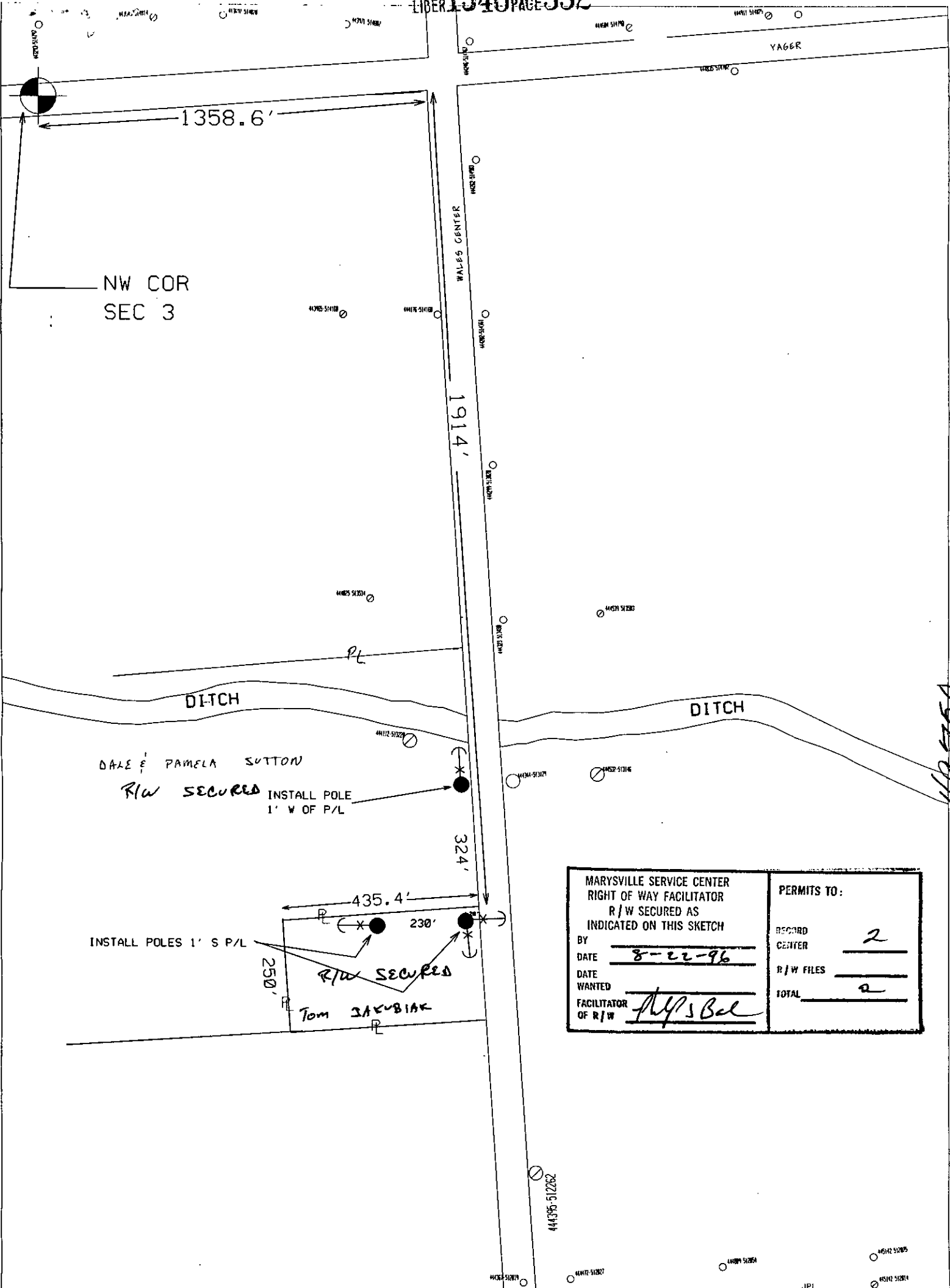
(Notary's name, county, and date commission expires)

Prepared by and Return to: PHIL BALON R/W 3223 RAVENSWOOD RD. MARYSVILLE MI. 48040 810-364-2011

CLERK REGISTER
ST. CLAIR COUNTY
RECEIVED FOR RECORD

SEP 19 1996
LIBER 1546 PAGE 392 TIME 8:00 AM
Marilyn Dunn

RECORDED RIGHT OF WAY NO. 49750



MARYSVILLE SERVICE CENTER RIGHT OF WAY FACILITATOR R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY		RECORD CENTER	<u>2</u>
DATE	<u>8-22-96</u>	R/W FILES	
DATE WANTED		TOTAL	<u>2</u>
FACILITATOR OF R/W	<u>Thy's Bel</u>		

RECORDED RIGHT OF WAY NO. 449-9750

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT				
CITY OR TWP.	COUNTY	TWP SEC QTR	DEPT. ORDER NO.	
COLUMBUS	ST CLAIR	3 NW		
MAP SECT.	TOWN RANGE	JOINT R/W REQ'D	R/W NO.	
1-442-512	5N 15E		51875-5	
PROJECT NAME	TEL. ENGR. & DIST.		MBT MEMO#	
TOM JAKUBIAK				
TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY	CATV MEMO#
COL	MAR	UC		
CIRCUIT			O.F.W.	
341 BERND				
REASON			BUDGET ITEM NO.	
NEW BUSINESS ON WALES CTR RD				
PLANNER	SCALE	DATE		
DAN FRITZ	1"	6-25-96		

- 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