

UNDERGROUND EASEMENT (RIGHT OF WAY) NO. 55716

On July 9, 1996, for the consideration of system betterment, Grantor grants to Grantee a permanent underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Nancy M. Allard 3120 Hodges Rd., Dryden, MI 48428

"Grantee" is:

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

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

Part of the Northwest 1/4 of Section 5, T6N-R11E, described as beginning at a point on the North-South 1/4 line of said Section 5 that is South 00°30'00" East 897.97 feet from the North 1/4 corner of said Section 5; thence South 00°30'00" East 250 feet along said North-South 1/4 line; thence South 88°59'00" West 500 feet; thence North 29°15'00" West 95 feet; thence North 56°36'07" East 310.51 feet; thence North 88°59'00" East 285 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 underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, 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. **Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
5. **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. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
6. **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.
7. **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)

Jon A. Corbin

 JON A. CORBIN

Nancy M. Allard

 Nancy M. Allard

Cheryl S. Stev

 CHERYL S. STEV

RECEIVED FOR RECORD
 96 JUL 31 PM 12:09
 LIBER NO. 964 PAGE NO. 98-99
 Melissa DeVaugh
 REGISTER OF DEEDS
 LAPEER COUNTY, MICHIGAN

Acknowledged before me in Lapeer County, Michigan, on July 9, 1996 by Nancy M. Allard.

Notary's Stamp _____ Notary's Signature *Jon A. Corbin*

JON A. CORBIN, NOTARY PUBLIC
 MALCOMB COUNTY, MICHIGAN
 ACTING IN LAPEER COUNTY
 My Commission Exps: 5/14/99

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

RECORDED RIGHT OF WAY NO. 49758

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UTTON RD

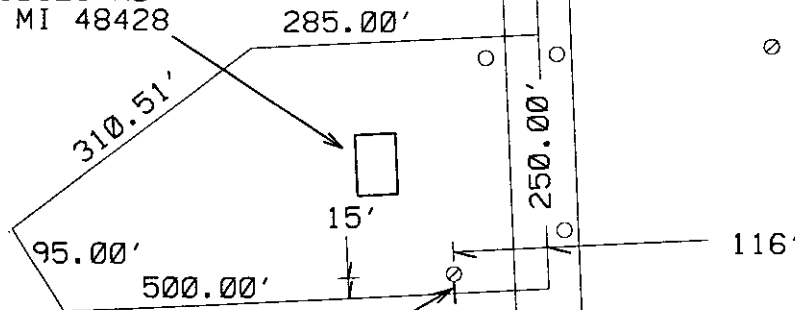
N 1/4 COR SEC 5

EXHIBIT A

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY	<u>A.A.</u>	RECORD CENTER	<u>1</u>
DATE	<u>7-19-96</u>	R/W FILES	<u>0</u>
DATE WANTED		MBT	<u>1</u>
DISTRICT FIELDMAN	<u>[Signature]</u>	ORIGINATOR	<u>1</u>
		TOTAL	<u>1</u>

North

NANCY ALLARD
3120 HODGES RD
DRYDEN MI 48428



CENTERLINE OF A 12' WIDE EASEMENT
NOTE: THE EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE. THEREFORE, FOR THE AS INSTALLED EASEMENT CENTERLINE CALL 1-800-482-7171 (MISS DIG).

RECORDED RIGHT OF WAY NO. 49758

JPL 55716

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT				
CITY OR TWP. DRYDEN TWP		COUNTY LAPEER		TWP SEC QTR 5
MAP SECT. 2-304-536		TOWN RANGE 6N 11E	JOINT R/W REQ'D NO	
PROJECT NAME RES		TEL. ENGR. & DIST. NONE		R/W NO. 55716
TOWNSHIP DRY	SERVICE CENTER LAP	COMP. CODE UC	MAILING CITY DRY	MBT MEMO#
CIRCUIT 8750 ROBIN 7.6KV				CATV MEMO#
REASON NEW RES HODGES RD				O.F.W.
PLANNER G STOCKMAN				BUDGET ITEM NO.
SCALE 1" = NONE'				DATE 7-2-96

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