

Overhead Easement (Right of Way) No. 58071-2

On 7-15, 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."

CLERK REGISTER ST. CLAIR COUNTY RECEIVED FOR RECORD

"Grantor" is:

John Pypa and Gertrude Pypa, husband and wife, 8775 Arnold Road, Fair Haven, Michigan 48023

"Grantee" is:

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

SEP 24 1996

LIBER 1547 PAGE 902 TIME 11:AM

"Grantor's Land" is in Ira Township, St. Clair County, described as:

A parcel of land located in and being a part of the Northwest 1/4 of Section 10, Town 3 North, Range 15 East, Ira Township, St. Clair County, Michigan, and being more particularly described as follows: Beginning at the North 1/4 corner of said Section 10; thence South 0 degrees 15 minutes West on the North-South line 181.0 feet; thence North 88 degrees 46 minutes 30 seconds West 420.0 feet; thence North 41 degrees 59 minutes West 288.0 feet; thence East 570.3 feet along the North Section line to the point of beginning. Property # 74-23-010-1007-000.

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

As shown on the attached Right of Way Drawing No. 58071-2, dated 7-1-96.

- 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)

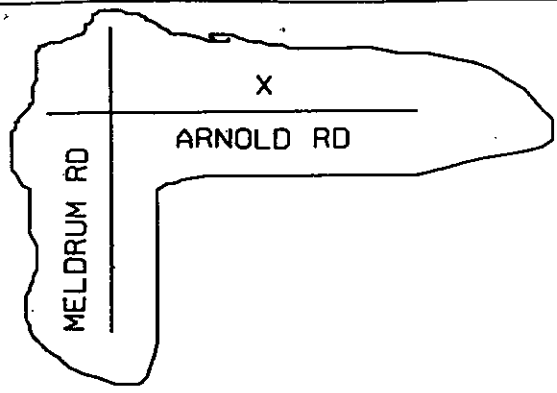
Witness signatures: Michael J. McCabe, Edward J. Jansen, Jr.

Grantor signatures: John W Pypa, Gertrude Pypa, his wife

Acknowledged before me in ST. CLAIR COUNTY County, Michigan, on 7/15, 1996 by John Pypa and Gertrude Pypa, husband and wife. Notary's Stamp: EDWARD J. JANSEN JR. Notary Public, Macomb County, MI My Commission Expires July 9, 1999 Notary's Signature: Edward J. Jansen, Jr.

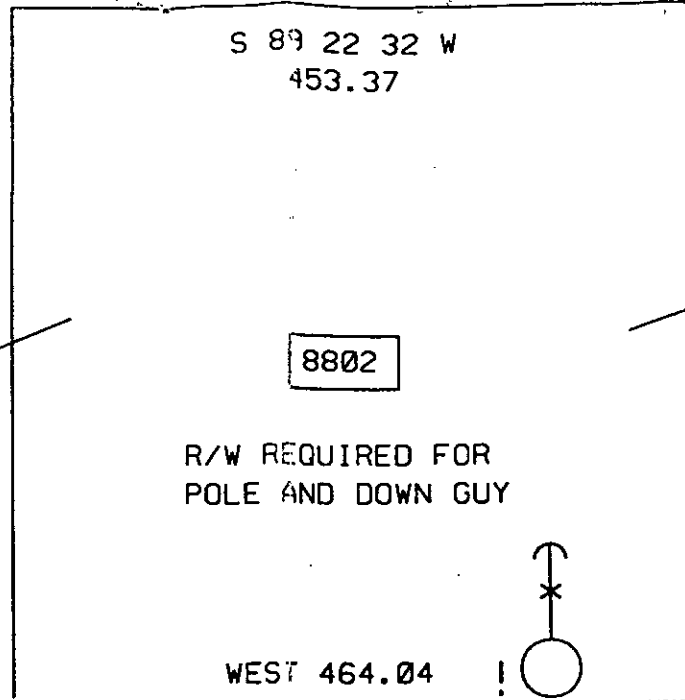
RECORDED RIGHT OF WAY NO. 49,786

North



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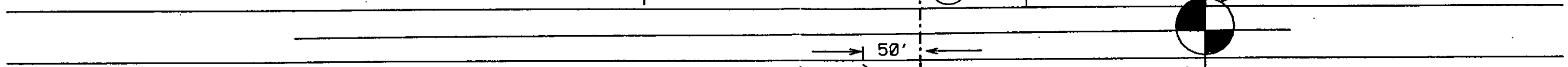


OWNE  
 DAVID WURM  
 28812 LITTLE MACK  
 ST CLAIR SHORES  
 MI 48081

N 00 37 28 W  
 848.69

R/W REQUIRED FOR  
 POLE AND DOWN GUY

SOUTH 1/4 CORNER  
 SEC. 3 T3N R15E



8839

142-A

R/W REIRED FOR  
 D.E. WIRES AND  
 DOWN GUY

PARCEL 142-B  
 (PYPA) 8875  
 STR

R/W REQUIRED FOR  
 D.E WIRES ACROSS  
 PROPERTY

10' EASEMENT

RECORDED RIGHT OF WAY NO. 49786

JPL 58071

| THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT |                     |                 |                    |
|--|---------------------|-----------------|--------------------|
| CITY OR TWP.<br>IRA TWP                                | COUNTY<br>ST CLAIR  | TWP SEC QTR     | DEPT. ORDER NO.    |
| MAP SECT.<br>1-448-444                                 | TOWN RANGE<br>335   | JOINT R/W REQ'D | R/W NO.<br>58071-2 |
| PROJECT NAME<br>WURM                                   | TEL. ENGR. & DIST.  |                 | MBT MEMO#          |
| TOWNSHIP<br>IRA  | SERVICE CENTER      | COMP. CODE      | MAILING CITY       |
| CIRCUIT  |                     |                 | CATV MEMO#         |
| REASON<br>NEW BUS. R/W REQUIRED                        |                     |                 | O.F.W.             |
| PLANNER<br>RJ MROZ                                     | SCALE<br>1" = N/A.' |                 | BUDGET ITEM NO.    |
|  |                     |                 | DATE<br>7-1-96     |

- 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