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CORPORATE REAL ESTATE SERVICES

Melissa DeVaugh
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

Detroit Edison Overhead Easement (Right of Way) No. 164861

On May 28, 1998, 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:

~~Robert S. Gondek and Linda Gondek, husband and wife, 11164 Marsha Place, Warren, MI 48089, and Kevin Dieckmann AND Carrie S. D'Arcy, husband and wife~~
6509 Gleaner Hall Rd., North Branch, MI 48461

"Grantee" is:

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

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

South 1/2 of the NE 1/4 S. 35

PARCEL G-4: Part of the ~~South 1/2 of the Northeast 1/4 of Section 35~~, T9N-R10E, described as beginning at a point on the East West 1/4 line that is South 89°59'20" West 1732.06 feet from the East 1/4 corner of said Section 35; thence continuing South 89°59'20" West 350 feet; thence North 00°46'00" East 1331.28 feet; thence along the North line of said South 1/2 of the Northeast 1/4, South 89°53'35" East 349.99 feet; thence South 00°46'00" West 1330.55 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 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.

RECORDED RIGHT OF WAY 58315

(2) Witnesses: (Type or print name below signature)

Grantor: (Type or print name below signature)

X _____

Robert S. Gondek

X _____

Linda Gondek

Acknowledged before me in Lapeer County, Michigan, on _____, 1998, by Robert S. Gondek and Linda Gondek, husband and wife.

DEBORAH S. HOGAN
Notary Public, Lapeer County, Michigan
My Commission Expires February 10, 1999

Notary's Stamp

Notary's Signature

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

(2) Witnesses: (Type or print name below signature)

Grantor: (Type or print name below signature)

X Betty J. Dean

Betty J. DEAN

X Lavern M. Dean

LAVERN M. DEAN

Kevin Dieckmann AKA Kevin W. Dieckmann

Carrie S. D'Arcy

Carrie S. D'Arcy

Acknowledged before me in Lapeer County, Michigan, on 5-28, 1998, by Kevin Dieckmann and Carrie S. D'Arcy, husband and wife.

DEBORAH S. HOGAN
Notary Public, Lapeer County, Michigan
My Commission Expires February 10, 1999

Notary's Stamp

Notary's Signature

2-10-99

Deborah S. Hogan

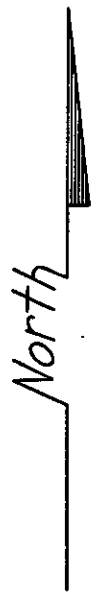
(Notary's name, county, and date commission expires)

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

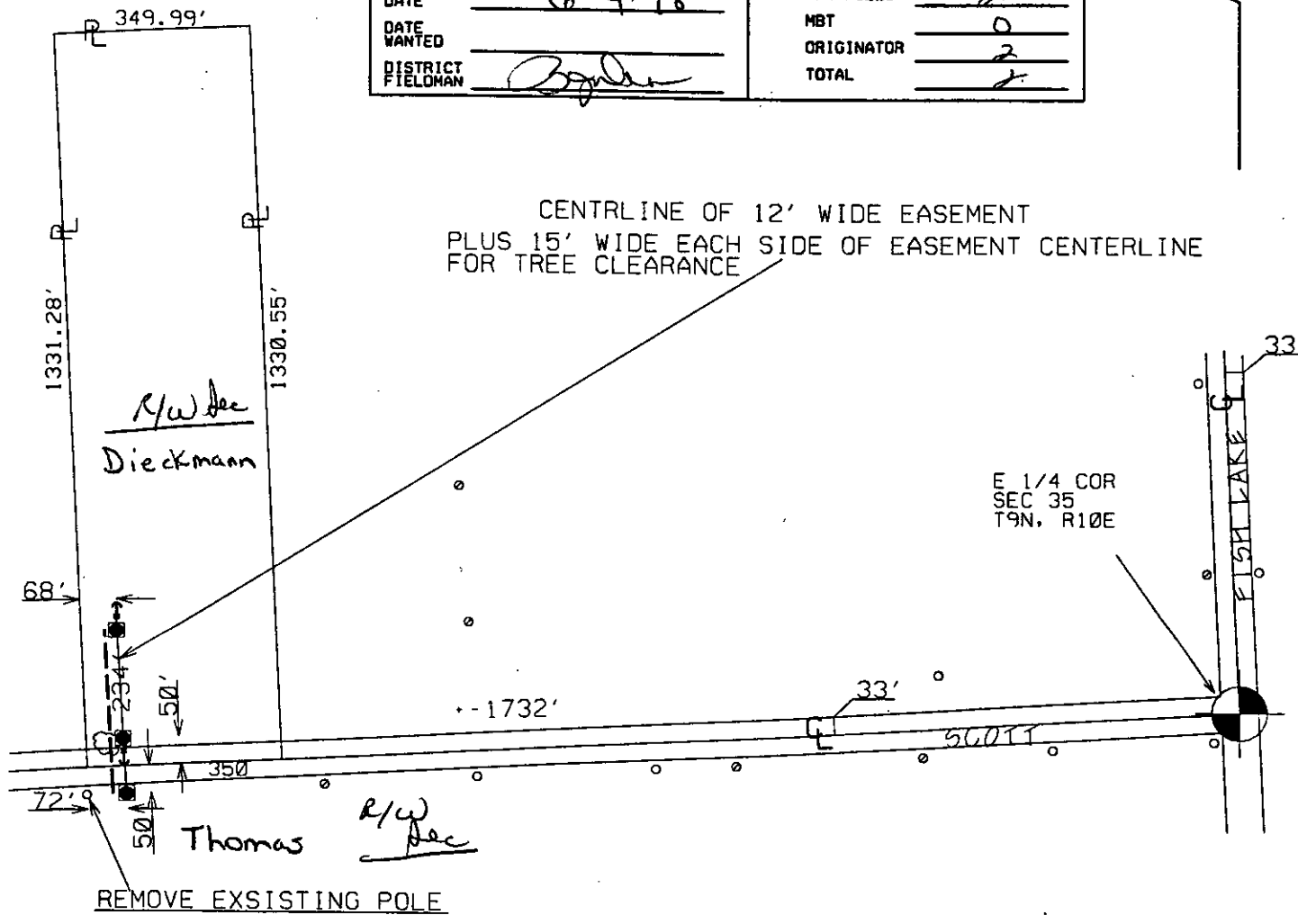
RECORDED RIGHT OF WAYS 8315

EXHIBIT A

45' & 40' POLES
 ANCHORS AT 22'
 OVERHEAD PRIMARY
 UNDERGROUND SECONDARY
 DETROIT EDISON TO REMOVE TREE



REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH BY <u>ROGER KNIGHT</u> DATE <u>6-4-98</u> DATE WANTED _____ DISTRICT FIELDMAN <u>[Signature]</u>	PERMITS TO: RECORD CENTER <u>2</u> R/W FILES <u>2</u> MBT <u>0</u> ORIGINATOR <u>2</u> TOTAL <u>2</u>
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JPL 164861

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. DEERFIELD	COUNTY LAPEER	TWP SEC QTR 35 NE	DEPT. ORDER NO.
MAP SECT. 1-280-604	TOWN RANGE 9N 10E	JOINT R/W REQ'D	R/W NO.
PROJECT NAME DIEKMANN		TEL. ENGR. & DIST.	
TOWNSHIP DFD	SERVICE CENTER	COMP. CODE	MAILING CITY
CIRCUIT		CATV MEMO#	
REASON SERV RESID SCOTT RD		O.F.W.	
PLANNER R. KNIGHT		SCALE 1" = 300'	DATE 4-16-98

RECORDED-RIGHT OF WAY 58315