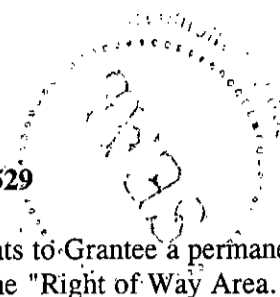


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98 AUG 28 AM 9:23



Melissa DeVaugh
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN



Detroit Edison Underground Easement (Right of Way) No. 165529

On 7/4/98, 1998, 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:

Fred Shagena and Rachel Shagena, husband and wife, 2116 Baldwin Rd., Lapeer, MI 48446

"Grantee" is:

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

"Grantor's Land" is in Lapeer Township, Lapeer County, Michigan described as: Section 36 T7N-R9E, beginning at a point on East section line that is South 01° 51' 07" West 897.70' from Northeast corner of Section, thence continuing South 01° 51' 07" West 464.53', thence North 88° 53' 32" West 375.56', thence North 01° 51' 07" East 464.53', thence South 88° 53' 32" East 375.56' to point of beginning. NW 1/4

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 are allowed in the Right of Way Area without Grantee's prior written consent.
- 4. **Excavation:** Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating 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 can 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 will 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 will 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 and assigns.

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

X Pati S. Ries
PATI S. RIES

X Betty Dean
Betty DEAN

Grantor: (Type or print name below signature)

Fred Shagena
Fred Shagena

Rachel Shagena
Rachel Shagena

RECORDED R/W FILE NO. 58748

Acknowledged before me in Lapeer County, Michigan, on July 14, 1998, by Fred Shagena and Rachel Shagena, husband and wife.

Notary's Stamp

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

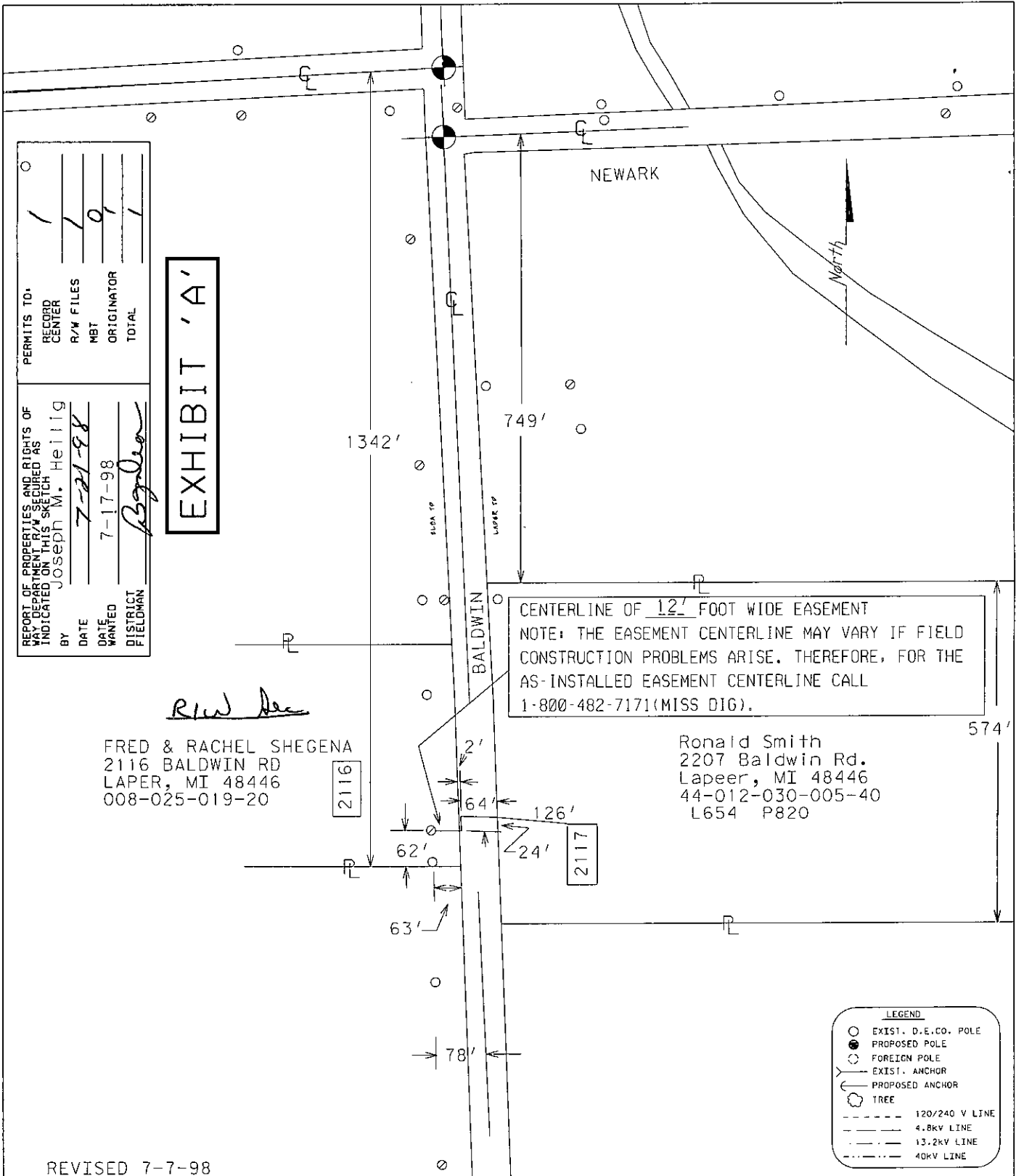
Notary's Signature

Karen Lynn Koecen
Karen Lynn Koecen

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



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RECORDED R/W FILE NO. 58748

R/W Description 2117 BALDWIN ROAD - RES				PD 4	SRW 5	PH 15	PLC 18	Conj. Group B	R/W Number 165529	
Circuit #1 DC 8761 HUNTC	Circuit #2	Service Center #1 Lapeer	Service Center #2 Imlay City	COH 20	COS 0	CUG 0	CUL 0	CUT 0	CUS 0	
Worksite City LAPEER		Worksite Twp. LAPEER TWP		Worksite County Lapeer						
Town 7N	Range 10E	Sect 30	Qtr NW	Planner Name Heilig, Joseph M		CommIt Date 8/27/1998	Scale NONE	Plot Date 7/7/1998		