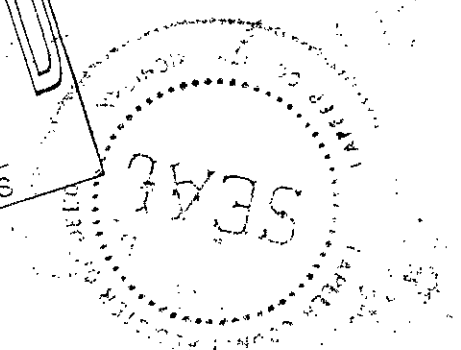
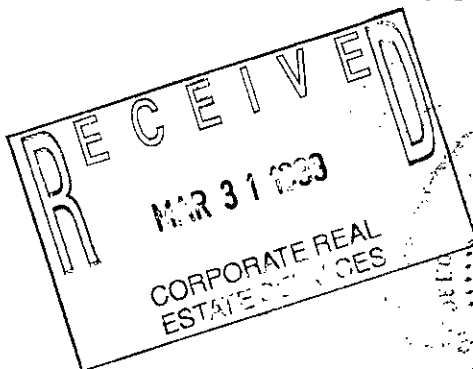


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Melissa DeVaugh
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

Detroit Edison Overhead and Underground Easement (Right of Way) No. 184068

On Sept 28, 1998, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area."

"Grantor" is:

David Yelland and Mary A. Yelland, husband and wife, 68 W. Burnside Rd., Fostoria, MI 48435

"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:

Parcel F: That part of the Northeast 1/4 of Section 9, T9N-R10E, Deerfield Township, Lapeer County, Michigan, described as: Beginning at the East 1/4 corner of said Section, thence South 89° 41' 13" West 324.82' along the South line, Northeast 1/4 of said Section, thence North 00° 09' 55" East 664.10', thence North 89° 46' 08" East 324.81', thence South 00° 09' 55" West 663.64' to the South line, Northeast 1/4 of said Section and place of beginning. Subject to highway right of way for Falkenbury Road. Parcel contains 4.95 acres.

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

A 10' 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 Shannon E. McKinney
SHANNON E. McKinney

X Betty Dean
Betty Dean

Grantor: (Type or print name below signature)

David Yelland
David Yelland

Mary A. Yelland
Mary A. Yelland

Acknowledged before me in Lapeer County, Michigan, on Sept 28, 1998, by David Yelland and Mary A. Yelland, husband and wife.

BETTY J. DEAN
Notary Public, Lapeer County, MI
My Commission Expires Jan. 9, 1999
Notary's Stamp

Notary's Signature Betty J. Dean

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

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11

