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CORPORATE REAL  
ESTATE DIVISION

SEAL  
LAPPEER COUNTY MICHIGAN

Melissa DeVaugh  
REGISTER OF DEEDS  
LAPEER COUNTY, MICHIGAN

**Detroit Edison Underground Easement (Right of Way) No. 188673**

On AUGUST 27, 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:

Frederick Ross and Carole H. Ross, husband and wife, 4132 Waterland Dr., Metamora, MI 48455

"Grantee" is:

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

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

T6N-R9E, the West 1/2 of P. of Northeast 1/4 beginning at a point that is West 1062.72', and South 787.45' from the Northeast corner of Section 3, thence South 797.52', thence South 39° 55' 14" West 176.03', thence North 50° 33' 37" West 212.51', thence North 718.83' to the centerline of Waterland Dr., thence North 74° 30' East 269.79' along centerline of Waterland Dr., thence along a curve left, radius 92.05' chord bearing and distance North 68° 49' 01" East 18.25' to the point of beginning. 5.24 acres. Subject to and including an easement for ingress and egress.

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)

Grantor: (Type or print name below signature)

X Jill K. DeSmit  
JILL K. DESMIT

Frederick Ross  
Frederick Ross

X JANET L. MOORE  
JANET L. MOORE

Carole H. Ross  
Carole H. Ross

Acknowledged before me in Genesee County, Michigan, on August 27, 1998, by Frederick Ross and Carole H. Ross, husband and wife.

Notary's Stamp  
RENE S. SANBORN  
Notary Public, Genesee County, MI  
My Commission Expires June 26, 2000  
(Notary's name, county, and date commission expires)

Notary's Signature  
Rene Sanborn

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

RECORDED R/W FILE NO. 859379

GENESEE COUNTY MICHIGAN  
NOTARY PUBLIC  
RENE S. SANBORN  
COMMISSION EXPIRES JUNE 26, 2000

11

NE 1/4  
SECT. 3  
6N-9E  
HADLEY

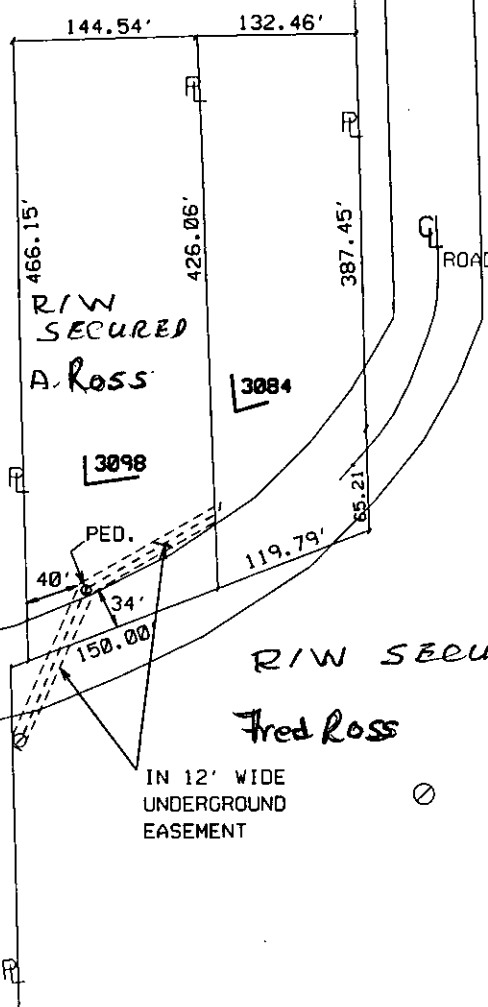
STEWART

EXHIBIT "A"

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY	CHRIS DIXON	RECORD CENTER	2
DATE	9-1-98	R/W FILES	2
DATE WANTED		MBT	0
DISTRICT FIELDMAN	G. KENNEY	ORIGINATOR	2
		TOTAL	2

WATERLAND

North



RECORDED R/W FILE NO. R 59379

JPL 188673

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
CITY OR TWP.	COUNTY	TWP SEC OTR	DEPT. ORDER NO.
HADLEY	LAPEER	3 NE	
MAP SECT.	TOWN	RANGE	JOINT R/W REG'D
	6N	9E	
PROJECT NAME	TEL. ENGR. & DIST.		MBT MEMO#
ROSS			
TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
HAD			
CIRCUIT			D.F.W.
REASON	BUDGET ITEM NO.		DATE
NEW RES. AT 3098 WATERLAND DR			8-20-98
PLANNER	SCALE		
CHRIS DIXON	1" = 100'		

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