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Melissa DeVaugh
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

Detroit Edison Overhead Easement (Right of Way) No. 198963

On NOVEMBER 6, 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:

Autozone, Inc., dba Autozone (Michigan), Inc., a Michigan corporation, Dept. 8700, P.O. Box 2198, Memphis, TN 38101-2198

"Grantee" is:

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

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

A part of the Southeast 1/4 of Section 17, T7N-R12E, City of Imlay City, Imlay Township, Lapeer County, Michigan, and being more particularly described as: Beginning at found 1/2 inch capped iron (No. 20712) which is North 05° 20' 55" East 50.77' (50.90' record) from a point on the South line of said Section 17, which is North 85° 15' 00" East 102.10' (record) from the South 1/8 corner of said Section 17, T7N-R12E, thence along the Easterly right of way line of M-53 (Cedar Street) around a 3531.10' radius curve to the right an arc distance of 153.25' to the end of a chord which bears North 07° 00' 45" East and having a distance of 153.24' to a found 1/2 inch iron (No. 33968), thence North 85° 15' 44" East 377.15' (North 85° 15' 00" East 376.98' record) to a found 1/2 inch iron (No. 33968), thence South 04° 46' 23" East 166.93' (South 04° 45' 00" East 167.00' record) to an iron found (No. 33968) on the North right of way line of First Street, thence along said right of way line for the next three courses, South 85° 15' 00" West 299.09' (299.04' record) to a found 1/2 inch iron (No. 20712) and North 04° 37' 34" West 16.95' (North 04° 45' 00" West 17.00' record) to a found 1/2 inch iron (No. 20712), and South 85° 16' 08" West 109.41' (South 85° 15' 00" West 109.36' record) 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.

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

X Michelle E. Mann
MICHELLE E. MANN

X Deana Barber
DEANA BARBER

Grantor: (Type or print name below signature)

By: David W. Barczak
David W. Barczak, Vice President

By: Lawrence E. Evans
Lawrence E. Evans, Executive Vice President

Acknowledged before me in Shelby County, ~~Michigan~~ Tennessee on November 6, 1998, by David W. Barczak & Lawrence E. Evans V. Pres. & Exec V. Pres. for AutoZone (Michigan), Inc., a Michigan corporation.

Notary's Stamp DEBORAH L. RILEY
(Notary's name, county, public commission expires)

Notary's Signature Deborah L. Riley

RECORDED R/W FILE NO. R 59401

EXHIBIT A

GTW RR

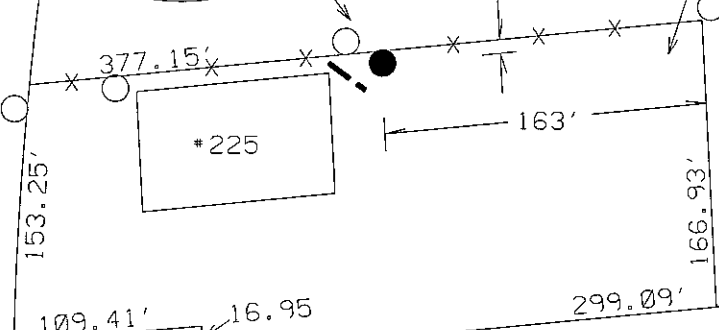
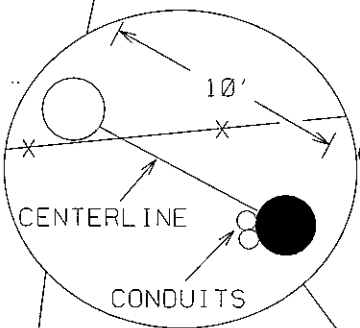
North

R/W SECURED

AUTOZONE INC.
60 MADISON AVE.
MEMPHIS, TN 38103
ATTN: DAVE BENTLEY

NOTE:
CROSSARM CONSTRUCTION INVOLVED.
NO NEW ANCHORS INVOLVED.
NO TREE REMOVAL INVOLVED.
ALL DIMENSIONS ARE APPROXIMATE.
ELECTRICIAN TO INSTALL TWO 4" CONDUITS,
TO DETROIT EDISON SPECS, TO THE WEST
SIDE OF NEW POLE AS SHOWN.

NO R/W REQUIRED
ON THIS PARCEL.



REPORT OF PROPERTIES AND RIGHTS OF
WAY DEPARTMENT R/W SECURED AS
INDICATED ON THIS SKETCH

BY _____
DATE 11-9-98
DATE WANTED 10-27-98
DISTRICT FIELDMAN G. KENNEY

PERMITS TO:	
RECORD CENTER	1
R/W FILES	1
MBT	0
ORIGINATOR	1
TOTAL	1

E FIRST

JPL 198963

S 1/8 COR
SE 1/4
SEC 17

REVISED DRAWING 10-28-98
PER REQUEST FROM AUTOZONE.

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. IMLAY CITY	COUNTY LAPEER	TWP SEC QTR 17	DEPT. ORDER NO.	
MAP SECT. 1-337-556	TOWN RANGE 7N 12E	JOINT R/W REQ'D	R/W NO. 198963	
PROJECT NAME AUTOZONE	TEL. ENGR. & DIST. NONE	MBT MEMO#		
TOWNSHIP IML	SERVICE CENTER LAP	COMP. CODE UC	MAILING CITY IML	CATV MEMO#
CIRCUIT 301 IMLAY 4.8 KV	REASON NEW STORE 225 S. CEDAR ST.			O.F.W.
PLANNER GREG STOCKMAN	SCALE 1" = NONE'	DATE 10-13-98		