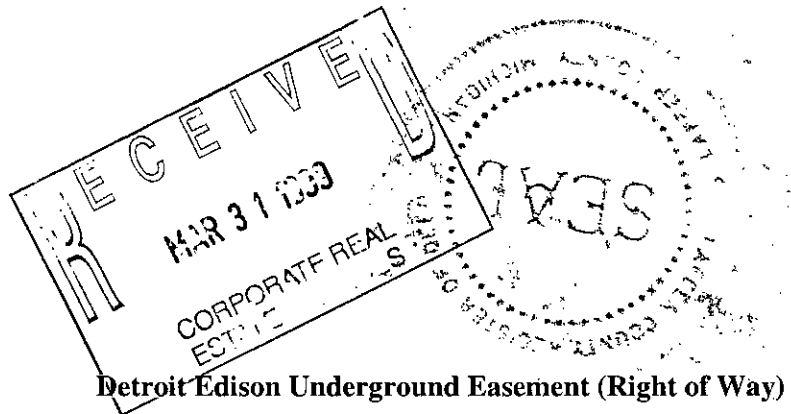


98 NOV 17 PM 4:20

Melissa DeVaugh  
REGISTER OF DEEDS  
LAPEER COUNTY, MICHIGAN



**Detroit Edison Underground Easement (Right of Way) No. 166682**

On 9-10-98, 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:**

Bruce Hemingway, Jr. and Karen Hemingway, husband and wife  
3533 Arivaca Drive  
Millington, MI 48746

**"Grantee" is:**

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

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

Section 9, T9N, R9E East 1/2 of the East 1/2 of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Northeast 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 [Signature]  
RUSSELL S DAWSON

X [Signature]  
Theresa Koehler

**Grantor:** (Type or print name below signature)

[Signature]  
Bruce Hemingway, Jr.

[Signature]  
Karen Hemingway

Acknowledged before me in LAPEER County, Michigan, on 9-16-98, 1998, by Bruce Hemingway, Jr. and Karen Hemingway, husband and wife.

**Russell S. Dawson**  
Notary Public-Lapeer County Michigan  
My Commission Expires 7-2-99

Notary's Stamp

Notary's Signature

[Signature]

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

Prepared by and Return to: Betty Dean, LapSC, 1075 Suncrest Drive, Lapeer, MI 48446bj

RECORDED R/W FILE NO. 159473

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

BY: CA

DATE: 10-7-98

DATE WANTED: \_\_\_\_\_

DISTRICT FIELDWORK: Boone

PERMITS TO:

RECORD CENTER	4
R/W FILES	4
NET	0
ORIGINATOR	4
TOTAL	4

CENTERLINE OF 12' FOOT WIDE EASEMENT  
 NOTE: THE EASEMENT CENTERLINE MAY VARY IF FIELD CONSTRUCTION PROBLEMS ARISE. THEREFORE, FOR THE AS-INSTALLED EASEMENT CENTERLINE CALL 1-800-482-7171(MISS DIG).



R/W Sec  
Parcels A-E  
Paul & Lori Abbey  
 N 1/4 cor  
 Sec 9

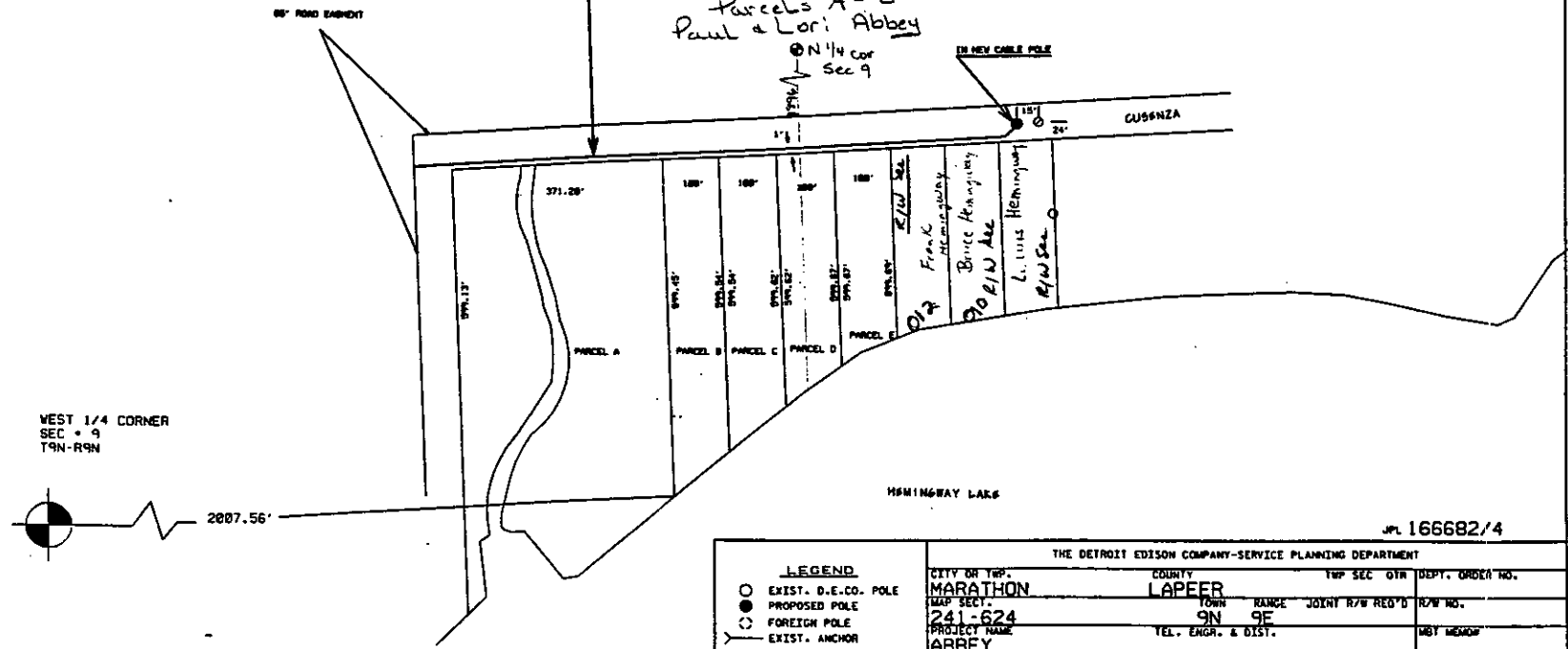


EXHIBIT A

LEGEND				
○	EXIST. D.E.CO. POLE			
●	PROPOSED POLE			
○	FOREIGN POLE			
○	EXIST. ANCHOR			
○	PROPOSED ANCHOR			
○	TREE			
- - - -	120/240 V LINE			
- - - -	4800 V LINE			
- - - -	15,200 V LINE			
- - - -	40,000 V LINE			

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT				
CITY OR TWP. MARATHON	COUNTY LAPPEER	TWP SEC 09N	DEPT. ORDER NO.	
MAP SECT. 241-624	TOWN RANGE JOINT R/W REQ'D	9N 9E	R/W NO.	
PROJECT NAME ABBEY	TEL. ENGR. & DIST.		MSY MEMOR	
TOWNSHIP MTN	SERVICE CENTER LAP	COMP. CODE	MAILING CITY	CATV MEMOR
CIRCUIT				O.P.N.
LAND SPLIT				BUDGET ITEM NO.
LAND SPLIT				
PLANNER C. AMEY	SCALE 1"=NONE'		DATE 8-25-98	

FILED 138 PAGE 0235