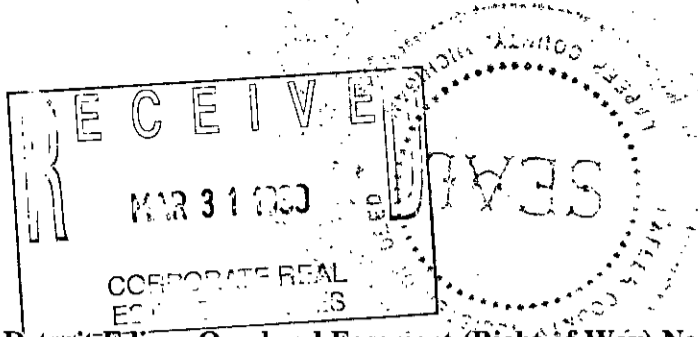


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Melissa DeVaugh
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

Detroit Edison Overhead Easement (Right of Way) No. 178960

On Sept 22, 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:

Scott A. Howarth, a single man, 33232 Brownlea, Sterling Hts, MI 48312

"Grantee" is:

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

"Grantor's Land" is in Metamora Township, Lapeer County, Michigan described as: NE 1/4 Section 6, T6N-R10E, Parcel E, Commencing Northeast corner Section 6, thence West 550.00', thence South 860.00', thence South 30° West 381.05', thence South 900.00', thence South 30° East 381.05', thence South 124.16' to point of beginning. Thence South 357.00', thence South 89° East 550.10', thence North 357.00', thence North 89° West 550.10' to point of beginning. Contains 4.5 acres.

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)

Grantor: (Type or print name below signature)

X

Scott A. Howarth, a single man

X
Kenneth A. Neal

Acknowledged before me in Oakland County, Michigan, on 22nd Sept, 1998, by Scott A. Howarth, a single man.

Notary's Stamp

Notary Public, Oakland County, MI
My Commission Expires 07/24/03
7/24/03
(Notary's name, county, and date commission expires)

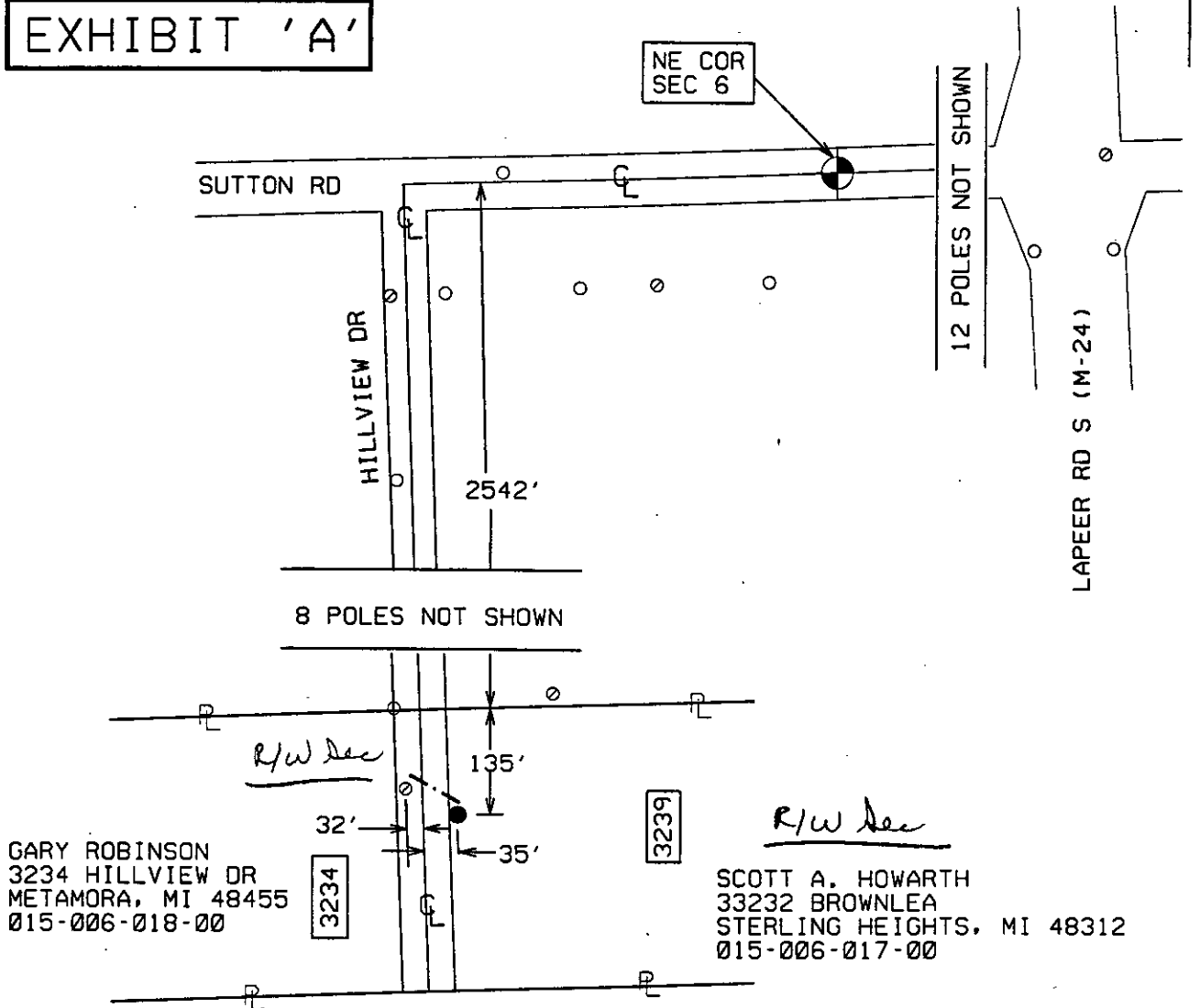
Notary's Signature

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

RECORDED R/W FILE NO. R59498

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY	JOSEPH M. HEILIG	RECORD CENTER	2
DATE	10-8-98	R/W FILES	20
DATE WANTED	9-21-98	MBT	2
DISTRICT FIELDMAN	<i>Boyer</i>	ORIGINATOR	2
		TOTAL	2

EXHIBIT 'A'



JPL

<p>LEGEND</p> <ul style="list-style-type: none"> ○ 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.	COUNTY	TWP SEC QTR	DEPT. ORDER NO.
	METAMORA TWP	LAPEER	6 NE	
	MAP SECT.	TOWN	RANGE	JOINT R/W REQ'D
	1-268-536	6N	10E	
	PROJECT NAME	TEL. ENGR. & DIST.		R/W NO.
	SCOTT HOWARTH			R-178960/5
	TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
	MET	LPR	UC	MET
	CIRCUIT	REASON		CATV MEMO#
DC 8761 HUNTC 13.2 KV	NEW RES @ 3239 HILLVIEW DR		O.F.W.	
PLANNER	SCALE		BUDGET ITEM NO.	
J. M. HEILIG	1" = NONE'		00054	
			DATE	
			8-21-98	

RECORDED R/W FILE NO. 859498