

Melissa DeVaugh  
REGISTER OF DEEDS  
LAPEER COUNTY MICHIGAN

RECORDED R/W FILE NO. R 66637

**Detroit Edison Overhead Easement (Right of Way) No. 280067**

On 9-22-00, 2000, 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:**

Steven J. Nihranz and Kelly Nihranz, husband and wife, 5838 Hollow Corner, Dryden, MI 48428

**"Grantee" is:**

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

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

Parcel B: Part of the North 1/2 of the South 1/2 of the Northeast 1/4 of fractional Section 1, T8N-R11E, Arcadia Township, Lapeer County, Michigan, described as beginning at a point on the East line of said Section 1, that is North 02° 18' 57" West 893.56' from the East 1/4 corner of Section 1, T8N-R11E, thence South 87° 35' 22" West 114.34', thence South 02° 18' 57" East 28.23', thence South 87° 35' 22" West 374.06', thence South 02° 18' 57" East 171.77', thence South 87° 35' 22" West 2135.97' to a point on the North-South 1/4 line of said Section 1, thence along said 1/4 line, North 01° 44' 36" West 702.88', thence North 87° 39' 43" East 2617.35' to a point on the East line of said Section 1, thence along said East line, South 02° 18' 57" East 499.52' to the point of beginning. Contains 40.19 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 Tom Motley  
TOM MOTLEY

Steven J. Nihranz  
Steven J. Nihranz

X Ashley Anderson  
ASHLEY ANDERSON

Kelly Nihranz  
Kelly Nihranz

Acknowledged before me in LAPEER County, Michigan, on SEPT 22, 2000, by Steven J. Nihranz and Kelly Nihranz, husband and wife.

Notary's Stamp  
CONNIE MAE MOTLEY  
NOTARY PUBLIC LAPEER CO., MI  
MY COMMISSION EXPIRES APR 14, 2003

Notary's Signature  
Connie Mae Motley  
April 14, 2003  
Connie Mae Motley

Prepared by and Return to: Betty J. Dean, LapSC, 1100 Clark Rd., Lapeer, MI 48446/mas

EXHIBIT A

40' POLES  
OVERHEAD PRIMARY  
UNDERGROWND SECONDARY  
ANCHORS AT 24'

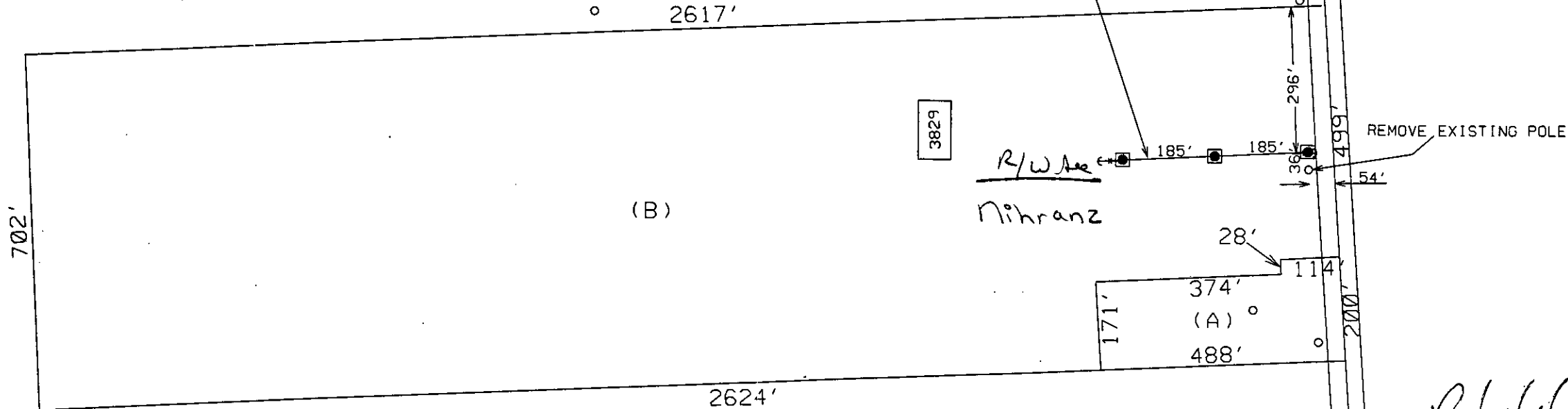
N.E. COR.  
SEC 1,  
T8N-R11E

CLEAR LAKE

North

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY	ROGER KNIGHT	RECORD CENTER	1
DATE	10-2-2000	R/W FILES	1
DATE WANTED		HST	0
DISTRICT FIELDMAN	<i>[Signature]</i>	ORIGINATOR	1
		TOTAL	1

CENTERLINE OF 12' WIDE EASEMENT PLUS 15' WIDE EACH SIDE OF EASEMENT CENTERLINE FOR TREE CLEARANCE



RECORDED R/W FILE NO. R 66659

JPL 280067

<p><b>LEGEND</b></p> <p>○ EXIST. D.E.CO. POLE</p> <p>● PROPOSED POLE</p> <p>○ FOREIGN POLE</p> <p>○ EXIST. ANCHOR</p> <p>○ PROPOSED ANCHOR</p> <p>○ TREE</p> <p>--- 120/240 V LINE</p> <p>--- 4800 V LINE</p> <p>--- 13,200 V LINE</p> <p>--- 40,000 V LINE</p>	THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
	CITY OR TWP.	COUNTY	TWP SEC	QTR
	ARCADIA	LAPEER	1	NE
	MAP SECT.	TOWN	RANGE	JOINT R/W REG'D
		8N	11E	
	PROJECT NAME	TEL. ENGR. & DIST.		MBY MEMO#
	NIHRANZ			
	TOWNSHIP	SERVICE CENTER	COMP. CODE	MAILING CITY
	LAP	LAP		
	CIRCUIT			O.F.W.
REASON	SERV NEW RESID. 3829 SUMMERS		BUDGET ITEM NO.	
PLANNER	R. KNIGHT		DATE	
	SCALE 1" = 200'		03-23-00	

LIBER 1304 PAGE 0971