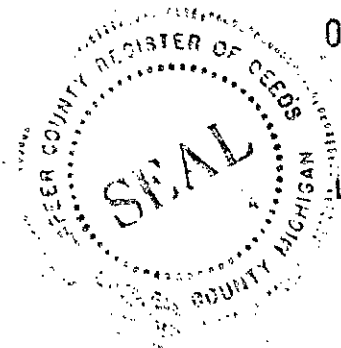


02 SEP -3 AM 9: 22



Melissa DaVough
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

71238

RECORDED R/W FILE NO.

Detroit Edison Overhead Easement (Right of Way) No. 434663

On August 27, 2002, 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:

Michael J. Tomlan Jr. and Rosemary Tomlan, husband and wife, 8960 Almont Rd., Almont, MI 48003

"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:

The North 1/2 of the South 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 20, T8N-R11E, Arcadia Township, Lapeer County, Michigan. More particularly described as beginning at a point on the West Section line which is South 00 degrees 04 minutes 58 seconds East along said West Section line (recorded as South 00 degrees 04 minutes 46 seconds East), 661.97 feet from the Northwest Corner of Section 20; thence North 89 degrees 39 minutes 38 seconds East (recorded as North 89 degrees 39 minutes 47 seconds East 1308.13 feet), 1308.10 feet; thence South 00 degrees 14 minutes 17 seconds East (recorded as South 00 degrees 14 minutes 18 seconds East), 331.18 feet; thence South 89 degrees 40 minutes 12 seconds West 1309.00 feet, to a point on said West Section line; thence North 00 degrees 04 minutes 48 seconds East along said West Section line (recorded as North 00 degrees 04 minutes 46 seconds East), 330.97 feet 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.

Grantor:

Michael J. Tomlan Jr.

Michael J. Tomlan Jr.

Rosemary Tomlan

Rosemary Tomlan

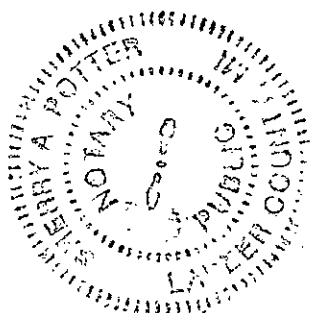
Acknowledged before me in Lapeer County, Michigan, on August 27, 2002, by Michael J. Tomlan Jr. and Rosemary Tomlan, husband and wife.

SHERRY A. POTTER
Notary's Stamp
Notary Public, Lapeer County, MI
My Commission Expires Dec 10, 2004

Notary's Signature
Sherry A. Potter

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

Prepared by and Return to: Gary W. Kenney, Lap.SC, 1100 Clark Rd., Lapeer, MI 48446/gwk



LIBER 1561 PAGE 0910

RECORDED R/W FILE NO. 71238

North

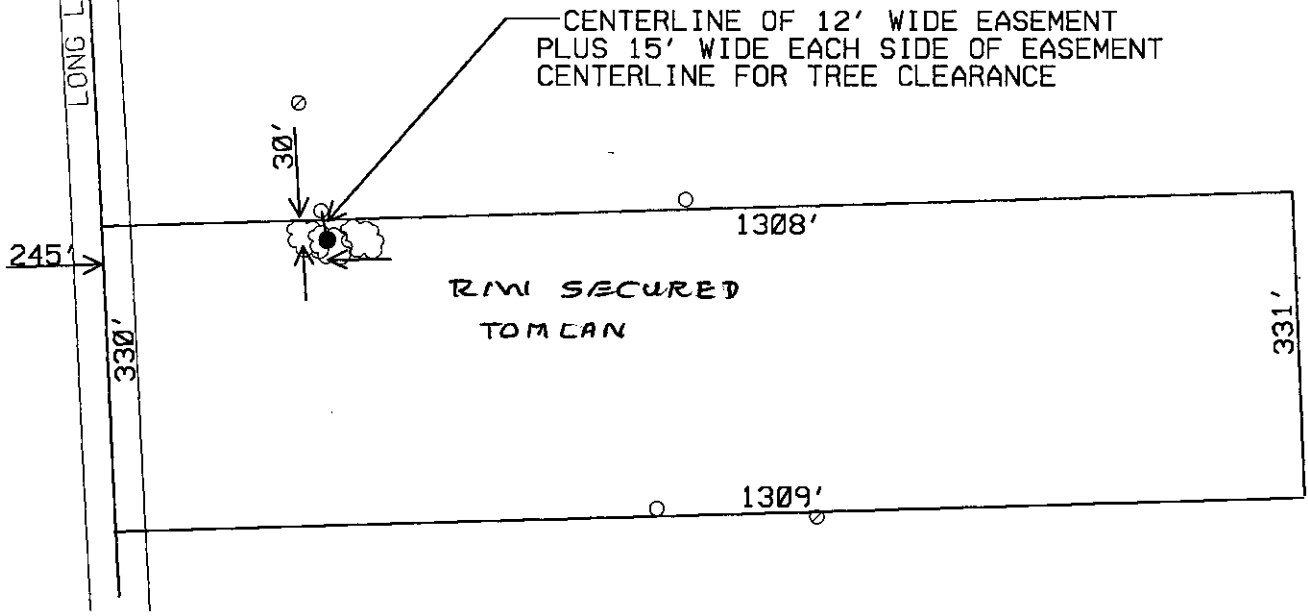


N.W. COR,
SEC 20,
T8N-R11E

EXHIBIT A

40' POLE
OVERHEAD PRIMARY
UNDERGROUND SECONDARY
DETROIT EDISON TO
REMOVE TREES

<p>REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH</p> <p>BY <u>ROGER KNIGHT</u></p> <p>DATE <u>8-28-02</u></p> <p>DATE WANTED _____</p> <p>DISTRICT FIELDMAN <u>G. KENNEY</u></p>	<p>PERMITS TO:</p> <p>RECORD CENTER <u>1</u></p> <p>R/W FILES <u>1</u></p> <p>MBT <u>0</u></p> <p>ORIGINATOR <u>1</u></p> <p>TOTAL <u>1</u></p>
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JPL 434663

<p style="text-align: center;"><u>LEGEND</u></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. ARCADIA	COUNTY LAPEER	TWP SEC QTR 20 NW	DEPT. ORDER NO.
	MAP SECT.	TOWN RANGE 8N 11E	JOINT R/W REQ'D	R/W NO.
	PROJECT NAME TOMLAN	TEL. ENGR. & DIST.		MBT MEMO#
	TOWNSHIP LAP	SERVICE CENTER	COMP. CODE	MAILING CITY
	CIRCUIT			O.F.W.
REASON SERV NEW RESID, 2440 LONG LAKE RD.			BUDGET ITEM NO.	
PLANNER R. KNIGHT	SCALE 1" = 200'		DATE 08-21-02	

800117

MISC D	9.00
ESMT	P0009
REMONT	2.00