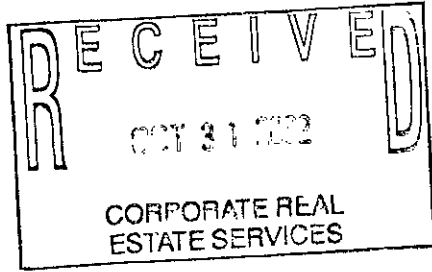


RECEIVED FOR RECORD

02 SEP 20 AM 9:30

Melissa DeVaugh  
REGISTER OF DEEDS  
LAPEER COUNTY, MICHIGAN



RECORDED R/W FILE NO. 71472

**Detroit Edison Overhead Easement (Right of Way) No. 440064**

On Sept. 3, 2002, 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: \* AKA Larry McDowell *esp*

Larry J. McDowell and Kay McDowell, husband and wife and Mark J. McDowell, a single man, 3451 Williams Road, Columbiaville, MI 48421

Kathleen Fitzcrane, 3529 Williams Road, Columbiaville, MI 48421

"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:**

Parcel 1

Part of the NE 1/4 of the SE 1/4 of Section 26, T9N R9E, described as beginning at a point on the East-West quarter line that is S89°49'43" West 579.76' from the East 1/4 corner of said Section 26; thence South 00°49'56" East 350.00'; thence S89°49'43" West 746.60'; thence North 00°49'56" West 350.00'; thence along said East-West quarter line, North 89°49'43" East 746.60' 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 along with tree clearance, 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:

Mark J. McDowell  
Mark J. McDowell, a single man

Grantor:

Larry J. McDowell  
Larry J. McDowell AKA Larry McDowell  
Kay McDowell  
Kay McDowell

RECORDED R/W FILE NO. 71472

Acknowledged before me in Lapeer County, Michigan, on Sep. 3, 2002, by Larry J. McDowell\* and Kay McDowell, husband and wife and Mark J. McDowell, a single man.

**SARAH HOLTZ**  
**Notary Public, Lapeer County, MI**  
**My Commission Expires Dec. 19, 2002**  
**Acting in Wayne County, MI**  
*(Notary's name, county, and date commission expires)*

\*AKA Larry McDowell BD

Notary's Signature [Signature]

Grantor:

Kathleen Fitzcrane  
Kathleen Fitzcrane

Acknowledged before me in Lapeer County, Michigan, on Sep. 3, 2002, by Kathleen Fitzcrane.

**SARAH HOLTZ**  
**Notary Public, Lapeer County, MI**  
**My Commission Expires Dec. 19, 2002**  
**Acting in Wayne County, MI**  
*(Notary's name, county, and date commission expires)*

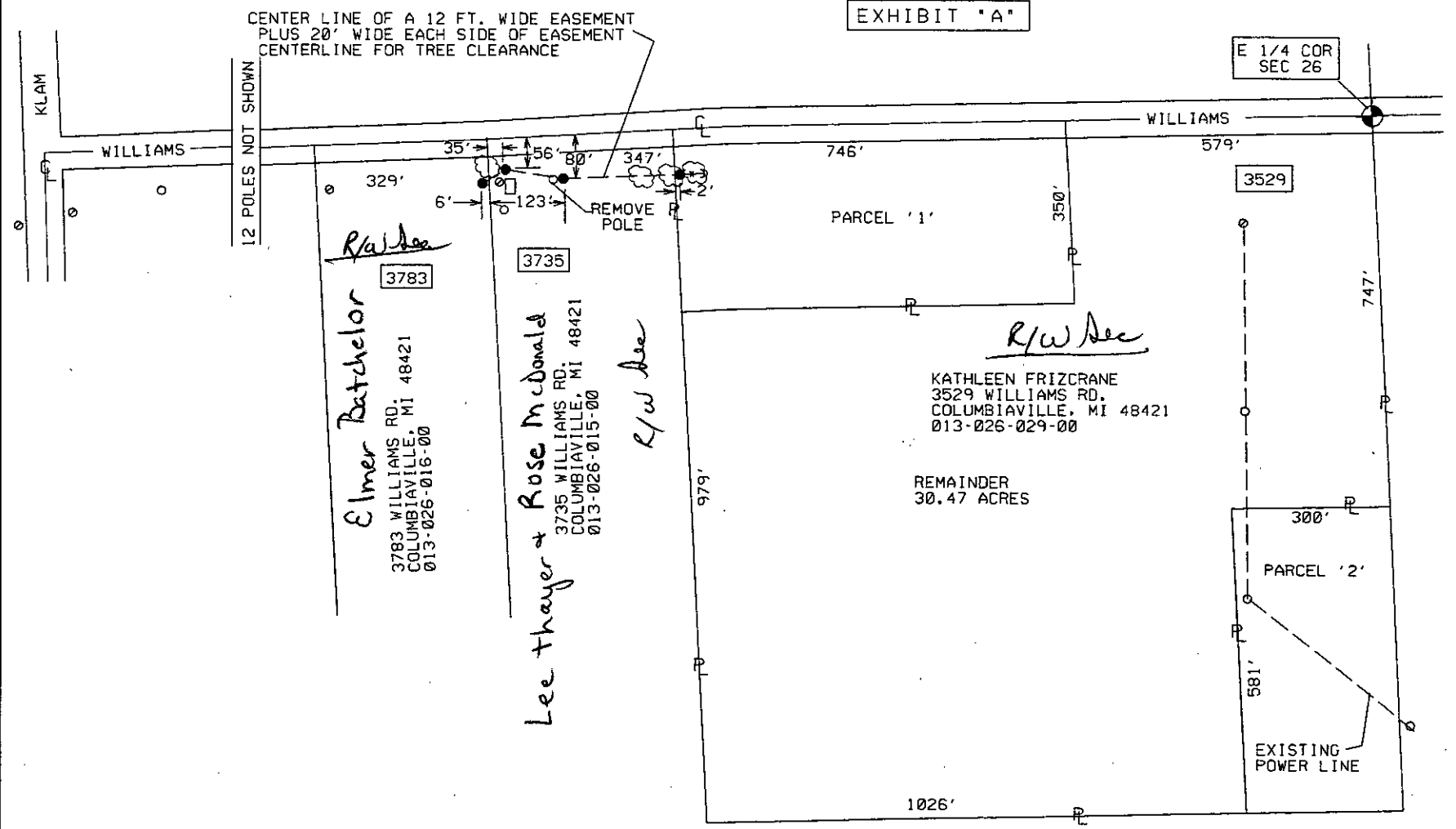
Notary's Signature [Signature]

Prepared by and Return to: Betty J. Dean, lapsc, 1100 Clark Road, Lapeer, MI 48446bj

71472

RECORDED R/W FILE NO.

EXHIBIT "A"



REPORT OF R/W FACILITATOR, R/W SECURED AS INDICATED ON THIS SKETCH.

BY: JH  
 DATE: 9-5-02  
 DATE WANTED: \_\_\_\_\_  
 FACILITATOR: [Signature]

PERMITS YD: \_\_\_\_\_  
 RECORD CENTER: 3  
 R/W FILES: \_\_\_\_\_  
 TELEPHONE: \_\_\_\_\_  
 ORIGINATOR: \_\_\_\_\_  
 TOTAL: \_\_\_\_\_

THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT

CITY OR TWP: MARATHON TWP COUNTY: LAFEE TWP SEC: 26 NE

PROJECT NAME: K. FRIZCRANE TEL. CARR. & DIST. 9N 9E 440064 JA

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

DESIGNER: J.M. HEILIG

DATE: 8-29-02

SCALE: NONE

LEGEND:  
 ○ EXIST. S.E.CO. POLE  
 ⊙ PROPOSED POLE  
 ⊕ FOREIGN POLE  
 ⊙ EXIST. ANCHOR  
 ⊙ PROPOSED ANCHOR  
 ○ TREE  
 --- 120/240 V LINE  
 --- 4800 V LINE  
 --- 15,000 V LINE  
 --- 40,000 V LINE

MISC D	11.00
ESMT	P0009
REMOBT	2.00