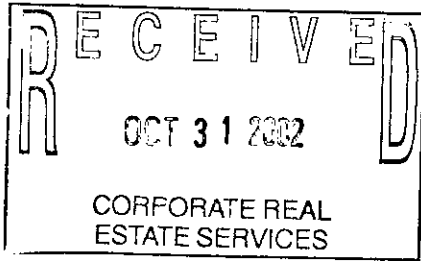


RECEIVED FOR RECORD

02 SEP 20 AM 9:30



Melissa DeVaugh  
REGISTER OF DEEDS  
LAPEER COUNTY, MICHIGAN

71473

RECORDED R/W FILE NO.

**Detroit Edison Underground Easement (Right of Way) No. 368807**

On Sept. 3, 2002, 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:**

Wallace T. Wallington and Nora M. Wallington, husband and wife and Maryanne M. Wallington, 1252 Grosbeck, Lapeer, MI 48446

**"Grantee" is:**

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

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

Part of the NW 1/4 of the SE 1/4 of Section 36, T8N R10E described as beginning at a point on the West line of said SE 1/4 which is N00°04'37" East, along said West line, 2314.51' from the South 1/4 corner of said Section 36; thence continuing N00°04'37" East, along said West line, 66.00'; thence S89°16'43" East, parallel with the North line of said Southeast 1/4, 505.37'; thence S47°15'06" West 95.93'; thence N89°16'43" West, parallel with said North line, 435.00' to the point of beginning.

**The "Right of Way Area" is a part of Grantor's Land and is described as:**

The South 12' of the East 90' of said Grantor's land, 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.

**Grantor:**

Wallace T. Wallington  
Wallace T. Wallington

Nora M. Wallington  
Nora M. Wallington

Maryanne M. Wallington McMartry  
Maryanne M. Wallington AKA Maryanne M. Wallington - McMartry

Acknowledged before me in Lapeer County, Michigan, on SEP 03 2002, 2002, by Wallace T. Wallington and Nora M. Wallington, husband and wife and Maryanne M. Wallington.\* AKA Maryanne M. Wallington - McMartry

TAMRA LEE BENTLEY  
NOTARY PUBLIC LAPEER CO., MI  
MY COMMISSION EXPIRES Jan 11, 2006

Notary's Signature Tamra Lee Bentley

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

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

71473

RECORDED R/W FILE NO.

GROSBECK RD.

333.00'

790.00'

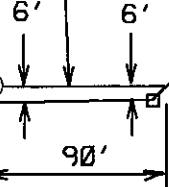
INT. 1/4 COR. - SEC. 36  
T8N - R10E

Wallington *R/W Sec*

CENTER OF 12' UNDERGROUND EASEMENT

EXISTING 40' POLE

484.00'



435.00'

North

BOWERS RD.

EXHIBIT "A"

|   |                    |               |          |
|---|--------------------|---------------|----------|
| REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH |                    | PERMITS TO:   |          |
| BY  | <u>DD.</u>         | RECORD CENTER | <u>1</u> |
| DATE  | <u>9-3-02</u>      | R/W FILES     | <u>1</u> |
| DATE WANTED   |                    | MBT           | <u>0</u> |
| DISTRICT FIELDMAN   | <i>[Signature]</i> | ORIGINATOR    | <u>1</u> |
|   |                    | TOTAL         | <u>1</u> |

|                            |            |                   |                   |               |                 |             |            |     |     |
|----------------------------|------------|-------------------|-------------------|---------------|-----------------|-------------|------------|-----|-----|
| RFW Description            |            | PD                | SRW               | PH            | PLC             | Conj. Group | RFW Number |     |     |
| 1238 GROSBECK RD - NEW RES |            | 34                | 35                | 0             | 0               | C           | 368807     |     |     |
| Circuit #1                 | Circuit #2 | Service Center #1 | Service Center #2 | COH           | COS             | CUG         | CUL        | CUT | CUS |
| DC 8765 LAPER              |            |                   |                   | 50            | 0               | 0           | 0          | 0   | 0   |
| Worksite City              |            |                   |                   |               | Worksite County |             |            |     |     |
| MAYFIELD                   |            |                   |                   |               |                 |             |            |     |     |
| Town                       | Range      | Sect              | Qtr               | Planner Name  | Commit Date     | Scale       | Plot Date  |     |     |
| 8N                         | 10E        | 36                | INT 1/4           | Debus, Daniel | 8/28/2002       | 1" = 100'   | 8/28/2002  |     |     |

REC'D BY MAIL UNIT

APR 19 1968

|        |       |
|--------|-------|
| MISC D | 9.00  |
| ESMT   | P0009 |
| REMOVT | 2.00  |