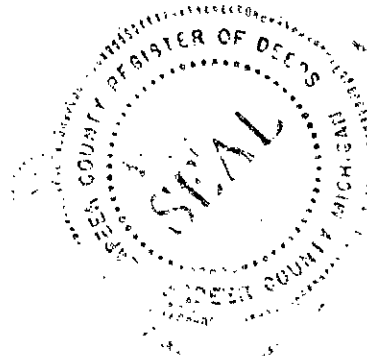
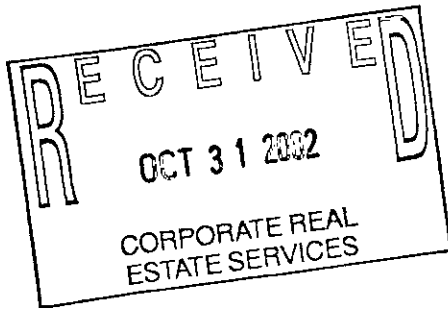


02 SEP 20 AM 9:31



Melissa DeVaugh
REGISTER OF DEEDS
LAPEER COUNTY, MICHIGAN

RECORDED R/W FILE NO. 71480

Detroit Edison Overhead Easement (Right of Way) No. 440134

On Sept 3, 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:

Joseph M. Sawgle AND DAWN M. VAN HOUTEN, HUSBAND AND WIFE,
678 N. Van Dyke, Imlay City, Michigan 48444 GK

"Grantee" is:

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

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

Parcel "A"

A part of the Northwest ¼ of Section 5, T7N-R11E, Attica Township, Lapeer County, Michigan, described as beginning at a point on the North line of Section 5, T7N-R11E, that is South 88 degrees 38 minutes 39 seconds East 687.93 feet from the Northwest corner of said Section 5; thence extending along said North line South 88 degrees 38 minutes 39 seconds East 267.90 feet; thence South 00 degrees 59 minutes 59 seconds West 581.50 feet to a point on the centerline of Palmer Drain; thence along said centerline of the following three courses, North 50 degrees 13 minutes 54 seconds West 59.06 feet; North 61 degrees 03 minutes 11 seconds West 261.20 feet and North 02 degrees 11 minutes 59 seconds East 425.41 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:

Joseph M. Sawgle
Joseph M. Sawgle

Dawn M. Van Houten
DAWN M. VAN HOUTEN

Acknowledged before me in LAPEER County, Michigan, on SEPTEMBER 6, 2002, by Joseph M. Sawgle AND DAWN M. VAN HOUTEN, HUSBAND AND WIFE GK

Notary's Stamp: GARY W. KENNEY, Notary Public, Lapeer County, MI, My Commission Expires Jun. 23, 2003

Notary's Signature: *Gary Kenney*

(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

71480

RECORDED K/W FILE NO

North

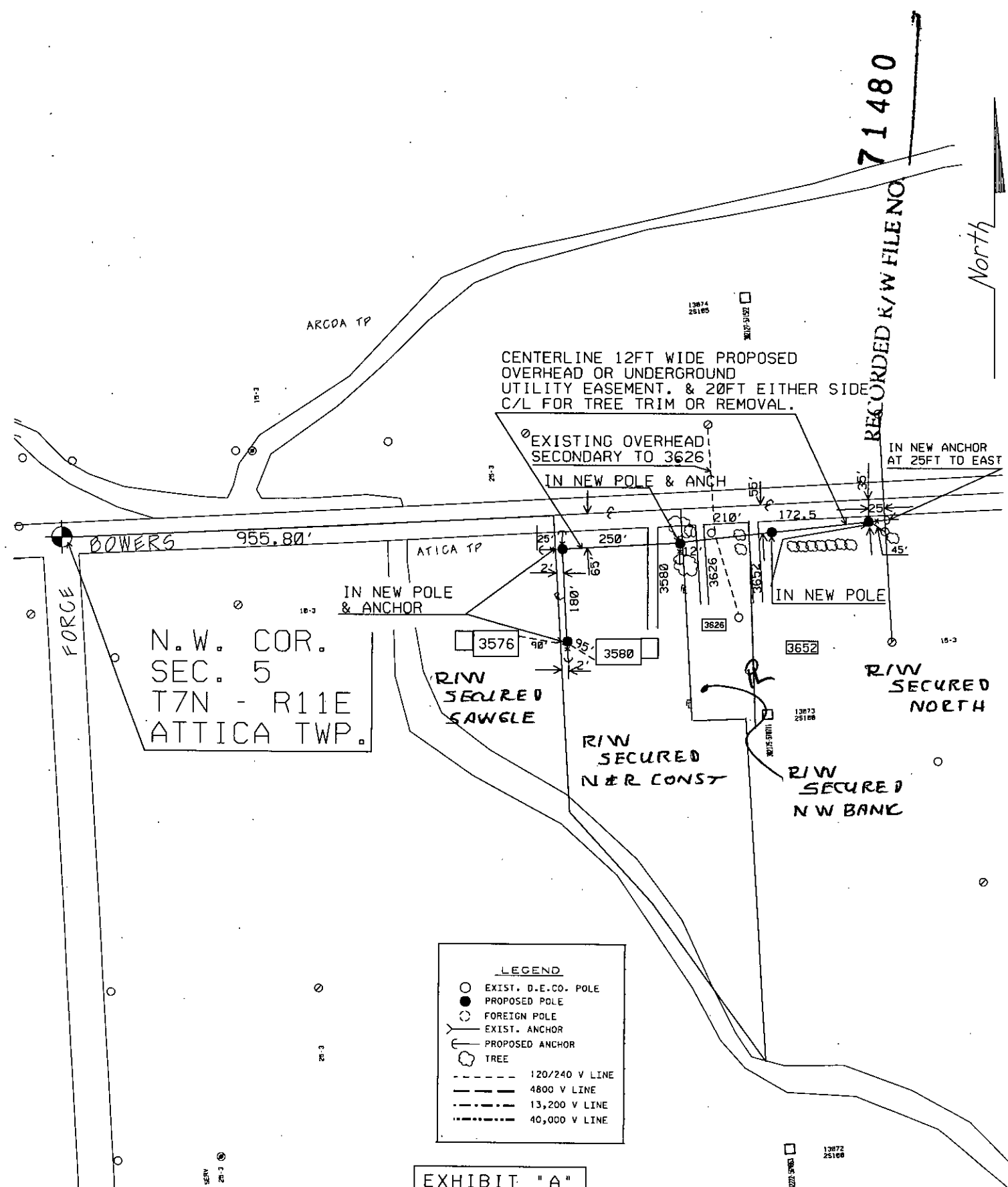


EXHIBIT "A"

REPORT OF R/W FACILITATOR. R/W SECURED AS INDICATED ON THIS SKETCH. BY _____ DATE 9-6-02 DATE WANTED _____ FACILITATOR G. KENNEY	PERMITS TO: RECORD CENTER 4 R/W FILES 4 TELEPHONE 0 ORIGINATOR 4 TOTAL 4
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REVISED 9/3/02
PER CUSTOMER
AT 3652

RFW Description 3576 BOWERS RD. JOSEPH SAWGLE (R/WAY)				PD	SRW 5	PH	PLC	Conj. Group	RFW Number 440134	
Circuit #1	Circuit #2	Service Center#1	Service Center#2	COH	COS	CUG	CUL	CUT	CUS	
Worksite City		Worksite Twp.		Worksite County						
Town 7N	Range 11E	Sect 5	Qtr NW COR.	Planner Name LEO A. ABERLE	667-7849	Commit Date	Scale N/A	Plot Date 8/30/02		

MISC D	9.00
ESMT	P0009
REMONT	2.00