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TUSCOLA COUNTY MI
GINNY MCLAREN
10-07-2002 At 09:40 AM.
EASE ROW 11.00
OR Liber 896 Page 1492 - 1493

RECORDED R/W FILE NO. 71552

Detroit Edison Underground Easement (Right of Way) No. 433964

On August 29, 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:

Robert Workman and Gena Workman, husband and wife, 5614 Millington Rd., Millington, Michigan 48746

"Grantee" is:

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

"Grantor's Land" is in Millington Township, Tuscola County, Michigan described as:

Part of the West half of the Southwest quarter of Section 23, T10N-R8E, described as commencing at the Southwest Corner of Section 23, T10N-R8E, thence South 88 degrees 18 minutes 34 seconds East 1175.63 feet along the South Section line to the Point of Beginning; thence North 0 degrees 49 minutes 36 seconds East 2685.12 feet to the East-West quarter line; thence South 88 degrees 54 minutes 59 seconds East 165.00 feet along the East-West quarter line to the West one eighth line; thence South 0 degrees 49 minutes 36 seconds West 2686.87 feet along the West one eighth line to the South Section line; thence North 88 degrees 18 minutes 34 seconds West 165.02 feet along the South Section line to the Point of Beginning.

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

A 10' 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 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: (Type or print name below signature)

Robert Workman

Robert Workman

Gena Workman

Gena Workman

Acknowledged before me in Tuscola County, Michigan, on August 29, 2002, by Robert Workman and Gena Workman, husband and wife.

DIANE JONES

Notary's Stamp **Notary Public, Tuscola County, MI
My Commission Expires Feb. 5, 2004**

Notary's Signature

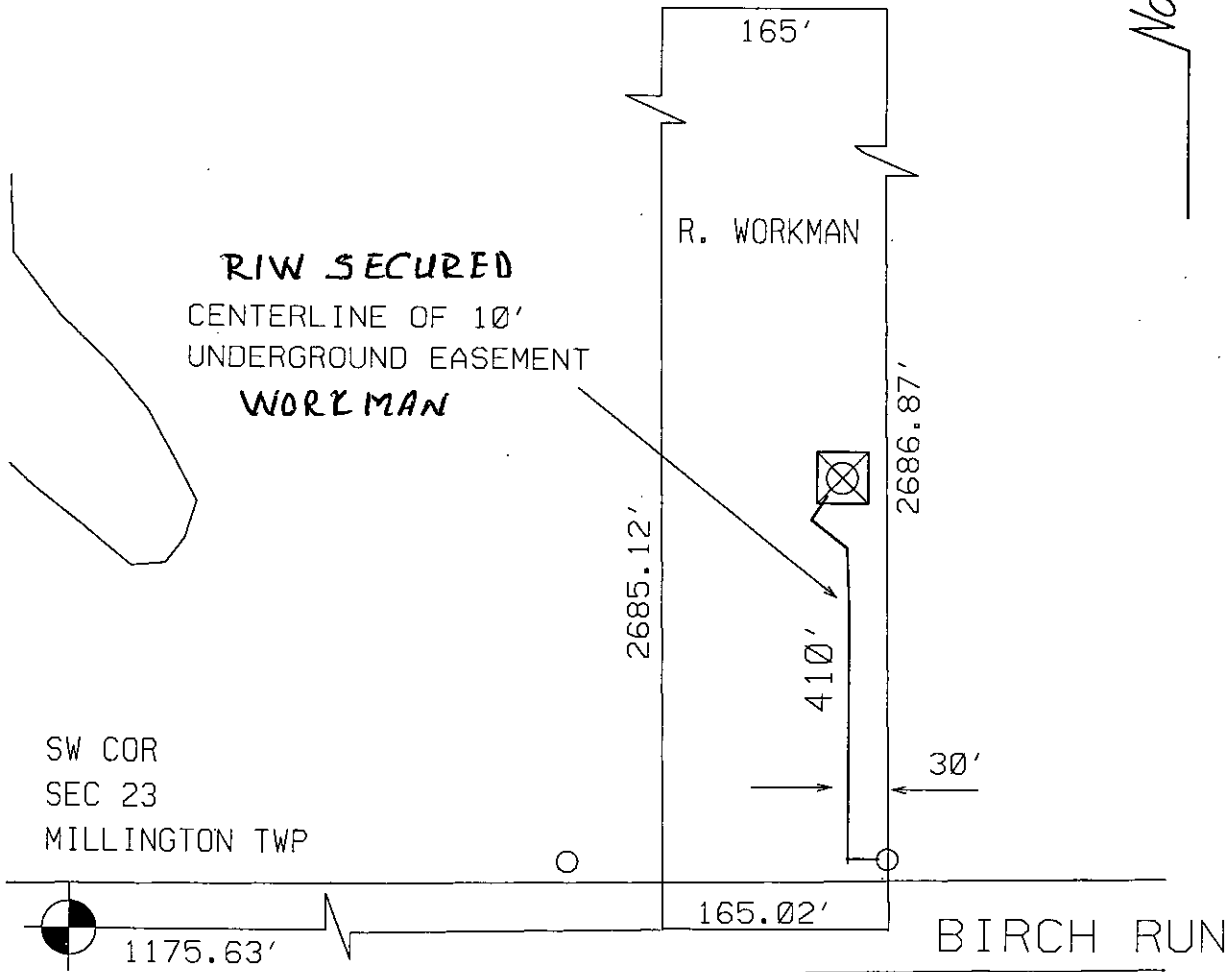
Diane Jones

(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

g-wk (EAL)

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH		PERMITS TO:	
BY		RECORD CENTER	<u>1</u>
DATE	<u>9-5-02</u>	R/W FILES	<u>1</u>
DATE WANTED		MBT	<u>0</u>
DISTRICT FIELDMAN	<u>G. KENNEY</u>	ORIGINATOR	<u>1</u>
		TOTAL	<u>1</u>



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EXHIBIT "A"

433964

BIRCH RUN RD - NEW RES

BOB WORKMAN

DC 8801 MILTN MILLINGTON

B

Makar, Gary G

1" = 100' 8/12/2002