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Melissa De Vaughn  
REGISTER OF DEEDS  
LAPEER COUNTY, MICHIGAN

**Detroit Edison Overhead and Underground Easement (Right of Way) No. 488605**

On June 9<sup>th</sup>, 2003, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area."

**"Grantor" is:**

Richard Varacalli and Brandy Varacalli, husband and wife, 4484 Welch Road, Attica, MI 48412

**"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:**

Parcel B: Part of the SE 1/4 of Section 9, T8N-R11E. Being more described as commencing at the East 1/4 corner of said Section 9; thence N89°41'24" West 860' along the East-West 1/4 line of said Section 9 to the point of beginning; thence proceeding N89°41'24" West 265.01' along the East-West 1/4 line of said Section 9 to a point; thence S00°02'32" West 664.00' to a point; thence S89°41'24" East 266.27' to a point; thence N00°03'58" West 664.00' to the point of beginning. Containing 4.049 acres.

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

A 10' wide underground easement and a 12' wide overhead 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:**

*Richard Varacalli*  
Richard Varacalli  
*Brandy Varacalli*  
Brandy Varacalli

Acknowledged before me in Lapeer County, Michigan, on June 11, 2003, by Richard Varacalli and Brandy Varacalli, husband and wife.

ROSE ANNE MARCOTTE  
Notary Public Lapeer County, MI  
My Commission Expires 8-03-2004  
Notary's Stamp  
(Notary's name, county, and date commission expires)

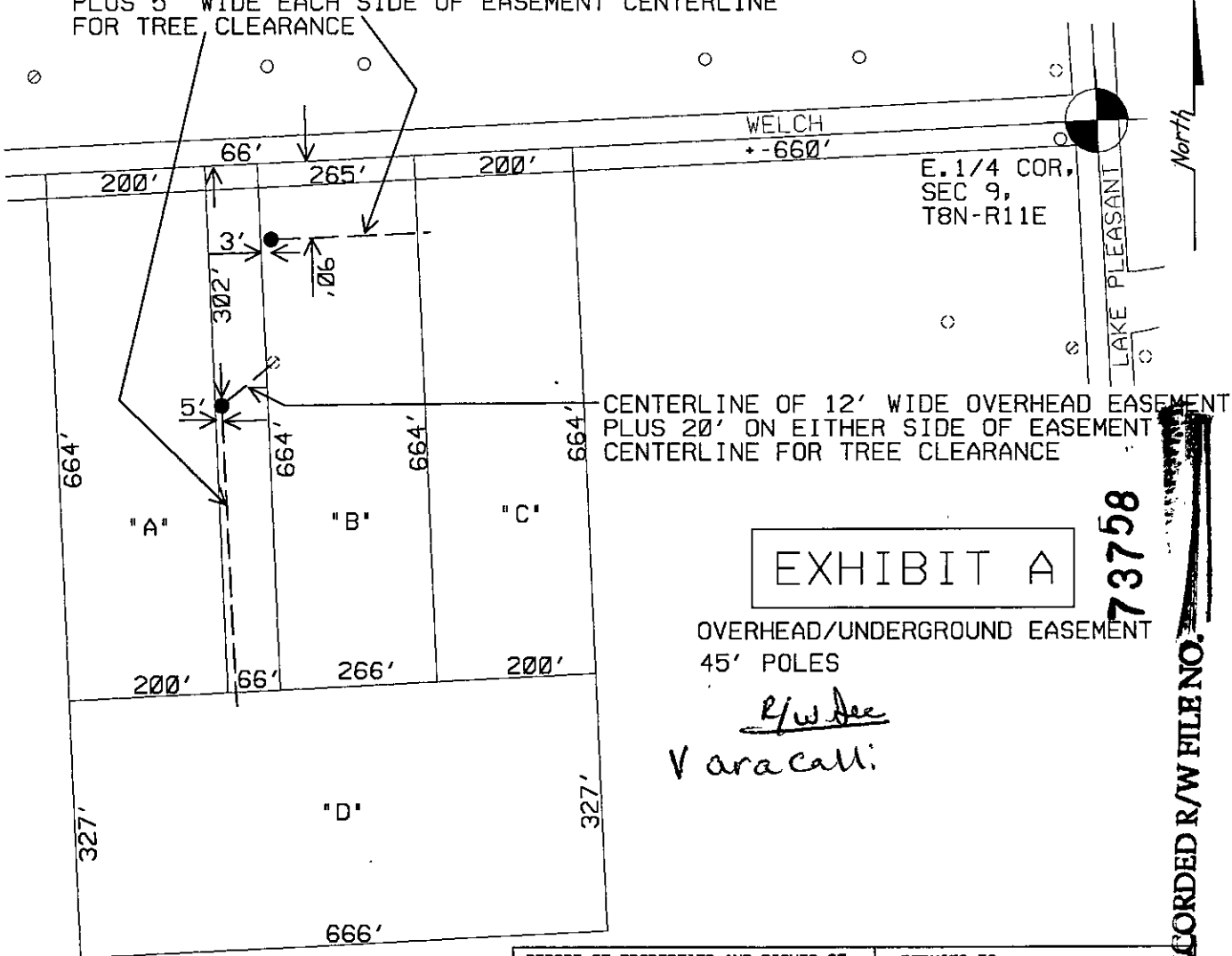
Notary's Signature *Rose Anne Marcotte*

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

RECORDED & FILED NO. 73758

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CENTERLINE OF 10' WIDE UNDERGROUND EASEMENT PLUS 5' WIDE EACH SIDE OF EASEMENT CENTERLINE FOR TREE CLEARANCE



CENTERLINE OF 12' WIDE OVERHEAD EASEMENT PLUS 20' ON EITHER SIDE OF EASEMENT CENTERLINE FOR TREE CLEARANCE

EXHIBIT A

OVERHEAD/UNDERGROUND EASEMENT 45' POLES

*R/w See Varacalli*

73758

RECORDED R/W FILE NO.

REPORT OF PROPERTIES AND RIGHTS OF WAY DEPARTMENT R/W SECURED AS INDICATED ON THIS SKETCH	PERMITS TO:
BY <u>ROGER KNIGHT</u>	RECORD CENTER <u>1</u>
DATE <u>6-18-03</u>	R/W FILES <u>1</u>
DATE WANTED	MBT <u>1</u>
DISTRICT FIELDMAN <u>[Signature]</u>	ORIGINATOR <u>1</u>
	TOTAL <u>1</u>

JPL 488605

<p><b>LEGEND</b></p> <ul style="list-style-type: none"> <li>○ EXIST. D.E.CO. POLE</li> <li>● PROPOSED POLE</li> <li>○ FOREIGN POLE</li> <li>⊕ EXIST. ANCHOR</li> <li>⊕ PROPOSED ANCHOR</li> <li>☁ TREE</li> </ul> <p>             - - - - - 120/240 V LINE              - - - - - 4800 V LINE              - - - - - 13,200 V LINE              - - - - - 40,000 V LINE         </p>	THE DETROIT EDISON COMPANY-SERVICE PLANNING DEPARTMENT			
	CITY OR TWP. <b>ARCADIA</b>	COUNTY <b>LAPEER</b>	TWP SEC QTR <b>9 SE</b>	DEPT. ORDER NO.
	MAP SECT.	TOWN RANGE <b>8N 11E</b>	JOINT R/W REQ'D	R/W NO.
	PROJECT NAME <b>VARACALLI</b>	TEL. ENGR. & DIST.		MBT MEMO#
	TOWNSHIP <b>LAP</b>	SERVICE CENTER	COMP. CODE	MAILING CITY
	CIRCUIT			O.F.W.
	REASON <b>LAND SPLIT</b>	PLANNER <b>R. KNIGHT</b>	SCALE <b>1" = 200'</b>	BUDGET ITEM NO.
			DATE <b>05-29-03</b>	