

OVERHEAD AND UNDERGROUND EASEMENT (RIGHT OF WAY) NO. R-9503460-01R

On December 1, 1995, for the consideration of system betterment, Grantor grants to Grantee an overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

1500 MISCELLANEOUS RECORDING
1500 REINFORCEMENT AREA
26 JAN 96 1:47 P.M. RECEIPT# 79A
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS
48330-3935

"Grantor" is:

Ray Elmore and Linda M. Elmore, husband and wife, 2555 Titmouse, Milford, Michigan 48330-3935

"Grantee" is:

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

"Grantor's Land" is in The Township of Milford, Oakland County, described as:

T2N, R7E, Sec 17, Part of SE 1/4 beginning at point distance S 00-07-57 E 649.98 ft & N 89-56-45 W 1312.00 ft from E 1/4 cor, th S 00-07-57 E 327.56 ft, th N 89-56-45 W 656.00 ft, th N 00-07-57 W 327.56 ft, th S 89-56-45 E 656.00 ft to beginning. 4.93 Acres. Sidwell No. 16-17-400-036.

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

As shown on attached Detroit Edison Company Drawing No. R-9503460-01R, dated October 17, 1995. Width of Right of Way is twelve (12) feet.

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain overhead and 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 shall be placed in the Right of Way Area without Grantee's prior written consent.
- 4. Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates 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 shall 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 shall 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 shall 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, lessees, licenses and assigns.

Witnesses:(type or print name below signature)

Terry L. Benedict
TERRY L. BENEDICT
Edward F. Carras
EDWARD F. CARRAS

Grantor:(type or print name below signature)

Ray Elmore
Ray Elmore
Linda M. Elmore
Linda M. Elmore

Acknowledged before me in OAKLAND County, Michigan, on December 1, 1995 by Ray Elmore and Linda M. Elmore, husband and wife.

TERRY L. BENEDICT
Notary Public, Oakland County, MI
My Commission Expires June 17, 1997
(Notary's name, county and date commission expires)

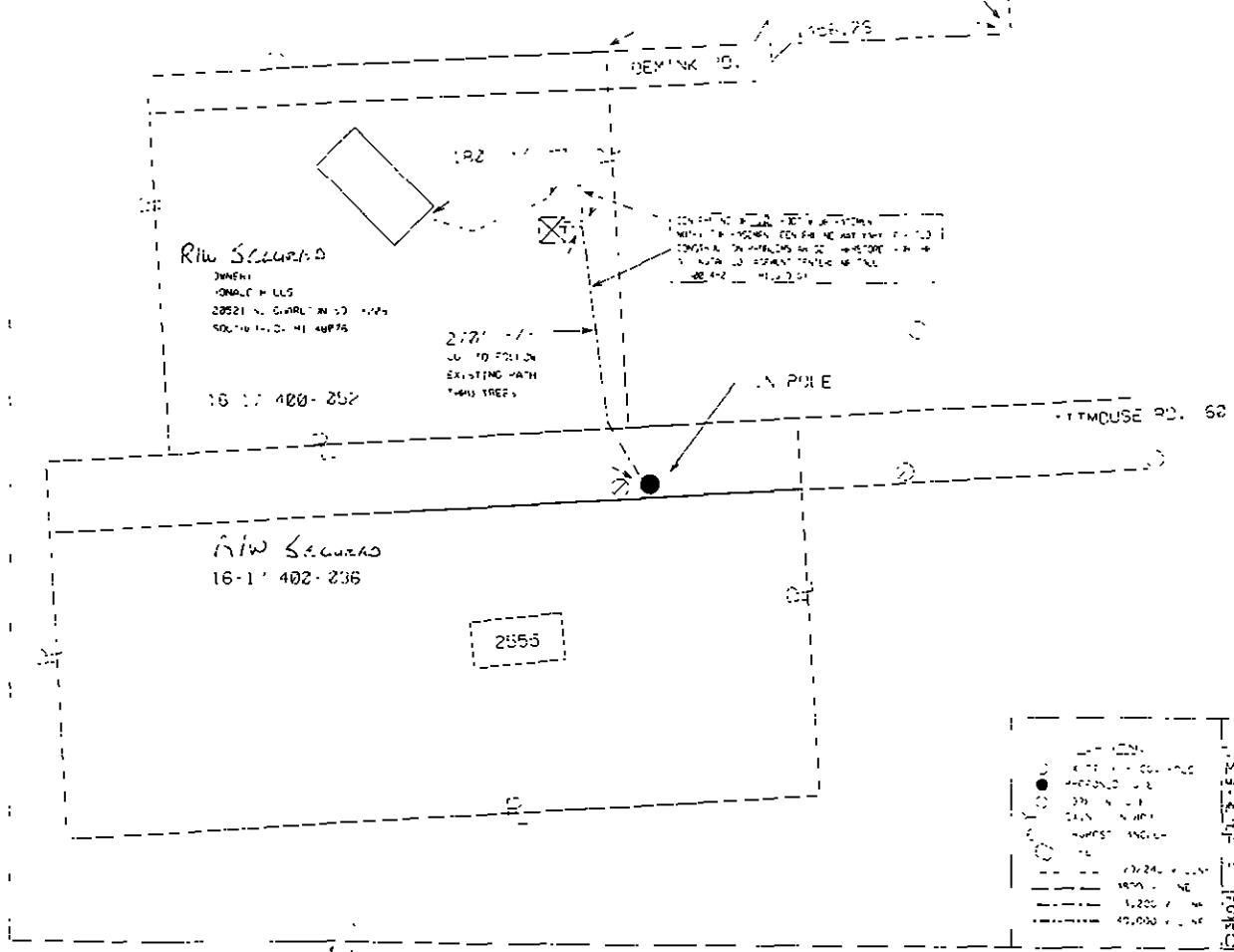
Notary's Signature Terry L. Benedict

48159

USER 15980 PC 298

E. 24 COR.
SECTION 17

6918h



9503460

OWNER	CHUCK LARSON	ADDRESS	1000 1/2
CITY	PO BOX 100	COUNTY	DAKOTA
STATE	SD	ZIP	57001
DATE	12/7/95	TIME	10:00 AM
PROJECT	NEW HOUSE ON DEWINK RD.	CLIENT	CHUCK LARSON
DESIGNER	CHUCK LARSON	SCALE	AS SHOWN
CHECKED	CHUCK LARSON	DATE	12/7/95