

LIBER 20540 875

338990

LIBER 20540 PAGE 875
\$11.00 MISC RECORDING
\$2.00 REMONUMENTATION
09/14/1999 04:05:47 P.M. RECEIPT# 77818
PAID RECORDED - OAKLAND COUNTY
G. WILLIAM CADDELL, CLERK/REGISTER OF DEEDS

RECORDED R/W FILE NO. K63135

Detroit Edison Overhead Easement (Right of Way) No. 235012

On July 22, 1999, 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:

William M. Rausch, *A SINGLE MAN*
252 Ortonville Rd. S., Ortonville, MI 48462

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
GTE, Inc., a Wisconsin Corp, 455 E. Ellis, Muskegon Mi.

"Grantor's Land" is in Township of Brandon, Oakland County, Michigan described as:

Sidwell No. 03-30-227-018. See Exhibit "A".

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

As indicated on the drawing RFW 235012 dated 7/2/99 which is attached hereto and made a part hereof. The width of the easement is ten (10) feet.

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.
7. Exempt under MCL 207.505 (a) and MCL 207.526 (a)

see 30
NE 1/4
SEC 20

(2) Witnesses: (Type or print name in black ink only below signature)

Grantor: (Type or print name in black ink only below signature)

X [Signature]
ROBERT C. FUTRELL

[Signature]
William M. Rausch - *A SINGLE MAN*

X [Signature]
JANICE K. MENDIEN

Acknowledged before me in OAKLAND County, Michigan, on July 22, 1999, by William M. Rausch, *A SINGLE MAN*

Notary's Stamp: **KELLEY M. BASTIEN**
Notary Public, Oakland County, MI
My Commission Expires 11/10/99

Notary's Signature: [Signature]

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

Prepared by and Return to: Annie Grimmatt, Detroit Edison, Pontiac Service Center, 1970 Orchard Lake Road, Sylvan Lake, MI. 48320

O.K. - KB
BP
RE

W.D.

EXHIBIT "A"

TOWNSHIP OF BRANDON

63135
RECORDED R/W FILE NO.

CVT CODE: D
SIDWELL NO: 03 30 227 018

OWNER(S) *Properties*
P J ~~ENTERPRISES~~ LLC

*NOW KNOWN AS
P & J. PROPERTIES, LLC*

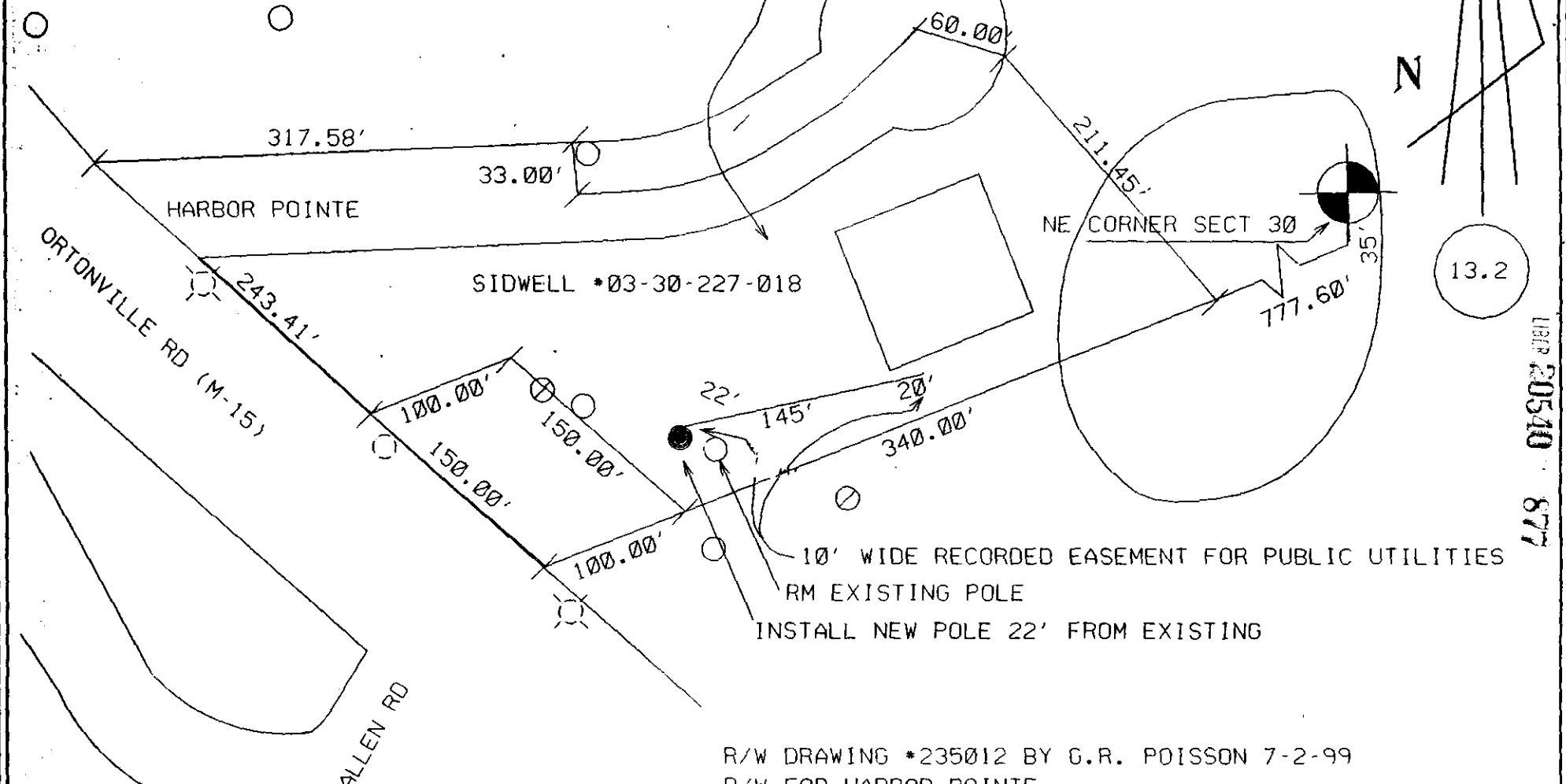
FORMERLY: P. J. ENTERPRISES, LLC

PROPERTY DESCRIPTION:

- 01 T5N, R9E, SEC 30
- 02 PART OF NE 1/4
- 03 BEG AT SE COR OF LOT 115 OF
- 04 'BELLE-ANN FALLS ESTATES',
- 05 TH S 86-59-00 E 253.57 FT,
- 06 TH S 03-01-00 W 164.31 FT,
- 07 TH S 70-00-00 E 60 FT,
- 08 TH S 26-44-26 E 211.45 FT,
- 09 TH S 75-30-37 W 340 FT,
- 10 TH N 43-52-45 W 150 FT,
- 11 TH S 75-51-20 W 100 FT,
- 12 TH ALG CURVE TO RIGHT,
- 13 RAD 5669.65 FT, CHORD BEARS
- 14 N 41-53-29 W 243.39 FT,
- 15 DIST OF 243.41 FT,
- 16 TH S 86-41-16 E 317.58 FT,
- 17 TH N 05-12-03 W 226.27 FT,
- 18 TO BEG EXC
- 19 BEG AT SE COR OF LOT 115 OF
- 20 'BELLE-ANN FALLS ESTATES',
- 21 TH S 86-59-00 E 253.57 FT,
- 22 TH S 03-01-00 W 164.31 FT,
- 23 TH ALG CURVE TO RIGHT,
- 24 RAD 307.12 FT, CHORD BEARS
- 25 S 70-18-44 W 240 FT,
- 26 DIST OF 246.57 FT,
- 27 TH N 03-18-44 E 33 FT,
- 28 TH N 05-12-03 W 226.27 FT
- 29 TO BEG 2.52 A
- 30 4-13-93 FR 015

R/W: 235012

OWNER:
P.J. ENTERPRISES, L.L.C.
4343 GROVELAND RD.
ORTONVILLE, MICHIGAN 48462



NE CORNER SECT 30

SIDWELL *03-30-227-018

ORTONVILLE RD (M-15)

ALLEN RD

10' WIDE RECORDED EASEMENT FOR PUBLIC UTILITIES
RM EXISTING POLE
INSTALL NEW POLE 22' FROM EXISTING

R/W DRAWING *235012 BY G.R. POISSON 7-2-99
R/W FOR HARBOR POINTE

R/W NOTES:
10' RECORDED EASEMENT FOR PUBLIC UTILITIES
REQUIRED AS SHOWN.
CUSTOMER PROVIDED CONDUIT LOCATED IN MIDDLE OF EASEMENT
45' WOOD POLE TO BE INSTALLED 22' FROM EXISTING POLE
EXISTING POLE TO BE REMOVED

63135

DATE 20540 877