



OTHER DATA AND NOTES

GENERAL ENGINEERING MAP REFERENCES

LINE MAP NO. D1197 SHEET OF SHEETS  
 PLAN & PROFILE NO. 15297 SHEET OF SHEETS  
 SURVEY MAP NO. \_\_\_\_\_ SHEET OF SHEETS

NOTE #1

Consumers Power Company acquired flowage rights and other rights, and interests to the ld on the caption of this tract by the following deeds:

- A. 1. Jennie F. Reed  
 3-19-07 4-8-07 28-267 #90 W.D. (General Deed)  
 2. Zenas C. Eldred and wife, Helen C.  
 and Zenas C. Eldred, Trustee  
 5-3-10 5-11-10 28-555 #6 Q.C.D. (General Deed)  
 3. Iosco Land Company  
 11-5-35 12-23-35 60-109 Deed (General Deed)  
 4. Consumers Power Company

SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec 11, T25N, R5E.

which shall be overflowed by reason of the construction or maintenance of the above mentioned dam, or by any dam that may be constructed & maintained on sd river below the ld of sd Reed, upon the condition that sd Eldred, his successors or assigns, shall at the time sd lds are overflowed by reason of the construction of sd dam or dams, pay to the owner of the ld at that time the sum of \$10.00 per acre for such ld as is overflowed.

- B. 1. Azariel Smith & wife, Nellie B.  
 10-25-11 12-15-11 33-243 #118 Q.C.D.  
 2. Iosco Land Company  
 11-5-35 12-23-35 60-109 Deed (General Deed)  
 3. Consumers Power Company

W $\frac{1}{2}$  of NW $\frac{1}{4}$  and SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec 11, T25N, R5E.

NOTE #2

A deed from Jennie F. Reed conveys the fee to the ld on the caption of this tract excepting the rights as previously conveyed in NOTE #1.

1. Jennie F. Reed  
 12-17-24 12-30-24 46-271 #378 Cov't D. (General Deed)  
 2. [Iosco Land Company] <sup>(13)</sup>  
 11-5-35 12-23-35 60-109 Deed (General Deed)  
 3. Consumers Power Company

W $\frac{1}{2}$  of NW $\frac{1}{4}$  and SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec 11, T25N, R5E.

EXCEPTING, however, from this conveyance any & all right, title & interest in & to sd premises, or any part thereof, acquired by Arthur L. Watkins by virtue of a certain agreement entered into by & between Charles T. Reed & Jennie F. Reed, parties of the 1st part, & sd Arthur L. Watkins Party of the 2nd part, dated July 20, 1905, & recorded in L. 28, P. 67 of Alcona Co. Records of Deeds; excepting also any & all right, title & interest in & to sd premises, or any part thereof, acquired by sd Arthur L. Watkins by virtue of a certain agreement entered into by & between Charles T. Reed & Elva Lucille Reed, as parties of the 1st part & Jennie F. Reed, as party of the 2nd part, & sd Arthur L. Watkins, as party of the 3rd part, dated March 19, 1906; & excepting also any & all right, title & interest in & to sd premises, or any part thereof, conveyed by the grantor herein to Zenas C. Eldred, Trustee, by virtue of a deed dated March 19, 1907.

Reed hereby conveys & assigns to the Iosco Ld Co all right, title & interest (including the right to compensation for lds overflowed in & to the aforesd agmts with Arthur L. Watkins dated 7-20-05 & 3-19-06, respectively & in & to the rights reserved (including the right to compensation for lds overflowed) in the aforesaid deed to Zenas C. Eldred, Trustee, dated 3-19-07.

Iosco Ld Co accepts this conveyance of the herein desc premises subject to all taxes and assessments on the within desc premises for the Year 1924 & all taxes & assessments now or hereafter levied or becoming due which the Iosco Ld Co. assumes & agrees to pay.

TITLE HISTORY

1. SEE NOTES #1 & #2

NOTE #3 (By Sale No. 187.005-4; T66-226) Consumers Power Company granted a release of right of way for highway purposes across the land on the caption of this tract and other lands as follows:

- |  |                |
|--|----------------|
| 1. Consumers Power Company                   | Release of R/W |
| 8-18-66                                      | for highway    |
| 2. Alcona Board of County Road Commissioners |                |

Forever, the easement and right of way for highway purposes on, over, along and across those certain pieces or parcels of land situate in the Township of Curtis, County of Alcona and State of Michigan, known and described as follows:

The Southeast  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Sec 3, the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Sec 10, the W  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ , the SE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$ , the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Sec 11, all in T25N, R5E.

Sd esmt shall consist of a strip of land 80 ft in width whose ctrline is desc as follows: Comm at the sec cor common to Sec 2, 3, 10 and 11, T25N, R5E, Michigan Meridian; th N 89° 46' W, 405.7 ft, th N 39° 09' W, 471.5 ft to the point of beg; th S 39° 09' E, 1079.11 ft alg the S edge of the exist road; th SE'ly 322.08 ft alg an arc of a curve to the left whose deflection = 12° 53', degree of curve = 4°, Tangent = 161.75 feet; th S 52° 02' E, 572.28 ft, th SE'ly 322.08 ft alg the arc of a curve to the right whose deflection = 12° 53', degree of curve = 4°; Tangent = 161.75 feet; th S 39° 09' E, 1400.83 ft parallel to the power line; th SE'ly 950 ft alg an arc of a curve to the left whose deflection = 37° 57', degree of curve = 4°, Tangent = 492.61 ft; th S 77° 06' E, 410.97 ft; th SE'ly 1100.41 ft alg the arc of a curve to the right whose deflection = 44° 1', degree of curve = 4°, Tangent = 579.08 feet; th S 33° 05' E, 150.92 ft to the point of ending, said point is approximately 100 ft N of the SW cor of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Sec 11.

This conveyance is made subject to the following express conditions, reservations and exceptions, to wit:

FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE.

*Note #4* *T 75-149*

CONVEYED <u>Part of</u> TRACT TO:
<u>USA</u>
BY <u>warranty</u> DEED DATED <u>12-27-80</u>

<b>MINERALS</b>
RESERVED FROM SALE <input checked="" type="checkbox"/>
NOT OWNED AT TIME OF SALE <input type="checkbox"/>

DECLARATION OF RESTRICTIONS
DATED <u>None</u>
RECORDED LIBER <u>    </u> PAGE <u>    </u>

*DX reservation*

T75-149

*Alcona*

WARRANTY DEED

CONSUMERS POWER COMPANY, a corporation organized and existing under the laws of the State of Michigan, having its principal office at 212 West Michigan Avenue, Jackson, Michigan 49201, GRANTOR, for and in consideration of the sum of ONE MILLION FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$1,500,000.00) received to its full satisfaction, does by these presents CONVEY AND FOREVER WARRANT UNTO [THE UNITED STATES OF AMERICA] Washington, D.C., and its assigns, GRANTEE, certain tracts of land with all appurtenances thereunto belonging or in anywise appertaining, situate in the Townships of Mitchell and Curtis, County of Alcona, State of Michigan, said lands being more particularly described in Exhibit "A" attached hereto and made a part hereof, and said lands containing an aggregate of 3634.39 acres, more or less.

24

SUBJECT TO easements, if any, for established or existing roads, highways, railroads, and utilities.

SUBJECT ALSO TO minerals and mineral rights, if any, outstanding of record in third parties.

RESERVING TO Grantor, its successors and assigns, the right to flow those lands described in Exhibit A which are adjacent to the AuSable River, together with the right to fluctuate or otherwise affect the flow of water in said river by the normal operation and maintenance of any dam or dams of Grantor in said river, said reservation as it pertains to Exhibit "A" lands being subject, however, to the terms, conditions, provisions, and limitations of the "Order Issuing License (Major)" of the United States of America, Federal Power Commission (Federal Energy Regulatory Commission) now pertaining to Project No. 2448 (Mio Dam), Project No. 2447 (Alcona Dam), Project No. 2449 (Loud Dam), Project No. 2453 (Five Channels Dam), Project No. 2450 (Cooke Dam), and Project No. 2436 (Foote Dam).

RESERVING ALSO TO the Grantor, its successors or assigns, all oil, gas, and associated hydrocarbon substances, and all saline minerals and associated substances, in and under the

to include, Average Description thereof  
in certain, Excepted, Enclosed thereof

lands described in Exhibit "A", together with the right to enter upon said lands and to prospect for, mine (including solution mining), and remove said oil, gas, and hydrocarbon substances, and all saline minerals and associated substances, Forever, subject to the Rules and Regulations of the Secretary of Agriculture, dated April 30, 1963, a copy of which is attached hereto and made a part hereof as Exhibit B.

RESERVING ALSO TO the Grantor, its successors or assigns, Forever, subject to the Rules and Regulations of the Secretary of Agriculture, dated August 5, 1938, a copy of which is attached hereto and made a part hereof as EXHIBIT "D", the easement and right to construct, erect, lay and maintain one or more lines consisting of pole structures, poles, or any combination of same, wires, cables, conduits and other fixtures and appurtenances for the purpose of transmitting and distributing electricity and/or conducting a communication business on, over, under, and across certain strips of land 200 feet in width for all transmission lines, and 30 feet in width for all distribution lines, over a portion of the premises herein conveyed, said strips being described in Exhibit "C" attached hereto and made a part hereof, with full right and authority to Grantor, its successors, licensees, lessees, or assigns, and its and their agents and employees, subject to said Rules and Regulations set forth at Exhibit "D", to enter at all times upon said strips of land for the purpose of patrolling, constructing, repairing, removing, replacing, improving, enlarging, and maintaining such wires, cables, conduits, structures, towers, pole structures, poles and other supports with all necessary braces, guys, anchors, manholes, and transformers and stringing thereon, and supporting and suspending therefrom lines of wires, cables, or other conductors for the transmission of electrical energy and/or communication, and also the right to cut, trim, remove, destroy, or otherwise control all trees and brush growing upon said 200-foot and 30-foot wide strips of land which may, in the opinion of Grantor, interfere or threaten to interfere with or be hazardous to the construction, operation, and maintenance of said lines. No buildings or other structures will be placed on said strips of land without the written consent of Grantor. Limited use of a part of the easement area reserved by the Grantor and occupied by Grantor's transmission line facilities shall not constitute abandonment as to any unused portion of said easement area which is situated within the easement boundaries and located

to either side of that portion of said easement area occupied by Grantor's transmission line facilities.

The acquiring agency is the Forest Service, Department of Agriculture.

TO HAVE AND TO HOLD the said premises described at Exhibit "A," together with all appurtenances thereto, unto Grantee, its successors and assigns, to the sole and only proper use, benefit and behoof of Grantee, its successors and assigns, Forever.

IN WITNESS WHEREOF, Consumers Power Company has caused these presents to be executed in its corporate name by its duly authorized officer this 29th day of December, 1980.

In the presence of:

W. L. Reid  
W. L. Reid

Carol J. Kielar  
Carol J. Kielar

CONSUMERS POWER COMPANY

By G. L. Heins  
G. L. Heins  
Vice President,  
System Operations

APPROVED AS TO FORM  
5-8-77  
CONSUMERS POWER COMPANY  
LEGAL DEPARTMENT

ATTEST:

(CORPORATE SEAL)

J. H. Mellinger  
J. H. Mellinger  
~~Secretary~~ ASSISTANT SECRETARY

STATE OF MICHIGAN )  
 )  
COUNTY OF JACKSON ) SS

On this 29th day December, 1980, before me, a Notary Public in and for said county, personally appeared G. L. Heins, to me personally known, who by me duly sworn, did say that he is the Vice President, System Operations of Consumers Power Company, the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and said G. L. Heins, acknowledged said instrument to be the free act and deed of said corporation.

Carol J. Kielar  
Carol J. Kielar  
Notary Public  
Jackson County, Michigan

(NOTARIAL SEAL)

My commission expires: December 22, 1981

This instrument was drafted by Michael J. Danaher, Attorney, Office of the General Counsel, U.S. Department of Agriculture, Milwaukee, Wisconsin, and B.E. Hagen, Senior Attorney, Consumers Power Company.

T26N, R5E, MICHIGAN MERIDIAN, (Cont'd.)

Approximate  
Acreage

Section 34:

W 1/2 of the SW 1/4 except a strip of land 100 feet in width being a part of the abandoned right of way of the Detroit and Mackinac Railway running in a generally Northerly and Southerly direction across said land.

W-2C

74.70

T25N, R5E, MICHIGAN MERIDIAN, CURTIS TOWNSHIP

Section 2:

SW 1/4 of the SW 1/4.

W-1C

40.00

Section 3:

That part of the SE 1/4 lying Northeasterly of the center line of Au Sable Road, except any part of a strip of land 100 feet in width being a part of the abandoned right of way of the Detroit and Mackinac Railway located on said land.

21-D5-5C  
21.1-D5-3P  
22.1-D5-4P

90.31

Section 11:

20

All that part of the SE 1/4 of the NW 1/4 lying Northeasterly of the center line of Au Sable Road, as located, also the SW 1/4 of the NE 1/4 and the NW 1/4 of the SE 1/4.

23.2-D5-1P  
W-4C  
23.1-D5-5C

118.40

Section 14:

SW 1/4 of the SW 1/4 and the SE 1/4 of the NE 1/4 and the SE 1/4 of the SE 1/4 except the North 335 feet thereof.

W-9C  
W-2C  
26-D5-3P

109.85

Section 15:

E 1/2 of the SE 1/4.

W-2P

80.00

Section 23:

E 3/4 of Section.

W-2C  
W-4C  
480.00  
W-5C  
W-7C  
26.1-D5-1C  
27-D5-6C  
27.1-D5-3C



T26N, R5E (Cont'd.)

S 71° 20' 40" E, 157.90 feet; thence S 52° 15' 10" E, 2074.74 feet to the South line of said Section 19, said point being 1784.78 feet Easterly of the Southwest corner of said section as measured along said section line; thence continuing S 52° 15' 10" E, 4273.51 feet to the Easterly line of said Section 30 at a point which is 10.68 feet Southerly of the E 1/4 corner of said section as measured along said section line; thence S 52° 18' 46" E, 1365.65 feet; thence S 52° 02' 22" E, 2877.19 feet to the South line of said Section 29 at a point which is 676.36 feet Easterly of the S 1/4 corner of said section as measured along said section line; thence continuing S 52° 02' 22" E, 2496.11 feet to the East line of said Section 32 at a point which is 1092.72 feet Northerly of the E 1/4 corner of said section as measured along said section line; thence S 52° 13' 10" E, 3929.15 feet to the S 1/8 line of said Section 33 at a point which is 2172.7 feet Westerly of the East line of said section as measured along said 1/8 line; thence S 52° 05' 50" E, 1090.0 feet to the E 1/8 line at a point which is 642.2 feet Northerly of the South line of said section as measured along said 1/8 line. (Bearings are based on the 1930 Government Resurvey.)

T25N, R5E

A strip of land 200 feet in width in that part of the SE 1/4 Section 3, T25N, R5E lying Northerly of the center line of Au Sable Road, said strip being 100 feet on each side of a center line described as follows: To find the point of beginning, commence at the Southeast corner of said Section; thence N 89° 15' 00" W along the South line of said Section 344.14 feet to the point of beginning; thence N 38° 21' 30" W, 2267.58 feet; thence N 41° 39' 00" W, 565.3 feet; thence N 50° 49' 00" W, 672.0 feet to the North and South 1/4 line of said Section at a point which is 31.83 feet Southerly of the center of said Section as measured along said North and South 1/4 line. (Bearings are based on the South line of Section 3 from the Southeast corner to the S 1/4 corner assumed as N 89° 15' 00" W.)

A strip of land 200 feet in width in that part of the SE 1/4 of the NW 1/4, Section 11, T25N, R5E lying Northeasterly of the center line of Au Sable Road, said strip being 100 feet on each side of a center line described as follows: To find the place of beginning, commence at the W 1/4 corner of said Section; thence N 89° 00' 39" E along the East and West 1/4 line of said Section 1749.87 feet, to the place of beginning for this description; thence N 38° 57' 00" W, 689.83 feet to the W 1/8 line of said Section. (Bearings are based on the West line of Section 11 from the Northwest corner to the W 1/4 corner assumed as S 0° 34' 12" W.)

*Electric Transmission  
Reservation  
DX-1*

*21-05-5  
21-05-3  
22-1-25-1*