

*Alpena, Mich. 12/15/54*  
*12/15/54*  
*W. E. Miller*

Also Parcel No. 10

*12/15/54*

THIS INDENTURE, made this 15th day of April A.D. 1954, between ALPENA POWER COMPANY, a corporation duly organized to do business in Michigan, with its principal office in Alpena, Michigan, as first party, and CONSUMERS POWER COMPANY, a corporation duly authorized to do business in Michigan, with its principal office at 212 N. Michigan Ave., Jackson, Michigan, as second party,

WITNESSETH:

The said first party, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations to it in hand paid by the said second party, the receipt whereof is hereby confessed and acknowledged, does by these presents grant, bargain, sell, release and QUIT CLAIM unto the said second party, its successors and assigns, forever, the easement and right to construct, reconstruct, operate and maintain electric transmission supply lines consisting of poles, fixtures, transformers, primary and secondary service wires, guys, anchors, and other appurtenances upon, over, across and under the following described parcels of land, hereinafter more particularly described, and on routes as hereinafter designated, situated in the Townships of Alpena, Wilson and Green, Alpena County, State of Michigan, to-wit:

1.

All that part of the Southeast one-quarter (SE $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ) of Section five (5) lying North of the D. & M. Railroad right of way, except the West thirty (30) rods thereof; and that part of the Southeast one-quarter (SE $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ) of Section five (5), Township thirty-one (31) North, Range eight (8) East, lying Southerly of Truckey Road, so-called, except that part lying South of a line five hundred forty-nine (549) feet North of the South line of said Section and except that part of a parcel of land lying South of Truckey Road, which parc 1 is described as commencing at the Northwest corner of the Southeast one-quarter (SE $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ) of Section five (5), running thence South thirty-two (32) rods, East thirty (30) rods, North thirty-two (32) rods, West thirty (30) rods to the place of beginning.

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows:

Said lines of poles and wires shall be located on a strip of land one hundred (100) feet wide, the Northerly line of said strip being described as beginning at a point where the center line of the old railroad grade intersects the West line of the Southeast one-quarter (SE $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ) of said Section five (5), running thence North-easterly to a point three hundred twenty-five (325) feet West of the East line of said Section five (5) at a point not more than eleven hundred thirty (1130) feet North of the South line of said Section, running thence

*in and on the land attached.*

1. (Continued)

North parallel to the East line of said Section and three hundred twenty-five (325) feet distant therefrom (measured at right angles) to the North line of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of said Section five (5), Township thirty-one (31) North, Range eight (8) East.

2.

All that part of the South four hundred three (403) feet of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of Section five (5), Township thirty-one (31) North, Range eight (8) East, lying Southerly and Westerly of Truckey Road, so-called.

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows:

Said lines of poles and wires shall be located on a strip of land one hundred (100) feet wide, the Northerly line of said strip being described as commencing at a point where the center line of the old railroad grade intersects the West line of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of said Section five (5), running thence Northeasterly five hundred (500) feet, more or less, to the Northerly side of said land on a line which if extended would intersect the Easterly line of said Section at the Northeast corner of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of said Section five (5).

3.

Commencing at the Southeast corner of the Southwest one-quarter ( $SW\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of Section five (5), Township thirty-one (31) North, Range eight (8) East, thence West along the North line of Section eight (8), sixty-six (66) feet, thence North forty-five degrees East ( $N 45^\circ E$ ) to the East line of the Southwest one-quarter ( $SW\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of Section five (5), thence South sixty-six (66) feet to the place of beginning. The West one-half ( $W\frac{1}{2}$ ) of the Northeast one-quarter ( $NE\frac{1}{4}$ ), the East one-half ( $E\frac{1}{2}$ ) of the Northwest one-quarter ( $NW\frac{1}{4}$ ), the Southwest one-quarter ( $SW\frac{1}{4}$ ) of the Northwest one-quarter ( $NW\frac{1}{4}$ ) and the Northwest one-quarter ( $NW\frac{1}{4}$ ) of the Southwest one-quarter ( $SW\frac{1}{4}$ ) of Section eight (8), Township thirty-one (31) North, Range eight (8) East.

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows:

Said lines of poles and wires shall be located on a strip of land one hundred (100) feet wide, the Northerly line of said strip being described as the center line of the old railroad grade, which center line is described as beginning at a point on the Section line between

*See restrictions in Original Contract to Adams Power Company from Railroad New York & N.J. Co.  
1. Right to grow sugarcane  
2. No Grazing  
3. No poles to be set within 10' of c/c of RR c/c  
7pc*

124 vs 124

3. (Continued)

Sections five (5) and eight (8), Township thirty-one (31) North, Range eight (8) East, twenty-eight (28) feet West of the Northeast corner of the Northwest one-quarter ( $NW\frac{1}{4}$ ) of the Northeast one-quarter ( $NE\frac{1}{4}$ ) of said Section eight (8), running thence South forty-four degrees thirty-five minutes West ( $S 44^{\circ} 35' W$ ) seventeen hundred eighty-two (1782) feet to a point, thence on a curve (arc) three degrees twenty-seven minutes ( $3^{\circ} 27'$ ) to the right six hundred (600) feet to a point, thence South sixty-five degrees fifteen minutes West ( $S 65^{\circ} 15' W$ ) two thousand five hundred twenty (2520) feet to the Section line between Sections seven (7) and eight (8), Township thirty-one (31) North, Range eight (8) East, at a point one hundred thirty-nine (139) feet South of the West quarter post of said Section eight (8).

4.

That part of the Northeast one-quarter ( $NE\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of Section seven (7), Township thirty-one (31) North, Range eight (8) East, lying North of Long Rapids Road, so-called.

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows:

Said lines of poles and wires shall be located on a strip of land one hundred (100) feet wide, the Northerly line of said strip being described as beginning at a point fifty (50) feet South of the Northeast corner of the Northeast one-quarter ( $NE\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of said Section seven (7) and running thence West parallel with the North line of said Northeast one-quarter ( $NE\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) to the West line thereof at a point fifty (50) feet South of the North line of said Northeast one-quarter ( $NE\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of said Section seven (7).

5.

All that part of Government Lot four (4), being that part of the Northwest one-quarter ( $NW\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of Section seven (7), Township thirty-one (31) North, Range eight (8) East, lying Northeast of the Long Rapids Road, so-called.

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows:

Said lines of poles and wires shall be located on a strip of land one hundred (100) feet wide, being the East one hundred (100) feet of said above described land.

6.

All that part of Government Lot four (4), Section seven (7), Township thirty-one (31) North, Range eight (8) East, lying Southerly

6. (Continued)

of Long Rapids Road, so-called. Government Lots six (6) and seven (7) of Section seven (7), Township thirty-one (31) North, Range eight (8) East. Government Lots two (2) and three (3) of Section eighteen (18), the Northeast one-quarter (NE $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ) of Section eighteen (18), Township thirty-one (31) North, Range eight (8) East. Government Lots four (4) and five (5) of Section seventeen (17), Township thirty-one (31) North, Range eight (8) East. The Northeast one-quarter (NE $\frac{1}{4}$ ) of the Northwest one-quarter (NW $\frac{1}{4}$ ) of Section twenty (20), Township thirty-one (31) North, Range eight (8) East.

*Original Document by  
Alpena County from  
Frank B. De...  
the land to...  
1921*

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows:

Said lines of poles and wires shall be located on a strip of land one hundred (100) feet wide, the Westerly and Southerly lines of said strip of land across said lands being described as follows. Beginning at a point on the center line of Long Rapids Road, so-called, in the Northwest one-quarter (NW $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ) of Section seven (7), Township thirty-one (31) North, Range eight (8) East, one hundred (100) feet West of and measured at right angles to the East line of the Northwest one-quarter (NW $\frac{1}{4}$ ) of the Southeast one-quarter (SE $\frac{1}{4}$ ) of said Section seven (7), running thence South parallel with the East, North and South eighth line of said Section seven (7) to a point five hundred fifty (550) feet North of the South line of said Section at a point one hundred (100) feet West of the East eighth line of said Section, running thence Southeasterly to a point fifty (50) feet East of the Northeast corner of the Northwest one-quarter (NW $\frac{1}{4}$ ) of the Northeast one-quarter (NE $\frac{1}{4}$ ) of Section eighteen (18), Township thirty-one (31) North, Range eight (8) East, running thence South parallel to and fifty (50) feet distant East of the East eighth line of said Section eighteen (18) to a point two hundred eighty-two (282) feet North of the East and West quarter line of said Section eighteen (18), running thence Southeasterly to a point one thousand and nine (1009) feet West of the Northeast corner of the Southeast one-quarter (SE $\frac{1}{4}$ ) of said Section eighteen (18) on the East and West quarter line of said Section, running thence South forty-six degrees twenty minutes East (S 46° 20' E) to the East line of said Section at a point one thousand three and forty-five hundredths (1003.45) feet South of the Northeast corner of the Southeast one-quarter (SE $\frac{1}{4}$ ) of said Section eighteen (18), running thence Southeasterly in a straight line across Government Lots five (5) and four (4) of Section seventeen (17) and the Northeast one-quarter (NE $\frac{1}{4}$ ) of the Northwest one-quarter (NW $\frac{1}{4}$ ) of Section twenty (20) to a point one hundred (100) feet South of the center line of the former Boyne City-Gaylord and Alpena Railroad right of way and measured at right angles thereto at a point approximately one hundred thirty (130) feet West of the North and South quarter line of said Section twenty (20).

7.

The East one-half (E $\frac{1}{2}$ ) of the Northwest one-quarter (NW $\frac{1}{4}$ ) and the West one-half (W $\frac{1}{2}$ ) of the Northwest one-quarter (NW $\frac{1}{4}$ ) of Section

twenty (20); the South one-half ( $S\frac{1}{2}$ ) of the Northeast one-quarter ( $NE\frac{1}{4}$ ), the Northwest one-quarter ( $NW\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of Section nineteen (19), all in Township thirty-one (31) North, Range eight (8) East. The North one-half ( $N\frac{1}{2}$ ) of the Northwest one-quarter ( $NW\frac{1}{4}$ ) of Section twenty-five (25), Township thirty-one (31) North, Range seven (7) East. The Northeast one-quarter ( $NE\frac{1}{4}$ ) of the Northeast one-quarter ( $NE\frac{1}{4}$ ) of Section twenty-six (26), the South one-half ( $S\frac{1}{2}$ ) of the Northwest one-quarter ( $NW\frac{1}{4}$ ) of Section twenty-six (26), Township thirty-one (31) North, Range seven (7) East.

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows:

Said lines of poles and wires shall be located on a strip of land one hundred (100) feet wide, the Northerly line of said strip being described as the center line of the former Boyne City-Gaylord and Alpena Railroad running generally in a Northeasterly and Southwesterly direction across said land, said center line being described as beginning at a point at the intersection of the center line of said Railroad right of way with the East line of the Northeast one-quarter ( $NE\frac{1}{4}$ ) of the Northwest one-quarter ( $NW\frac{1}{4}$ ) of Section twenty (20), Township thirty-one (31) North, Range eight (8) East and running thence Southwesterly across Sections twenty (20) and nineteen (19) to a point on the West line of said Section nineteen (19), approximately fourteen hundred nineteen (1419) feet North of the South line of said Section, and continuing thence Southwesterly across Sections twenty-four (24), twenty-five (25) and twenty-six (26) of Township thirty-one (31) North, Range seven (7) East to a point on the West line of Section twenty-six (26) at a point two thousand eight hundred seventy-one and one-half ( $2871\frac{1}{2}$ ) feet South of the Northwest corner of said Section.

8.

The North one-half ( $N\frac{1}{2}$ ) of the Southwest one-quarter ( $SW\frac{1}{4}$ ) of Section nineteen (19), Township thirty-one (31) North, Range eight (8) East. The Northeast one-quarter ( $NE\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ), the Southeast one-quarter ( $SE\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ), the Southwest one-quarter ( $SW\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ) and the Southeast one-quarter ( $SE\frac{1}{4}$ ) of the Southwest one-quarter ( $SW\frac{1}{4}$ ) of Section twenty-four (24), Township thirty-one (31) North, Range seven (7) East.

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows:

Said lines of poles and wires shall be located on a strip of land fifteen (15) feet wide, the Northerly line of said fifteen (15) foot strip being described as being thirty-five (35) feet Southerly of and measured

8. (Continued)

at right angles to the center line of the former Boyne City-Gaylord and Alpena Railroad right of way running generally in a Northeasterly and Southwesterly direction across said lands, said center line of the railroad being described as beginning at a point on the North and South quarter line of Section nineteen (19), Township thirty-one (31) North, Range eight (8) East, one hundred sixty-two (162) feet South of the center of said Section nineteen (19), running thence Southwesterly in a straight line to a point on the South line of Section twenty-four (24), Township thirty-one (31) North, Range seven (7) East, at a point eighteen hundred thirty-seven (1837) feet East of the Southwest corner of said Section twenty-four (24).

9.

The North one-half ( $N\frac{1}{2}$ ) of the Northeast one-quarter ( $NE\frac{1}{4}$ ), the North one-half ( $N\frac{1}{2}$ ) of the Northwest one-quarter ( $NW\frac{1}{4}$ ), the South one-half ( $S\frac{1}{2}$ ) of the Northwest one-quarter ( $NW\frac{1}{4}$ ), all in Section thirty-three (33), Township thirty-one (31) North, Range seven (7) East. The Northwest one-quarter ( $NW\frac{1}{4}$ ) of the Southeast one-quarter ( $SE\frac{1}{4}$ ), the South one-half ( $S\frac{1}{2}$ ) of the Northeast one-quarter ( $NE\frac{1}{4}$ ), the North one-half ( $N\frac{1}{2}$ ) of the Southwest one-quarter ( $SW\frac{1}{4}$ ), the Southwest one-quarter ( $SW\frac{1}{4}$ ) of the Southwest one-quarter ( $SW\frac{1}{4}$ ) of Section thirty-two (32), Township thirty-one (31) North, Range seven (7) East.

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows:

Said lines of poles and wires shall be located on a strip of land fifty (50) feet wide, the Northerly line of said fifty (50) foot strip being described as the center line of the former Boyne City-Gaylord and Alpena Railroad right of way, which center line of the railroad is described as beginning at a point on the East line of Section twenty-eight (28), at a point two hundred sixty-six (266) feet North of the Southeast corner of said Section and running thence Southwesterly in a straight line to a point in the Southwest one-quarter ( $SW\frac{1}{4}$ ) of Section thirty-two (32), nineteen hundred and ninety-two (1992) feet East of the West line of said Section at a point nineteen hundred forty-five (1945) feet North of the South line of said Section, running thence Southwesterly in a straight line to the West line of said Section thirty-two (32) at a point ten hundred thirty-three (1033) feet North of the Southwest corner of said Section thirty-two (32), excepting across a parcel of land one hundred (100) feet by one hundred fifty (150) feet owned by Alpena Power Company and to be used as a substation site, as recorded in Liber 122 of Deeds, page 405, in the West one-half ( $W\frac{1}{2}$ ) of the Southwest one-quarter ( $SW\frac{1}{4}$ ) of Section thirty-two (32) where the Northerly line of said strip shall be twenty-five (25) feet southerly of the center line of the former Boyne City-Gaylord and Alpena Railroad grade and where said easement shall be only twenty-five (25) feet wide.

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10.

The Southeast one-quarter ( $SE\frac{1}{4}$ ) of the Northeast one-quarter ( $NE\frac{1}{4}$ ) of Section two (2), Township thirty (30) North, Range five (5) East.

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows

Said line of poles and wires shall be located on a strip of land one hundred (100) feet wide, the center line of said strip being described as beginning at a point on the East line of said Section two (2), four hundred seventy-five (475) feet North of the Southeast corner of the Northeast one-quarter ( $NE\frac{1}{4}$ ) of said Section, running thence West in a straight line to a point on the West line of the Southeast one-quarter ( $SE\frac{1}{4}$ ) of the Northeast one-quarter ( $NE\frac{1}{4}$ ) of Section two (2), four hundred eighty-three (483) feet North of the Southwest corner of said Southeast one-quarter ( $SE\frac{1}{4}$ ) of the Northeast one-quarter ( $NE\frac{1}{4}$ ) of said Section.

11.

The South one-half ( $S\frac{1}{2}$ ) of the Southwest one-quarter ( $SW\frac{1}{4}$ ) of Section six (6), Township thirty (30) North, Range five (5) East.

The route to be taken by said lines of poles, wires, cables and conduits across said land being described as follows:

Said lines of poles and wires shall be located on a strip of land one hundred (100) feet wide, the center line of said strip being described as beginning at a point on the North and South quarter line of said Section six (6), approximately three hundred ninety (390) feet South of the Northeast corner of the South one-half ( $S\frac{1}{2}$ ) of the Southwest one-quarter ( $SW\frac{1}{4}$ ) of said Section, running thence Westerly to a point approximately five hundred five (505) feet East of the West eighth line of said Section at a point approximately four hundred thirty (430) feet South of the South eighth line of said Section, running thence Northwesterly to a point on the North line of the South one-half ( $S\frac{1}{2}$ ) of the Southwest one-quarter ( $SW\frac{1}{4}$ ) of said Section six (6) at a point approximately three hundred sixty-five (365) feet West of the West eighth line of said Section.

It is further understood and agreed that the said Consumers Power Company is hereby given the right to cut and trim from time to time any and all trees so as to keep the wires and fixtures cleared an adequate distance; shall have the right of ingress and egress to and from said lands for the purpose of erecting, repairing, altering and maintaining said electric supply lines.


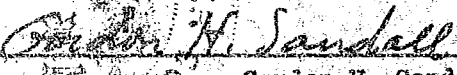
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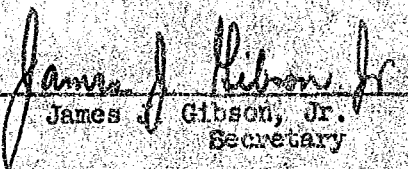
This easement shall continue until and unless the operation of said line is abandoned and for one year thereafter, and is declared binding upon the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, said first party has caused these presents to be signed in its name by its \_\_\_\_\_ President and its corporate seal to be hereunto affixed and attested by its \_\_\_\_\_ Secretary, as of the day and year first above written.

Signed, Sealed and Delivered  
in Presence of


ALPENA POWER COMPANY

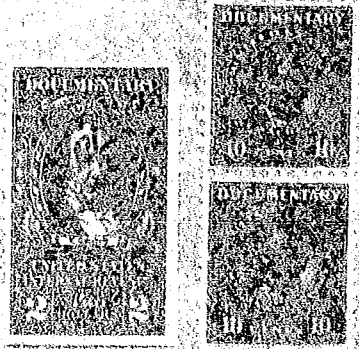
  
\_\_\_\_\_  
Tom G. Fletcher  
  
\_\_\_\_\_  
Gordon H. Sandall

BY   
\_\_\_\_\_  
Harry Fletcher  
President  
Attest:   
\_\_\_\_\_  
James J. Gibson, Jr.  
Secretary

STATE OF MICHIGAN )  
                                  ) ss  
County of Alpena )

On this 21<sup>st</sup> day of APRIL A.D. 1954,  
before me, a Notary Public in and for said County, personally appeared HARRY FLETCHER AND JAMES J. GIBSON, JR. to me personally known, who being by me duly sworn, did say that he is PRESIDENT President of Alpena 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 in behalf of said corporation by authority of its Board of Directors; and said HARRY FLETCHER acknowledged said instrument to be the free act and deed of said corporation.

  
\_\_\_\_\_  
ORVILLE E. MURCH  
Notary Public, Alpena County, Michigan  
My commission expires: \_\_\_\_\_



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