

RIGHT OF WAY

LIBER 150 PAGE 439

Recorded 5th day of AUGUST 1964 at Newaygo Mich. Liber 150 Page 439
Annabelle M. Branch
Register of Deeds

Donald Byard and Evelyn Byard, his wife and in her own right, R.R. Mancelona, Michigan first part 16A, in consideration of One Dollar (\$1.00) to them paid by the CONSUMERS POWER COMPANY, a Maine corporation authorized to do business in Michigan, at 212 W. Michigan Ave., Jackson, Michigan, second party, receipt of which is hereby acknowledged, Convey and Warrant to the second party, its successors and assigns, Forever, the easement and right to erect, lay and maintain lines consisting of poles, 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 the following described parcel of land, including all public highways upon or adjacent to said parcel of land, which parcel is situate in the Township of Custer County of Antrim and State of Michigan, to-wit:

The Northeast one-quarter (1/4) of the Southwest one-quarter (1/4) of Section two (2), Township twenty-nine (29) North, Range seven (7) West, excepting therefrom the South three hundred (300) feet of the North seven hundred (700) feet of the East five hundred thirty (530) feet thereof.

The route to be taken by said lines of poles, wires, cables and conduits across, over and under said land being more specifically described as follows: Sec. party may locate one route on, over and across sd. above desc. land along or adjoining as near as practicable a line, which sd. line is desc. as beg. on CPCo's present existing elec. trans. line at a point not more than 400 ft. nor less than 350 ft., West of the North and South quarter line of Sec. 2, T 29 N, R 7 W, at a point not more than 800 ft., nor less than 700 ft., South of the East and West quarter line of sd. Sec. 2, run. th. N'ly 200 ft., more or less to CPCo's elec. Substation; and may locate one route in a NE'ly and SW'ly dir. desc. as beg. on CPCo's elec. trans. line at a point not more than 300 ft., nor less than 200 ft., South of the East and West quarter line of sd. Sec. 2 at a point not more than 150 ft. West of the North and South quarter line of sd. Sec. 2, run. th. SW'ly to a point not more than 350 ft., nor less than 250 ft. West of the North and South quarter line of sd. Sec. 2 at a point 400 ft. South of the East and West quarter line of sd. Sec. 2.

With full right and authority to the second party, its successors, licensees, lessees or assigns, and its and their agents and employees, to enter at all times upon said premises for the purpose of constructing, repairing, removing, replacing, patrolling, improving, enlarging and maintaining such cables, conduits and towers, poles and other supports, with all necessary braces, guys, anchors, manholes and transformers, and stringing thereon and supporting and suspending therefrom lines of wire, cables or other conductors for the transmission of electrical energy and/or communication, and to trim, remove, destroy or otherwise control any trees and brush which may, in the opinion of said second party, interfere or threaten to interfere with or be hazardous to the construction, operation and maintenance of said lines. It is expressly understood that no buildings or other structures will be placed under such wires and/or over such cables without the written consent of said second party. It is expressly understood that non-use or a limited use of this easement by second party shall not prevent second party from later making use of the easement to the full extent herein authorized.

Second party to pay first party for any damage to crops in erecting and maintaining said line of poles and wires.

WITNESS the hands... and seals... of the parties... of the first part, this 10th day of March, 1964.

Signed, Sealed and Delivered in Presence of

Frances Byard
Frances Byard
Ted M. Branch
Ted M. Branch

Donald Byard
Donald Byard (L.S.)
Evelyn Byard
Evelyn Byard (L.S.)
(L.S.)
(L.S.)

STATE OF MICHIGAN)
) ss.
County of... Antrim.....)

On this 10th day of March 1964, before me, a Notary Public of Newaygo County, Michigan, acting in Antrim County, personally appeared

Donald Byard and Evelyn Byard

to me known to be the same persons... named in and who executed the foregoing instrument, and severally acknowledged the execution of the same to be their free act and deed.

Ted M. Branch
Ted M. Branch
Notary Public, Newaygo Co., Mich.
My commission expires September 14, 1964

2237
2245

Recorded 24th day of August
A.D. 1964 at 1 o'clock P.M.
Liber 150 Page 587

RIGHT OF WAY

Register of Deeds

LIBER 150 PAGE 587

Schuss Mountain, Inc., a corporation
first part, in consideration of One and no/100 Dollars (\$ 1.00) to
paid by the CONSUMERS POWER COMPANY, a Maine corporation authorized to do business in Michigan, at 312 W. Michigan
Ave., Jackson, Michigan, second party, receipt of which is hereby acknowledged, convey and warrant to the
second party, its successors and assigns, Forever, the easement and right to erect, lay and maintain lines con-
sisting of ~~CONCRETE~~ poles, wires, cables, conduits and other fixtures and appurtenances for the purpose of trans-
mitting and distributing electricity and/or conducting a communication business on, over, under and across the
following described parcel of land, including all public highways upon or adjacent to said parcel of land,
which parcel is situate in the Township of Custer, County of Antrim
and State of Michigan, to-wit:

The Northeast 1/4 of the Southwest 1/4 of Section 2, Township 29 North, Range 7 West, excepting
therefrom the South 300 feet of the North 700 feet of the East 530 feet thereof.

The route to be taken by said lines of ~~CONCRETE~~ poles, wires, cables and conduits across, over and under said land
being more specifically described as follows: Sec. party may loc. one rte. on, over and acr. sd. above desc.
land, alg. or adj. as near as pract. a line, wh. sd. line is desc. as beg. on CPCo's present existing
elec. trans. line at a point not more than 400 ft. nor less than 350 ft. W of the N & S 1/4 line of Sec.
2, T29N, R7W, at a point not more than 800 ft. nor less than 700 ft. S of the E & W 1/4 line of sd. Sec. 2,
run. th. N'ly 200 ft., more or less, to CPCo's elec. Substation; and may loc. one rte. in a NE'ly & SW'ly
dir. desc. as beg. on CPCo's elec. trans. line at a point not more than 300 ft. nor less than 200 ft.
S of the E & W 1/4 line of sd. Sec. 2 at a point not more than 150 ft. W of the N & S 1/4 line of sd. Sec.
2, run. th. SW'ly to a point not more than 350 ft. nor less than 250 ft. W of the N & S 1/4 line of sd.
Sec. 2, at a point 400 ft. S of the E & W 1/4 line of sd. Sec. 2.

With full right and authority to the second party, its successors, licensees, lessees or assigns, and its and
their agents and employees, to enter at all times upon said premises for the purpose of constructing, repairing,
removing, replacing, improving, enlarging and maintaining such cables, conduits and ~~CONCRETE~~ poles and other
supports, with all necessary braces, guys, anchors, manholes and transformers, and stringing thereon and support-
ing and suspending therefrom lines of wire, cables or other conductors for the transmission of electrical energy
and/or communication, and to trim, remove, destroy or otherwise control any trees and brush which may, in the
opinion of said second party, interfere or threaten to interfere with or be hazardous to the construction, oper-
ation and maintenance of said lines. It is expressly understood that no buildings or other structures will be
placed under such wires and/or over such cables without the written consent of said second party. It is ex-
pressly understood that non-use or a limited use of this easement by second party shall not prevent second party
from later making use of the easement to the full extent herein authorized. This instrument is given for the
purpose of releasing the easements and rights herein desc. from the terms of a certain option for
the purchase of land run. from Donald Byard and Evelyn Byard, his wife to Daniel R. Iannotti dated
9/9/1963 and recorded 9/16/1963 in L 143, P 50, Antrim Co. records and assigned to first party here-
in on 4/9/1964. First party does hereby consent to the granting of sd. easement by Donald Byard
and Evelyn Byard, his wife.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed by its
President, and its corporate seal to be hereunto affixed and attested by its Secretary, this
31st day of July, 1964.

Signed, Sealed and Delivered in Presence of
John K. Smith
STANTON H. BERLIN

SCHUSS MOUNTAIN, INC
By Daniel R. Iannotti (L.S.)
Attest Alvin Cohen (L.S.)
SECRETARY

ILLINOIS
STATE OF MICHIGAN)
County of COOK) ss.

On this 31 day of July 1964, before me, a Notary Public in and
for COOK County, acting in COOK County, personally
appeared Daniel R. Iannotti, to
me personally known, who being by me duly sworn, did say that he is
President of SCHUSS MOUNTAIN INC,
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 Daniel R. Iannotti acknowledged
said instrument to be the free act and deed of said corporation.

Daniel J. Martin
Notary Public, Cook Co., Mich.
My commission expires 12-1-65