

TITLE DATA

86-D308-1  
CONSUMERS POWER COMPANY

Sec 28-28.2d  
Sec 3-37a =  
Sec 9-34.7a  
Sec 10-27.6a  
Sec 25-30.99a  
Sec 35-30.99  
Sec 36-30.07  
Antrim  
Star 25,35.50  
Mancelona  
T30N TOWNSHIP R5W  
T29N R5W  
SECTION TOWN RANGE  
25, 35 & 36  
12, 3, 9 & 10  
219.55 a total  
PLAT OR AREA

Ward Land Company

NAME OF GRANTOR

Warranty Deed 12/5/67 12/29/67 164 1794  
KIND OF INSTRUMENT DATE OF INST. DATE OF RECORD LIBER PAGE

ACCOUNT NO. 420.8240

TRACT 1 1 1  
MAP 3 + 8

BOARDMAN -LIVINGSTON

RECORDED IN DEEDS

LIBER 164 PAGE 194

Recorded Dec 29 1967  
at 3 o'clock P.M.  
Liber 164 of Deeds, Page 194  
Ann Arbor, Michigan  
Register of Deeds.

This Indenture, Made December 5, 1967

BETWEEN

WARD LAND COMPANY, a Michigan corporation,

of 765 Vaughan Road,

Bloomfield Hills, Michigan 48013, party of the first part,

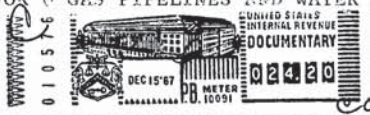
and CONSUMERS POWER COMPANY, a corporation duly authorized to do business in Michigan and having its principal office therein at 212 West Michigan Avenue, Jackson, Michigan 49201,

\$22,300.00 party of the second part.

Witnesseth, That the said party of the first part, for and in consideration of the sum of One Dollar and other good and valuable considerations is hereby confessed and acknowledged, does by these presents grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, its successors and assigns, Forever, all that certain piece or parcel of land situate and being in the Townships of Star and Mancelona, County of Antrim and State of Michigan, and described as follows, to-wit:

A strip of land 330 feet in width across the following described lands: The E 1/2 of Section 25, the N 1/2 of Section 36, and the SW 1/4 of Section 36; the E 1/2 of the E 1/2 of Section 35, and the SW 1/4 of the SE 1/4 of Section 35, and the S 1/2 of the SW 1/4 of Section 35, all in T30N, R5W, Star Township, Antrim County, Michigan. Also across the N 1/2 of Section 2, and the SW 1/4 of Section 2; the S 3/4 of the E 1/2 of Section 3, and the SW 1/4 of Section 3; the N 1/2 of Section 10, and the SW 1/4 of Section 10; the E 1/2 of Section 9, and the SW 1/4 of Section 9, T29N, R5W, Mancelona Township, Antrim County, Michigan. The NW 1/4 line of said 330-foot strip being more particularly described as follows: To find the place of beginning of said line, commence at the Southwest corner of said Section 9, T29N, R5W, run thence N 89° 42' 50" E along the South line of said section 2067.22 feet to the place of beginning of this description; running thence N 45° 08' 07" E, 14,761.73 feet to the South line of Section 35, T30N, R5W, at a point 3019.98 feet distant W'ly from the Southeast corner of said Section 35, as measured along the South line of said section; thence continuing N 45° 08' 07" E, 11,459.52 feet to the East line of Section 25, T30N, R5W, at a point 7702.82 feet distant N'ly of the Southeast corner of Section 36, T30N, R5W, as measured along the East line of said Sections 36 and 25, excepting therefrom the D. & C. Railroad right of way.

SEE NOTE #1 FOR REL OF R/W FOR ROAD  
Excepting and reserving to first party, its successors or assigns, the easement and right to cross said strip of land at such places and in such a manner as is mutually satisfactory to both parties, and as shall not interfere with the use of said land by second party, its successors or assigns.  
SEE NOTE #2 FOR REL OF R/W FOR ROADWAY  
Also excepting and reserving to first party herein, its successors or assigns, all oil, gas and other minerals (but not including sand, clay or gravel) in and under said land, together with the right to remove the same by wells or shafts placed on the adjoining land. No wells or shafts are to be placed on the land herein conveyed.  
SEE NOTE #3 FOR REL OF R/W FOR UNDERGROUND ELECTRIC LINE  
It is understood and agreed that said second party will, under no circumstances, fence the land hereinabove described.  
SEE NOTE #4 FOR ESMIS FOR GAS PIPELINES AND WATER PIPELINE



Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining: TO HAVE AND TO HOLD the said premises, as herein described, with the appurtenances, unto the said party of the second part and to its successors and assigns, Forever. And the said party of the first part, for itself and its successors, does covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the enrolling and delivery of these presents it is well seized of the above granted premises in FEE SIMPLE; that they are free from all encumbrances whatever.

BALANCE	TRANSFERS	AMOUNT	ITEMS OF COST	JOURNAL ENTRY	DATE
			METC		

Formerly 2255-D146-1-1

294  
164

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MAPPED  
AND  
CHECKED

OTHER DATA AND NOTES

NOTE #1 (By W.O. #8240; T70-159) Consumers Power Co. granted a rel of r/w for roadway purposes across the ld on the cap of this tract as follows:

GENERAL ENGINEERING MAP REFERENCES  
 Line Map No. F-16878 Sheet 7 of 8  
 Plan & Profile No. \_\_\_\_\_ Sheet \_\_\_\_\_  
 Survey Map No. \_\_\_\_\_ Sheet \_\_\_\_\_

Sheets	1. Consumers Power Co.		
Sheets	7-2-70	Rel of R/W	X-1
Sheets	2. American Central Corporation	Roadway	

Forever, the esmt and r/w for roadway purposes on, over, alg and across that certain piece or pcl of ld situate in the Twp of Mancelona, Co of Antrim and State of Mich, known and desc as follows, to wit:

A strip of ld 66' in width in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec 10, T29N, R5W, being 33' on each side of a ctr ln desc as follows: To find the pob of sd ctr ln, comm at the SW cor of Sec 9, T29N, R5W, run th N 89° 42' 50" E alg the S ln of sd sec 2,067.22', th N 45° 08' 07" E, 4,567.69' to the pob of sd ctr ln, run th SE'ly at right angles to sd last desc course 330' to the place of ending of sd ctr ln.

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

FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE:

NOTE #2 (By Sale No. 189.380-9; T72-102) Consumers Power Company granted a rel of r/w for roadway purposes across the land on the caption of this tract as follows:

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Forever, the esmt and right of way for roadway purposes on, over along and across that certain piece or parcel of land situate in the Twp. of Star, Co. of Antrim and State of Michigan, known and described as follows, to wit:

All that part of the SE $\frac{1}{4}$  of Section 25, and the NE $\frac{1}{4}$  of Section 36, T30N, R5W, bounded and described as follows: To find the pob of sd land, begin at a point on the E ln of Sec 25, T30N, R5W; which is 8300.74' distant S of the NE corner of Sec 24, T30N, R5W, sd distance being measured alg the Twp ln dividing Star Twp, Antrim Co, from Hayes Twp, Otsego Co; run thence N alg sd Twp ln 160'; thence S 46° 17' 13" W, 3117.59' to the pob of the following described pcl of land 66' in width; thence N 43° 42' 47" W, 215'; thence S 46° 17' 13" W, 66' thence S 43° 42' 47" E, 318.88' to the S ln of sd Sec 25 and the N ln of Sd Sec 36; thence continuing S 43° 42' 47" E, 11.12'; thence N 46° 17' 13" E, 10.77' to the N ln of sd Sec 36 and the S ln of sd Sec 25; thence continuing N 46° 17' 13" E, 55.23'; thence N 43° 42' 47" W, 115' to the pob of this pcl of land.

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1. Consumers Power Company		
5-10-72	X-1	
2. American Central Corporation	X-1	

NOTE #3 (By Sale No. 189.657-0; T73-199) Consumers Power Company granted a rel of r/w for an underground electric line across the land on the caption of this tract as follows:

1. Consumers Power Company		
7-10-73	Rel of R/W	X-1
2. Top O'Michigan Rural Electric Company	Underground Electric Line	

The esmt and right to construct and maintain an underground elec distribution ln consisting of underground cables, conduits, wires, conductors, surface-mounted pedestals, subsurface junction vaults, subsurface transformer vaults and transformers, together with concrete pads or other supports therefor, and other fixtures and appurtenances on, in, under, over, through and across the following desc pcl of ld in the Twp of Mancelona, Co of Antrim and State of Mich, to wit:

A strip of ld 16' in width in the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec 9, T29N, R5W, desc as follows: To find the pob of this desc comm at the SW cor of sd sec; run th N 89° 42' 50" E alg the S ln of sd sec,

ACCOUNT NO. \_\_\_\_\_

MAP \_\_\_\_\_

KIND OF INSTRUMENT    DATE OF INST.    DATE OF RECORD    LIBER    PAGE

188<sup>LS</sup>  
-3

ANTRIM COUNTY    Belaire, Mich. ....  
TREASURER'S OFFICE } ss. 12-29-67

LIBER 164 PAGE 195

I hereby certify that according to our records all taxes returned to this office are paid for five years preceding the date of this instrument. This does not include taxes in the property collection.  
*Lois Saylor* COUNTY TREASURER

and that it will and its successors shall forever WARRANT AND DEFEND the same against all lawful claims whatsoever.

When applicable, pronouns and relative words shall be read as plural, feminine or neuter.

In Witness Whereof the said    Ward Land Company

has caused these presents to be signed in its name by its and sealed with its corporate seal, the day and year first above written.

WARD LAND COMPANY

Signed, Sealed and Delivered in Presence of

*Fred J. Coolbaugh*  
Fred J. Coolbaugh

By *Frederick S. Strong, III*  
Frederick S. Strong, III    President

*Marilyn Moss*  
Marilyn Moss

Attest: *John W. Strong*  
John W. Strong

Assistant Secretary



STATE OF MICHIGAN, ) ss.

COUNTY OF Oakland    On    December 5,    1967

before me, a Notary Public in and for said County, personally appeared Frederick S. Strong, III President of Ward Land 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 Frederick S. Strong, III acknowledged said instrument to be the free act and deed of said corporation.

*Marilyn Moss*  
Marilyn Moss

Notary Public,    County, Michigan.

My commission expires MARILYN MOSS 19

Notary Public, Oakland County, Mich.  
My Commission Expires June 22, 1971

PREPARED BY D. R. ROOD, CONSUMERS POWER CO.  
212 W. MICHIGAN AVENUE, JACKSON, MICHIGAN

RETURN TO LAND & RIV DEPT.  
CONSUMERS POWER CO.  
212 MICHIGAN AVE. WEST  
JACKSON, MICHIGAN

WARRANTY DEED  
BY CORPORATION

TO

REGISTER'S OFFICE, ) ss.  
COUNTY OF Oakland  
This instrument was presented and received for record this 29 day of Dec, A. D. 1967, at 7 o'clock P. M., and recorded in Liber 164 of Deeds, on page 195 as a proper certificate was furnished in compliance with Section 3531, Compiled laws of 1929, as amended by Act 261, P. A. of 1931.  
*Annabelle J. Rankin*  
Register of Deeds.

Formerly 2255-D146-1

## NOTE #3 (Continued)

2067.22' to the pob of this desc; run th N 45° 08' 07" E, 22.80'; th N 89° 42' 50" E parallel with and 16' distant N of and measured at right angles to the S ln of sd sec, 470.73'; th S 45° 08' 07" W, 22.80' to the S ln of sd sec; th S 89° 42' 50" W alg sd S ln of sd sec, 470.73' to the pob.

Together with full right and authority to second party, its successors and assigns, and its and their agents and employees, to enter at all times upon sd premises for the purposes of constructing, maintaining, repairing, removing, patrolling, improving, and enlarging sd underground cables, conduits, wires, conductors, surface-mounted pedestals, subsurface junction vaults, subsurface transformer vaults and transformers, together with concrete pads or other supports therefor, and the right to trim, remove, destroy or otherwise control any trees, roots, brush or other vegetation which at any time may interfere or threaten to interfere with the maintenance of sd facilities.

This release is executed by first party and accepted by second party subj to the following conditions:  
FOR NUMBER CORRECTIONS SEE ORIGINAL IN FILE:

NOTE #4: (By Sale No. Antrim #10; 189.581-2) Consumers Power Company granted Easements for 2 gas pipelines and water pipeline across the land on the caption of this tract as follows:

1. consumers Power Company  
7-16-93 Esmt
2. Wolverine Gas and Oil Company, Inc.

Forever, the easement and right to construct, maintain, replace and repair 2 gas pipelines and 1 water pipeline on, over, under, along and across that certain piece or parcel of land situate in the Township of Mancelona and the Township of Star, County of Antrim and State of Michigan, known and described as follows:

Gathering Line: A parcel of land, described as follows: Part of Sections 2, 3, 9 and 10, Township 29 North, Range 5 West, and Section 35, Township 30 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a center line described as, commencing at the Southwest corne of said Section 9; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 682.19 feet, 50 feet South-easterly of and parallel to the centerline of Consumers Power Company's existing electric transmission line and 64.7 feet Northwesterly of and parallel to the Easterly line of the existing Consumers Power Company feet strip to the point of beginning; thence continuing along said center line North 46° 13' 51" East, 1717.36 feet to the point of ending. Said point being South 00° 25' 10" West, 459.39 feet along the East line of said Section 35 and thence North 89° 34' 50" West, 501.71 feet from the East 1/4 corner of said Section 35.

Parcel 1: A parcel of land, described as follows: part of the Southeast 1/4 of Section 9, Township 29 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a centerline described as, commencing at the Southwest corner of said Section 9; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 682.19 feet to the point of beginning; thence along said centerline South 43° 53' 32" East, 54.67 feet to a point on the Easterly line of an existing Consumers Power Company feet strip and the point of ending.

Parcel 2: A parcel of land, described as follows: Part of the Southeast 1/4 and the Northeast 1/4 of Section 9, Township 29 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a center line described as, commencing at the Southwest corner of said Section 9; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 3581.96 feet along the herein described gathering line to the point of beginning; thence along said centerline North 57° 59' 19" West, 273.72 feet to a point on the Westerly line of an existing Consumers Power Company feet strip and the point of ending.

Parcel 3: A parcel of land, described as follows: Part of the Northwest 1/4 of Section 10, Township 29 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a center line described as, commencing at the Southwest corner of Section 9, Township 29 North, Range 5 West; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 6008.15 feet along the herein described gathering line to the point of beginning; thence along said centerline North 68° 29' 54" West, 292.12 feet to a point on the Westerly line of an existing Consumers Power Company feet strip and the point of ending.

Parcel 4: A parcel of land, described as follows: Part of the Southeast 1/4 of Section 3, Township 29 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a centerline described as, commencing at the Southwest corner of Section 9, Township 29 North, Range 5 West; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 8719.51 feet along the herein described gathering line to the point of beginning; thence along said centerline South 44° 15' 07" East, 6467 feet to a point on the Easterly line

Note #40cent. of an existing Consumers Power Company fee strip and the point of ending.

- Parcel 5: A parcel of land, described as follows: Part of the Southeast 1/4 of Section 3, Township 29 North, Range 5 West, described as beginning a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a center line described as, commencing at the Southwest corner of Section 9, Township 29 North, Range 5 West; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 10561.33 feet along the herein described gathering line to the point of beginning; thence along said center line South 54° 16' 16" East, 65.77 feet to a point on the Easterly line of an existing Consumers Power Company fee strip and the point of ending.
- Parcel 6: A parcel of land, described as follows: Part of the Northwest 1/4 of Section 2, Township 29 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a center line described as, commencing at the Southwest corner of Section 9, Township 29 North, Range 5 West; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 12030.27 feet along the herein described gathering line to the point of beginning; thence along said center line South 43° 27' 17" East, 6467 feet to a point on the Easterly line of an existing Consumers Power Company fee strip and the point of ending.
- Parcel 7: A parcel of land, described as follows: Part of the Southwest 1/4 of Section 35, Township 30 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a center line described as, commencing at the Southwest corner of Section 9, Township 29 North, Range 5 West; thence South 89° 25' 43" East 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East 14742.44 feet along the herein described gathering line to the point of beginning; thence along said center line South 77° 24' 21" East, 77.67 feet to a point on the Easterly line of an existing Consumers Power Company fee strip and the point of ending.
- Parcel 8: A parcel of land, described as follows: Part of the Southwest 1/4 of Section 35, Township 30 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a center line described as, commencing at the Southwest corner of Section 9, Township 29 North, Range 5 West; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 14742.44 feet along the herein described gathering line to the point of beginning; thence along said centerline North 77° 24' 21" West, 116.14 feet; thence North 40° 35' 29" West, 168.89 feet to a point on the Westerly line of an existing Consumers Power Company feetstrip and the point of ending.
- Parcel 9: A parcel of land, described as follows: Part of the Southeast 1/4 of Section 35, Township 30 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a centerline described as, commencing at the Southwest corner of Section 9, Township 29 North, Range 5 West; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 16177.73 feet along the herein described gathering line to the point of beginning; thence along said centerline North 14° 55' 48" West, 228.89 feet; thence North 58° 55' 33" West, 67.16 feet to a point on the Westerly line of an existing Consumers Power Company fee strip and the point of ending.
- Parcel 10: A parcel of land, described as follows: Part of the Southeast 1/4 of Section 35, Township 30 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a centerline described as, commencing at the Southwest corner of Section 9, Township 29 North, Range 5 West; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 16611.73 feet along the herein described gathering line easement to the point of beginning; thence along said centerline South 01° 18' 29" East, 87.66 feet to a point on the Easterly line of an existing Consumers Power Company fee strip and the point of ending.
- Parcel 11: A parcel of land, described as follows: Part of the Southeast 1/4 of Section 35, Township 30 North, Range 5 West, described as being a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a centerline described as, commencing at the Southwest corner of Section 9, Township 29 North, Range 5 West; thence South 89° 25' 43" East, 2459.56 feet along the South line of said Section 9; thence North 46° 13' 51" East, 17853.55 feet along the herein described gathering line easement to the point of beginning; thence along said centerline South 44° 25' 44" East, 6467 feet to a point on the Easterly line of an existing Consumers Power Company fee strip and the point of ending.

Temporary Rights - Along with temporary construction rights over a 10 - foot wide strip of land on either side of the above-described parcels.

The easement hereby conveyed is for the sole and only purpose of constructing, repairing, replacing and maintaining over and across said land 2 gas pipelines and an water pipeline to be a maximum of 12 inches in diameter. The pipelines shall be located along and as near as practical to the center line of each of the above-described parcels. Furthermore, all 3 pipelines shall be buried in a single trench stacked vertically with the top pipeline buried at a minimum of 3 feet beneath the surface of the land, as measured from the surface of the land to the top of the pipeline.

FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE.