

TITLE DATA
Reservation from sale of land

MICHIGAN STATE | Arenac COUNTY | Arenac TOWNSHIP

11 19N 5E

CONSUMERS ENERGY CO.
TRACT 158.1-DX5-3
MAP 7

KIND OF INSTRUMENT: OCD
NAME OF GRANTOR: 6-12-98

MUNICIPALITY

SECTION

TOWN

RANGE

PLAT OR AREA

RESERVATION FROM SALE OF LAND FOR ELECTRIC TRANSMISSION LINE RIGHTS.

FILE COPY

Arenac # 9

QUITCLAIM DEED

13 THIS INDENTURE, Made this 12th day of June, 1998, Between CONSUMERS ENERGY COMPANY (formerly known as Consumers Power Company), a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan (successor by merger to Consumers Power Company, a Michigan corporation), Grantor, and THE GREAT LAKES FISHERY TRUST LANDS CORPORATION, a Michigan non-profit corporation, 600 West St. Joseph, Suite 10, Lansing, Michigan 48933, Grantee, 16

WITNESSETH:

That Grantor, for and in consideration of the sum of \$1.00 and other valuable consideration to it in hand paid by Grantee, the receipt whereof is hereby confessed and acknowledged, does by these presents grant, bargain, sell, remise, release and forever QUITCLAIM unto Grantee and to its successors and assigns, forever, land in the Township of Arenac, County of Arenac and State of Michigan, known and described as follows:

The Southeast 1/4 of the Northwest 1/4 of Section 11, T19N, R5E, except therefrom the D&M Railroad right-of-way. Containing approximately 36 acres. 158-05-3-Part

Excepting and reserving to Grantor, its successors and assigns, the following EXCLUSIVE easements in, over, across and under the strip of land described hereinbelow, (1) to enter upon said below described strip of land; (2) to construct, operate, maintain, repair, inspect, replace, improve, enlarge and remove existing and future electric facilities on said below described strip of land, including but not limited to electric substations, overhead and/or underground lines consisting of towers, pole structures, poles, or any combination of same, with wires, cables, conduits, crossarms, braces, guys, anchors and transformers and other fixtures and appurtenances and electric control circuits and devices for the purpose of transmitting and distributing electricity; (3) to construct, operate, maintain, repair, inspect, replace, improve, enlarge and remove existing and future communications facilities on said below described strip of land, including but not limited to overhead and/or underground lines consisting of towers, pole structures, poles, or any combination of same, with wires, cables, fiber optic cables and other fixtures and appurtenances for the purpose of conducting a communication or related business; and (4) to cut, trim, remove, destroy or otherwise control any trees and brush on said below described strip of land which may, in the opinion of Grantor, interfere or threaten to interfere with or be hazardous to the above-described existing and future facilities. DX (158-DX5-3)

It is intended hereby to reserve the above-described easements EXCLUSIVE of any person or entity except Grantee itself, and in the event that Grantee wishes to grant an interest in any of the below described strip of land, other than a conveyance of the fee interest, Grantee must secure Grantor's PRIOR written consent to any such grant, and Grantor may give such consent in its sole discretion and may attach any conditions to such consent.

Grantee agrees that no buildings or other structures will be erected on any of said below described strip of land and that no materials, supplies, substances or equipment shall be placed or stored upon said strip of land. Grantee shall secure Grantor's PRIOR written consent for any roads, irrigation systems or any other use of said strip of land that may affect Grantor's reserved rights hereunder, and Grantor may give such consent in its sole discretion and may attach any conditions to such consent. DX

The aforesaid strip of land is described as follows:

A strip of land 190 feet wide lying adjacent to and Easterly of the Easterly right of way line of the D&M Railroad across the Southeast 1/4 of the Northwest 1/4 of Section 11, T19N, R5E, Arenac Township, Arenac County, Michigan. W

Nonuse or a limited use of the easement by Grantor hereby reserved shall not prevent Grantor from later making use of the easements to the full extent herein stated. No delay or omission by Grantor to enforce its rights hereunder shall be held to cancel same or be considered a waiver thereof.

The Grantor grants to the Grantee the right to make 5 divisions (thereby creating 6 resulting parcels out of the land hereby conveyed) under section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967. (MCL 560.108).

NOTICE UNDER MCL 560.109: This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining, TO HAVE AND TO HOLD said premises unto Grantee and to its successors and assigns to the sole and only proper use, benefit and behoof of Grantee, its successors and assigns, forever.

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EXHIBIT A
Page 1 of 1

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed in its corporate name and by its duly authorized representative as of the day and year first above written.

WITNESSES:

CONSUMERS ENERGY COMPANY

Russel A. Barrette
Russel A. Barrette

By Judy M. Schultz
Judy M. Schultz

APPROVED AS TO FORM
JMB

Sheryl L. Hoag
Sheryl L. Hoag

Its Real Estate & Planning Manager

STATE OF MICHIGAN)
) SS.
COUNTY OF JACKSON)

The foregoing instrument was acknowledged before me this 12th day of June 19 99, by Judy M. Schultz, Real Estate & Facilities Planning Manager, of CONSUMERS ENERGY COMPANY, a Michigan corporation, on behalf of the corporation.

Russel A. Barrette
Russel A. Barrette Notary Public
Acting in Jackson County, Michigan
My Commission Expires 21-1-2000
Cheboygan County, Michigan

Also granting an easement for a roadway to access said Southeast 1/4 of Northwest 1/4, across a strip of land 30 feet wide, along and adjoining the East Line of the right of way of the Detroit & Mackinac Railway, across a portion of the North 1/2 of the North 1/2, section 11, T19N, R5E; the centerline of said roadway easement being more particularly described as follows:

To find the point of beginning, commence at the North 1/4 corner section 11, thence Easterly along the North line of said section to the Easterly line of the Detroit & Mackinac Railway, thence continuing Easterly along said North line to a point which is 15 feet Easterly of said Railway right of way as measured at right angles and the place of beginning of this centerline description, thence Southwesterly, 15 feet Easterly of and parallel to the Easterly line of said Railway to the North line of the Southeast 1/4 of the Northwest 1/4 section 11, and the point of ending.

Prepared by:
David A. Pell (P55954)
Consumers Energy Company
212 West Michigan Avenue
Jackson, MI 49201