

TITLE DATA

427-05-23 CONSUL

Elmer J. Koth and Ruby E. Koth, his wife

easement NAME OF GRANTOR 1-6-1960 8-4-1960 1497 1559 092403

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

Karn- Loud

MICROFILMED 1964 Parcel #74

FORM 321 MULT - 56

2778 Recorded ... day of ... A.D. 19... at ... o'clock ... M. Liber... Page...

RIGHT OF WAY

Register of Deeds

Elmer J. Koth and Ruby E. Koth, his wife and in her own right; first part... 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 ... County of Bay, and State of Michigan, to-wit:

The Northeast one-quarter (1/4) of the Northwest one-quarter (1/4) of Section two (2), Township sixteen (16) North, Range four (4) East, except a parcel of land two hundred fifty (250) feet East and West by five hundred eighty (580) feet North and South out of the Northwest corner 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 loc. sd. 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. at a point not more than 500 ft. nor less than 300 ft. East of the North and South 1/4 line of Sec. 3, T16N, R4E, at a point not more than 1300 ft. nor less than 1100 ft. North of the East and West 1/4 line of sd. Sec., run. th. Northeasterly to a point not more than 500 ft. nor less than 300 ft. South of the North line of Sec. 2 of sd. Twp., at a point not more than 76 ft. Easterly of the Easterly line of the Detroit and Mackinac Railway right of way.

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 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 at the rate of Eighty Dollars (\$80.00) per mile of length of the line of poles and wires across said above described premises, the same to be paid before any work is done on the land, and also to pay for any damage to crops in erecting and maintaining said line of poles and wires.

WITNESS the hand and seals of the parties of the first part, this 6th day of January, 1960.

Signed, Sealed and Delivered in Presence of

Ed M. Branch Ted M. Branch Burton A. Holcomb Burton A. Holcomb

Elmer J. Koth (L.S.) Ruby E. Koth (L.S.)

STATE OF MICHIGAN ) ) ss. County of Bay

On this 6th day of before me, a Notary Public of Michigan, acting in Bay

January 1960 Hillsdale County, personally appeared

Elmer J. Koth and Ruby E. Koth

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.

Burton A. Holcomb Notary Public, Hillsdale Co., Mich. My commission expires January 11, 1964