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TITLE DATA  
Department of Natural Resources for State of Michigan

MICHIGAN STATE

Crawford COUNTY

Lovells TOWNSHIP

CONSUMERS POWER CO. TRACT 334.1-D318-3

Deed  
KIND OF INSTRUMENT  
NAME OF GRANTOR  
DATE OF INST. 3-27-73  
DATE OF RECORD 6-19-73  
LIBER 127  
PAGE 463

MUNICIPALITY

48.56a  
PLAT OR AREA

SECTION 1

TOWNSHIP 28N  
TOWN 1W  
RANGE 1W

MAP 13

TITTABAWASSEE-LIVINGSTON

BOOK 127 PAGE 463  
de  
Deed

No. 102140

DEED under Act 193, Public Acts of 1911

THIS INDENTURE, Made this 27th day of March, in the year of our Lord, 1973

BY AND BETWEEN, The DEPARTMENT OF NATURAL RESOURCES for the STATE OF MICHIGAN, by virtue of the authority of Act 17 of Public Acts 1921, as amended, Act 380 of Public Acts 1965, as amended, and Act 193 of Public Acts 1911, as amended, party of the first part, and Consumers Power Company, a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan 49201, party of the second part.

WITNESSETH, That

WHEREAS, Consumers Power Company, a Michigan corporation, the said party of the second part has purchased from the State of Michigan land situate in the County of Crawford, State of Michigan, hereinafter more particularly described.

AND WHEREAS, said lands having been made exchangeable for other lands under and by virtue of the provisions of Act 193, Public Acts of 1911, and the DEPARTMENT OF NATURAL RESOURCES for the State of Michigan having by resolution, dated the Fourteenth day of July, 1972 authorized the sale of said lands to said second party in consideration of the said second party deeding to the State of Michigan certain other lands of approximately equal value, as provided for in said Act 193, Public Acts of 1911.

NOW, THEREFORE, THIS INDENTURE WITNESSETH, That the said DEPARTMENT OF NATURAL RESOURCES for the State of Michigan, Party of the first part, as aforesaid, acting for and in behalf of the State under and by virtue of the authority vested in it by Act 193, Public Acts of 1911, in consideration of the premises and of the deeding to the State of Michigan by said second party of such certain other lands of approximately equal value, the receipt of the conveyance for the said lands, being hereby acknowledged, does by these presents, grant, convey, release and quit-claim unto the said Consumers Power Company, a Michigan corporation, party of the second part, and to its successors, and assigns forever, all the right, title and interest acquired by the State in and to premises described as:

Township 28 North, Range 1 West, Township of Lovells  
Section 1 Part of North 3/4, Commencing at NW corner said section, thence South 89°53'30" East along North section line 105.78 feet to point of beginning, South 89°53'30" East along North section line 649.64 feet, South 55°42'30" East 340.24 feet, South 55°44'37" East 5,061.81 feet to East section line, South 00°00'08" West along East section line 441.59 feet, North 55°44'37" West 5,310.48 feet, North 55°42'30" West 877.76 feet to point of beginning, (Parcel 304)  
Containing 48.56 acres, more or less, subject to all existing easements.

SEE NOTE #1 FOR RELEASE OF R/W FOR PIPELINE

SAVING AND EXCEPTING out of this conveyance and always reserving unto the said State of Michigan all metallic minerals, coal, oil and gas lying and being on, within or under the said lands hereby conveyed, together with the rights of ingress and egress, including the use of vehicles over and across all of said lands for natural resources management purposes, whether by the State or its lessees, permittees or assigns, with full and free liberty and power to said State of Michigan, its duly authorized officers, representatives and assigns and its or their lessees, agents and workmen; and all other persons by its or their authority or permission, whether already given or hereafter to be given at any time and from time to time, to enter upon said lands and take all usual, necessary or convenient means for piping and taking away the said minerals, coal, oil and gas, except that no mines, wells or shafts shall be drilled, sunk or constructed on the surface of said lands, said minerals, coal, oil and gas to be removed by wells, mines or

SEE FOLLOWING SHEET FOR EASEMENT PRIOR TO PURCHASE - EASEMENT MERGED WITH

SEE NOTE #2 FOR ESMT

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shafts located on adjoining lands. Also SAVING AND RESERVING unto the State of Michigan for the use and benefit of the people of the State of Michigan the rights of ingress and egress over and across all of the above lands for hunting, fishing and recreational purposes compatible with public uses authorized on adjoining State land, subject, however, to the control of vehicular traffic for these purposes by the Grantee. Also EXCEPTING AND RESERVING to the State of Michigan all aboriginal antiquities, including mounds, earthworks, forts, burial and village sites, mines or other relics, and also reserving the right to explore and excavate for same by and through its duly authorized agents and employees pursuant to the provisions of Act 173 of the Public Acts of 1929; provided that such reservations shall not include the right to excavate in such a manner as to endanger the poles, towers, structures, pipelines and other public utility facilities placed upon said land. The reservations above set forth shall not include the right to erect buildings or other structures which would interfere or threaten to interfere or be detrimental to the use of the land for electric lines, gas lines and other public utility facilities.

IN WITNESS WHEREOF, the said party of the first part, by the Deputy Director thereof, has hereunto subscribed its name and affixed the seal of said Department of Natural Resources the day and year first herein above written.

Signed, Sealed and Delivered  
in Presence of: DEPARTMENT OF NATURAL RESOURCES  
FOR THE  
STATE OF MICHIGAN

*Roger W. Robinson*  
Roger W. Robinson

*Rhea Jenkins*  
Rhea Jenkins

By *Gaylord A. Walker*  
Gaylord A. Walker, Deputy Director

STATE OF MICHIGAN, )  
) ss.  
County of Ingham )

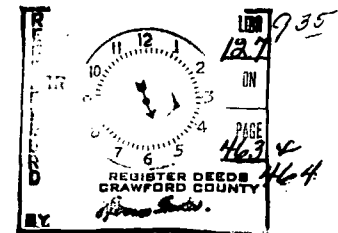
On this 27th day of March, A.D. 1973, before me, a Notary Public in and for said county personally appeared Gaylord A. Walker, Deputy Director of the Department of Natural Resources for the State of Michigan, to me known to be the same person who executed the within instrument, and who acknowledged the same to be his free act and deed and the free act and deed of the Department of Natural Resources for the State of Michigan in whose behalf he acts for the purpose of complying with the provisions of Act No. 193 of the Public Acts of 1911.

*Rhea Jenkins*  
Rhea Jenkins  
Notary Public, Ingham County, Michigan  
Commission Expires December 1, 1975

Recorded in Liber 208 of Deeds, Page 140  
Lands Division Records

Prepared by Harold R. Bucks  
DEPARTMENT OF NATURAL RESOURCES  
Lands Division  
Lansing, Michigan 48926

JUN 19 73 PM



OTHER DATA AND NOTES

GENERAL ENGINEERING MAP REFERENCES

Line Map No. F-16944 Sheet 17 of \_\_\_\_\_  
 Plan & Profile No. \_\_\_\_\_ Sheet \_\_\_\_\_ of \_\_\_\_\_  
 Survey Map No. \_\_\_\_\_ Sheet \_\_\_\_\_ of \_\_\_\_\_

Sheet  
 Sheet  
 Sheet

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

1. Abstract \_\_\_\_\_
2. Opinions of Title \_\_\_\_\_
3. Title Search \_\_\_\_\_
4. Mortgage Release \_\_\_\_\_
5. Tree Vouchers \_\_\_\_\_
6. Other Documents \_\_\_\_\_

(By Sale No. 189.643-0;T72-388) Consumers Power Co granted a rel of r/w for a across the ld on the caption of this tract and other lds as follows:

- |                          |            |     |
|--------------------------|------------|-----|
| 1. Consumers Power Co    | Rel of R/W | X-3 |
| 9-20-73                  |            |     |
| 2. Shell Pipe Line Corp. | Pipeline   |     |

Forever: The esmt and right to construct, operate, inspect, renew, maintain, repair, replace, change the size of and remove a sixteen (16) inch pipeline and all appurtenances thereto, including but not limited to air patrol markers, valves and corrosion control equipment, for the transportation of liquids, gases, solids, or mixtures of any or all thereof, in, on, under, through and across those certain pieces or pcls of ld situate in the Twp of Lovells, Crawford Co, and in the Twps. of Charlton, Chester and Bagley, Otsego Co., and State of Mich., desc as follows:

Pcl 1: A strip of ld 365 ft in width across the N 3/4 of Sec 1, T28N, R1W, Lovells Twp., Crawford County, desc as comm at a pt on the E ln of sd sec which sd pt is S 00° 00' 08" W, 3032.51 ft from the NE corner of sd sec; runn th N 55° 44' 37" W, 5061.81 ft; th N 55° 42' 30" W, 340.24 ft to the N ln of sd sec; th N 89° 53' 30" W alg the N ln of sd sec, 649.64 ft to a pt which is S 89° 53' 30" E, 105.78 ft from the NW corner of sd sec; th S 55° 42' 30" E, 877.76 ft; th S 55° 44' 37" E, 5310.48 ft to a pt on the E ln of sd sec; th N 00° 00' 08" E alg the E ln of sd sec, 441.59 ft to the pob.

The r/w hereby conveyed and released is for the solè and only purpose of locating and establishing upon, over, under and across sd above-desc premises, a sixteen (16) inch pipeline and appurtenances; sd pipeline to be buried approx three (3) ft beneath the surface of the ld, sd depth being meas from the surface of the ld to the top of sd pipeline, alg ctr lns desc as follows:

Beg at a pt located in the N 1/2 of Sec 1, T28N, R1W, Lovells Twp, Crawford Co, which sd pt is on the NE'ly ln of the ld above-desc as Pcl 1, and which sd pt is located N 55° 44' 37" W, 3402 ft from the place of intersection of sd NE'ly ln of sd ld above desc as Pcl 1 with the E ln of sd Sec 1, runn th S 34° 15' 23" W to a pt which is 265 ft dist NE'ly of and meas at right angles to the SW'ly ln of sd ld above desc as Pcl 1, and which sd pt is also 50 ft dist NE'ly of and meas at right angles to the ctr ln of an electric steel tower ln, runn th NW'ly para (exc as noted below under "EXCEPTION") with the SW'ly lns of sd ld above desc as Pcls 1 through 16, both inclusive, to a pt 260 ft W of the E ln of Sec 33, T30N, R2W, Chester Twp, Otsego Co., and th cont N'ly 260 ft W of and para to the E ln of sd Sec 33 to a pt of ending on the NE'ly ln of sd ld above desc as Pcl 16; and also

Beg at a pt which is N 37° 21' 55" W 548.9 ft alg the NE'ly ln of sd ld above desc as Pcl 16 from the E ln of Sec 33, T30N, R2W, Chester Twp, Otsego Co., runn th N 88° 03' 35" W 129.3 ft to a pt which is 50 ft NE'ly of and meas at right angles to the ctr ln of an elec steel tower and 265 ft NE'ly of the SW'ly ln of sd ld above desc as Pcl 16, runn th NW'ly and W'ly alg a ln which is para (exc as noted below under "EXCEPTION") with and 265 ft dist NE'ly and N'ly of the SW'ly and S'ly lns of the ld above desc as Pcls 16 through 22, both inclusive, to a pt of ending on the W'ly ln of sd ld above desc as Pcl 22, which sd pt of ending is 265 ft dist N'ly of and meas at right angles to the E and W 1/4 ln of Sec 23, T30N, R3W, Bagley Twp, Otsego Co.

EXCEPTION: At places within Pcls 1 through 22 where the ctr ln of the 16-inch pipeline as desc above would lie within 10 ft of an existing anchor or other structure appurtenant to first party's existing electric power ln, the ctr ln of the pipeline will deviate to miss such anchor or other structure by no less than 10 ft but such deviation from the desc ctr ln shall extend no further than 33 ft on each side of sd ctr ln as desc above.

(Cont.)

NOTE #1 Cont.

This instrument is executed by Consumers Power Co and accepted by Shell Pipe Line Corp. subject to the following conditions, anything in the specifications for sd pipeline to the contrary notwithstanding, to wit:

FOR FURTHER CONDITIONS SEE ORIGINAL FILE.

NOTE #2: (By Sale No. Crawford #25 & Oscoda #35) CPCo granted an Easement for Four Gas Pipelines and Two Water Pipelines across the land on the caption of this tract as follows:

1. Consumers Power Company  
8-18-93 Esmt
2. Wolverine Gas & Oil Co., Inc.

Forever, the easement and right to construct, maintain, replace and repair four gas pipelines and two water pipelines on, over, under, along and across that certain piece or parcel of land situate in the Township of Greenwood, County of Oscoda and the Township of Lovells, County of Crawford, State of Michigan, known and described as follows:

GATHERING LINE

A parcel of land, described as follows:

Part of Section 6, 7 and 8, Township 28 North, Range 1 East, and part of Section 1, Township 28 North, Range 1 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 8; thence North 00° 10' 30" East, 1326.04 feet; and thence South 52° 05' 21" West, 168.57 feet to the point of beginning on the Southwesterly line of an existing Consumers Power Company fee strip; thence North 52° 05' 21" East, 168.57 feet; thence North 37° 11' 59" West, 1947.54 feet to Point "A"; thence continuing North 37° 11' 59" West, 180.88 feet to Point "B"; thence continuing North 37° 11' 59" West, 3013.19 feet to Point "C"; thence continuing North 37° 11' 59" West, 2194.14 feet; thence North 55° 26' 06" West, 1043.43 feet to Point "D"; thence continuing North 55° 26' 06" West, 441.04 feet to Point "E"; thence continuing North 55° 26' 06" West, 1526.42 feet to Point "F"; thence continuing North 55° 26' 06" West, 2693.22 feet to Point "G"; thence continuing North 55° 26' 06" West, 316.43 feet; thence South 60° 35' 20" West, 144.08 feet; thence South 71° 39' 13" West, 42.07 feet to a point on the Southwesterly line of said fee strip and the point of ending, said point being 105.78 feet East of the Northwest corner of said Section 1 and 1039.05 feet Southeasterly along the Southwesterly line of said fee strip.

PARCEL 7

Part of the Southeast 1/4 of Section 1, Township 28 North, Range 1 West, described as a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a center line described as: Beginning at Point "E"; thence South 39° 55' 41" West, 29.51 feet; and thence South 18° 55' 31" West, 140.84 feet to a point on the Southwesterly line of an existing Consumers Power Company fee strip and the point of ending.

Parcel 8

Part of the Northeast 1/4 of Section 1, Township 28 North, Range 1 West, described as a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a center line described as: Beginning at Point "F"; thence North 09° 06' 49" West, 278.64 feet to a point on the Northeasterly line of an existing Consumers Power Company fee strip and the point of ending.

Parcel 9

Part of the Northwest 1/4 of Section 1, Township 28 North, Range 1 West, described as a strip of land 10 feet in width lying 5 feet on each side of and adjacent to a center line described as: Beginning at Point "G"; thence South 07° 03' 05" West, 46.05 feet; and thence South 20° 57' 15"

East, 216.29 feet to a point on the Southwesterly 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 four gas pipelines and two water pipelines each to be a maximum of 12 inches in diameter. The main pipelines shall run along a line 50 feet Southwesterly of and parallel to the center line of Grantor's existing electric transmission tower line. Furthermore, all six pipelines shall be buried in a single trench stashed vertically with the top pipeline buried at a minimum of three 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.