

13

TITLE DATA

MICHIGAN

Emmet

Little Traverse

CONSUMERS ENERGY CO.

Wolverine Power Supply Cooperative, Inc.

NAME OF GRANTOR

MUNICIPALITY

11

35N

5W

TRACT 447.2-D85-6

Easement

1-26-95

3-6-95

1543

1854

SECTION

TOWN

RANGE

MAP 6

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

PLAT OR AREA

ODEN, TO EMMET -MCGULPIN

24-16-11-300-001

LIBERO 5 4 3 PAGE 8 5 4

File #4263

EASEMENT FOR ELECTRIC LINES

WOLVERINE POWER SUPPLY COOPERATIVE, INC., a Michigan corporation, whose address is 10125 W. Watergate Road, P.O. Box 229, Cadillac, Michigan 49601,

Grantor, for good and valuable consideration to him paid by CONSUMERS POWER COMPANY, a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan, Grantee, receipt of which is hereby acknowledged, Conveys and Warrants to Grantee, its successors and assigns, Forever, the easement and right to enter upon the land hereinafter described and to construct, operate, maintain, repair, inspect, replace, improve, enlarge and remove electric transmission and distribution facilities consisting of one two lines 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 in, over and across said land, including all public highways upon or adjacent to said land, which land is in the Township of Little Traverse, County of Emmet and State of Michigan, and described as:

A parcel of land in the Southeast 1/4 of Section 11, Township 35 North, Range 5 West described as: Commencing at the Southeast corner of said Section 11; run thence along the South line of said Section 11, North 89°22'08" West 735.45 feet to the place of beginning; run thence North 00°37'52" East 550.00 feet; run thence North 89°22'08" West 635.00 feet; run thence South 00°37'52" West 550.00 feet to the South line of said Section 11; run thence along said South line of said Section 11, South 89°22'08" East 635.00 feet to the place of beginning.

Said lines of towers, pole structures or poles is are to be located in, over and across said land on a center lines described as:

Route A - One line described as: Beginning at a point not more than 350 feet nor less than 300 feet North of the South line of Section 11, Township 35 North, Range 5 West at a point not more than 1005 feet nor less than 955 feet West of the East line of said Section 11; run thence North along and not more than 1005 feet nor less than 955 feet West of said East section line to a point not more than 540 feet nor less than 490 feet North of the South line of said Section 11; run thence West along and not more than 540 feet nor less than 490 feet North of said South section line to a point in the center line of Consumers Power Company's existing electric transmission line as located at a point not more than 1300 feet nor less than 1240 feet West of the East line of said Section 11.

Route B - One line described as: Beginning at a point not more than 195 feet nor less than 165 feet North of the South line of Section 11, Township 35 North, Range 5 West at a point not more than 890 feet nor less than 840 feet West of the East line of said Section 11; run thence South along and not more than 890 feet nor less than 840 feet West of said East section line to a point not more than 105 feet nor less than 75 feet North of the South line of said Section 11; run thence West along and not more than 105 feet nor less than 75 feet North of said South section line to a point in the center line of Consumers Power Company's existing electric transmission line as located at a point not more than 1300 feet nor less than 1240 feet West of the East line of said Section 11.

Also conveying the right to cut, trim, remove, destroy or otherwise control (1) all trees and brush now or hereafter standing or growing on the land of Grantor described in this easement within 35 feet on each side of the center line of said line of towers, pole structures or poles for the above-described Route A, and (2) all trees in excess of 40 feet in height on the land of Grantor described in this easement within 90 feet on each side of the center line of said line of towers, pole structures or poles for the Northerly and Southerly portion of said Route A, and (3) all trees and brush now or hereafter standing or growing on the land of Grantor described in this easement within 35 feet on each side of the center line of said line of towers, pole structures or poles for the above-described Route B, and (4) all trees in excess of 40 feet in height on the land of Grantor described in this easement within 90 feet on each side of the center line of said line of towers, pole structures or poles for said Route B. The complete exercise of the rights herein granted to cut, trim, remove, destroy or otherwise control trees and brush may be gradual and not fully completed for some time in the future, and Grantee may enter upon said land, from time to time and at no additional cost to Grantee, to cut, trim, remove, destroy or otherwise control trees and brush as aforesaid.

Grantor agrees that, for the protection of said facilities, no buildings or other structures will be placed within 36 feet on each side of the center lines of said lines of towers, pole structures or poles. Grantee shall pay for all damage to crops arising out of the construction, operation and maintenance of said facilities.

Nonuse or a limited use of this easement by Grantee shall not prevent Grantee from later making use of the easement to the full extent herein conveyed.

Where applicable, pronouns and relative words used herein shall be read as plural, feminine or neuter.

IN WITNESS WHEREOF, Grantor has executed this instrument or has caused this instrument to be executed by its duly authorized officer this 26th day of January, 1995.

WITNESSES:

Richard L. Lang

Deborah M. Brode

STATE OF MICHIGAN EMMET COUNTY RECORDED

1995 MAR -6 PH 1:03

REGISTER OF DEEDS

WOLVERINE POWER SUPPLY COOPERATIVE, INC.

Raymond G. Towne, Executive Vice President and General Manager

(INDIVIDUAL ACKNOWLEDGEMENT)

LIBERO 5 4 3 PAGE 8 5 5

STATE OF MICHIGAN)) SS. COUNTY OF)

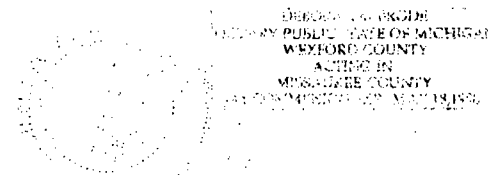
The foregoing instrument was acknowledged before me this ___ day of ___, 19___, by

Notary Public County, Michigan Acting in County, Michigan My Commission Expires

(CORPORATE ACKNOWLEDGEMENT)

STATE OF MICHIGAN)) SS. COUNTY OF MISSAUKEE)

The foregoing instrument was acknowledged before me this 26th day of January, 1995, by Raymond G. Towne, Exec. Vice Pres. and General Manager, of Wolverine Power Supply Coop., Inc. a Michigan corporation, on behalf of the corporation.



Deborah M. Brode Notary Public Wexford County, Michigan Acting in Missaukee County, Michigan My Commission Expires May 18, 1998

Return to: Consumers Power Company Real Estate and Right of Way Dept. Attn: Nancy P. Fisher, JSC-205 1955 West Parnall Rd. Jackson, MI 49201

Prepared By: Nancy P. Fisher Consumers Power Company 212 West Michigan Avenue Jackson, Michigan 49201

INDEXED