

13

TITLE DATA

CONSUMERS POWER COMPANY

TRACT 506-D85-9

Russel Frank Barr and wf.

NAME OF GRANTOR

ACCOUNT NO.

MAP 16

Easement 8-4-73 8-23-73 247 186

Pl 26

W.D. 5544

Emmet to Riggsville - McGulpin (138 KV)

Form 314 7-70

LIBER 247 PAGE 186

EASEMENT

MICHIGAN STATE

Emmet COUNTY

Carp Lake TOWNSHIP

MUNICIPALITY

SECTION 28

TOWN T38N

RANGE R4W

PLAT OR AREA

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE. The table is mostly empty with vertical lines.

Russell Frank Barr and Marsha Lea Barr, his wife, 818 Karendale, Portage, Michigan Grantor, in consideration of One and no/100 Dollars (\$ 1.00 ) to him paid by CONSUMERS POWER COMPANY, a Michigan corporation, 212 W. 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 erect, lay and maintain lines consisting of towers, pole structures, poles, or any combination of same, wires, cables, conduits, crossarms and other fixtures and appurtenances for the purpose of transmitting and distributing electricity and electric control circuits and devices on, over, under and across the following described land, including all public highways upon or adjacent to said land, which land is situate in the Township of Carp Lake, County of Emmet, and State of Michigan, to-wit:

The North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 38 North, Range 4 West.

The center line of said line of towers, pole structures, poles, wires, cables and conduits, on, over, under and across said land being described as:

Beginning at a point not more than 600 feet nor less than 500 feet West of the East line of Section 28, Township 38 North, Range 4 West, at a point not more than 1200 feet nor less than 1100 feet South of the North line of said Section, running thence Southerly to a point not more than 550 feet nor less than 450 feet West of the East line of Section 33 of said Township, at a point not more than 1320 feet nor less than 1200 feet South of the North line of said Section 33.

State of Michigan } Recorded 23rd Day of Aug A.D. 1973 at 11:10 County of Emmet } Frank J. Behan O'dock A M REGISTER OF DEEDS

Also conveying the full right and authority to Grantee, 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 towers, pole structures, poles and other supports or any combination of same, with all necessary crossarms, braces, guys, anchors, and transformers, and stringing thereon and supporting and suspending therefrom lines of wire, cables or other conductors for the transmission of electrical energy and electric control circuits and devices.

Also conveying the right to cut, trim, remove, destroy or otherwise control (1) all trees and brush on the land of the Grantor described in this easement within 20 feet on either side of the center line of the towers, pole structures, poles and wires comprising said electric line, and (2) all trees in excess of 40 feet in height on the land of the Grantor described in this easement within 95 feet on either side of the center line of the towers, pole structures or poles. It is expressly agreed that 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. Grantee may enter upon said land, from time to time, to cut, trim, remove or otherwise control trees and brush as aforesaid.

It is expressly agreed that, for the protection of said electric line, no buildings or other structures will be placed within 36 feet on either side of the center line of the towers, pole structures, poles and wires comprising said electric line. Grantee shall pay for all damage to crops arising out of the construction, operation and maintenance of the electric line.

It is expressly understood that 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 on this 23rd day of Aug, 1973

WITNESSES:

Odessa M. Miller James F. Miller

Russell Frank Barr Marsha Lea Barr

MAPPED AND CHECKED

GENERAL ENGINEERING MAP REFERENCES

Line Map No. F-17781 Sheet 5 of 6 Sheets  
Plan & Profile No. \_\_\_\_\_ Sheet \_\_\_\_\_ of \_\_\_\_\_ Sheets  
Survey Map No. \_\_\_\_\_ Sheet \_\_\_\_\_ of \_\_\_\_\_ Sheets

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

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

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

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

MAP \_\_\_\_\_

19a.

LIBER 247 PAGE 187

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
 ) ss.  
 County of Kalamazoo )

The foregoing instrument was acknowledged before me this 4th day of August, 19 73,  
 by Russell Frank Barr and Marsha Lea Barr.

*James P. Miller*  
 James P. Miller  
 Notary Public, Jackson County, Michigan  
 My commission expires August 25, 1975

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
 ) ss.  
 County of \_\_\_\_\_ )

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

Notary Public, \_\_\_\_\_ County, Michigan  
 My commission expires \_\_\_\_\_

(CORPORATE ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
 ) ss.  
 County of \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
 by \_\_\_\_\_,  
 President of \_\_\_\_\_,  
 corporation, on behalf of the corporation.

Notary Public, \_\_\_\_\_ County, Michigan  
 My commission expires \_\_\_\_\_

INDEXED

*Attn: D. E. Bliss*  
 RETURN TO LAND & ELECT. R/W DEPT.  
 CONSUMERS POWER COMPANY  
 1945 W. PARNALL ROAD  
 JACKSON, MICHIGAN 49201