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TITLE DATA

CONSUMERS POWER COMPANY

392.1-D85-4

Carl G. Pierce, a single man; Charles J. McKinnon and Ida I. McKinnon, his wife, et al

TRACT 392.1-D85-10

Warranty Deed | 1-3-1964 | 3-4-1964 | 198 | 801 |
 KIND OF INSTRUMENT | DATE OF INST. | DATE OF RECORD | LIBER | PAGE

ACCOUNT NO.

MAP 19 & 19-43 & 19-44

Riggsville - McGulpin

2741
2/20/64

2550
2503

THIS INDENTURE, Made this 3rd day of January, 1964, Between CARL G. PIERCE, a single man of 1415 Central Ave, Mackinaw City, Michigan; CHARLES J. MCKINNON and IDA I. MCKINNON, his wife, of 1415 Central Ave, Mackinaw City, Michigan; LEO J. VACHOW, doing business as LeJean's Land Company of 300 Sinclair St, Mackinaw City, Michigan, and JEAN A. VACHOW, his wife, of 300 Sinclair St, Mackinaw City, Michigan, parties of the first part, and CONSUMERS POWER COMPANY, a corporation duly authorized to do business in Michigan, and having its principal office therein at 212 West Michigan Avenue, Jackson, Michigan, party of the second part,

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, to them in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, do by these presents grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part and its successors and assigns, Forever, all those certain pieces or parcels of land situate and being in the Village of Mackinaw City, County of Emmet and State of Michigan, and described as follows, to wit:

A parcel of land in Section 11, T39N, R4W, described as beginning at the S 1/4 post of said section; running thence S 89° 54' 21" W along the S line of said section, 216.02 feet, the S line of said section being assumed as S 89° 54' 21" W; thence N 1° 4' 39" W 244.1 feet; thence N 57° 20' 39" W 1184.28 feet; thence S 84° 2' 21" W 787.11 feet to the SE corner of land heretofore conveyed to Consumers Power Company by a certain warranty deed dated October 7, 1955 and recorded on November 3, 1955 in Liber 149 of Deeds on page 60 of Emmet County records; thence N 0° 32' 44" E along the E'ly line of said land heretofore conveyed to Consumers Power Company 600 feet to the NE corner of said land heretofore conveyed to Consumers Power Company; thence N 84° 2' 21" E 295.32 feet; thence S 59° 5' 26" E 2778.94 feet to the S line of said section; thence S 89° 54' 21" W along the S line of said section, 679.62 feet to the place of beginning; and

Also, a parcel of land in Section 14, T39N, R4W, described as beginning at the N 1/4 post of said section; running thence S 89° 54' 21" W along the N line of said section, 98 feet, the N line of said section being assumed as S 89° 54' 21" W; thence S 1° 5' 7" E and parallel with the N and S 1/4 line of said section, 2194.5 feet to a point which is intended to be on the S line of land now or formerly owned by said first parties; thence N 89° 54' 21" E along the S line of said land now or formerly owned by said first parties 98 feet to a point on the N and S 1/4 line of said section; thence N 1° 5' 7" W along said N and S 1/4 line of said section, 2194.5 feet to the place of beginning. Both of said above-described parcels of land are entirely included within McGulpin's Private Claim #335, T39N, R4W.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining: TO HAVE AND TO HOLD the said premises, as herein described, with the appurtenances, unto the said party of the second part, and to its successors and assigns, Forever. And the said Carl G. Pierce, Charles J. McKinnon, Ida I. McKinnon, Leo J. Vachow, doing business as LeJean's Land Company, and JEAN A. Vachow, parties of the first part, for themselves, their heirs, executors and administrators, do covenant, grant, bargain, and agree to and with the said party of the second part, its successors and assigns, that at the time of the ensembling and delivery of these presents they are well seized of the above-granted premises in fee simple; that they are free from all encumbrances whatever and that they will, and their heirs, executors and administrators, shall Warrant and Defend

SEE NEXT SHEET FOR EASEMENT PRIOR TO PURCHASE OF ABOVE LAND
 SEE NOTE #1 FOR RELEASE OF RIGHT OF WAY FOR GAS MAIN
 SEE NOTE #2 FOR REL OF R/W FOR UNDERGROUND LEAD WIRE
 SEE NOTE #3 FOR LICENSE FOR UNDERGROUND TELEPHONE CABLE
 SEE NOTE #4 FOR STREET EASEMENT.

SEE NOTE # 6



MICHIGAN		Emmet		TOWNSHIP	
STATE		COUNTY		TOWNSHIP	
Village of Mackinaw City		11 & 14		T 39 N R 4 W	
MUNICIPALITY		SECTION		TOWN	
McGulpin's Private Claim # 335		11 & 14		R 4 W	
PLAT OR AREA					
DATE	JOURNAL ENTRY	ITEMS OF COST	AMOUNT	TRANSFERS	BALANCE
Oct 1965	521	Original Cost	\$ 15,246 87		\$ 15,246 87
Oct 1965	521	Original Cost (Tr'd from 393-D85-3)	2,998 97		18,245 84
June 1968	551	Release of R/W - See Note 1		(50 00)	18,195 84
Apr 1971	551	Release of R/W - See Note 2		(1 00)	18,194 84

OTHER NOTES AND DATA

NOTE #1 (By Sale No. 187.292;T68-02) Consumers Power Company granted a release of right of way for a gas main across the land on the caption of this tract as follows:

- | | | |
|-------------------------------------|-------------------------|-----|
| 1. Consumers Power Company | Release of right of way | X-4 |
| 5-6-68 | Gas Main | |
| 2. Great Lakes Gas Transmission Co. | | |

The easement and right to construct, maintain, repair and replace a 24-inch gas main in, on, under, through and across that certain pcl of ld situate in the Village of Mackinaw City, County of Emmet and State of Michigan, more particularly desc as follows:

A pcl of ld in Sec 11 of T39N, R4W, being also a part of McGulpin's Private Claim 335 desc as follows:

Comm at the S $\frac{1}{4}$ post of Sec 11, being the N $\frac{1}{4}$ post of Sec 14, and run th N 01° 04' 39" W alg the N and S $\frac{1}{4}$ ln of Sec 14 extended N into Sec 11 to the S ln of Ridge Rd so-called; th SE'ly alg the S'ly ln of Ridge Rd to a pt of intersection with the N ln of Sec 14 or sd ln extended; th S 89° 54' 21" W alg the N ln of sd sec 679.62 ft to the place of beg.

The ctr ln of sd gas main is to be located as follows, to wit:

Beg at a pt 111 ft E of the N $\frac{1}{4}$ post of Sec 14, and run th N 00° 30' E, 347 ft, more or less, to the S ln of Ridge Rd and the pt of terminus.

The right of way herein conveyed shall be 66 ft wide, 33 feet on ea sd of the above-desc ctr ln.

It is agreed that sd gas ln shall be buried at a depth not less than 30 inches below the surface of sd ld, and 30 inches of cover shall be maintained over same at all times.

This esmt is executed by Consumers Power Company and accepted by Great Lakes subject to the following conditions, anything in the specifications for sd gas ln to the contrary notwithstanding, to wit:

FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE.

NOTE #2 (By Sale No. 187.671-3;T69-283) Consumers Power Co granted a rel of r/w for an underground lead wire across the ld on the cap of this tract as follows:

- | | | |
|-------------------------------|-----------------------|-----|
| 1. Consumers Power Co | Rel of R/W | X-4 |
| 12/12/69 | Underground Lead Wire | |
| 2. Great Lakes Gas Trans. Co. | | |

The esmt and right to construct, maintain, repair and replace a No. 2 wire to be used as a lead to elec cathodic gas ln protection equip, in, under, through and across that certain pcl of ld situate in the Vil. of Mackinaw City, Co of Emmet and State of Mich, more part desc as:

A pcl of ld in Sec 11 of T39N, R4W, being also a part of McGulpin's Private Claim 335 desc as follows: Comm at the S $\frac{1}{4}$ post of Sec 11, being the N $\frac{1}{4}$ post of Sec 14, and run th N 01° 04' 39" W alg the N and S $\frac{1}{4}$ ln of Sec 14 extended N into Sec 11 to the S ln of Ridge Rd so-called; th SE'ly alg the S'ly ln of Ridge Rd to a point of intersection with the N ln of Sec 14 or sd ln extended; th S 89° 54' 21" W alg the N ln of sd sec 679.62' to the place of beg.

Sd No. 2 wire shall be buried approx 2' in depth and shall run in an E'ly and W'ly direc 45' N'ly of the S ln of sd Sec 11 across the above-desc pcl of ld to a terminus at Great Lakes' existing pipeln located on the above-desc pcl of ld.

This esmt is executed by CPCo and accepted by Great Lakes subj to the following conditions, anything in the specs for sd gas ln to the contrary notwithstanding, to wit:
FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE:

(Continued)

GENERAL ENGINEERING MAP REFERENCES

Line Map No. <u>D-16026</u>	Sheet <u>4</u>	of	Sheets
Plan & Profile No. _____	Sheet _____	of	Sheets
Survey Map No. _____	Sheet _____	of	Sheets

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

- | | |
|---------------------|------------|
| 1. Abstract | <u>Yes</u> |
| 2. Opinions | <u>Yes</u> |
| 3. Title Search | _____ |
| 4. Mortgage Release | _____ |
| 5. Tree Vouchers | _____ |
| 6. Other Documents | _____ |

Cons \$ 11,182.50

NOTE #3 (By Sale No. 189.488-0; 175-300) Consumers Power Co. granted an Underground Telephone Cable License across the land on the caption of this tract, as follows:

- | | | |
|--------------------------------|---------|-----|
| 1. Consumers Power Co. | | |
| 1-26-76 | License | X-4 |
| 2. Michigan Bell Telephone Co. | | |

Caption tract is Parcel 2:

The license hereby granted is for the sole & only purpose of locating & establishing upon, over, under & across sd above-desc premises, an underground telephone cable on a route desc as follows:

The center line of sd underground telephone cable is to be located:

Parcel 2: In an E'ly & W'ly direc upon, over, under & across sd ld above desc as Pcl 2, 45 ft distant N of, meas at right angles to and para with the S line of Sec. 11, T39N, R4W.
FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE:

NOTE #4: (By Sale No. Emmet Co. #3; 189.642-2) Consumers Power Company granted a street easement across the ld on the caption of this tract as follows:

- | | |
|-----------------------------|-------------|
| 1. Consumers Power Company | Street Esmt |
| 3-20-84 | |
| 2. Village of Mackinaw City | X-4 |

Forever, the esmt and right for street purposes on, over, alg and across that certain piece or pcl of ld situate in the Vlg of Mackinaw City, County of Emmet and State of Michigan, known and desc as follows:

A triangular pcl of ld in Sec 11, T39N, R4W, desc as follows: Beg at the intersection of the N'ly r/w ln of Central Ave with the S'ly r/w ln of Ridge Rd; proceeding th S 89° 16' 30" W alg the N'ly r/w ln of Central Ave, 150.00 ft; th N 00° 43' 30" W, 92.37 ft to the S'ly r/w ln of Ridge Rd; th S 59° 06' 00" E alg sd S'ly r/w ln of Ridge Rd 176.16 ft to the pl of beg of this desc.

FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE.

NOTE #5: (By Sale No. Emmet #7; 189.713-1) Consumers Power Company granted an Easement for Fiber Optic Cable across the land on the caption of this tract as follows:

- | | |
|--------------------------------|----------------------------|
| 1. Consumers Power Company | |
| 7-1-91 | Esmt for Fiber Optic Cable |
| 2. Michigan Bell Telephone Co. | |

Forever the easement and right to construct, maintain, repair, replace, and remove an underground fiber optic cable, with one manhole and one 4 foot by 4 foot by 4 foot concrete handhole, upon, under, and across land in the Township of Wawatam, County of Emmet, and State of Michigan, described in Exhibit A as follows:

Parcel 4: A strip of land 10 feet in width across the following described Parcels A & B, the Southerly line of which is 100 feet South of and parallel to the South 1/8 line of Sections 10 and 11, T39N, R4W:

Parcel A

Part of the southwest 1/4 of Section 11, T39N, R4W, and a part of McGuipin's Private Claim #335 of T39N, R4W, to find the place of beginning of which commence at the Southwest

corner of Section 11 and run thence North along the West line of said section on a course North 0° 32' 44" East, 736.79 feet to the place of beginning; thence North along the West line of said section North 0° 32' 44" East, 451.17 feet to the intersection of the West line of McGulpin's Private Claim #335; thence North 5° 15' 16" West along the West line of said McGulpin's Private Claim #335 a distance of 147.89 feet; thence North 84° 02' 21" East, 675.06 feet; thence South 0° 32' 44" West, 600 feet; thence South 84° 02' 21" West, 660 feet to the place of beginning.

Parcel B

A parcel of land in Section 11, T39N, R4W, described as beginning at the South 1/4 post of said section and running thence south 89° 54' 21" West along the South line of said section 216.02 feet, the South line of said section being assumed as South 89° 54' 21" West; thence North 1° 4' 39" West, 244.1 feet; thence North 57° 20' 39" West, 1184.28 feet; thence South 84° 2' 21" West, 787.11 feet to the Southeast corner of land heretofore conveyed to Consumers Power Company by a certain warranty deed dated October 7, 1955 and recorded on November 3, 1955 in Liber 149 of Deeds on page 60 of Emmet county records; thence North 0° 32' 44" East along the Easterly line of said land heretofore conveyed to Consumers Power Company 600 feet to the Northeast corner of said land heretofore conveyed to Consumers Power Company; thence North 84° 2' 21" East, 295.32 feet; thence South 59° 5' 26" East, 2778.94 feet to the South line of said section; thence South 89° 54' 21" East along the South line of said section, 679.62 feet to the place of beginning.

Parcel 5: The Northeasterly 10 feet of all that part of Parcel B described above lying Southerly of a line that is 100 feet South of and parallel to the South 1/8 line of Section 11, T39N, R4W.

FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE.

NOTE # 6: (Emmet #21) Consumers Energy Company granted an easement for driveway purposes across the ld on the caption of this tract, as follows:

- | | |
|--|------------------------------|
| 1. Consumers Energy Company
1-15-99 | Easement - Driveway purposes |
| 2. Patrick Wyman and wife | |

Forever, esmt rights in the City of Mackinaw, Co of Emmet, State of Mich, described and made a part hereof, described as follows:

A 20-foot wide strip of land located in the SW 1/4 of Sec 11, T39N, R4W, more particularly described as: To find the place of beginning of this description, commence at the SW corner of said Section 11; thence N 89 deg 55' 00" E, along the S line of said section, 1720.18 feet; thence N 01 deg 05' 00" W, 715.63 feet; thence N 57 deg 19' 00" W, 125.34 feet to the point of beginning of this description; thence N 01 deg 05' 00" w, 258.00 feet to the S'ly r/w of Ridge Road; thence N 57 deg 19' 00" w, along said r/w, 20 feet; thence S 01 deg 05' 00" E, 258.00 feet; thence S 57 deg 19' 00" E, 20 feet to the point of beginning.

The esmt hereby conveyed is for the sole and onlyu purpose of locating, constructing and maintaining over and across said strip a driveway to run in a N'ly & S'ly direction.

FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE.