

13

TITLE DATA

MICHIGAN

Emmet

Wawatam

CONSUMERS POWER CO.

Michael J. Krueger & wf.

STATE

COUNTY

14

TOWNSHIP

T 39 N R 4 W

TRACT 532-D85-9*

Easement

NAME OF GRANTOR

MUNICIPALITY

McGulpin's Private Claim #335

MAP

4-17-74 15-15-74 252 169

KIND OF INSTRUMENT DATE OF INST DATE OF RECORD LIBER PAGE

PLAT OR AREA

EMMETT TO RIGGSVILLE - MCGULPIN

Parcel #3

LIBER 252 PAGE 170

Form 314 7-70

File #3698 EASEMENT

LIBER 252 PAGE 169

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN

County of Emmet

The foregoing instrument was acknowledged before me this 17th day of April, 1974, by Michael J. Krueger and Linda B. Krueger

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

INDEXED

(INDIVIDUAL-ACKNOWLEDGMENT)

STATE OF MICHIGAN

County of

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

Notary Public, ___ County, Michigan. My commission expires ___

(CORPORATE ACKNOWLEDGMENT)

STATE OF MICHIGAN

County of

The foregoing instrument was acknowledged before me this ___ day of ___, 19__ by ___ a ___ corporation, on behalf of the corporation.

Notary Public, ___ County, Michigan. My commission expires ___

Michael J. Krueger and Linda B. Krueger, his wife, 1110 S. Nakomis, Mackinaw City, 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 Wawatam, County of Emmet, and State of Michigan, to-wit:

A parcel of land in McGulpin's Private Claim No. 335, described as beginning at the center of Section 14, Township 39 North, Range 4 West, thence South 80 rods, thence East to the East line of said Private Claim, thence North on the East line of said Private Claim to the East and West 1/4 line of said Section, thence West to the place of beginning.

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 200 feet nor less than 100 feet North of the South line of Section 14, Township 39 North, Range 4 West, at a point not more than 200 feet nor less than 100 feet East of the North and South 1/4 line of said Section, thence Northerly along and not more than 200 feet nor less than 100 feet East of said North and South 1/4 line of said Section to a point not more than 500 feet nor less than 400 feet South of the East and West 1/4 line of said Section, thence Northwesterly to a point not more than 20 feet South of said East and West 1/4 line of said Section, at a point not more than 57 feet West of said North and South 1/4 line of said Section, thence Northerly along and not more than 57 feet West of said North and South 1/4 line of said Section to Consumers Power Company's existing fee strip.

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 75 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 65 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 and caused the instrument to be signed by me this 17th day of April, 1974.

WITNESSES:

Hazel M. Walters, James F. Miller

Michael J. Krueger, Linda B. Krueger



PREPARED BY LUCILLE E. DEBIE, CONSUMERS POWER CO. 212 W. MICHIGAN AVENUE, JACKSON, MICHIGAN 48201

Recorded 15th Day of May A.D. 1974 at 9:20 Frank J. Bohm REGISTER OF DEEDS

RETURN TO LAND & ELECT. DIV. DEPT. CONSUMERS POWER COMPANY 1945 W. PARNALL ROAD JACKSON, MICHIGAN 48201

GENERAL ENGINEERING MAP REFERENCES

Line Map No. F-1771 Sheet 6 of 6 ~~Sheet~~
Plan & Profile No. _____ Sheet of ~~Sheet~~
Survey Map No. _____ Sheet of ~~Sheet~~

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

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

IN THE FILE ARE TWO PRIOR ESMTS NOT
REQUIRED FOR LINE CONSTRUCTION DATED
12-17-73 L251 P570-571 and
8-22-73 L248 P442-443 both from
Michael J. Kreuger & wf.