

BARD ROAD TO WIRTZ ROAD (138 KV)

Form 314 7-70

LIBER 255 PAGE 663
 File #3725
 EASEMENT



Pcl 43

Horace J. Edmands and Margery R. Edmands, his wife, 814 North McClellan, Bay 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 Bay Township of Second County of Gladwin and State of Michigan, to-wit:

The West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ below contour lines at elevation 702 feet above sea level, lying East of the Tittabawassee River, Section 22, Township 19 North, Range 1 East.

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 on the West line of Section 22, Township 19 North, Range 1 East, at a point not more than 110 feet nor less than 70 feet South of the East and West $\frac{1}{4}$ line of said Section, thence Easterly along and not more than 110 feet nor less than 70 feet South of the East and West $\frac{1}{4}$ line of said Section to a point not more than 800 feet nor less than 700 feet West of the North and South $\frac{1}{4}$ line of said Section.

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 50 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 85 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 ~~at the County of Gladwin, Michigan, on the 10th day of June, 1974.~~
 at this 10th day of June, 19 74.

WITNESSES:

Alberta Gaeth
 Alberta Gaeth
C. H. Quivey
 C. H. Quivey

RECORDED
 STATE OF MICHIGAN
 COUNTY OF GLADWIN

JUL 8 12 26 PM '74

Jay Edick
 REGISTER OF DEEDS

Horace J. Edmands
 Horace J. Edmands
Margery R. Edmands
 Margery R. Edmands

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 (INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN)
) ss.
 County of Bay)

The foregoing instrument was acknowledged before me this 10th day of June, 1974, by Horace J. Edmands and Margery R. Edmands

Charles H. Quivey
 Charles H. Quivey
 Notary Public, Jackson County, Michigan
 My commission expires August 16, 1974

(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 _____ a _____ President of _____ a _____ corporation, on behalf of the corporation.

Notary Public, _____ County, Michigan
 My commission expires _____

MAPPED AND CHECKED

GENERAL ENGINEERING MAP REFERENCES

Line Map No. _____ Sheet of Sheets
Plan & Profile No. _____ Sheet of Sheets
Survey Map No. _____ Sheet of Sheets

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

1. Abstract _____
2. Indices of Title _____
3. Title Search YES _____
4. Mortgage Release _____
5. Trust Agreements _____
6. Other Documents _____