

7

TITLE DATA

MICHIGAN STATE | Gladwin COUNTY | Gladwin TOWNSHIP | 15 SECTION | 19N TOWN | 1W RANGE | **CONSUMERS POWER CO.**

Orlay Klein & wf (13) **TRACT 801-D5-8**

Easement | 5-1-79 | 7-5-79 | 279 | 290 | W.D.#6646 | **MAP 13**

KIND OF INSTRUMENT | **DATE OF INST.** | **DATE OF RECORD** | **LIBER** | **PAGE** | **MUNICIPALITY** | **SECTION** | **TOWN** | **RANGE** | **PLAT OR AREA**

BARD ROAD TO WIRTZ ROAD 138KV

Form 314 3-74 | File #3725 | LIBER 279 PAGE 290 | Pd 291/2

EASEMENT

Orlay Klein, also known as Orlay W. Klein and Esther Marion Klein, his wife, 1270 Wagerville Road, Gladwin, 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 Gladwin County of Gladwin, and State of Michigan, to-wit:

Beginning at the South $\frac{1}{4}$ corner of Section 15, T19N, R1W, thence N 89° 20' W along the S line of said section, 661.68 ft, thence N 0° 43' 47" E, 1313 ft to the S 1/8 line of said section, thence S 89° 22' 55" E, 661 ft, thence S 0° 42' W, 1313.40 ft 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 on the W line of Section 15, T19N, R1W, at a point not more than 110 ft nor less than 70 ft S of the S 1/8 line of said section, thence E'ly to a point not more than 35 ft E of the W line of said section, at a point not more than 110 ft nor less than 70 ft S of the S 1/8 line of said section, thence NE'ly to a point not more than 660 ft nor less than 650 ft W of the N & S $\frac{1}{4}$ line of said section at a point not more than 6 ft S of the S 1/8 line of said section, thence E'ly along and not more than 6 ft S of said S 1/8 line to a point not more than 840 ft nor less than 790 ft W of the E line of said section, thence SE'ly to a point not more than 40 ft W of the E line of said section at a point not more than 110 ft nor less than 70 ft S of the S 1/8 line of said section, thence E'ly and not more than 110 ft S of the S 1/8 line to the E 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 each 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 each 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 each 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 or has caused this instrument to be executed by ~~his~~ his ~~Resident~~ this 1st day of May, 19 79.

WITNESSES:

Donald E. Lytle
Donald E. Lytle

Orlay Klein
Orlay Klein

Esther Marion Klein
Esther Marion Klein

Arthur L. Anderson
Arthur L. Anderson

MAPPED AND CHECKED

LIBER 279 PAGE 291
(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN)
County of Gladwin) ss.

The foregoing instrument was acknowledged before me this 1st day of May, 19 79, by Orlay Klein and Esther Marion Klein

RECORDED
STATE OF MICHIGAN
COUNTY OF GLADWIN
Jul 5 12 00 PM '79

Donald E. Lytle
Notary Public, Jackson County, Michigan
My commission expires June 3, 1981

DONALD E. LYTLE
Notary Public, Jackson County, MI.
My Commission Expires 6-3-81

REGISTER OF DEEDS (INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN)
County of _____) ss.

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

Notary Public, _____ County, Michigan
My commission expires _____

(CORPORATE ACKNOWLEDGMENT)

STATE OF MICHIGAN)
County of _____) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19____, by _____
President of _____
a _____ corporation, on behalf of the corporation.

Notary Public, _____ County, Michigan
My commission expires _____

RETURN TO LAND & R/W DEPT.
CONSUMERS POWER COMPANY
HAYES BUILDING
212 W. MICHIGAN AVENUE
JACKSON, MICHIGAN 49201

PREPARED BY D. E. LYTLE
CONSUMERS POWER COMPANY
212 WEST MICHIGAN AVENUE
JACKSON, MICHIGAN 49201

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

In the file is an esmt signed
by Elroy Powley and Wf. and by
Orley Klein & wf dated 11-14-73
recorded on 10-29-74 in L257 at P379
This esmt not required for line
construction.