

Orlay Klein & wf.

Easement 11-14-73 2-19-74 253 990

ACCOUNT NO.

KIND OF INSTRUMENT DATE OF INST DATE OF RECORD LIBER PAGE

BARD ROAD TO WIRTZ ROAD

Form 314 7-70

203 990



1032  
PCL 28

Orlay Klein, also known as Orlay W. Klein and Esther Marian Klein, his wife, 1550 Wagarville 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:

The North 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 16, Township 19 North, Range 1 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 on the North and South 1/2 line of Section 16, Township 19 North, Range 1 West, at a point not more than 110 feet nor less than 70 feet South of the South 1/8 line of said Section, thence Easterly along and not more than 110 feet nor less than 70 feet South of the South 1/8 line of said Section to the East 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 on this 14th day of November, 1973.

WITNESSES:

Mary E. Klein  
C. H. Quivey

Orlay Klein  
Esther Marian Klein

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE. Sub-headers: MICHIGAN STATE, Gladwin COUNTY, Gladwin TOWNSHIP, 16 SECTION, T 19 N TOWN, R 1 W RANGE. Includes a grid for PLAT OR AREA.

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. Captions 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 \_\_\_\_\_

276

LIBER 253 PAGE 991  
(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
                                  ) ss.  
County of Gladwin )

The foregoing instrument was acknowledged before me this 14th day of November, 19 73,  
by Orley Klein and Esther Marian Klein

*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 \_\_\_\_\_  
President of \_\_\_\_\_ a \_\_\_\_\_  
corporation, on behalf of the corporation.

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

RECORDED  
STATE OF MICHIGAN  
COUNTY OF GLADWIN

FEB 19 12 06 PM '74

*Faye Edick*  
REGISTER OF DEEDS

11469  
E  
R  
11

TITLE DATA

MICHIGAN STATE

Gladwin COUNTY

Gladwin TOWNSHIP

CONSUMERS POWER CO.

Gladwin County Bank, a Michigan Corp.

16 SECTION

19N TOWN

1W RANGE

TRACT 802-D5-3

Easement 10-3-79 11-7-79 1281 814 W.O.#6646

MUNICIPALITY

SECTION

TOWN

RANGE

MAP

KIND OF INSTRUMENT

DATE OF INST.

DATE OF RECORD

LIBER

PAGE

PLAT OR AREA

ALGER-BARD ROAD-PART B (FORMERLY BARD ROAD-WIRTZ) 138KV

Form 314 3-74

LIBER 281 PAGE 814

LIBER 281 PAGE 815

EASEMENT

Plat #28

GLADWIN COUNTY BANK, a Michigan Banking corporation, 190 S. Ross St., Beaverton, Mich. 48612

Grantor, in consideration of \$1.00 one dollar 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:

The North 1/2 of the Southeast 1/4 of the Southeast 1/4 of Section 16, Township 19 North,

Gladwin County Bank signed this easement in lieu of a partial release of mortgage.

PLEASE KEEP THIS NOTE ATTACHED TO THIS EASEMENT

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 N & S 1/4 line of Section 16, 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 along and not more than 110 ft nor less than 70 ft S of the S 1/8 line of said Section 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 its President this 3rd day of Oct, 19 79

WITNESSES:

Cynthia K. Jacobs, Anna Marie Broka

GLADWIN COUNTY BANK, a Michigan Banking corporation, Harold A. Steinke, Pres.

(INDIVIDUAL ACKNOWLEDGMENT) STATE OF MICHIGAN ) County of Gladwin ) ss. The foregoing instrument was acknowledged before me this 3rd day of October, 19 79, by Harold A. Steinke, President of Gladwin County Bank, a Michigan Banking corporation, on behalf of the corporation. Notary Public, Gladwin County, Michigan My commission expires August 31, 1983

(CORPORATE ACKNOWLEDGMENT) STATE OF MICHIGAN ) County of Gladwin ) ss. The foregoing instrument was acknowledged before me this 3rd day of October, 19 79, by Harold A. Steinke, President of Gladwin County Bank, a Michigan Banking corporation, on behalf of the corporation. Notary Public, Gladwin County, Michigan My commission expires August 31, 1983

RECORDED STATE OF MICHIGAN COUNTY OF GLADWIN NOV 7 1 35 PM '79

PREPARED BY D. E. SABLE CONSUMERS POWER COMPANY 818 WEST MICHIGAN AVENUE JACKSON, MICHIGAN 49201 RETURN TO LAND & R/W DEPT. CONSUMERS POWER COMPANY MAYOR BUILDING 100 W. MICHIGAN AVENUE JACKSON, MICHIGAN 49201

2786

**GENERAL ENGINEERING MAP REFERENCES**

Line Map No. \_\_\_\_\_ Sheet \_\_\_\_\_ of \_\_\_\_\_  
Plan & Profile No. \_\_\_\_\_ Sheet \_\_\_\_\_ of \_\_\_\_\_  
Survey Map No. \_\_\_\_\_ Sheet \_\_\_\_\_ of \_\_\_\_\_

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