

TITLE DATA  
 [Orval Heath & wf.] (13)  
 Easement  
 NAME OF GRANTOR  
 11-14-73 | 3-26-74 | 254 | 327  
 KIND OF INSTRUMENT DATE OF INST. DATE OF RECORD LIBER PAGE

ACCOUNT NO. \_\_\_\_\_

MAP 13

BARD ROAD TO WIRTZ ROAD

Form 314 7-70



LIBER 254 PAGE 327

Orval Heath, also known as Orval U. Heath, and Jean Heath, his wife, and James Heath, also known as James F. Heath, a single man, all of 2012 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  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  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 West 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  $\frac{1}{8}$  line of said Section, thence Easterly along and not more than 110 feet nor less than 70 feet South of the South  $\frac{1}{8}$  line of said Section to 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 or has caused this instrument to be executed by President this 14th day of November, 1973.

WITNESSES:

C. H. Quivey  
 C. H. Quivey  
Helen Nickless  
 Helen Nickless

Orval Heath  
 Orval Heath  
Jean Heath  
 Jean Heath  
James Heath  
 James Heath

		MICHIGAN	Gladwin	Gladwin
		STATE	COUNTY	TOWNSHIP
			16	T 19 N R 1 W
		MUNICIPALITY	SECTION	TOWN RANGE
		PLAT OR AREA		
BALANCE				
TRANSFERS				
AMOUNT				
ITEMS OF COST				
JOURNAL ENTRY				
DATE				

MAPPED AND CHECKED

GENERAL ENGINEERING MAP REFERENCES

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

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

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

NAME OF GRANTOR \_\_\_\_\_ ACCOUNT NO. \_\_\_\_\_ MAP \_\_\_\_\_

KIND OF INSTRUMENT \_\_\_\_\_ DATE OF INST. \_\_\_\_\_ DATE OF RECORD \_\_\_\_\_ LIBER \_\_\_\_\_ PAGE \_\_\_\_\_

926a  
LIBER 254 PAGE 328

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
County of Gladwin ) ss.

The foregoing instrument was acknowledged before me this 14th day of November, 1973,  
by Orval Heath, Jean Heath and James Heath

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

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

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

RECORDED  
STATE OF MICHIGAN  
COUNTY OF GLADWIN

MAR 26 11 42 AM '74

*Joyce Edick*  
REGISTER OF DEEDS

RETURN TO LAND & ELECT. R/W DEPT.  
CONSUMERS POWER COMPANY  
1945 W. PEARSON ROAD  
JACKSON, MICHIGAN 49201

*Luella E. Riddle*

11695