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TITLE DATA

MICHIGAN STATE

Gladwin COUNTY

Grim TOWNSHIP

CONSUMERS POWER CO.

La Vern Boman, et al

Easement

NAME OF GRANTOR 5-15-79

DATE OF INST. 8-9-79

DATE OF RECORD 279

LIBER 949

PAGE 1043

MUNICIPALITY

SECTION 5

TOWN 19N

RANGE 2E

TRACT 772-D5-4

MAP 6

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

PLAT OR AREA

WIRTZ ROAD -ALGER 138KV

Form 314 3-74



LIBER 279 PAGE 043

Pcl 13

LIBER 279 PAGE 050

EASEMENT

LaVern Boman and Virginia Boman, also known as Virginia G. Boman, his wife, 3603 Lehman Road, West Branch, Michigan; Chester Popko and Anna Popko, his wife, 8463 Elumbrook, Sterling Heights, 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 Grim, County of Gladwin, State of Michigan, to-wit:

A parcel of land in the S 1/2 of the SW 1/4 of Section 5, T19N, R2E, described as: Commencing at a point 565.80 ft E and 72.09 ft N of the SW corner of said Section 5, thence N 0° 48' 11" W 1248.48 ft to the S 1/8 line of said section, thence N 89° 21' 55" E 695.43 ft, thence S 0° 48' 11" E 1259.52 ft, thence N 89° 43' 32" W 695.55 ft to the point 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:

In an E'ly and W'ly direction N'ly of and not more than 60 ft from the centerline of Sterling Truck Trail as now located.

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 40 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 75 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 ~~the~~ xxxxxxxxxxxxxxxxxxxxxxx President this 15th day of May, 1979.

WITNESSES:

Joe Leppek

William H. Zimmerman

Donald E. Babler

William H. Zimmerman

Chester Popko

Anna Popko

LaVern Boman

Virginia Boman

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN)
County of Ogemaw) ss.

The foregoing instrument was acknowledged before me this 22nd day of May, 1979, by LaVern Boman and Virginia Boman

William H. Zimmerman
Notary Public, Jackson County, Michigan
My commission expires WILLIAM H. ZIMMERMAN
NOTARY PUBLIC, Jackson County, Mich.
My Commission Expires May 24, 1982

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN)
County of Oakland) ss.

The foregoing instrument was acknowledged before me this 15th day of May, 1979, by Chester Popko and Anna Popko

William H. Zimmerman
Notary Public, Jackson County, Michigan
My commission expires WILLIAM H. ZIMMERMAN
NOTARY PUBLIC, Jackson County, Mich.
My Commission Expires May 24, 1982

(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.

PREPARED BY W. H. ZIMMERMAN
CONSUMERS POWER COMPANY
212 WEST MICHIGAN AVENUE
JACKSON, MICHIGAN 49201

Notary Public, ___ County, Michigan
My commission expires ___

RECORDED
STATE OF MICHIGAN
COUNTY OF GLADWIN

AUG 9 11 29 AM '79

Faye Edick
REGISTER OF DEEDS

MAPPED AND CHECKED

RETURN TO LAND & R/W DEPT.
CONSUMERS POWER COMPANY
HAYES BUILDING
212 W. 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 THIS INSTRUMENTS

1. Abstract _____
2. Opinion _____
3. Title and _____ 13 _____
4. ~~Map~~ _____
5. ~~100~~ _____
6. Other Documents _____

