

Form 314 7-70

LIBER **255** PAGE **440** *2 of 2 easements*
11-3-74
EASEMENT

BARD ROAD TO WIRTZ ROAD (138 KV)
Pcl 4

John Lloyd Roberts and Elizabeth Lucille Roberts, his wife, 11927 Frazho, Warren, 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 Sage County of Gladwin and State of Michigan, to-wit:

The East $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, also the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, all being in Section 17, Township 19 North, Range 2 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 at a point not more than 1250 feet nor less than 1200 feet North of the South line of Section 17, Township 19 North, Range 2 West, at a point not more than 2700 feet nor less than 2650 feet East of the West line of said Section, running thence Northwesterly to a point not more than 670 feet nor less than 610 feet South of the East and West $\frac{1}{4}$ line of said Section 17, at a point not more than 1130 feet nor less than 1030 feet East of the West line of said Section, running thence Westerly parallel to and not more than 670 feet nor less than 610 feet South of the said East and West $\frac{1}{4}$ line of said Section to a point not more than 180 feet nor less than 100 feet East of the West line of said Section 17, running thence Southwest-erly to a point not more than 830 feet nor less than 730 feet South of the East and West $\frac{1}{4}$ line of Section 18 of said Township, at a point not more than 140 feet nor less than 40 feet West of the East line of said Section 18.

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 his residence~~ at his residence on this 17th day of January, 1974.

WITNESSES:

Dean Lloyd Roberts
John Lloyd Roberts

Edward R. Bradley, Sr.
Edward R. Bradley, Sr.

John Lloyd Roberts
John Lloyd Roberts

Elizabeth Lucille Roberts
Elizabeth Lucille Roberts

LIBER **255** PAGE **441**
(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN)
County of Macomb) ss.

The foregoing instrument was acknowledged before me this 17th day of January, 1974,
by John Lloyd Roberts and Elizabeth Lucille Roberts

Edward R. Bradley, Sr.
Edward R. Bradley, Sr.
Notary Public, Kalamazoo County, Michigan
My commission expires November 29, 1976

(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 _____,
corporation, on behalf of the corporation.

Notary Public, _____ County, Michigan
My commission expires _____

RECORDED
STATE OF MICHIGAN
COUNTY OF GLADWIN
JUN 20 2 05 PM '74
Jay E. Erick
REGISTER OF DEEDS

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 _____

TITLE DATA

MICHIGAN

Gladwin

Sage

CONSUMERS POWER CO.

Elmer Weaver & wf.

Easement

NAME OF GRANTOR

6-4-74 6-20-74 255 438

MUNICIPALITY

SECTION

TOWNSHIP

T 19 N R 2 W

TOWN

RANGE

TRACT 826-D5-15

MAP 14

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

PLAT OR AREA

BARB ROAD TO WIRTZ ROAD (138 KV)

Form 314 7-70

LIBER 255 PAGE 438

1 of 2 sheets
File #3725
EASEMENT

Pcl 4

LIBER 255 PAGE 438

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN)
County of Gladwin) ss.

The foregoing instrument was acknowledged before me this 4th day of June, 1974, by Elmer Weaver and Doris Weaver

Edward R. Bradley, Sr.
Notary Public, Kalamazoo County, Michigan
My commission expires November 29, 1976

(INDIVIDUAL ACKNOWLEDGMENT)

EDWARD R. BRADLEY, SR.
Notary Public, Kalamazoo County, Mich.
My Commission Expires Nov. 29, 1976

STATE OF MICHIGAN)
County of) ss.

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

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 _____, on behalf of the corporation.

Notary Public, _____ County, Michigan
My commission expires _____

RECORDED
STATE OF MICHIGAN
COUNTY OF GLADWIN

JUN 20 2 04 PM '74

Frank Edick
REGISTER OF DEEDS

Elmer Weaver and Doris Weaver, his wife, 5249 Gashe 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 Sage County of Gladwin and State of Michigan, to-wit:

The East 1/2 of the Northwest 1/4 of the Southwest 1/4, also the North 1/2 of the Southwest 1/4 of the Northwest 1/4 of the Southwest 1/4, all being in Section 17, Township 19 North, Range 2 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 at a point not more than 1250 feet nor less than 1200 feet North of the South line of Section 17, Township 19 North, Range 2 West, at a point not more than 2700 feet nor less than 2650 feet East of the West line of said Section, running thence North-westerly to a point not more than 670 feet nor less than 610 feet South of the East and West 1/4 line of said Section 17, at a point not more than 1130 feet nor less than 1030 feet East of the West line of said Section, running thence Westerly parallel to and not more than 670 feet nor less than 610 feet South of the said East and West 1/4 line of said Section to a point not more than 180 feet nor less than 100 feet East of the West line of said Section 17, running thence Southwesterly to a point not more than 830 feet nor less than 730 feet South of the East and West 1/4 line of Section 18 of said Township, at a point not more than 140 feet nor less than 40 feet West of the East line of said Section 18.

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 this 4th day of June, 1974.

WITNESSES:

Edward R. Bradley, Sr.
Ronald J. Switzer

Elmer Weaver
Doris Weaver

MAPPED
AND
CHECKED

GENERAL ENGINEERING MAP REFERENCES

Case 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 YES _____
4. Mortgage Release _____
5. Tree Vouchers _____
6. Other Documents _____