

13

TITLE DATA

CONSUMERS POWER COMPANY

James-J. Youker and wife, Rita L.

TRACT 277-D307-4

Warranty Deed 9/27/67 11/13/67 288 358

ACCOUNT NO. W.O. 8241

MAP 4

BOARDMAN-LUDINGTON

RECORDED IN DEEDS

WARRANTY DEED

This Indenture, made September 27, 1967 BETWEEN JAMES J. YOUKER and RITA L. YOUKER, his wife, of Buckley, Michigan,

and CONSUMERS POWER COMPANY, a corporation duly authorized to do business in Michigan and having its principal office therein at 212 West Michigan Avenue, Jackson, Michigan 49201,

Witnesseth, That the said party of the first part, for and in consideration of the sum of ONE DOLLAR and Other Good and Valuable Consideration to him in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, does by these presents grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, its successors and assigns, Forever, all that certain piece or parcel of land situate and being in the Township of Grant, County of Grand Traverse and State of Michigan, and described as follows, to-wit:

A strip of land 330 feet in width across the N 1/2 of the SE 1/4 of Section 1, T25N, R12W, described as follows: To find the place of beginning of this description commence at the S 1/4 post of said section; run thence N 00° 10' 51" E along the North and South 1/4 line of said section 227.06 feet; thence N 34° 22' 03" E, 1298.31 feet to the South 1/8 line of said section and the place of beginning of this description; thence continuing N 34° 22' 03" E, 1570.06 feet to the East and West 1/4 line of said section; thence S 88° 57' 32" E along the said East and West 1/4 line of said section 394.94 feet; thence S 34° 22' 03" W, 1570.04 feet to the South 1/8 line of said section; thence N 88° 57' 37" W along the South 1/8 line of said section 394.95 feet to the place of beginning.

SEE NOTE #1 FOR RELEASE OF R/W FOR ROADWAY
SEE NOTE #2 FOR RELEASE OF RIGHT OF WAY FOR PIPELINE.
SEE NOTE #3 FOR EASEMENT FOR UTC AND UNDERGROUND EQUIP.

STATE OF MICHIGAN, County of Grand Traverse, ss. Traverse City, Mich. Nov. 13, 1967. I hereby certify, that there are no taxes held by the State or by individuals on the land herein described in the within instrument, and that all taxes due thereon paid for the five years preceding the date of said instrument as appears by the records in my office. This does not cover taxes in collection by Township, Cities or Villages. Martin A. Reed, Deputy

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining: To Have and to Hold the said premises, as herein described, with the appurtenances, unto the said party of the second part and to its successors and assigns, Forever. And the said party of the first part, for himself, his heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the delivery of these presents he is well seized of the above granted premises in fee simple; that they are free from all incumbrances whatever and that he will, and his heirs, executors, and administrators shall Warrant and Defend the same against all lawful claims whatsoever.

When applicable, pronouns and relative words shall be read as plural, feminine or neuter. In Witness Whereof, The said party of the first part has hereunto set his hand the day and year first above written.

Signed, and Delivered in Presence of: Bradley J. Youker, Rita L. Youker, C. H. Quivey

STATE OF MICHIGAN,) County of Grand Traverse) ss. On September 27, 1967 before me, a Notary Public of Jackson County, Michigan, acting in Grand Traverse County, personally appeared James J. Youker and Rita L. Youker,

to me known to be the same person as described in and who executed the within instrument, who severally acknowledged the same to be their free act and deed. My commission expires September 7, 1970. Charles H. Quivey, Notary Public, Jackson County, Michigan.

PREPARED BY D. R. ROOD, CONSUMERS POWER CO., 212 W. MICHIGAN AVENUE, JACKSON, MICHIGAN

MICHIGAN STATE Grand Traverse County Grant Township T 25 N R 12 W 11.89A PLAT OR AREA

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE

Formerly 1847-D146-4

18

MAPPED AND CHECKED

OTHER DATA AND NOTES

NOTE #1 (By W.O. #8241; T69-253) Consumers Power Co granted a rel of r/w for roadway purposes across the ld on the cap of this tract as follows:

GENERAL ENGINEERING MAP REFERENCES			
Line Map No. <u>F-16874</u>	Sheet <u>2</u>	of <u>13</u>	Sheets
Plan & Profile No. _____	Sheet _____	of _____	Sheets
Survey Map No. _____	Sheet _____	of _____	Sheets

- | | | |
|------------------------|------------|-----|
| 1. Consumers Power Co. | Rel of R/W | X-4 |
| 10-31-69 | | |
| 2. Carl Kolbusz & wf. | Roadway | |

Forever, the esmt and r/w for roadway purposes on, over, alg and across that certain piece or pcl of ld situate in the Twp of Grant, Co of Grand Traverse and State of Mich, known and desc as follows, to wit:

The N 66', sd distance being meas at right angles to the E and W $\frac{1}{4}$ ln of Sec 1, T25N, R12W, of a strip of ld 330' in width across the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of sd Sec 1, sd strip of ld 330' in width being desc as follows: To find the pob of sd strip of ld 330' in width comm at the S $\frac{1}{4}$ post of sd sec; run th N 00° 10' 51" E alg the N and S $\frac{1}{4}$ ln of sd sec 227.06'; th N 34° 22' 03" E, 1298.31' to the S 1/8 ln of sd sec and the pob of sd strip of ld 330' in width; th cont N 34° 22' 03" E, 1570.06' to the E and W $\frac{1}{4}$ ln of sd sec; th S 88° 57' 32" E alg the sd E and W $\frac{1}{4}$ ln of sd sec 394.94'; th S 34° 22' 03" W, 1570.04' to the S 1/8 ln of sd sec; th N 88° 57' 37" W alg the S 1/8 ln of sd sec 394.95' to the pob.

NOTE #2 (By Sale #189.580-4; T-76-158) Consumers Power Company granted a release of right of way for a pipeline across the land on the caption of this tract and other lands as follows:

- | | | |
|----------------------------|-------------------------|-----|
| 1. Consumers Power Company | Release of Right of Way | |
| 9-23-76 | Pipeline | X-4 |
| 2. Shell Oil Co. | | |

The license and permit to construct and maintain one three inch flow line in, on, under, through and across land in the Townships of Grant and Mayfield, county of Grand Traverse and State of Michigan, desc as follows:

Parcel #1: A strip of land 330 ft in width across the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec 1, T25N, R12W, desc as follows: To find the pl of beg of this desc comm at the S $\frac{1}{4}$ post of sd sec; run th N 00° 10' 51" E alg the N & S $\frac{1}{4}$ line of sd sec 227.06 ft; th N 34° 22' 03" E, 1298.31 ft to the S 1/8 line of sd sec and the pl of beg of this desc; th continuing N 34° 22' 03" E, 1570.06 ft to the E & W $\frac{1}{4}$ line of sd sec; th S 88° 57' 32" E alg the sd E & W $\frac{1}{4}$ line of sd sec 394.94 ft; th S 34° 22' 03" W, 1570.04 ft to the S 1/8 line of sd sec; th N 88° 57' 37" W alg the S 1/8 line of sd sec 394.95 ft to the pl of beg.

FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE.

NOTE #3: (By Sale no. Grand Traverse County #37; 189.403-9) CPCo granted an easement for underground telephone cables and underground equipment across the land on the caption of this tract and other lands, as follows:

- | | |
|-------------------------------------|--|
| 1. Consumers Power Company | Easement-UTC and Underground Equipment |
| 12-16-92 | |
| 2. ACE Telephone Co. of Mich., Inc. | |

Forever, the easement and right to use a 10 foot wide strip of land situate in the Township of Grant, County of Grand Traverse and State of Michigan, described in Exhibit A and Exhibit B, for the purpose of constructing and maintaining underground telephone lines and equipment under and along said 10 foot wide strip of land, and for no other purposes. The underground telephone lines and other equipment shall be buried a minimum of 3 feet beneath the surface of the ground, said distance being measured vertically from the surface of the ground to the top of said underground lines or equipment and said underground lines shall run along the center line of the 10 foot wide strip of land.

Also, Grantor hereby grants to Grantee Temporary rights for the installation, maintenance and replacement of its underground equipment on the following described land: Two strips of land 15 feet in width lying on each side of the above-captioned 10 foot wide strip of land. Said temporary rights shall cease upon the completion of the installation, maintenance or replacement of Grantee's equipment.

FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE.