

Earl Dinger, et al

TITLE DATA

Warranty Deed 10/9/67 11/13/67 288 366

ACCOUNT NO. W.O. 8241

MAP 7

BOARDMAN-LUDINGTON RECORDED IN DEEDS

#3127

Recorded November 13, 1967 at 10:45 o'clock A.M. Lib. 288 of Deeds, Page 366 Gladys Helfrich Register of Deeds

LIBER 288 PAGE 366

WARRANTY DEED

This Indenture, made October 9, 1967, BETWEEN EARL DINGER and THEIL DINGER, his wife, and BLOSSOM DINGER all of 213 N. Altadena, Royal Oak, Michigan, parties of the first part, 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, party of the second part.

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 Blair, County of Grand Traverse and State of Michigan, and described as follows, to-wit:

A strip of land across part of the SW 1/4 of Section 31, T26N, R11W, described as follows: To find the place of beginning of this description commence at the Southwest corner of said section; run thence S 89° 15' 33" E along the South line of said section 833.56 feet to the place of beginning of this description; thence continuing S 89° 15' 33" E along the South line of said section 396.32 feet; thence N 34° 22' 03" E, 1981.46 feet to a point which is on the South line of land now or formerly owned by Herbert L. Wagner and Anna Wagner, his wife, and which said point is also 281.43 feet distant W'ly of the North and South 1/4 line of said section as measured parallel with the South line of said section; thence N 89° 15' 33" W parallel with the South line of said section and along the South line of said land now or formerly owned by Herbert L. Wagner and Anna Wagner, his wife, 396.31 feet; thence S 34° 22' 03" W, 1981.46 feet to the place of beginning.

SEE NOTE #1 FOR LICENSE FOR UNDERGROUND FIBER OPTIC CABLE

STATE OF MICHIGAN, County of Grand Traverse, ss., Traverse City, Mich. 13, 1967. I hereby certify, that the taxes held by the State or by individuals on the land herein described in the within instrument, and that all taxes due and paid for the five years preceding the date of said instrument as appears by the records in my office. This does not cover collection by Township, Cities or Villages. Maxine G. Roth, Deputy Grand Traverse

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

Juliette Quivey, C. H. Quivey

Earl Dinger, Theil Dinger, Blossom Dinger

STATE OF MICHIGAN, ) County of Macomb ) ss. On October 9, 1967 before me, a Notary Public of Jackson County, Michigan, acting in Macomb County, personally appeared Earl Dinger, Theil Dinger and Blossom Dinger,

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

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE. Includes sub-headers for MICHIGAN STATE, Grand Traverse COUNTY, Blair TOWNSHIP, 31 SECTION, T 26 N R 11 W TOWN RANGE, 13.01A PLAT OR AREA.

1851-D146-1

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18

MAPPED AND CHECKED

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OTHER DATA AND NOTES

NOTE #1: (By Sale No. Grand Traverse #31; 189.262-9) CPCo granted a License for Underground Fiber Optic Cable across the land on caption of this tract as follows:

1. Consumers Power Company  
3-2-92
2. Michigan Bell Telephone Co.

The License and Permit to use certain land situate in the Township of Blair, County of Grand Traverse and State of Michigan, known and described as follows, to wit:

A 10-foot wide strip of land running in a generally Northerly and Southerly direction across Sections 30 and 31 of Township 26 North, Range 11 West, as more fully shown and described on the drawings (two sheets) which are attached hereto and made a part hereof as Exhibit A;

for the purpose of constructing and maintaining one (1) underground fiber optic cable under and along said 10 foot wide strip of land, and for no other purposes. Said underground fiber optic cable shall be located and run on and along the centerline of said 10 foot wide strip of land, which centerline is located 50 feet West of and parallel to the center line of an existing Consumers Power Company electric transmission tower line as more fully described on the drawings attached hereto as Exhibit A. Said fiber optic cable shall be buried a minimum of three feet beneath the surface of the ground, said distance being measured vertically from the surface of the ground to the top of said fiber optic cable.

It is understood that the license herein granted for use of the above described premises is non-exclusive. Without limiting the foregoing, Licensor expressly retains the right to the use and possession of the premises for its purposes, including, without limitation, electric and gas transmission and distribution lines and all appurtenances used or usable in connection therewith, and the right to enter upon said premises at all times for the purpose of constructing and maintaining roadways for the purpose of carrying on such construction, maintenance, operations and patrols.

This license is executed by Licensor and accepted by Licensee subject to the following terms and conditions:

FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE.