

Order Confirming Report of Special Commissioners
 CONDEMNATION 15-28-76 6-22-76 394 63
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 KEYSTONE-SUTTONS BAY(NORTHPORT) (KEYSTONE-MUMSON JCT.) 138 KV

LIB# 394 PAGE 63
 STATE OF MICHIGAN
 GRAND TRAVERSE CO. MI
 REGISTER OF DEEDS
 JUN 22 2 33 PM '76

STATE OF MICHIGAN
 IN THE PROBATE COURT FOR THE COUNTY OF GRAND TRAVERSE

IN THE MATTER OF THE PETITION OF CONSUMERS
 POWER COMPANY, A CORPORATION, FOR THE
 CONDEMNATION OF CERTAIN INTERESTS IN LAND
 IN GRAND TRAVERSE COUNTY, MICHIGAN, FOR THE
 PURPOSE OF TRANSMITTING, DISTRIBUTING,
 SELLING AND SUPPLYING ELECTRIC ENERGY FOR
 PUBLIC USE. File No. 15,880

ORDER CONFIRMING REPORT OF SPECIAL COMMISSIONERS

At a session of said Court held in
 the Court House, in Traverse City and
 Traverse County, Michigan, on June 14, 1976

PRESENT: HONORABLE Kenneth G. Mackness
 Probate Judge

The Court appointed Commissioners having heretofore
 heard the evidence presented in this case and having filed, on
MAY 28 1976, their report finding that there is

necessity for the acquisition of a transmission line easement in
 Parcels 1, 2 and 3, as said parcels and said easements are
 described in the petition, and determining that the just
 compensation for damage to be paid by the petitioner, Consumers
 Power Company, is the amount hereafter stated, this matter having
 come on to be heard on petitioner's motion to confirm said
 Commissioners' report, and the Court being fully advised in the
 premises,

IT IS NOW ORDERED AND ADJUDGED as follows:

1. That said Commissioners' report as to necessity
 and determination of just compensation for damages as to Parcels
 1, 2 and 3 be and the same is hereby confirmed.
2. That title to said easements in Parcels 1, 2 and 3
 and the right to possession thereof is hereby vested in petitioner,
 Consumers Power Company, its successors and assigns forever;

provided that said petitioner within 20 days after the entry of
 this Order shall deposit with the Register of this Court the sum
 hereinafter stated as just compensation for damages to be paid
 to the respondents or, in the alternative, that said petitioner
 pay said sum directly to the respondents or their attorney of
 record and file a receipt therefor signed by said respondents or
 their attorney of record with the Register of this Court.

3. The interests in the land hereinafter described
 which is hereby vested in petitioner, its successors and assigns
 forever, is as follows:

Easements 72 feet in width upon which to erect,
 lay and maintain one electric transmission line con-
 sisting of single wood poles, wires, cables, conduits,
 crossarms, braces, guys, anchors and other fixtures
 and appurtenances necessary or appropriate for the
 purpose of transmitting electric energy and electric
 control circuits and devices on, over, under and
 across the parcels of land described below, including
 all public highways upon or adjacent to said parcels
 of land; said 72-foot easements being more specifically
 described below with reference to each described parcel,
 and as hereafter surveyed and located. Also the right
 to enter at all times upon said 72-foot easements
 described below for the purpose of constructing, opera-
 ting, and repairing, renewing, extending, changing,
 patrolling and maintaining such poles, wires, cables,
 conduits, crossarms, braces, guys, anchors, fixtures and
 appurtenances; together with the right to renew or
 repair the aforesaid. Also the right, at any time, to
 cut, trim, remove, destroy or otherwise control all
 trees and brush within the areas described below.
 Also the easement and right to construct, lay and
 maintain underground counterpoise wires or cables with-
 in the boundaries of said 72-foot easements. The use
 of the land lying within said 72-foot easements by
 respondents and their grantees shall be subject to the
 restriction that no buildings or other structures will
 be placed on the 72-foot easements described below
 without the written consent of Consumers Power Company.

4. The description of said parcels and the descriptions
 and locations on said parcels of the transmission line easement
 interests and tree easements, the owners and parties in interest
 in each of said parcels, and the just compensation determined by
 the Commissioners for each of said parcels are as follows:

MAPED
 AND
 CHECKED

TITLE DATA

MICHIGAN STATE

COUNTY

TOWNSHIP

CONSUMERS POWER CO. 598-D14-1 (Cont.) 13

NAME OF GRANTOR

MUNICIPALITY

SECTION

TOWN

RANGE

TRACT MAP

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PLAT OR AREA

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PARCEL ONE

Description

That part of the SE 1/4 of the NW 1/4 of Section 18 lying North of the center line of Herkner Road and West of a line described as commencing at the N 1/4 corner of said section; thence West (assumed) on section line 833.34 feet; thence South at right angles to section line 1605.4 feet to a point in the center line of Herkner Road and the point of beginning of said line; thence N 03° 34' 30" W, 289 feet, more or less, to the 1/8 line and the point of ending of said line. Also that part of the W fractional 1/2 of the NW fractional 1/4 of Section 18 lying North of Herkner Road. Also the W fractional 1/2 of the SW fractional 1/4 of Section 7 except the East 25 acres thereof. All in T27N, R11W, Garfield Township, Grand Traverse County, Michigan. Also the NE 1/4 of the NE 1/4 of Section 13, T27N, R12W, Long Lake Township, Grand Traverse County, Michigan.

Basement rights, as described in the Petition for Condemnation of Interests in Land to which this Schedule is attached as a part thereof, over a strip of land 72 feet in width lying within the land described above, said 72-foot-wide strip of land being 36 feet on each side of a center line described as follows: Being in a N'ly and S'ly direction E'ly of and not more than 70 feet nor less than 60 feet from the West 1/8 line of Section 18, T27N, R11W.

Names of persons owning or having an interest in Parcel One:

John A. Gallagher and Marjorie Gallagher, as Trustees of the Marjorie Gallagher Trust 5904 North Long Lake Road Traverse City, Michigan Douglas M. Gallagher 5904 North Long Lake Road Traverse City, Michigan

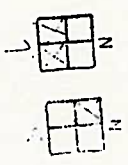
The interests sought to be acquired herein shall be subject to and subordinate to the following:

Amoco Production Company 500 Jefferson Building Houston, Texas

Just Compensation

\$ 8000.00

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PARCEL TWO

Description

The East 25 acres of the W 1/2 of the SW 1/4 of Section 7. Also the E 1/2 of the SW 1/4 of Section 7. Also the SW 1/4 of the SE 1/4 of Section 7. Also the NE 1/4 of the NW 1/4 of Section 18. All in T27N, R11W, Garfield Township, Grand Traverse County, Michigan.

Basement rights, as described in the Petition for Condemnation of Interests in Land to which this Schedule is attached as a part thereof, over a strip of land 72 feet in width lying within the land described above, said 72-foot-wide strip of land being 36 feet on each side of a center line described as follows: Being in a N'ly and S'ly direction E'ly of and not more than 70 feet nor less than 60 feet from the West 1/8 line of Sections 18 and 7, T27N, R11W.

Also the right, at any time, to cut, trim, remove, destroy or otherwise control (1) all trees and brush standing or growing within the limits of said 72-foot-wide strip of land; and (2) all trees in excess of 30 feet in height on the above-described land within 70 feet on each side of the above-described center line which are not included within (1) above. Also the right to enter upon said areas, from time to time, to cut, trim, remove, destroy or otherwise control trees and brush as aforesaid.

Names of persons owning or having an interest in Parcel Two:

Charles Lange 5902 North Long Lake Road Traverse City, Michigan Douglas M. Gallagher 5904 North Long Lake Road Traverse City, Michigan

Just Compensation

\$ 15,500.00



PARCEL THREE
Description

The SW 1/4 of the NE 1/4 of Section 7. Also the SE 1/4 of the NW 1/4 of Section 7. Also the S 1/2 of the NE 1/4 of the NW 1/4 of Section 7. All in 127N, R11W, Garfield Township, Grand Traverse County, Michigan.

Easement rights, as described in the Petition for Condemnation of Interests in Land to which this Schedule is attached as a part thereof, over a strip of land 72 feet in width lying within the land described above, said 72-foot-wide strip of land being 35 feet on each side of a center line described as follows:
 Being in a N'ly and S'ly direction E'ly of and not more than 70 feet nor less than 60 feet from the West 1/8 line of Section 7, 127N, R11W.

Also the right, at any time, to cut, trim, remove, destroy or otherwise control (1) all trees and brush standing or growing within the limits of said 72-foot-wide strip of land; and (2) all trees in excess of 30 feet in height on the above-described land within 70 feet on each side of the above-described center line which are not included within (1) above. Also the right to enter upon said areas, from time to time, to cut, trim, remove, destroy or otherwise control trees and brush as aforesaid.

Names of persons owning or having an interest in Parcel Three:
 Gary K. Gallagher and Emma M. Gallagher, Husband and Wife
 Route 2, Box 505
 Traverse City, Michigan

The Empire National Bank of Traverse City
 Traverse City, Michigan

Ameco Production Company
 500 Jefferson Building
 Houston, Texas

The interests sought to be acquired herein shall be subject to and subordinate to the following:
 Oil and Gas Lease owned by:

Just Compensation \$ ~~8,000.00~~ 8,000.00

[Signature]
 JUDGE OF PROBATE

[Signature]
 Notary Public
 Grand Traverse County, Michigan