

13

TITLE DATA

MICHIGAN STATE

Isabella COUNTY

Vlg of Shepherd TOWNSHIP

CONSUMERS ENERGY CO.

Village of Shepherd

17 13N 3W SECTION TOWN RANGE

TRACT 862-D6-22

Easement 9-7-99 3-24-00 977 1837 WO#

PLAT OR AREA

ALMA - SUMMERTON LINE

(line segment 6af)

LIBER 977 PAGE 837

LIBER 977 PAGE 838

TRACT #: 862-D6-22

200000002348 Filed for Record in ISABELLA COUNTY, MI SHARON A BROWN On 03-24-2000 At 11:49:12 am. EASEMENT 11.00 Liber 977 Page 837 - 838

EASEMENT FOR ELECTRIC LINE

Form 321

31-017-00-200-00

File #4143

Village of Shepherd, a Michigan municipal corporation Wright St., Shepherd, Michigan 48883

Grantor, for good and valuable consideration to him paid by CONSUMERS ENERGY COMPANY, a Michigan corporation, 212 West 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 enter upon the land hereinafter described and to construct, operate, maintain, repair, inspect, replace, improve, enlarge and remove electric transmission and distribution facilities consisting of one line of poles with wires, cables, conductors, braces, guys, anchors, transformers and other fixtures and appurtenances, and lateral lines where hereinafter indicated, in, over and across said land, including all public highways upon or adjacent to said land, which land is in the Village of Shepherd, County of Isabella and State of Michigan, and described as:

The West 50 feet of the South 70 feet of a parcel of land in the Northeast 1/4 of Section 17, Township 13 North, Range 3 West, described as: Commencing at the intersection of the South line of Campbell Avenue extended and the North and South 1/4 line of said section; run thence South 89°44'00" East 250 feet to the place of beginning of this description; continue thence South 89°44'00" East along the South line of said Campbell Avenue 20 feet; run thence South 00°16'00" West 382.54 feet; run thence North 89°44'00" West 229.19 feet to the Easterly right of way line of the Tuscola and Saginaw Bay Railway; run thence North 28°56'20" East 436 feet to the place of beginning.

Said line of poles is to be located in, over and across said land on a center line described as follows:

Beginning at a point not more than 255 feet nor less than 155 feet East of the North and South 1/4 line of Section 17, Township 13 North, Range 3 West at a point not more than 425 feet nor less than 325 feet North of the East and West 1/4 line of said section; run thence Northerly to a point not more than 28 feet nor less than 20 feet West of the North and South 1/4 line of said section at a point not more than 1310 feet nor less than 1210 feet South of the North line of said section; run thence Northerly along and not more than 28 feet nor less than 20 feet West of the North and South 1/4 line of said section to a point not more than 35 feet nor less than 25 feet South of the North line of said section.

Also conveying the right, from time to time and at no additional cost to Grantee, to cut, trim, remove, destroy or otherwise control any trees and brush which may, in the opinion of the Grantee, interfere or threaten to interfere with or be hazardous to said facilities. Grantor agrees that no buildings or other structures will be placed under or over said facilities or within such proximity thereto as to interfere with or, in the opinion of Grantee, threaten to interfere with the construction, operation or maintenance of said facilities. Guy wires and anchors may be placed at such locations on and under the land described above as may be required. Additional wires, cables and conductors may be installed on said line of poles at any time hereafter. 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 authorized.

This easement is exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to the provisions of MCLA 205.526(f).

Where applicable, pronouns and relative words used herein shall be read as plural, feminine or neuter.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officers this 7th day of Sept, 1999, pursuant to a Resolution of the Village Council dated the 7 day of Sept, 1999.

WITNESSES:

VILLAGE OF SHEPHERD

William J. Shirley

Kim Swenson President

Sandra J. Baxter

Mary Kay Maas Clerk

STATE OF MICHIGAN ) COUNTY OF ISABELLA )

The foregoing instrument was acknowledged before me this 7th day of September, 1999, by Kim Swenson, President, and Mary Kay Maas, Clerk of Village of Shepherd, a Michigan municipal corporation, on behalf of the corporation.

Prepared By: Cynthia K Jones 6/28/99 Consumers Energy Company 1945 West Parnall Road Jackson, MI 49201

William C. Carlson Notary Public Kent County, Michigan Acting in Isabella County, Michigan My Commission Expires September 12, 2001

Return to: Consumers Energy Company Real Estate and Right of Way Dept. Attn: Nancy P. Fisher, P21-411 1945 West Parnall Road Jackson, MI 49201