

13

TITLE DATA

MICHIGAN

Isabella

Vlg of Shepherd

CONSUMERS ENERGY CO.

STATE

COUNTY

TOWNSHIP

Robert E McGarry and wife

17

13N

3W

TRACT 864-D6-24

NAME OF GRANTOR

MUNICIPALITY

SECTION

TOWN

RANGE

Easement

8-25-99

3-24-00

1977

845

KIND OF INSTRUMENT

DATE OF INST.

DATE OF RECORD

LIBER

PAGE

PLAT OR AREA

MAP

ALMA-SUMMERTON LINE

LIBER 977 PAGE 845

(Line segment .6af)

TRACT # 864-D6-24

200000002352
Filed For Record in
ISABELLA COUNTY, MI
SHARON A BROWN
On 03-24-2000 At 11:50:16 am.
EASEMENT 11.00
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EASEMENT FOR ELECTRIC LINE

Form 321

31-017-00-180-00

File #4143

Robert E. McGarry and Sue McGarry, a/k/a Sue Z. McGarry, husband and wife
210 First 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 a parcel of land in the Northeast 1/4 of Section 17, Township 13 North, Range 3 West, described as: Beginning at a point on the North and South 1/4 line of said section directly West of the Southwest corner of Block A of the Plat of the Village of Shepherd, according to the recorded plat thereof, being a part of the Northeast 1/4 of said section; run thence South along the North and South 1/4 line of said section 450 feet; run thence Northeasterly to a point on the South line of Campbell Avenue, said point being 250 feet East of the place of beginning, run thence West along said South line to the place of beginning, excepting therefrom Tuscola and Saginaw Bay Railway right of way.

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.

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IN WITNESS WHEREOF, Grantor has executed this instrument or has caused this instrument to be executed by its duly authorized officers this 25th day of August, 19 99.

WITNESSES:

Dennis C. Merchant

Robert E. McGarry

Renna L. Craven

Sue McGarry a/k/a Sue Z. McGarry

STATE OF MICHIGAN

SS.

COUNTY OF ISABELLA

The foregoing instrument was acknowledged before me this 25th day of August, 19 99, by Robert E. McGarry and Sue McGarry, a/k/a Sue Z. McGarry, husband and wife.

Prepared By: Cynthia K Jones 7/8/99
Consumers Energy Company
1945 West Parnall Road
Jackson, MI 49201

Dennis C. Merchant Notary Public
Jackson County, Michigan
Acting in Isabella County, Michigan
My Commission Expires September 10, 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