

13

TITLE DATA

MICHIGAN STATE

Isabella COUNTY

Vlg of Shepherd TOWNSHIP

CONSUMERS ENERGY CO.

Michael Turnwald and wife

NAME OF GRANTOR

MUNICIPALITY

SECTION 8

TOWN 13N

RANGE 3W

TRACT 873-D6-30

MAP

Easement

DATE OF INST. 9-22-99

DATE OF RECORD 13-28-00

LIBER 978

PAGE 236

PLAT OR AREA

02476

ALMA-SUMMERTON LINE

(line segment 6af)

LIBER 978 PAGE 237

200000002476
Filed for Record in
ISABELLA COUNTY, MI
SHARON A BROWN
On 03-28-2000 At 12:51:50 pm.
EASEMENT 11.00
Liber 978 Page 236 - 237

TRACT # 873-D6-30

IN WITNESS WHEREOF, Grantor has executed this instrument or has caused this instrument to be executed by its duly authorized officer this 22nd day of SEPTEMBER, 1999.

WITNESSES:

William C Carlson

Gerald Turnwald

Michael Turnwald
a/k/a Michael E Turnwald

Debra Turnwald
a/k/a Debra K Turnwald

Laura Salisbury
a/k/a Laura F Salisbury

(INDIVIDUAL ACKNOWLEDGEMENT)

STATE OF MICHIGAN)
COUNTY OF Isabella) SS.

The foregoing instrument was acknowledged before me this 22nd day of September 1999, by Michael Turnwald, a/k/a Michael E Turnwald, Debra Turnwald, a/k/a Debra K Turnwald, and Laura Salisbury, a/k/a Laura F Salisbury

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

(CORPORATE ACKNOWLEDGEMENT)

STATE OF MICHIGAN)
COUNTY OF) SS.

The foregoing instrument was acknowledged before me this ___ day of ___ 19___, by ___ of ___ a

corporation, on behalf of the corporation.

Notary Public
County, Michigan
Acting in County, Michigan
My Commission Expires

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

Prepared By: Cynthia K Jones 9/20/99
Consumers Energy Company
1945 West Parnall Road
Jackson, Michigan 49201

200000002476
CONSUMERS ENERGY COMPANY
ATTN: NANCY P FISHER, P21-311
1945 WEST PARNALL RD
JACKSON, MI 49201

Form 314

EASEMENT FOR ELECTRIC LINE

31-008-00-090-00

8 of 9 E

File #4143

Michael Turnwald, a/k/a Michael E Turnwald, and Debra Turnwald, a/k/a Debra K Turnwald, husband and wife, 7120 S Leaton Rd, Shepherd, MI 48883 and Laura Salisbury, a/k/a Laura F Salisbury, 1200 W Wright Ave #293, Shepherd, MI 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 towers, pole structures, poles, or any combination of same, with wires, cables, conduits, crossarms, braces, guys, anchors and transformers and other fixtures and appurtenances and electric control circuits and devices 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 East 1/2 of the East 1/2 of the North 1/4 of the Southwest 1/4 of Section 8, Township 13 North, Range 3 West, excepting therefrom one acre for the Tuscola and Saginaw Bay Railway right of way, and also excepting therefrom that part lying Easterly of said railroad right of way.

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

Beginning at a point not more than 45 feet nor less than 25 feet West of the North and South 1/4 line of Section 8, Township 13 North, Range 3 West at a point not more than 925 feet nor less than 825 feet North of the South line of said section; run thence Northerly to a point not more than 40 feet West of the North and South 1/4 line of said section at a point not more than 550 feet nor less than 350 feet South of the East and West 1/4 line of said section; run thence Northwesterly to a point not more than 1375 feet nor less than 1275 feet East of the West line of said section at a point not more than 25 feet South of the North 1/8 line of said section.

Also conveying the right to cut, trim, remove, destroy or otherwise control (1) all trees and brush now or hereafter standing or growing on the land of Grantor described in this easement within 45 feet on each side of the center line of said line of towers, pole structures or poles, and (2) all trees in excess of 40 feet in height on the land of Grantor described in this easement within 90 feet on each side of the center line of said line of towers, pole structures or poles. The complete exercise of the rights herein granted to cut, trim, remove, destroy or otherwise control trees and brush may be gradual and not fully completed for some time in the future, and Grantee may enter upon said land, from time to time and at no additional cost to Grantee, to cut, trim, remove, destroy or otherwise control trees and brush as aforesaid.

Grantor agrees that, for the protection of said facilities, no buildings or other structures will be placed within 38 feet on each side of the center line of said line of towers, pole structures or poles. Grantee shall pay for all damage to crops arising out of the construction, operation and maintenance of said facilities.

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 conveyed.

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.