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**WARREN-SUMMERTON (138KV)**

Form 314 7-70 LIBER 390 PAGE 05 Pcl. #48

EASEMENT

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[ ]  
[X]  
[ ]

**Nick Lezan, a single man, 1604 Upton Street, Mt. Pleasant, Michigan;**

Grantor, in consideration of One and no/100 Dollars (\$ 1.00 ) to him paid by CONSUMERS POWER COMPANY, a Michigan corporation, 212 W. 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 erect, lay and maintain lines consisting of towers, pole structures, poles, or any combination of same, wires, cables, conduits, crossarms and other fixtures and appurtenances for the purpose of transmitting and distributing electricity and electric control circuits and devices on, over, under and across the following described land, including all public highways upon or adjacent to said land, which land is situate in the Township of Chippewa, County of Isabella, and State of Michigan, to-wit:

The Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 9, Township 14 North, Range 3 West.

The center line of said line of towers, pole structures, poles, wires, cables and conduits, on, over, under and across said land being described as:

In a Northerly and Southerly direction, Westerly of and not more than 1330 feet nor less than 1310 feet from the East line of Section 9, Township 14 North, Range 3 West.

Also conveying the full right and authority to Grantee, its successors, licensees, lessees or assigns, and its and their agents and employees, to enter at all times upon said premises for the purpose of constructing, repairing, removing, replacing, patrolling, improving, enlarging and maintaining such towers, pole structures, poles and other supports or any combination of same, with all necessary crossarms, braces, guys, anchors, and transformers, and stringing thereon and supporting and suspending therefrom lines of wire, cables or other conductors for the transmission of electrical energy and electric control circuits and devices.

Also conveying the right to cut, trim, remove, destroy or otherwise control (1) all trees and brush on the land of the Grantor described in this easement within 65 feet on either side of the center line of the towers, pole structures, poles and wires comprising said electric line, and (2) all trees in excess of 50 feet in height on the land of the Grantor described in this easement within 100 feet on either side of the center line of the towers, pole structures or poles. It is expressly agreed that 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. Grantee may enter upon said land, from time to time, to cut, trim, remove or otherwise control trees and brush as aforesaid.

It is expressly agreed that, for the protection of said electric line, no buildings or other structures will be placed within 36 feet on either side of the center line of the towers, pole structures, poles and wires comprising said electric line. Grantee shall pay for all damage to crops arising out of the construction, operation and maintenance of the electric line.

It is expressly understood that 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.

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

IN WITNESS WHEREOF, Grantor has executed this instrument ~~and~~ and ~~at~~ at ~~the~~ at ~~city~~ at ~~of~~ of ~~the~~ of ~~state~~ of ~~Michigan~~ Michigan, this 10th day of February, 19 72.

WITNESSES:

Samuel B. Miller  
Samuel B. Miller

Fred J. Coolbaugh  
Fred J. Coolbaugh

STATE OF MICHIGAN  
COUNTY OF ISABELLA  
RECEIVED FOR RECORD

1974 NOV 27 PM 2 12

REGISTER OF DEEDS

Nick Lezan  
Nick Lezan

MAPPED AND CHECKED BY M. M. PEDERSEN, CONSUMERS POWER CO.  
212 W. MICHIGAN AVENUE, JACKSON, MICHIGAN

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(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
County of Isabella ) ss.

The foregoing instrument was acknowledged before me this 10th day of February, 19 72, by Nick Lezan

Samuel B. Miller  
Samuel B. Miller  
Notary Public, Gratiot County, Michigan  
My commission expires December 6, 1975

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
County of \_\_\_\_\_ ) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_

Notary Public, \_\_\_\_\_ County, Michigan  
My commission expires \_\_\_\_\_

(CORPORATE ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
County of \_\_\_\_\_ ) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ a \_\_\_\_\_ President of \_\_\_\_\_ a corporation, on behalf of the corporation.

Notary Public, \_\_\_\_\_ County, Michigan  
My commission expires \_\_\_\_\_

RETURN TO LAND & ESTATE DIV. DEPT. CONSUMERS POWER COMPANY  
1845 W. FRONT ST. JACKSON, MICHIGAN 48201

1974 NOV 27 PM 2 12  
390-05  
REGISTER OF DEEDS

STATE OF MICHIGAN  
COUNTY OF ISABELLA  
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Nick Lezan  
Consumers Power Co.  
7/14 8:14  
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