

TITLE DATA

MICHIGAN STATE

Isabella COUNTY

Wise TOWNSHIP

CONSUMERS POWER CO.

Marion W. Smith & wf

1

16N

3W

TRACT 747-D6-12

Easement

NAME OF GRANTOR

7-17-80

8-21-80

466

110

W.A.#6283

MUNICIPALITY

SECTION

TOWN

RANGE

KIND OF INSTRUMENT

DATE OF INST.

DATE OF RECORD

LIBER

PAGE

PLAT OR AREA

MAP 13

CLARE (FORMERLY BROOKWOOD) TO WARREN-HIGGINS 138KV

Form 314 3-74



File #386 CLER 466 PAGE 110 EASEMENT

Pcl.#44

LIBER 466 PAGE 111

Marion W. Smith and Dorothy M. Smith, his wife, 3105 W. Shreeve St., Midland, 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 Wise, County of Isabella, and State of Michigan, to-wit:

The West 1/2 of the Southwest 1/4 of Section 1, Township 16 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 an Easterly and Westerly direction North of and not more than 43 feet from the South line of Section 1, Township 16 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 45 feet on each side of the center line of the towers, pole structures, poles and wires comprising said electric line, and (2) all trees in excess of 40 feet in height on the land of the Grantor described in this easement within 90 feet on each 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 each 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 on this 17th day of July, 1980.

WITNESSES:

Shirley Smith (Shirley Smith) William H. Zimmerman (William H. Zimmerman)

Marion W. Smith (Marion W. Smith) Dorothy M. Smith (Dorothy M. Smith)

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN) County of Isabella) ss.

The foregoing instrument was acknowledged before me this 17th day of July, 1980, by Marion W. Smith and Dorothy M. Smith

Notary Public, Isabella County, Michigan My commission expires WILLIAM H. ZIMMERMAN Notary Public, Jackson County, Mich. My Commission Expires: May 24, 1982

(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

President of a corporation, on behalf of the corporation.

Notary Public, County, Michigan My commission expires

Handwritten signatures and notes: Of W/A Smith 1-16-83, Consumers Power Co., Marion W. Smith, Dorothy M. Smith, State of Michigan County of Isabella RECEIVED FOR REGISTRATION AUG 21 1980 REGISTER OF DEEDS

RETURN TO LAND & R/W DEPT. CONSUMERS POWER COMPANY RAYES BUILDING 212 W. MICHIGAN AVENUE JACKSON, MICHIGAN 49201 PREPARED BY R. A. YOUNG, JR. CONSUMERS POWER COMPANY 212 WEST MICHIGAN AVENUE JACKSON, MICHIGAN 49201



GENERAL ENGINEERING MAP REFERENCES

Line Map No. _____ Sheet of Sheets
Plan & Profile No. _____ Sheet of Sheets
Survey Map No. _____ Sheet of Sheets

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

1. Abstract _____
2. Opinions of Title _____
3. Title Search _____
4. Mortgage Release _____
5. Tax Vouchers _____
6. Other Documents _____