

CLARE (FORMERLY BROOKWOOD) TO WARREN-HIGGINS 138KV Pcl. 40

Form 314 3-74 File #3864

**EASEMENT** LINES 470 PAGE 566

C. Christopher Wolfe and Linda K. Wolfe, A/K/A Linda K. Kidder, his wf., 909 Willow St., Ann Arbor, MI; John Kazyak and Pamela S. Kazyak, his wf., 501 E. Rutledge St., Midland, MI. 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 Wise Township of Wise County of Isabella, and State of Michigan, to-wit:

The West  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 2, 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 2, Township 16 North, Range 3 West.

STATE OF MICHIGAN  
COUNTY OF ISABELLA  
RECEIVED FOR RECORD

1980 DEC -9 AM 10:20

*Charles B. Sandbrook*  
REGISTER OF DEEDS

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 ~~as has caused this instrument to be executed by its President~~ this 16th day of October, 1980.

WITNESSES:

*Michaelene Kazyak*  
Michaelene Kazyak

*William H. Zimmerman*  
William H. Zimmerman

*William H. Zimmerman*  
William H. Zimmerman

*John Kazyak*  
John Kazyak

*Pamela S. Kazyak*  
Pamela S. Kazyak

*Linda K. Wolfe*  
Linda K. Wolfe, A/K/A Linda K. Kidder

*C. Christopher Wolfe*  
C. Christopher Wolfe



LINES 470 PAGE 567

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
County of Midland ) ss.

The foregoing instrument was acknowledged before me this 16th day of October, 1980, by John Kazyak and Pamela S. Kazyak

*William H. Zimmerman*  
William H. Zimmerman  
Notary Public, Jackson County, Michigan  
My commission expires May 24, 1982

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
County of Washtenaw ) ss.

The foregoing instrument was acknowledged before me this 27th day of October, 1980, by C. Christopher Wolfe and Linda K. Wolfe

*William H. Zimmerman*  
William H. Zimmerman  
Notary Public, Jackson County, Michigan  
My commission expires May 24, 1982

(CORPORATE ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
County of Washtenaw ) 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 \_\_\_\_\_

RETURN TO LAND & R/W DEPT.  
CONSUMERS POWER COMPANY  
KATES BUILDING  
212 W. MICHIGAN AVENUE  
JACKSON, MICHIGAN 49201

PREPARED BY R. A. YOUNG, JR.  
CONSUMERS POWER COMPANY  
212 WEST MICHIGAN AVENUE

**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. Tree Vouchers \_\_\_\_\_
6. Other Documents \_\_\_\_\_