

TITLE DATA

MICHIGAN

Isabella

Wise

CONSUMERS POWER CO.

Samuel E. Kushmaul & wf

Easement

NAME OF GRANTOR

9-23-80

10-22-80

468, 561

W.D.#6283

MUNICIPALITY

SECTION 3

TOWNSHIP 16N

RANGE 3W

TRACT 756-D6-22

MAP 13

KIND OF INSTRUMENT

DATE OF INST.

DATE OF RECORD

LIBER

PAGE

PLAT OR AREA

Form 314 3-74

LIBER 468 PAGE 561

CLARE (FORMERLY BROOKWOOD) TO WARREN-HIGGINS 138KV

File #3864

Pol. #35

LIBER 468 PAGE 562

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN

County of Isabella

ss.

The foregoing instrument was acknowledged before me this 23rd day of September, 1980, by Samuel E. Kushmaul and Alvaretta I. Kushmaul

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

STATE OF MICHIGAN COUNTY OF ISABELLA RECEIVED FOR RECORD 1980 OCT 22 AM 10:04

Samuel E. Kushmaul and Alvaretta I. Kushmaul, also known as Alvaretta Kushmaul, his wife, 11140 N. Loomis Road, Clare, 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 South 1/2 of the Southwest 1/4 of Section 3, Township 16 North, Range 3 West, except Highway US-10 relocated.

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:

Beginning on the North and South 1/4 line of Section 3, Township 16 North, Range 3 West, at a point not more than 43 feet North of the South line of said Section, thence Westerly along and not more than 43 feet North of the South line of said Section to a point not more than 500 feet nor less than 400 feet East of the West line of said Section, thence Northwesterly to a point in Section 4 of said Township, not more than 900 feet nor less than 800 feet West of the East line of said Section 4, at a point not more than 150 feet nor less than 100 feet North of the South line of said Section 4, also the right to construct and maintain guy wires running in a Southerly direction from a pole to be located not more than 500 feet nor less than 400 feet East of the West line of Section 3, Township 16 North, Range 3 West, at a point not more than 43 feet North of the South line of said Section to the South line of said Section.

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 to himself and as to his wife Alvaretta I. Kushmaul this 23rd day of September, 1980.

WITNESSES:

Fred Edinborough, William H. Zimmerman

Samuel E. Kushmaul, Alvaretta I. Kushmaul

MAILED AND CHECKED

(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 ___

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

STATE OF MICHIGAN COUNTY OF ISABELLA RECEIVED FOR RECORD 1980 OCT 22 AM 10:04

Handwritten signatures and notes on the right side of the page.

GENERAL ENGINEERING MAP REFERENCES

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

Sheet
Sheets
Sheets

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

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

