

TITLE DATA

Fred J. Ackerman, etal

MICHIGAN STATE

Isabella COUNTY

VERNON TOWNSHIP

CONSUMERS POWER CO.

Easement

NAME OF GRANTOR

9-11-80

DATE OF INST.

10-22-80

468

563

W.O.#6283

MUNICIPALITY

SECTION 2

TOWNSHIP 16N

RANGE 4W

TRACT 782-D6-13

MAP 14-5

KIND OF INSTRUMENT

DATE OF INST.

DATE OF RECORD

LIBER

PAGE

PLAT OR AREA

CLARE (FORMERLY BROOKWOOD) TO WARREN-HIGGINS 138KV EASEMENT

Form 314 3-74

LIBER 468 PAGE 563

File #3864

Pl.#5

Fred J. Ackerman, also known as Fred Ackerman, and Alice M. Ackerman, also known as Alice Ackerman, his wife, 335 N. Superior St., Farwell, MI; Joseph D. Johnston and Barbara J. Johnston, his wife, 11745 Isabella 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 Vernon, County of Isabella, and State of Michigan, to-wit:

A parcel of land in the Northeast 1/4 of Section 2, Township 16 North, Range 4 West, described as beginning North 0° 2' 40" West 1010.5 feet from the East 1/4 corner of said Section, thence South 89° 51' 50" West 1325 feet more or less to the East 1/8 line of said Section, thence North along said 1/8 line 298 feet more or less to the East right of way line of Highway US-27, thence North 14° 56' 20" East along said highway right of way line 804 feet more or less to the South line of the Chesapeake and Ohio Railway right of way, thence South 69° 49' 40" East along said railway right of way 1203 feet more or less to the East line of said Section, thence South along the East line of said Section 618.9 feet to the place of beginning.

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 not more than 55 feet South of the North line of Section 12, Township 16 North, Range 4 West, at a point not more than 900 feet nor less than 800 feet West of the East line of said Section, thence Northwesterly to a point in Section 2 of said Township, not more than 1400 feet nor less than 1300 feet South of the North line of said Section 2, at a point not more than 1350 feet nor less than 1250 feet West of the East line of said Section 2, thence Westerly to a point not more than 1300 feet nor less than 1200 feet South of the North line of said Section, at a point not more than 450 feet nor less than 350 feet West of the North and South 1/4 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 this 11th day of September, 1980.

WITNESSES:

Tamara Lynn Johnston

Tamara Lynn Johnston

William H. Zimmerman

William H. Zimmerman

Mary Ackerman

Mary Ackerman

William H. Zimmerman

William H. Zimmerman

STATE OF MICHIGAN COUNTY OF ISABELLA RECEIVED FOR RECORD

1980 OCT 22 AM 10:05

REGISTER OF DEEDS

Joseph D. Johnston

Joseph D. Johnston

Barbara J. Johnston

Barbara J. Johnston

Fred J. Ackerman

Fred J. Ackerman

Alice M. Ackerman

Alice M. Ackerman

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(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN

County of Isabella

The foregoing instrument was acknowledged before me this 11th day of September, 1980, by Joseph D. Johnston and Barbara J. Johnston

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

(INDIVIDUAL ACKNOWLEDGMENT)

STATE OF MICHIGAN

County of Clare

The foregoing instrument was acknowledged before me this 16th day of September, 1980, by Fred J. Ackerman and Alice M. Ackerman

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

(CORPORATE ACKNOWLEDGMENT)

STATE OF MICHIGAN

County of

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

MAPPED AND CHECKED

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

STATE OF MICHIGAN COUNTY OF ISABELLA RECEIVED FOR RECORD 1980 OCT 22 AM 10:15

Handwritten signatures and notes including 'Pl. #12 7/14 2-16-11' and 'Barbara J. Johnston'.

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 INSTRUMENT:

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