

CLARE (FORMERLY BROOKWOOD) TO WARREN-HIGGINS 138KV  
 Form 314 3-74 LIBER 460 PAGE 121 Pl. #4  
 File #3864  
 EASEMENT

/authorized officers.  
 City of Clare, a Municipal corporation, with its offices in the City of Clare, by its duly 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:

Lots 7, 8, 9 and 10 of Clare Industrial Park #2, according to the recorded plat thereof.

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 at a point not more than 1400 ft nor less than 1300 ft S of the N line of Sec 2, T16N, R4W, at a point not more than 1350 ft nor less than 1250 ft W of the E line of said section, thence running W'ly to a point not more than 1350 ft nor less than 1250 ft S of the N line of said Section 2, at a point not more than 2300 ft nor less than 2200 ft E of the W 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 40 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 45 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 or has caused this instrument to be executed by its Mayor & City Clerk ~~President~~ this 15 day of January, 1980.  
 Clerk

WITNESSES: CITY OF CLARE, A Municipal corporation  
Phyllis Hillebrand STATE OF MICHIGAN Chris Smith  
 Phyllis Hillebrand COUNTY OF ISABELLA Mayor, Chris Smith  
Sandy Musson RECEIVED FOR RECORD Audrey L. Patterson  
 Sandy Musson 1980 FEB 20 AM 11:45 City Clerk, Audrey L. Patterson

Ernie B. Lombard  
 REGISTER OF DEEDS



LIBER 460 PAGE 122

(CORPORATE ACKNOWLEDGMENT)

STATE OF MICHIGAN )  
 County of Clare ) ss.

The foregoing instrument was acknowledged before me this 15 day of January, 1980, by Chris Smith, Mayor OF THE City of Clare, a Municipal corporation on behalf of the corporation

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

(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 Clare ) ss.

The foregoing instrument was acknowledged before me this 15 day of January, 1980, by Chris Smith, Mayor  
President of City of Clare and Audrey Patterson, City Clerk  
 a Municipality ~~corporation~~ on behalf of the corporation.

Virginia M. Wilson  
 Notary Public, Clare County, Michigan  
 My commission expires September 28, 1983

VIRGINIA M. WILSON  
 Notary Public, Clare County, Mich.  
 My Commission Expires Sept. 23, 1983

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

PREPARED BY C. K. HENRY  
 CONSUMERS POWER COMPANY  
 212 WEST MICHIGAN AVENUE  
 JACKSON, MICHIGAN 49201

**GENERAL ENGINEERING MAP REFERENCES**

Use 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 123 \_\_\_\_\_
4. Mortgage Release \_\_\_\_\_
5. Tree Vouchers \_\_\_\_\_
6. Other Documents \_\_\_\_\_