

13638

200400013638  
Filed for Record in  
ISABELLA COUNTY, MI  
SHARON A BROWN  
12-14-2004 At 10:49:35 am.  
EASEMENT 17.00  
Liber 1270 Page 607 - 608

200400013638  
CONSUMERS ENERGY  
ONE ENERGY PLAZA  
JACKSON, MI 49201-2276

T-28

EASEMENT FOR ELECTRIC LINE

Form 314 6-2003

15-002-10-001-03

File #4494

18-002-10-012-03

LEATHER TRUSS, INC., A MICHIGAN CORPORATION  
851 INDUSTRIAL COURT, CLARE, MI. 48617

Grantor, for good and valuable consideration to him paid by CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201-2276, Grantee, receipt of which is hereby acknowledged, Conveys and Warrants to Grantee, its successors and assigns, Forever, the easement and right to enter upon the land hereinafter described and to construct, operate, maintain, repair, inspect, replace, improve, enlarge and remove electric transmission and distribution facilities consisting of one line of towers, pole structures, poles, or any combination of same, with wires, cables, conduits, crossarms, braces, guys, anchors and transformers and other fixtures and appurtenances and electric control circuits and devices in, over and across said land, including all public highways upon or adjacent to said land, which land is in the City of Clare and the Township of Vernon, County of Isabella and State of Michigan, and described as:

The West 78 feet of the East 325.87 feet of the North 800 feet of the North 1/2 of the Northwest 1/4, Section 2, Township 16 North, Range 4 West.

Said line of towers, pole structures or poles is to be located in, over and across said land on a center line described as:

Beginning at a point not more than 711 feet nor less than 701 feet South of the North line of Section 2, Township 16 North, Range 4 West at a point not more than 1304 feet nor less than 1204 feet East of the West line of said section; thence East along a line not more than 711 feet nor less than 701 feet South of the North line of said section to a point not more than 427 feet nor less than 327 feet West of the North and South 1/4 line of said section; thence North along a line not more than 427 feet nor less than 327 feet West of the North and South 1/4 line of said section to a point not more than 76 feet North of the South line of Section 35, Township 17 North, Range 4 West.

Also conveying the right to cut trim, remove, destroy, or otherwise control, without compensation to Grantor: (1) all trees and brush now or hereafter standing or growing on the land described above within 40 feet on each side of the center line of said electric line, and (2) all trees in excess of 35 feet in height on said land within 80 feet on each side of the center line of said electric line. 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, and Grantee may enter upon said land, from time to time and at no additional cost to Grantee, to cut, trim, remove, destroy or otherwise control trees and brush as aforesaid.

Grantee shall pay for all damage to annual crops (not including trees) arising out of the construction and maintenance of the electric line.

Grantor agrees that, for the protection of said facilities, no buildings or other structures will be placed within 20 feet on each side of the center line of said line of towers, pole structures or poles.

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.

This easement is exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to the provisions of MCLA 207.526(f).

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 duly authorized officer this 12th day of July, 2004.

*Sharon A. Brown*

Steven C. Letherer Pres.  
Steven C. Letherer  
president

(INDIVIDUAL ACKNOWLEDGEMENT)

STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF \_\_\_\_\_ )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_

\_\_\_\_\_  
Notary Public  
\_\_\_\_\_  
County, Michigan  
Acting in \_\_\_\_\_  
County, Michigan  
My Commission Expires \_\_\_\_\_

(CORPORATE ACKNOWLEDGEMENT)

STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF CLARE )

The foregoing instrument was acknowledged before me this 12th day of JULY, 2004,  
by STEVEN C. LETHERER, PRESIDENT of  
LEATHERER TRUSS, INC a MICHIGAN corporation,  
on behalf of the corporation.

J.A.F.  
JAMES A. FORTINO Notary Public  
MECOSTA County, Michigan  
Acting in CLARE County, Michigan  
My Commission Expires 3-30-2005

Prepared By: Tracy VanWoert 3-15-2004  
Consumers Energy Company  
~~One Energy Plaza~~  
Jackson, Michigan 49201-2276

Return to: Consumers Energy Company  
Business Services - Real Estate  
Attn: NPFisher, EP7- 439  
One Energy Plaza  
Jackson, MI 49201-2276