

Rex Southwell, et al

TITLE DATA

Warranty Deed 7/11/67 10/4/67 103 92

ACCOUNT NO. 110.8240

MAP 14

BOARDMAN-LIVINGSTON

RECORDED IN DEEDS

LIBER 103 PAGE 92

Recorded October 4, 1967 at 8:30 o'clock 4:30 Liber 103 of Deeds, Page 92 Marshall J. McKee Register of Deeds

WARRANTY DEED

This Indenture, made July 11, 1967 BETWEEN

REX SOUTHWELL and EVELYN SOUTHWELL, his wife, and GRACE SOUTHWELL, of Route #2, Mancelona, Michigan 49659,

parties of the first part, and CONSUMERS POWER COMPANY, a corporation duly authorized to do business in Michigan and having its principal office therein at 212 West Michigan Avenue, Jackson, Michigan 49201, party of the second part,

Witnesseth, That the said party of the first part, for and in consideration of the sum of ONE DOLLAR and Other Good and Valuable Consideration to him in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, does by these presents grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, its successors and assigns, Forever, all that certain piece or parcel of land situate and being in the Township of Cold Springs County of Kalkaska and State of Michigan, and described as follows, to-wit:

(18) A strip of land 330 feet in width across the NE 1/4 of the NW 1/4 of Section 18, T28N, R6W, described as follows: To find the place of beginning of this description, commence at the N 1/4 post of said section; running thence S 88° 44' 36" W along the North line of said section 816.38 feet to the place of beginning of this description; thence continuing S 88° 44' 36" W, 440.45 feet; thence S 40° 13' 07" W, 110.43 feet to a point on the West 1/8 line of said section, which said point is S 00° 34' 15" E, 82.74 feet from the North line of said section as measured along said West 1/8 line of said section; thence S 00° 34' 15" E along said West 1/8 line of said section 505.14 feet; thence N 40° 13' 07" E, 784.58 feet to the place of beginning.

Excepting and reserving to first parties, their heirs or assigns, the easement and right to cross said strip of land at such places and in such a manner as is mutually satisfactory to both parties so long as said crossing shall not interfere with the use of said land by second party, its successors or assigns.

Also excepting and reserving to first parties herein, their heirs or assigns, all oil, gas and other minerals (but not including sand, clay or gravel) in and under said strip of land, together with the right to remove the same by wells or shafts placed on the adjoining land. No wells or shafts are to be placed on the land herein conveyed.

Also excepting and reserving to first parties until December 31, 1970 the right to cut and remove all pine trees now standing on said above-described land. Second party agrees to pay \$1.00 to first parties for each pine tree which second party may damage or destroy through its operations on said above-described land from and after the date hereof until December 31, 1970. After December 31, 1970, all title in said pine trees which have not been cut and removed from said land by first parties shall vest in second party, its successors and assigns.

Office of County Treasurer, Kalkaska, Michigan Oct 4 1967 I hereby certify that there are no tax liens or titles held by the State or any individual against the within description and all taxes on same are paid for 5 years previous to the date of this instrument as appears by the records of my office

Marshall J. McKee Kalkaska County Treasurer

SEE NOTE #1 FOR RELEASE OF RIGHT OF WAY FOR PIPELINE

MAPPED AND CHECKED

MICHIGAN STATE Kalkaska COUNTY Cold Springs TOWNSHIP 18 T 28 N R 6 W SECTION 18 TOWN RANGE PLAT OR AREA 339a

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE

Formerly 2229-D146-1

OTHER DATA AND NOTES

NOTE #1

(By Acct No 189.518-4; T 75-195) Consumers Power Company granted a release of right of way for a pipeline across the land on the caption of this tract and other lands as follows:

1. Consumers Power Company
4-9-76 Pipeline License X-1
2. Michigan Consolidated Gas Company

The license and permit to construct and maintain a 4 inch outside diameter pipeline in, on, under, through and across land in the Township of Cold Springs, County of Kalkaska, and State of Michigan, described as follows:

A pcl of land 30 ft in width, being 20 ft N'ly & W'ly of and 10 ft S'ly and E'ly of a line desc as follows: To find the point of beg of sd line, com at the W $\frac{1}{4}$ cor of Sec 18, T28N, R6W; run th N 00° 1' 35" E alg the W line of sd sec, 584.76 ft to the SE'ly line of Licensor's land; th N 40° 13' 7" E 120 ft alg the SE'ly line of Licensor's fee strip to the pt of beg of sd line; run th N parallel to the W line of sd sec, 86 ft; th N 40° 13' 7" E parallel to the SE'ly line of Licensor's fee strip to a pt that is 55 ft N'ly, as measured at right angles, from the S $\frac{1}{8}$ line of Sec 7, T28N, R6W; th E to the pt of ending of sd line on the SE'ly line of Licensor's fee strip at a pt which is 55 ft N as measured at right angles, from the S $\frac{1}{8}$ line of sd Sec 7, and which pt bears N 40° 13' 7" E from the pt of beg of sd line.

Together with the right to use temporarily as additional work space a strip of land 45 feet in width contiguous to and SE'ly of the 30 ft strip of land hereinabove described during the construction, maintenance, or removal of sd pipeline.

This License is executed by Consumers Power Company and accepted by Michigan Consolidated Gas Company subject to the following conditions.

FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE.

GENERAL ENGINEERING MAP REFERENCES
 Line Map No. F-168 7-8 Sheet 5 of 8 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 _____

ACCOUNT NO.

MAP

KIND OF INSTRUMENT DATE OF INST. DATE OF RECORD LIBER PAGE

LIBER 103 PAGE 93

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining: To Have and to Hold the said premises, as herein described, with the appurtenances, unto the said party of the second part and to its successors and assigns. Forever. And the said party of the first part, for himself, his heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the delivery of these presents he is well seized of the above granted premises in fee simple; that they are free from all incumbrances whatever

and that he will, and his heirs, executors, and administrators shall Warrant and Defend the same against all lawful claims whatsoever

When applicable, pronouns and relative words shall be read as plural, feminine or neuter. In Witness Whereof, The said party of the first part has hereunto set his hand the day and year first above written.

Signed, and Delivered in Presence of

Ben W. Johnson
Ben W. Johnson
Kay Southwell
Kay Southwell

Rex Southwell
Rex Southwell
Evelyn Southwell
Evelyn Southwell
Grace Southwell
Grace Southwell



STATE OF MICHIGAN,) ss.
County of Kalkaska) On July 11, 19 67
before me, a Notary Public of Kent County, Michigan, acting in Kalkaska
County, personally appeared Rex Southwell and Evelyn Southwell

to me known to be the same persons described in and who executed the within instrument, who severally acknowledged the same to be their free act and deed.

My commission expires September 14, 19 69
Ben W. Johnson Notary Public,
Kent County, Michigan.

STATE OF MICHIGAN,) ss.
County of Kalkaska) On July 11, 19 67
before me, a Notary Public of Kent County, Michigan, acting in Kalkaska
County, personally appeared Grace Southwell

to me known to be the same person described in and who executed the within instrument, who severally acknowledged the same to be her free act and deed.

My commission expires September 14, 19 69
Ben W. Johnson Notary Public,
Kent County, Michigan.

PREPARED BY D. R. ROOD, CONSUMERS POWER CO.
212 W. MICHIGAN AVENUE, JACKSON, MICHIGAN

RETURN TO LAND & B/W DEPT.
CONSUMERS POWER CO.
212 MICHIGAN AVE. WEST
JACKSON, MICHIGAN

WARRANTY DEED

TO

REGISTER'S OFFICE,

County of Kalkaska, ss.

This instrument was presented and received for record this 14th day of

October, A. D. 19 67

at 8:30 o'clock A. M. and

recorded in Liber 103 of Deeds,

on page 92-93 as a proper certificate

was furnished in compliance with Section 3531,

Compiled Laws of 1929, as amended by Act 261,

P. A. of 1931.

Register of Deeds

2229-D146-1