

TITLE DATA
James E. Waier and wife, Vivian
Warranty Deed | 7/24/67 | 10/11/67 | 103 | 135 |
KIND OF INSTRUMENT | DATE OF INST. | DATE OF RECORD | LIBER | PAGE

ACCOUNT NO. 10.0. 2240

MAP 15

BOARDMAN-LIVINGSTON

RECORDED IN DEEDS

LIBER 103 PAGE 135

Recorded October 11, 1967
at 8:30 o'clock A.M.
Liber 103 of Deeds Page 135
Marshall J. McLean
Register of Deeds

WARRANTY DEED

This Indenture, made July 24, 1967
BETWEEN James E. WAIER and VIVIAN WAIER, his wife,
of 4110 Weiss Road, Saginaw, Michigan

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 Val-
able Consideration to him in hand paid by the said party of the second part, the receipt whereof is hereby confessed and ac-
knowledged, 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 Rapid River County of Kalkaska and State of Michigan, and described as follows,
to-wit:

(18) A strip of land 330 feet in width across the N 1/2 of the NW 1/4 of
Section 24, T28N, R7W, described as follows: To find the place of
beginning of this description commence at the N 1/4 post of said sec-
tion; run thence S 89° 49' 24" W along the North line of said section
55.46 feet to the place of beginning of this description; thence con-
tinuing S 89° 49' 24" W, 459.46 feet; thence S 43° 54' 50" W, 1813.75
feet to a point on the North 1/8 line of said section, which said point
is S 89° 56' 28" E, 847.52 feet from the West line of said section as
measured along said North 1/8 line of said section; thence S 89° 56'
28" E, 457.6 feet; thence N 43° 54' 50" E, 1816.37 feet to the place
of beginning.

SEE NOTE #1 FOR RELEASE OF R/W FOR PIPELINE

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.

SEE NOTE #2 FOR REL OF R/W FOR UNDERGROUND ELECTRIC LINE

Also excepting and reserving to first parties, their heirs or assigns,
the right to use the above-described land for a coniferous tree planta-
tion, provided that all coniferous trees now or hereafter growing on
said land shall not exceed fifteen (15) feet in height. In the event
first parties shall fail to restrict such growth or trim such trees in
order to maintain said 15-foot elevation, second party shall, upon
giving two (2) months' written notice to first parties of such
failure, have the right to remove or destroy all trees on said above-
described land; and first parties do hereby waive any claim or damage
for the loss, destruction or removal of all trees by second party. Such
written notice shall be considered as received when placed in the United
States mail, properly addressed to first parties at the above address
or at such other address as may hereafter be furnished in writing by
first parties.

For the same consideration herein paid, second party shall have the
right to cut and remove all coniferous trees now or hereafter standing
or growing on an area 25 feet in width on each side of the center line
of the two electric transmission lines to be erected on said land, and
on an area 50 feet square around each transmission line tower or struc-
ture constructed on the land herein conveyed.

Office of County Treasurer, Kalkaska, Michigan
I hereby certify that there are no tax lien or titles held by the State or any individual against the within de-
scription 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.
October 11, 1967
Joseph M. Cook
Kalkaska County Treasurer

MAILED
AND
CHECKED

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE. Rows are empty.

Formerly 2227-D146-1

OTHER DATA AND NOTES

GENERAL ENGINEERING MAP REFERENCES
 Line Map No. 16878 Sheet 5 of 8
 Plan & Profile No. _____ Sheet _____ of _____
 Survey Map No. _____ Sheet _____ of _____

NOTE #1

(By Sale No. 189.486-4; T72-314) Consumers Power Co. granted a rel of r/w for pipeline purposes across the ld on the caption of this tract as follows:

- | | | |
|------------------------|------------|-----|
| 1. Consumers Power Co. | Rel of R/W | X-1 |
| 10-17-72 | | |
| 2. Shell Oil Co. | Pipeline | |

Forever, the esmt and right to construct and maintain, repair and replace a 3" petroleum products pipeline in, on, under, through and across that certain piece or pcl of ld situate in the Twp of Rapid River, Co of Kalkaska and State of Mich, desc as follows:

A strip of ld 330' in width across the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec 24, T28N, R7W, desc as follows: To find the pob of this desc comm at the N $\frac{1}{4}$ post of sd sec; run th S 89° 49' 24" W alg the N ln of sd sec, 55.46' to the pob of this desc; th cont S 89° 49' 24" W, 459.46'; th S 43° 54' 50" W, 1813.75' to a pt on the N 1/8 ln of sd sec, which sd pt is S 89° 56' 28" E, 847.52' from the W ln of sd sec as meas alg sd N 1/8 ln of sd sec; th S 89° 56' 28" E, 457.6'; th N 43° 54' 50" E, 1816.37' to the pob.

The r/w hereby conveyed and rel is for the sole and only purpose of locating and establishing upon, over, under and across sd above-desc premises, a 3" petroleum products pipeln buried approx 6' beneath the surface of the ld, sd distance being meas from the surface of the ld to the top of sd petroleum products pipeln alg a ctr ln desc as follows:

Beg at a pt on the N 1/8 ln of Sec 24, T28N, R7W, which sd pt is 1215.28' distant E of the W ln of sd sec, run th N 37° 58' 00" W to a pt of ending on the NW'ly side of sd above-desc ld, it being understood and agreed by second party that notwithstanding sd ctr ln desc, in no event shall sd ctr ln be located closer than 50' to the ctr ln of CPCo's existing tower located on sd above-desc ld.

This inst is executed by CPCo and accepted by Shell Oil Co subj to the following conditions, anything in the specs for sd petroleum products pipeln to the contrary notwithstanding, to wit:

FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE:

NOTE #2

(By Sale No. 189.851-9; T73-409) Consumers Power Company granted a rel of r/w for an underground electric line across the land on the caption of this tract as follows:

- | | | |
|--|------------------------|-----|
| 1. Consumers Power Company | Rel of R/W | X-1 |
| 3-4-74 | | |
| 2. Top O'Michigan Rural Electric Company | Underground Elec. Line | |

The license and permit to construct and maintain an underground elec distribution ln consisting of underground cables, conduits, wires, conductors, surface-mounted pedestals, subsurface junction vaults, subsurface transformer vaults and transformers, together with concrete pads or other supports therefor, and other fixtures and appurtenances on, in, under, over, through and across the following desc pcl of ld in the Twp of Rapid River, Co of Kalkaska and State of Mich, to wit:

A strip of ld 330' in width across the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec 24, T28N, R7W, desc as follows: To find the pob of this desc comm at the N $\frac{1}{4}$ post of sd sec; run th S 89° 49' 24" W alg the N ln of sd sec 55.46' to the pob of this desc; th cont S 89° 49' 24" W, 459.46'; th S 43°

(Continued on Back of Next Sheet)

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 136

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, James E. Waier, Vivian Waier, Patrick J. Waier



STATE OF MICHIGAN,) ss. On July 24, 19 67 before me, a Notary Public of Kent County, Michigan, acting in and for Saginaw County, personally appeared James E. Waier and Vivian Waier

to me known to be the same person described in and who executed the within instrument, who severally acknowledged the same to be free act and deed. My commission expires September 14, 19 69 Ben W. Johnson, Notary Public, Kent County, Michigan.

STATE OF MICHIGAN,) ss. On ... 19 ... before me, a Notary Public of ... County, Michigan, acting in ... County, personally appeared ... to me known to be the same person described in and who executed the within instrument, who severally acknowledged the same to be free act and deed. My commission expires ... 19 ... Notary Public, ... County, Michigan.

2227-D146-1

RETURN TO LAND & ERM. DEPT. CONSUMERS POWER CO. 212 W. MICHIGAN AVE. W-157 JACKSON, MICHIGAN

WARRANTY DEED

TO

REGISTER'S OFFICE,

Country of Kalamazoo, ss. This instrument was presented and received for record this 11th day of October, A. D. 1967, at 8:30 o'clock A. M. and recorded in Liber 103 of Deeds, on page 135-136 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

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

NOTE #2 (Continued)

54' 50" W, 1813.75' to a point on the N 1/8 ln of sd sec, which sd point is S 89° 56' 28" E, 847.52' from the W ln of sd sec as measured alg sd N 1/8 ln of sd sec; th S 89° 56' 28" E, 457.6'; th N 43° 54' 50" E, 1816.37' to the pob.

The ctr ln of sd ln shall be located as follows:

To find the pob of sd ctr ln comm at the ctr of sd sec; th W'ly alg the E & W ln 321'; th N 31° W, 510'; th N 39° W, 900'; th N 28° W, 244' to the pob; th cont N 28° W, 82'; th N 45° W, 248' to the place of ending of sd ctr ln on the NW ln of ld belonging to CPCo.

Together with the privilege and authority to second party, and its agents and employees, to enter upon sd premises for the purposes of constructing, maintaining, repairing, removing, patrolling, improving and enlarging sd underground cables, conduits, wires, conductors, surface-mounted pedestals, subsurface junction vaults, subsurface transformer vaults and transformers, together with concrete pads or other supports therefor, and the right to trim, remove, destroy or otherwise control any trees, roots, brush or other vegetation which at any time may interfere or threaten to interfere with the maintenance of sd facilities.

This license is executed by first party and accepted by second party subj to the following conditions:
FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE.