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Eastern Michigan Power Company

General Deed 3-21-17 4-20-17 54 67

ACCOUNT NO.

MAP

7.15 acres

WARRANTY DEED - Short Form No. 1 The Underbank Printing Co., Grand Rapids, Mich.

This Indenture, Made this 5th day of February in the year of our Lord one thousand nine hundred and seventeen. BETWEEN Perry Frazier, Jessie M. Frazier (Husband and wife)

of the first part, and Eastern Michigan Power Company, a corporation organized under the laws of Michigan,

Witnesseth, That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations Dollars, in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, do by these presents grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, and to its successors

heirs and assigns, FOREVER, all those certain pieces or parcels of land situate and being in the Township of Eden County of Lake and State of Michigan, and described as follows, to wit:

So much of the South one-half (1/2) of the Northeast one-quarter (1/4), the North-west one-quarter (1/4) of the Northeast one-quarter (1/4) and the Northeast ten (10) acres of the Northeast one-quarter (1/4) of the Northwest one-quarter (1/4) of Section thirteen (13) of Township twenty (20) North, Range thirteen (13) West as is included in a strip of land one hundred (100) feet wide running across the same, being fifty (50) feet wide on each side of a center line which is described as beginning on the East line of said Section thirteen (13) at a point nine hundred seventy-five (975) feet North of the Southeast corner of said Section, running thence North thirty-five degrees twenty-two minutes (35°-22') West to the North line of said Section at a point three hundred sixty-six (366) feet West of the North one-quarter (1/4) post of said Section.

Said strip of land will be used in the first instance for electric transmission lines and telephone lines, but may be put to such further uses as the party of the second part, its successors or assigns, at any time may see fit. If a railroad shall be built along said land, the party of the second part, its successors or assigns, shall fence both sides of the strip and maintain suitable farm crossings. Party of the first part may continue to use the land for general farming to any extent not inconsistent with use by the party of the second part, its successors or assigns, and may erect and maintain fences across said strip providing suitable gates for passage along the strip. Such use of the land to be at the risk of the first party, and to continue only until the party of the second part, its successors or assigns, desires to take exclusive possession.

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 heirs and assigns Forever. And the said Perry Frazier and Jessie M. Frazier

parties of the first part, for themselves, and for their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said party of the second part, its successors heirs and assigns, that at the time of the ensembling and delivery of these presents they are well seized of the above granted premises in Fee Simple; and that they are free from all incumbrances whatever.

40 YR. APPT. 8

SEE NOTE #1 FOR RELEASE OF R/W FOR HIGHWAY M-37

MICHIGAN STATE Lake COUNTY Eden TOWNSHIP 13 SECTION T 20 N R 13 W

Table with columns: DATE, JOURNAL ENTRY, ITEMS OF COST, AMOUNT, TRANSFERS, BALANCE. Includes entries for original cost of land.

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MAPPED AND CHECKED

OTHER DATA AND NOTES

GENERAL ENGINEERING MAP REFERENCES

Line Map No. 2251 Sheet 3 of 8 Sheets  
 Plan & Profile No. \_\_\_\_\_ Sheet \_\_\_\_\_ of \_\_\_\_\_ Sheets  
 Survey Map No. \_\_\_\_\_ Sheet \_\_\_\_\_ of \_\_\_\_\_ Sheets

NOTE #1

Consumers Power Company granted a release of right of way for highway purposes to the People of the State of Michigan on May 2, 1935 as follows:

1. Consumers Power Company  
5-2-35 Release of R/W for HWY X-1
2. People of the State of Michigan

Forever, the easement and right of way for highway purposes, on, over and along that certain piece or parcel of land situate in the Township of Eden, County of Lake and State of Michigan, known and described as follows, to-wit:

A strip of ld 150 ft wide, being 75 ft wide on each side of the ctr line of State Trunk Line Hwy M-37 as now surveyed over & across the following desc ld; That part of the  $W\frac{1}{2}$  of  $NE\frac{1}{4}$  of Sec 13, T 20 N, R 13 W, that is included in a strip of ld 100 ft wide running across the same, being 50 ft on each side of a ctr line which is desc as beg on the E line of sd Sec 13 at a pt 975 ft N of the SE corner of sd section, th N  $35^{\circ} 22'$  W to the N line of sd sec at a pt 366 ft W of the N  $\frac{1}{4}$  post of sd Sec 13.

The ctr line of State Trunk Line Hwy M-37 as now surveyed across sd ld is desc as follows: Comm on the N line of Sec 13, T 20 N, R 13 W at a pt 1658.4 ft W of the NE corner of sd sec, th S  $29^{\circ} 53'$  W to the N & S  $\frac{1}{4}$  line of sd Sec 13.

This conveyance is made subject to the following express conditions, reservations, and exceptions, to-wit:

1. That the premises hereby conveyed, shall be used for hwy purposes only, & in case the use of sd strip for hwy purposes shall be abandoned for a period of 1 year, all rights of 2nd party in & to sd strip of ld shall cease & terminate.

2. Such rights as are herein conveyed are subject to such uses as 1st party is making of sd strip of ld at the present time. It is understood that 1st party now maintains across sd premises a tower line & a telephone line, & reserves the right to repair, maintain, rebuild & enlarge sd lines.

3. Sd 1st party reserves the right to construct & maintain, over & upon the premises hereby conveyed, further & other transmission and/or telephone lines in addition to those that exist at present, for the purpose of transmitting, conducting & distributing electricity, & for communication purposes, & gas line for the transportation of gas; provided sd lines, the use of which is hereby reserved shall be built in accordance with the laws of the State of Michigan & with the rules & regulations of the Michigan Public Utilities Commission. First party further reserves the right to trim or remove any trees or other forest products now or hereafter growing upon sd premises, which may interfere or threaten to interfere with any of its transmission & telephone line or lines. The State Hwy Dept shall construct a fence alg each side of sd hwy where it crosses sd strip of ld, & install a suitable gate in the fence upon each side of sd hwy. The St Hwy Dept shall also install culverts upon each side of sd hwy, if necessary, for the passage of vehicles crossing sd hwy alg the strip of ld owned by 1st party.]

4. No trees or shrubs shall at any time be planted or otherwise grown upon the r/w hereby conveyed, & no buildings or other structures shall be erected thereon which may interfere or threaten to interfere with the exercise of the rights hereby reserved.]

5. None of the rights hereby reserved shall in any way become lost by non-user for any period of time.

6. IT is agreed that the construction & improvement of sd hwy for which a r/w is hereby conveyed, shall be at the entire cost & expense of sd 2nd party.

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

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

TITLE HISTORY

1. Perry Frazier and wife, Jessie M.  
2-5-17 3-2-17 54-56 W.D.
2. Eastern Michigan Power Company  
3-21-17 4-20-17 54-67 General Deed
3. Consumers Power Company