

TITLE DATA
Probate Court-(Louis Maslowski & wf Pcl. 8)

MICHIGAN
STATE

Leelanau
COUNTY

Elmwood
TOWNSHIP

CONSUMERS POWER CO.

36

T28N

R12W

TRACT 605-D114-2

NAME OF GRANTOR
Condemnation
KIND OF INSTRUMENT
DATE OF INST. 3-5-75
DATE OF RECORD 3-20-75
LIBER 177
PAGE 287

MUNICIPALITY

SECTION

TOWN

RANGE

MAP

PLAT OR AREA



EXEMPLIFICATION OF RECORD. 4012

file # 3546

pcl=8

LIBER 177 PAGE 286



State of Michigan,

The Probate Court for the County of LEELANAU

In the Matter of the Estate of CONSUMERS POWER COMPANY CONDEMNATION OF
LAND IN LEELANAU COUNTY.

I, Florabelle L. Grosvenor, Register of said Court, having
the legal custody of the files and records thereof, do hereby certify that I have compared the attached copy of
ORDER CONFIRMING STIPULATION OF JUST COMPENSATION AND
TRANSFERRING TITLE.

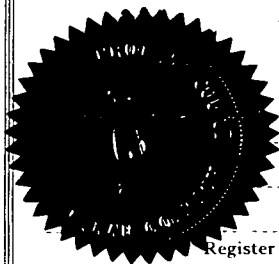
REGISTER'S OFFICE LEELANAU COUNTY, MICHIGAN)SS.

Received for record the 20th day of March A.D. 1975 at 9:00 A.M.
and recorded in Liber 177 of Records on Pages 286-289 Incl.

Allen Rosson
Register of Deeds.

with the original thereof on file in said Court, and have found the same to be a correct transcript therefrom,
and of the whole of such original record.

In Testimony Whereof, I have hereunto set my hand and affixed the seal
of said Court, at the village of Leland
in said County, this 7th day of
March A. D. 1975



19
Page
Florabelle L. Grosvenor
Register of Probate.

File No.

4012-EXEMPLIFICATION OF RECORD.

MAPPED
AND
CHECKED

file #3546

LIBER 177 PAGE 287

STATE OF MICHIGAN

IN THE PROBATE COURT FOR THE COUNTY OF LEELANAU

In the Matter of the Petition of Consumers Power Company, a Corporation, for the Condemnation of Certain Interests in Land in Leelanau County, Michigan, for the Purpose of Transmitting, Distributing, Selling and Supplying Electric Energy for Public Use

File No. 5999

Pl # 8

ORDER CONFIRMING STIPULATION OF JUST COMPENSATION AND TRANSFERRING TITLE

At a session of said Court held in the Probate Office in the City of Leland, Leelanau County, Michigan, on the 5th day of March, 1975.

PRESENT: HONORABLE BETTY ANN WEAVER Probate Court Judge

This Court having on January 31, 1975 entered an Order Determining Necessity pursuant to a stipulation made on the record and reciting that the project as described in the Petition for Condemnation is necessary and that the interests in the parcel of land and the route to be taken as described in said Petition and its Schedule A are necessary, and

This Court having before it a stipulation by the respective parties reciting an amount which the parties have agreed represents just compensation and damages for the taking, acquiring and using the easement and interests in land hereinafter described, and

It appearing from the stipulation that Petitioner has tendered said just compensation to the Respondents and the Respondents have accepted the same, and

The Court being advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED that this Court approves and confirms the stipulations as to necessity and compensation entered into by the parties,

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title and right to possession and use of the easement and interests in land hereinafter described are hereby vested in Petitioner,

LIBER 177 PAGE 288

The description of the rights acquired with respect to the parcels of land hereinafter described in Schedule A are as follows:

Easements 72 feet in width upon which to erect, lay and maintain one electric transmission line consisting of single wood poles, wires, cables, conduits, crossarms, braces, guys, anchors and other fixtures and appurtenances necessary or appropriate for the purpose of transmitting electric energy and electric control circuits and devices on, over, under and across the parcels of land described in Schedule A, including all public highways upon or adjacent to said parcels of land; said 72-foot easements being more specifically described in said Schedule A with reference to each described parcel, and as hereafter surveyed and located. Also the right to enter at all times upon said 72-foot easements described in said Schedule A for the purpose of constructing, operating and repairing, renewing, extending, changing, patrolling and maintaining such poles, wires, cables, conduits, crossarms, braces, guys, anchors, fixtures and appurtenances, together with the right to renew or repair the aforesaid. Also the right, at any time, to cut, trim, remove, destroy or otherwise control all trees and brush within the areas described in said Schedule A. Also the easement and right to construct, lay and maintain underground counterpoise wires or cables within the boundaries of said 72-foot easements. The use of the land lying within said 72-foot easements by respondents and their grantees shall be subject to the restriction that no buildings or other structures will be placed on the 72-foot easements described in said Schedule A without the written consent of Consumers Power Company.

Petitioner's electric transmission line circuits, supported on wood poles with such braces, guys and anchors as may be required, will be erected so as to minimize the interference with cultivation or use of respondents' land adjacent to or in the right of way except while petitioner is engaged in constructing, repairing, removing, replacing or maintaining its said electric transmission line facilities. Fences, if any, upon respondents' premises shall be left in as good a condition as found. Petitioner will at no time fence or enclose said right of way and the same will be left by petitioner so as to allow respondents and their grantees at all times to have unobstructed passage over it and the right to cultivate it as part of their land, except as to the actual site of such wood poles or related facilities and except when petitioner is actually engaged in constructing, repairing, removing, replacing or maintaining the proposed transmission line and related facilities.

SCHEDULE A, PARCEL TWO

Description

The SW 1/4 of the NE 1/4 of Section 36. Also the SE 1/4 of the NW 1/4 of Section 36. Also the NW 1/4 of the SE 1/4 of Section 36. All in T20N, R12W, Elmwood Township, Leelanau County, Michigan.

LIBER 177 PAGE 289

Easements rights, as described in the Petition for Condemnation of Interests in Land to which this Schedule is attached as a part thereof, over a strip of land 72 feet in width lying within the land described above, said 72-foot-wide strip of land being 36 feet on each side of a center line described as follows:


Beginning on the East line of Section 36, T28N, R12W, at a point not more than 696 feet nor less than 660 feet North of the East and West 1/4 line of said section, thence W'ly along and not more than 696 feet nor less than 660 feet North of the East and West 1/4 line of said section to a point not more than 1320 feet nor less than 1250 feet West of the East line of said section, thence NW'ly to a point not more than 100 feet nor less than 90 feet West of the North and South 1/4 line of said section at a point not more than 400 feet nor less than 350 feet South of the North line of said section, thence N'ly along and not more than 100 feet nor less than 90 feet West of the North and South 1/4 line of said section to the North line of said section.

Also the right, at any time, to cut, trim, remove, destroy or otherwise control (1) all trees and brush standing or growing within the limits of said 72-foot-wide strip of land; and (2) all trees in excess of 30 feet in height on the above-described land within 70 feet on each side of the above-described center line which are not included within (1) above. Also the right to enter upon said areas, from time to time, to cut, trim, remove, destroy or otherwise control trees and brush as aforesaid.

Names of persons owning or having an interest in Parcel Two:

Louis Maslowski and
Hilda C. Maslowski,
Husband and Wife,
~~Route 3, Box 430, Route 2, Box 658~~
Traverse City, Michigan

It is further ORDERED that petitioner shall cause a certified copy of this Order to be recorded in the office of the Register of Deeds for Leelanau County, Michigan, and that such recording be indexed under the name of Consumers Power Company as grantee of said interests in said parcel of land as notice that title to the interests in said parcels of land has vested in petitioner, Consumers Power Company.


Approved as to Form and
Content
William Davison
Attorney for Respondents

Betty Ann Weaver /signed/
Betty Ann Weaver
Judge of Probate
Leelanau County
Michigan