

13

TITLE DATA

MICHIGAN STATE

Montmorency COUNTY

Hillman TOWNSHIP

CONSUMERS ENERGY CO.

Hillman Community School District
NAME OF GRANTOR

24

31N

4E

TRACT 591-D103-5

Easement

11-16-93

11-29-99

1429

1419

W0 #1755

MUNICIPALITY

SECTION

TOWN

RANGE

MAP 8

KIND OF INSTRUMENT

DATE OF INST.

DATE OF RECORD

LIBER

PAGE

PLAT OR AREA

STOCKMAR (HILLMAN) SPUR

line segment "h"

Parcel #16

File #4171
EASEMENT

Liber 00429 Page 0419

Hillman Community School District, a public corporation
245 3rd Street, Hillman, Michigan 49746

(herein called "Grantor"), in consideration of \$1.00 to him paid by CONSUMERS POWER COMPANY, a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan, (herein called "Consumers Power"), receipt of which is hereby acknowledged, conveys and warrants to Consumers Power, its successors and assigns, forever, an easement 66 feet in width upon which to erect and maintain 1 electric line consisting of steel towers, pole structures or poles, or any combination of same, and all wires, cables and appliances required for the purpose of transmitting electrical energy and electric control circuits and devices on, over, under and across the following described land (hereinafter called the "base premises") in the Township of Hillman, County of Montmorency, and State of Michigan, described as follows, to wit:

All that part of the Southeast 1/4 of the Northwest 1/4 of Section 24, Township 31 North, Range 4 East, lying South of the South right of way line of Progress Street, except Lots 12, 13, 14 and 15 of the plat of Hillman Industrial Park. Also the North 330 feet of that portion of the Northeast 1/4 of the Southwest 1/4 of Section 24, Township 31 North, Range 4 East lying North of the Thunder Bay River.

The location of said 66 foot easement on, over, under and across the base premises being described as follows:

Beginning at the Southwest corner of lot 14 of the plat of Hillman Industrial Park, as recorded in Liber 4, pages 32-34, Montmorency County Records; thence along the South line of said Lot 14, South 89° 38' 07" East 14.01 feet; thence South 07° 41' 08" West 260.09 feet; thence South 03° 01' 20" West 423.80 feet to a point on a line that lies parallel with and 330 feet South of the East and West 1/4 line of Section 24, Township 31 North, Range 4 East; thence along said line South 89° 54' 16" West 66.08 feet, thence North 03° 01' 20" East 430.32 feet; thence North 07° 41' 08" East 254.10 feet to the South line of Lot 15 of the plat of Hillman Industrial Park; thence along said South line South 89° 38' 07" East 52.53 feet to the point of beginning. The basis of bearing for this description is the South line of the plat of Hillman Industrial Park as shown on a description recorded in Liber 262, page 141 as South 89° 38' 07" East.

Also conveying to Consumers Power the right to enter at all times upon said 66 foot easement for the purpose of construction, repairing, renewing, extending, changing, enlarging, patrolling and maintaining such towers, pole structures and poles, with all necessary crossarms, braces, guys and anchors, and stringing thereon and supporting and suspending therefrom lines of wire, cables or other conductors for the transmission of electrical energy and control circuits and devices. Also the right to cut, trim, remove, destroy or otherwise control (1) all trees and brush now standing or growing within the limits of said 66 foot easement, (2) all trees, over 30 feet in height, standing or growing on a strip of land 57 feet in width lying East of and adjoining and measured at right angles to the East line of said 66 foot easement over and across the base premises, and (3) all trees, over 30 feet in height, standing or growing on a strip of land 57 feet in width lying West of and adjoining and measured at right angles to the West line of said 66 foot easement over and across the base premises, when in the judgement of Consumers Power such trees are considered a potential danger or hazard to the operation and maintenance of electric line facilities constructed on the 66 foot easement herein granted. Also the right to enter upon said 66 foot easement and upon said 57 foot strips of land from time to time to cut, trim, remove and otherwise control trees and brush as aforesaid.

Also conveying to Consumers Power the easement and right to construct, lay and maintain underground counterpoise wire or cables within the boundaries of said 66 foot easement.

It is expressly agreed that no buildings or other structures will be placed within the limits of said 66 foot easement without first securing written consent of Consumers Power. It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully completed for some time in the future, and that none of the rights herein granted shall be lost by nonuser for any length of time. Consumers Power shall pay for all damage to crops arising out of the construction and maintenance of said electric lines.

Where applicable, pronouns and relative words used herein shall be read as plural, feminine or neuter.

IN WITNESS WHEREOF, Grantor has executed this instrument this 16th day of NOVEMBER, 1993.

WITNESSES:

HILLMAN COMMUNITY SCHOOL DISTRICT

Lydia J Walker
Lydia J Walker
Brian S Crandell
Brian S Crandell

Thomas J Goossens, Secretary
Janet P Matthias, Vice President
Christopher E Hardies, Trustee

STATE OF MICHIGAN)
COUNTY OF Montmorency) SS.

STATE OF MICHIGAN
MONTMORENCY COUNTY
Recorded & Filed

11-29-1999 12:06:20

TERESA WALKER
REGISTER OF DEEDS

The forgoing instrument was acknowledge before me this 16th day of November, 1993, by Thomas J Goossens, Secretary, Janet P Matthias, Vice President & Christopher E Hardies, Trustee of the Hillman Community School District, a public corporation, on behalf of the corporation.

Brian S Crandell Notary Public
Brian S Crandell Ingham County, Michigan
Acting in Montmorency County, Michigan
My commission expires January 31, 1994

PREPARED BY: F J CUMMINGS
CONSUMERS POWER COMPANY
1955 W Parnall Road
Jackson, Michigan 49201

Return to: Real Estate & R/W Dept.
Consumers Energy Company
Nancy P. Fisher, P21-4108 P 21-411
1945 W. Parnall Road
Jackson, MI 49201