

**QUITCLAIM DEED**  
RESERVATION FROM SALE OF LAND FOR ELECTRIC TRANSMISSION

THIS INDENTURE, Made this 11th day of March, 1980,  
Between CONSUMERS POWER COMPANY, a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan, (successor by merger to Consumers Power Company, a Maine corporation) Grantor, and THE STATE OF MICHIGAN, Lansing, Michigan, Grantee,

**WITNESSETH:**

That Grantor, for and in consideration of the sum of \$508,000 to it in hand paid by Grantee, the receipt whereof is hereby confessed and acknowledged, does by these presents grant, bargain, sell, remise, release and forever QUITCLAIM unto Grantee and to its successors and assigns Forever, certain land and easement rights in the Townships of Big Creek, Elmer and Mentor, County of Oscoda and State of Michigan as set forth in Exhibit A which is attached hereto and made a part hereof.

Excepting and reserving to Grantor, its successors and assigns, all oil, gas and associated hydrocarbon substances in and under said land and the right to enter upon said lands and to prospect for, mine and remove said oil, gas and associated hydrocarbon substances.

Excepting and reserving to Grantor, its successors and assigns, easements for roadway purposes across certain of the lands herein conveyed, said easements being more particularly described in Exhibit A.

Also reserving to Grantor, its successors and assigns Forever, the easement and right to construct, erect, lay and maintain one or more lines consisting of towers, pole structures, poles, or any combination of same, wires, cables, conduits and other fixtures and appurtenances for the purpose of transmitting and distributing electricity and/or conducting a communication business on, over, under and across certain strips of land over a portion of the premises herein conveyed, said strips being described in Exhibit B which is attached hereto and made a part hereof.

With full right and authority to Grantor, its successors, licensees, lessees or assigns and its and their agents and employees to enter at all times upon said strips of land for the purpose of patrolling, constructing, repairing, removing, replacing, improving, enlarging and maintaining such wires, cables, conduits, structures, towers, pole structures, poles and other supports with all necessary braces, guys, anchors, manholes and transformers and stringing thereon, and supporting and suspending therefrom lines of wires, cables, or other conductors for the transmission of electrical energy and/or communication, and also the right to cut, trim, remove, destroy or otherwise control all trees and brush growing upon said strips of land which may, in the opinion of Grantor, interfere or threaten to interfere with or be hazardous to the construction, operation and maintenance of said lines. No buildings or other structures will be placed on said strips of land without the written consent of Grantor. Nonuse or a limited use of the easement and right hereby reserved by Grantor, its successors and assigns shall not prevent Grantor, its successors and assigns from later making use of the easement to the full extent herein reserved.

**RECORDED**  
At 11:30'clock A.M.  
Date March 21, 1980  
Liber 116 Misc Page 126-134  
*Betty P. Blanes*  
Register of Deeds  
Oscoda County, Michigan

Excepting and reserving to Grantor, its successors and assigns, the right to flow and damage in any manner the land described in Exhibit A as Parcel 11, by the maintenance and operation of any dam or dams of Grantor in the Au Sable River upstream or downstream from the land herein conveyed together with the right to fluctuate or otherwise affect the flow of water in said Au Sable River by the operation of said dams, and the right to flow and damage said land in any manner as a result of the partial or total destruction of any said dam or dams, PROVIDED such destruction is not the result of the negligent acts or omissions of the Grantor, its officers, servants, agents, employees, or contractors.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining, TO HAVE AND TO HOLD the said premises unto Grantee and to its successors and assigns to the sole and only proper use, benefit and behoof of Grantee, its successors and assigns, Forever.

Subject however to covenants and restrictions as set forth in that certain Declaration of Restrictions dated the 10th day of March, 1980 and recorded on the 13th day of March, 1980 in Liber 116 Page(s) 42-86, Oscoda County Records. (Misc)

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed in its corporate name and by its duly authorized officer as of the day and year first above written.

**WITNESSES:**

CONSUMERS POWER COMPANY  
By *G. L. Heins*  
G L Heins  
Vice President

*W. L. Reid*  
W L Reid  
*Carol J. Kielar*  
Carol J Kielar

STATE OF MICHIGAN )  
                                  ) SS.  
COUNTY OF JACKSON )

The foregoing instrument was acknowledged before me this 11th day of March, 1980, by G L Heins, Vice President of Consumers Power Company, a Michigan corporation, on behalf of the corporation.

*Carol J. Kielar*  
Carol J Kielar  
Notary Public, Jackson County, Michigan  
My Commission Expires 12/22/81

PREPARED BY B. E. HAGEN  
CONSUMERS POWER COMPANY  
212 WEST MICHIGAN AVENUE  
JACKSON, MICHIGAN

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APPROVED AS TO FORM  
BY THE REGISTER OF DEEDS  
FROM THE DEPARTMENT  
OF CONSUMERS POWER COMPANY

Section line 162 feet; thence S 0° 31' 57" E, 463.26 feet to an iron rod near the North bank of the Au Sable River, thence S 0° 31' 57" E to the center thread of said River, thence Westerly upstream, along the center thread of said River to a point which is S 0° 31' 57" E from the place of beginning, thence N 0° 31' 57" W to an iron rod near the Northerly bank of said River; thence N 0° 31' 57" W, 413.55 feet to the place of beginning.

Parcel 10: That part of the Southwest 1/4 of the Southeast 1/4 lying Northerly of the center thread of the Au Sable River and the West 1/2 of the Southeast 1/4 of the Southeast 1/4, all in Section 31, T27N, R2E.

Parcel 11: All that part of the Southeast 1/4 of the Southwest 1/4 and all that part of the Southwest 1/4 of the Southeast 1/4 of Section 11, T26N, R3E, lying Northerly and Westerly of the Au Sable River and lying Southeasterly of County Road 600.

#### Description of Easements Conveyed

The easement rights granted hereby are for access roadways as described in Attachment 1 to this Exhibit A, attached hereto and made a part hereof, along, over and across land crossed by said roadways and not hereby conveyed. Said roadways shall be used by the several officers, servants, agents, employees and contractors of Grantee and by members of the general public for access to the land hereby conveyed. The easement rights hereby granted are nonexclusive, and said roadways may also be used by Grantor and others to whom Grantor may, at any time and from time to time, grant the right to use said roadways.

#### Description of Easements Reserved

Excepting and reserving to Grantor, its successors and assigns, easements for access roadways as described in Attachment 1 to this Exhibit A, along, over and across the parcels of land hereby conveyed which are crossed by said roadways as described in said Attachment 1. Said roadways shall be used for access to lands crossed by or contiguous to said roadways as described in said Attachment 1. The easement hereby reserved includes the right, at any time and from time to time, to grant to others the right to use said roadways in common with all others so entitled.

RUNNING FROM CONSUMERS' POWER COMPANY TO  
THE STATE OF MICHIGAN DATED March 11, 1980

A strip of land 1 rod in width in Sections 5, 6 and 8, T26N, R1E, being 8.25 feet on each side of a center line described as beginning on the North line of Section 5 at a point 206.25 feet West of the Northeast corner of said Section 5, thence South parallel with the East line of said Section 5 approximately 250 feet to the center line of an existing trail; thence Southwesterly and Westerly along the center line of said existing trail to a point which is approximately 1000 feet South of the North line of said Section 5, and 8.25 feet East of the North and South 1/4 line of said Section, which point is the point of ending of said existing trail; thence South parallel with said 1/4 line to a point which is 8.25 feet South of the North 1/8 line of said Section; thence West parallel with said North 1/8 line to a point which is approximately 1200 feet West of the North and South 1/4 line of said Section to the intersection with the center line of an existing trail; thence along the center line of said existing trail Southwesterly to a point which is 8.25 feet East of the West 1/8 line of said Section 5 and approximately 200 feet South of the North 1/8 line of said Section, being the point of ending of said existing trail; thence South parallel with said West 1/8 line to a point which is 8.25 feet South of the East and West 1/4 line of said Section; thence West parallel with said 1/4 line to a point which is approximately 400 feet West of the West 1/8 line of said Section to the intersection with the center line of an existing trail, said point being hereafter referred to as Point "A", thence along the center line of said existing trail in an Easterly direction approximately 1100 feet to a point approximately 130 feet South of the East and West 1/4 line of said Section to the point of ending. Also, beginning at Point "A", thence along the center line of said existing trail in a Southerly and Southeasterly direction to a point on the West 1/8 line of said Section 5 approximately 1200 feet South of the East and West 1/4 line of said Section 5 to the point of ending. Also, beginning at Point "A", thence along the center line of said existing trail Southerly and Southeasterly to a point on the West 1/8 line of said Section 5 approximately 100 feet North of the South line of said Section 5 to the point of ending. Also, beginning at Point "A", thence along the center line of said existing trail in a Southerly direction to a point on the South line of said Section 5, said point being approximately 700 feet East of the West line of said Section 5, thence continuing South approximately 250 feet, thence East approximately 300 feet to the point of ending in said Section 8. Also, beginning at Point "A", thence along the center line of said existing trail Southerly and Southwesterly to a point on the West line of said Section 5 approximately 1287 feet South of the West 1/4 post, thence Southerly approximately 600 feet to a point approximately 20 feet West of the East line of said Section 6, to the point of ending. Also, beginning at Point "A", thence along the center line of said existing trail Southwesterly to a point on the West line of said Section 5 approximately 950 feet South of the West 1/4 corner of said Section 5, thence Westerly and Northerly to a point on the East and West 1/4 line of said Section 6 approximately 1125 feet West of the

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East line of said Section 6, thence meandering in a Northwesterly and then Southwesterly direction to a point on the East and West 1/4 line which is approximately 1450 feet West of the East line of said Section 6, thence Southwesterly to a point on the North and South 1/4 line of said Section approximately 850 feet South of the East and West 1/4 line of said Section and the point of ending.

Also, a strip of land 1 rod in width in Section 6, T26N, R1E, being 8.25 feet on each side of a center line described as follows: Beginning at a point 8.25 feet South and approximately 1450 feet West of the East 1/4 corner of said Section 6, (said point being on the center line of the existing trail described last in the next preceding paragraph) thence West parallel to and 8.25 feet South of the East and West 1/4 line of said Section to the West line of said Section and the point of ending. (Not an existing trail.)

Also, a strip of land 1 rod in width in the Southwest 1/4 of Section 6, T26N, R1E, being 8.25 feet on each side of a center line described as follows: Begin on the East and West 1/4 line of said Section at a point approximately 1360 feet Easterly of the West 1/4 corner of said Section as measured along said 1/4 line, said point being on the center line of an existing trail, thence Southwesterly along the center line of said existing trail to a point approximately 250 feet South and approximately 1010 feet East of said 1/4 corner, said point being the point of ending.

A strip of land 1 rod in width in Section 3, T26N, R1E, being 8.25 feet on each side of the center line of an existing trail generally described as follows: Begin on the East line of said Section at a point which is approximately 1200 feet South of the Northeast corner of said Section, thence Westerly and Northerly to a point which is approximately 850 feet South of the North line of said Section and approximately 100 feet West of the East line of said Section, thence Southwesterly to the North 1/8 line of said Section at a point which is approximately 700 feet West of the East line of said Section, thence meandering in a Southwesterly direction to a point on the East and West 1/4 line approximately 30 feet West of the center of said Section, thence continuing in a Southwesterly direction approximately 800 feet to a point which is approximately 430 feet South of the East and West 1/4 line of said Section and the point of ending. Also, beginning on said existing trail at a point on the East and West 1/4 line 30 feet West of the center of said Section 3, thence Southerly and Easterly along the center line of said existing trail to a point 800 feet South of the East and West 1/4 line and 100 feet East of the North and South 1/4 line of said Section 3 and point of ending.

A strip of land 1 rod in width in Sections 1 and 2, T26N, R1E, being 8.25 feet on each side of a center line described as follows: Beginning at a point on the West line of Section 2 approximately 1250 feet North of the West 1/4 post of said Section, said point being on the center line of an existing trail, thence meandering Easterly along said existing trail to a point on the

North and South 1/4 line of said Section at a point approximately 950 feet South of the North line of said Section to a point of ending of said trail, thence Northeasterly to a point approximately 1000 feet West and 8.25 feet South of the Northeast corner of said Section, thence East parallel to and 8.25 feet South of the North line of said Section to a point 8.25 feet West of the East line of said Section, thence South parallel to and 8.25 feet West of the East line of said Section 2 approximately 300 feet to the center line of an existing trail, thence meandering on the center line of said existing trail Southerly and Southeasterly to a point on the West 1/8 line of Section 1 approximately 20 feet South of the East and West 1/4 line of said Section to the point of ending of said trail, thence Easterly to a point approximately 20 feet South and 66 feet East of the center of said Section 1 and the point of ending.

A strip of land 1 rod in width in Section 1, T26N, R1E and Section 6, T26N, R2E, being 8.25 feet on each side of the center line of an existing trail generally described as follows: Beginning at the West 1/4 post of said Section 6, thence meandering in a Southwesterly direction to a point approximately 800 feet South of the center of Section 1 and the point of ending of said trail.

A strip of land 1 rod in width in Section 6, T26N, R2E, being 8.25 feet on each side of the center line of an existing trail generally described as follows: Beginning at the intersection of said center line with the Easterly line of an existing County Road at a point approximately 680 feet North of the West 1/4 post of said Section 6, thence in a Northeasterly direction 2000 feet to a point approximately 1650 feet East of the West line of said Section and approximately 1150 feet South of the North line of said Section 6, being the point of ending.

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EXHIBIT B TO QUILICLAIM DEED RUNNING FROM  
CONSUMERS POWER COMPANY TO THE STATE OF MICHIGAN  
DATED March 11, 1980

Description of Electric Line Easements

A strip of land 30 feet in width in Parcel 1 described in Exhibit A, being 15 feet on each side of the center line of an existing electric line running in an Easterly and Westerly direction across the Southerly part of said Parcel 1.

A strip of land 30 feet in width in Parcel 8 described in Exhibit A, being 15 feet on each side of the center line of an existing electric line running in an Easterly and Westerly direction North of and along Cherry Creek Road across the Northerly part of said Parcel 8.

A strip of land 30 feet in width in Parcel 9 described in Exhibit A, being 15 feet on each side of the center line of an existing electric line running in an Easterly and Westerly direction South of and along Cherry Creek Road across the Northerly part of said Parcel 9.

A strip of land 30 feet in width in Parcel 10 described in Exhibit A, being 15 feet on each side of the center line of an existing combination underground and overhead electric line described as follows: Said underground electric line begins on the North and South 1/4 line of said Section 31 at a point approximately 5 feet South of the South 1/8 line of said Section, running thence S 45° E 254 feet; thence S 20° E 75 feet, thence S 53° E 82 feet, thence S 9° W 150 feet, thence S 39° W 75 feet, thence S 22° W 75 feet, thence S 11° E 490 feet, thence East 27 feet to the point of ending of said underground line and the beginning of said overhead line at a pole located on the Northerly side of West Cherry Creek Road, thence Southeasterly along said overhead line as located and constructed approximately 695 feet to a point of ending on the Southerly line of said Section 31.

A strip of land 30 feet in width in Parcel 11 described in Exhibit A, being 15 feet on each side of the center line of an existing line described as beginning at Point "A" as described in the next following paragraph and running Northerly from said Point "A" to the Northerly line of said Parcel 11.

12.3-DX5-3

A strip of land 200 feet wide in Parcel 11 described in Exhibit A, being 100 feet on each side of the following described center line commencing at the Southwest corner of Section 11, thence S 89° 57' 30" E 1179.99 feet, thence N 61° 18' 39" E 47.97 feet, thence N 79° 01' 55" E 696.47 feet to the center thread of the Au Sable River and the point of beginning, thence N 79° 01' 55" E 400 feet, to a point herein referred to as Point "A", thence S 86° 47' 40" E 348.04 feet to the center thread of the Au Sable River and the point of ending.

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CONSUMERS POWER COMPANY TO THE STATE OF MICHIGAN  
DATED March 11, 1900

Description of Lands Conveyed

Parcel 1: The East 250 feet of the Northeast 1/4 of the Southwest 1/4 and the West 150 feet of the Northwest 1/4 of the Southeast 1/4, all lying Northerly of the center thread of the Au Sable River and being in Section 1, T26N, R1E.

Parcel 2: Land in Section 3, T26N, R1E described as follows: The Northwest fractional 1/4; all that part of the West 3/4 of the Southwest 1/4 lying Northerly of the center thread of the Au Sable River; the West 3/4 of the North 1/2 of the Northeast fractional 1/4; all that part of the East 1/2 of the East 1/2 of the Northeast fractional 1/4 lying Northwesterly of the center thread of the Au Sable River and Westerly of County Road 489; all that part of the East 1/2 of the Southeast 1/4 of the Northeast fractional 1/4 lying Southeasterly of the center thread of the Au Sable River and Northerly of a line parallel with the East and West 1/4 line and 415.00 feet Northerly of said 1/4 line as measured along the East section line; the North 454.87 feet of the Northwest 1/4 of the Southeast 1/4 lying Westerly of the center thread of the Au Sable River; that part of the Southwest 1/4 of the Northeast fractional 1/4 described as follows: To find the place of beginning of this description, commence at the East 1/4 corner of said Section 3, run thence S 88° 25' 30" W along the East and West 1/4 line of said Section, 2600.15 feet to the North and South 1/4 line of said Section and the place of beginning of this description; thence N 0° 50' 03" W along said North and South 1/4 line 1312.29 feet to the North 1/8 line of said Section, thence N 88° 26' 01" E along said 1/8 line 802.37 feet, thence S 0° 44' 01" E, 665.53 feet, thence S 89° 15' 59" W, 75.00 feet, thence S 0° 44' 01" E, 400.00 feet, thence N 89° 15' 59" E, 27.90 feet to an iron rod near the Westerly bank of the Au Sable River, thence continuing N 89° 15' 59" E to the center thread of said River, thence upstream along said center thread to the East and West 1/4 line of said Section, thence S 88° 25' 30" W along said East and West 1/4 line to the place of beginning.

Parcel 3: That part of Section 4, T26N, R1E lying North of the center thread of the Au Sable River excepting therefrom the North 1/2 of the Northwest 1/4 and also excepting therefrom the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 4.

Parcel 4: Land in Section 5, T26N, R1E, described as follows: The Southeast 1/4 of the Northwest 1/4; the Northwest 1/4 of the Southwest 1/4; the East 1/2 of the Southwest 1/4 of the Southwest 1/4; the North 1/2 of the Northeast 1/4 lying Northerly of the center thread of the Au Sable River excepting therefrom a parcel of land in the North fractional 1/2 of the Northeast fractional 1/4 of said Section 5, described as follows: To find the place of beginning of this description, commence at the East 1/4 corner of said Section; run thence S 88° 42' 30" W along the East and West 1/4 line of said Section, 2600.77 feet to the North and South 1/4 line of said Section; thence N 2° 46' 32" W along said North and South 1/4 line 1288.66 feet to the North 1/8 line of said Section; thence N 88° 33' 54" E along said 1/8 line 956.84 feet to the place of beginning of this description; thence N 2° 30' 01" W, 836.14 feet; thence N 89° 05' 23" E, 660.00

feet; thence S 2° 30' 01" E, 524.29 feet to an iron rod near the Northerly bank of the Au Sable River; thence continuing S 2° 30' 01" E to the center thread of said River; thence upstream along said center thread to the North 1/8 line of said Section; thence S 88° 33' 54" W, along said 1/8 line to an iron rod near the Westerly bank of the Au Sable River; thence continuing S 88° 33' 54" W along said 1/8 line 228.40 feet to the place of beginning, and also excepting the North 198 feet of the East 198 feet thereof. (Bearings are based on the West line of said Section 5 between the West 1/4 corner and Southwest corner assumed as S 3° 09' 38" E.)

Parcel 5: A parcel of land in the Southwest 1/4 of Section 6, T26N, R1E, described as follows: To find the place of beginning of this description, commence at the West 1/4 corner of said Section; run thence N 89° 09' 52" E, 1,013.12 feet to the place of beginning of this description; thence continuing N 89° 09' 52" E along the East and West 1/4 line of said Section 6, 685.99 feet; thence S 0° 54' 34" E 982.58 feet to an iron pipe near the Northerly bank of the Au Sable River; thence continuing S 0° 54' 34" E to the center thread of said River; thence upstream along said center thread to a point which is S 0° 30' 38" E from the place of beginning; thence N 0° 30' 38" W to the place of beginning of this description.

Parcel 6: All that part of the Northeast 1/4 of the Northeast 1/4 of Section 7, T26N, R1E, lying Northerly and Easterly of the center thread of the Au Sable River.

Parcel 7: A parcel of land in the Northwest 1/4 of Section 8, T26N, R1E, lying Northerly of the center thread of the Au Sable River described as beginning at the Northwest corner of said Section 8, thence N 88° 48' 33" E along the North line of said Section, 794.22 feet, thence S 44° 16' 00" W, 213.82 feet, thence S 0° 16' 32" E, 614.31 feet, thence S 88° 48' 33" W, 200 feet, thence S 0° 16' 32" E, 230 feet to an iron rod near the Northerly bank of the Au Sable River, thence continuing S 0° 16' 32" E to the center thread of said River, thence upstream along said center thread to the West line of said Section, thence N 0° 31' 41" W along said Section line to the place of beginning.

Parcel 8: A parcel of land in the Northwest 1/4 of Section 5, T26N, R2E, described as beginning at the North 1/4 corner of said Section 5, running thence N 89° 22' 43" W along the North line of said Section, 444.06 feet; thence S 0° 41' 15" E, 806.63 feet to an iron rod near the North bank of the Au Sable River; thence S 0° 41' 15" E to the center thread of said River, thence Easterly downstream along said center thread to the North and South 1/4 line of said Section 5; thence N 0° 43' 52" W, along said 1/4 line to the place of beginning.

Parcel 9: A parcel of land in Section 6, T26N, R2E, described as beginning on the North line of said Section at a point N 89° 39' 41" W (measured along said North Section line) 824.35 feet from the Northeast corner of said Section; running thence S 89° 39' 41" E along said

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CROSS REFERENCE SHEET

Sale of Land to \_\_\_\_\_ State of Michigan \_\_\_\_\_

Dated 3-11-80

Recorded 3-21-80 in Liber 116 at Page 123-134

Regarding Land in Section 11, Township 26 North, Range 3 East

Original filed in General Sale file with State of Michigan Sale T 75-150D, dated 3-11-80

Oscoda County