

TITLE DATA

Martha L. Simmons, et al

TRACT 3

Warranty Deed | 10/9/68 | 12/13/68 | 127 | 656 |

ACCOUNT NO. W.O. 8337

MAP 1

TITTABAWASSEE-LIVINGSTON 3133

RECORDED IN DEEDS (13.61)

Recorded Dec 13 1968 at 9:22 o'clock A.M. Lib. 127 of Deeds, Page 656

MICHIGAN STATE

Otsego COUNTY

Charlton TOWNSHIP

34 & 35 T 29 N R 1 W SECTION TOWN RANGE

MUNICIPALITY 13.61A

PLAT OR AREA

WARRANTY DEED

This Indenture, made October 9 19 68 BETWEEN

MARTHA L. SIMMONS, of 419 Stevenson Street, Royal Oak, Michigan, and CHARLES K. DRURY and EMOGENE DRURY, his wife, of 310 North Minerva, Royal Oak, Michigan,

parties of the first part.

and

CONSUMERS POWER COMPANY, a Michigan corporation, 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 Three Thousand Two Hundred Fifty and no/100

Dollars (\$3,250.00) to him in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, 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 Charlton County of Otsego and State of Michigan, and described as follows, to-wit:

Parcel 1

A strip of land 365 feet in width across the NE 1/4 of the NE 1/4 of Section 34, T29N, RLW, described as follows: To find the place of beginning of this description, commence at the E 1/4 post of said section; run thence N 02° 08' 21" W along the East line of said section 1327.09 feet to the point of intersection of said East line of said section with the North 1/8 line of said section, which said point is also the place of beginning of this description; thence continuing N 02° 08' 21" W, 98.22 feet; thence N 55° 42' 30" W, 301.02 feet; thence N 44° 06' 40" W, 1529.34 feet to the North line of said section; thence N 88° 12' 39" W along said North line of said section 42.62 feet to the East 1/8 line of said section; thence S 01° 32' 10" E along said East 1/8 line of said section 495.66 feet; thence S 44° 06' 40" E, 1191.31 feet to the North 1/8 line of said section; thence S 88° 11' 58" E, 517.13 feet to the place of beginning.

SEE NEXT SHEET FOR EASEMENT PRIOR TO PURCHASE

Parcel 2

A triangular parcel of land located in the NW 1/4 of the NW 1/4 of Section 35, T29N, RLW, described as follows: To find the place of beginning of this description, commence at the W 1/4 post of said section; run thence N 02° 08' 21" W along the West line of said section 1327.09 feet to the point of intersection of the West line of said section with the North 1/8 line of said section, which said point is also the place of beginning of this description; thence continuing N 02° 08' 21" W along the said West line of said section 98.22 feet; thence S 55° 42' 30" E, 176.74 feet to the North 1/8 line of said section; thence N 89° 25' 37" W, 142.36 feet to the place of beginning.

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

Excepting and reserving to first parties, their heirs or assigns, the easement and right to cross said Parcels 1 and 2 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 ESMT FOR GAS/GAS CONDENSATE FLOW LINES.

Grantor shall retain all oil, gas and other minerals (not including sand, clay and gravel) in the above described land together with the right to remove same by wells or shafts placed on adjoining lands; no wells or shafts to be placed on the land herein conveyed.

OTSEGO COUNTY Gaylord, Mich. TREASURER'S OFFICE Dec 13 1968 I hereby certify that according to our records all taxes returned to this office are paid for five years preceding the date of this instrument. This does not include taxes in the process of collection. COUNTY TREASURER



Formerly 1345-D145-3

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE. The table is mostly empty.

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MAPPED AND CHECKED

OTHER DATA AND NOTES

(By Sale No. 189.643-0; T72-388) Consumers Power Company granted a rel of r/w for a pipeline across the land on the caption of this tract and other lands as follows:

NOTE #1
 GENERAL ENGINEERING MAP REFERENCES
 Line Map No. F-16944 Sheet 17 of _____
 Plan & Profile No. _____ Sheet _____ of _____
 Survey Map No. _____ Sheet _____ of _____

Sheets	1. Consumers Power Co	Rel of R/W	<u>2</u>
Sheets	6-25-73	Pipeline	<u>X-3</u>
Sheet	2. Shell Pipe Line Corp		

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

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

Forever, the esmt and right to construct, operate, inspect, renew, maintain, repair, replace, change the size of and remove a 16" and a 12" pipeline and all appurtenances thereto, including but not limited to air patrol markers, valves and corrosion control equipment, for the transportation of liquids, gases, solids, or mixtures of any or all thereof, in, on, under, through and across those certain pieces or pcls of ld situate in the Twp of Lovells, Crawford Co, and in the Twps of Charlton, Chester and Bagley, Otsego Co, and State of Mich, desc as follows:

Pcl 3: A strip of ld 365' in width across the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ and across the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 35, T29N, R1W, Charlton Twp, Otsego Co, and across the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ and across the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec 34 of sd twp and range desc as beg at a point on the E&W $\frac{1}{4}$ ln of sd Sec 35 which sd point is S 89° 18' 02" E, 1412.98' from the W $\frac{1}{4}$ post of sd Sec 35; cont th S 89° 18' 02" E, alg the sd E&W $\frac{1}{4}$ ln of sd Sec 35, 659.70'; th N 55° 42' 30" W, 2873.98'; th N 44° 06' 40" W, 1529.34' to a point on the N ln of sd Sec 34 which sd point is N 88° 12' 39" W, 1267.87' from the NE cor of sd Sec 34; th N 88° 12' 39" W alg the N ln of sd Sec 34, 524.49'; th S 44° 06' 40" E, 1943.06'; th S 55° 42' 30" E, 2361.42' to the pob.

FOR 16" AND 12" PIPELINE ROUTE, SEE TRACT 334.1-D318-3; FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE:

FOR REPLACEMENT (CHANGE OF PIPE LINE SIZE, DATED SEPTEMBER 20, 1973) FOR ABOVE EASEMENT FOR PIPELINE (T72-388) SEE ORIGINAL IN FILE:

NOTE #2: (By Sale Otsego Co #23; 189.330-4) CPCo granted an esmt for gas/gas condensate flow lns purposes across the ld on the caption of this tract and other lds, as follows:

- | | |
|----------------------------|------------------------------------|
| 1. Consumers Power Company | Esmt - Gas/Gas Condensate Flow Lns |
| 4-10-91 | |
| 2. Muskegon Dev Co. | |

The esmt and right to construct and maintain 1 4" diameter fiberglass flow ln, for the transportation of gas and/or gas condensates, under and across each of the following desc pcls of ld situate in the Twp of Charlton, Co of Otsego and State of Mich:

PCL #3: Part of the NW $\frac{1}{4}$ of Sec 35, part of the NE $\frac{1}{4}$ of Sec 34 and also part of the SE $\frac{1}{4}$ of Sec 27, T29N, R1W, desc as a strip of ld 10 ft in width, lying 5 ft on either side of and adj to a cen ln desc as follows: To find the POB of sd cen ln, comm at the $\frac{1}{4}$ cor common to sd Sections 34 & 35; th N 02 deg 08' 21" W, 1317.08 ft alg the sec ln common to sd Sections 34 & 35; th S 89 deg 24' 50" E, 156.75 ft to a pt on the NE'ly ln of CPCo property and the POB of sd cen ln of sd 10 foot wide strip, sd pt being 10 ft S of the N $\frac{1}{8}$ ln of sd Sec 35; th N 89 deg 24' 50" W 18.02 ft, parallel to sd N $\frac{1}{8}$ ln to a pt 10 ft SW'ly of sd NE'ly CPCo property ln; th N 55 deg 41' 51" W, 481.64 ft, parallel to & 10 ft SW'ly of sd NE'ly CPCo property ln; th N 44 deg 06' 39" W 1540.68 ft, parallel to and 10 ft SW'ly of sd NE'ly CPCo property ln, to a pt on the sec ln common to sd Sections 27 & 34, sd pt being N 88 deg 12' 39" W, 1282.24 ft from the SE cor of sd Sec 27; th N 00 deg 53' 20" E, 14.14 ft to a pt on the NE'ly ln of CPCo property and the POE of sd cen ln of sd 10 ft wide strip.

PCL #4: Part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec 34, T29N, R1W, desc as a strip of ld 10 ft in width, lying 5 ft on either side of and adj to a cen ln desc as follows: To find the POB of sd cen ln, comm at the E $\frac{1}{4}$ cor of sd Sec 34; th N 88 deg 11' 19" W, 658.03 ft alg the E & W $\frac{1}{4}$ ln of sd Sec 34; th N 02 deg 08' 21" W, 1473.54 ft to a pt on the SW'ly ln of CPCo property and the POB of sd cen ln of sd 10 foot wide strip; th N 34 deg 39' 19" E, 361.93 ft to a pt on the premises desc as Pcl 3 above and the POE of sd cen ln of sd 10 foot wide strip; sd pt being 10 ft SW'ly of the NE'ly ln of CPCo property.

The gas/gas condensate flow ln to be located within each of the 10 foot wide strips of ld desc above as Pcls 1, 2, 3 & 4 shall run alg the above desc cen ln of the particular Pcl as nearly as practicable. Each of sd gas/gas condensate flow lns shall be buried not less than 3 ft below the surface of the g ground, sd distance being measured vertically from the surface of the ground to the tops of sd gas/gas condensate flow lns. FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE.

ACCOUNT NO.

MAP

KIND OF INSTRUMENT DATE OF INST. DATE OF RECORD LIBER PAGE

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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

Handwritten signatures of Nora E. Grant, Delores Hanover, Martha L. Simmons, Charles K. Drury, and Emogene Drury.

STATE OF MICHIGAN,) ss. County of OAKLAND) On October 9, 1968 before me, a Notary Public of Wayne County, Michigan, acting in Oakland County, personally appeared Martha L. Simmons

to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be her free act and deed.

My commission expires December 8, 1968. Charles Y. Cooper, Jr. Notary Public, Wayne County, Michigan.

STATE OF MICHIGAN,) ss. County of OAKLAND) On October 9, 1968 before me, Notary Public of Wayne County, Michigan, acting in Oakland County, personally appeared Charles K. Drury and Emogene Drury

to me known to be the same person described in and who executed the within instrument, who severally acknowledged the same to be their free act and deed.

My commission expires December 8, 1968. Charles Y. Cooper, Jr. Notary Public, Wayne County, Michigan.

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

RETURN TO LAND & RIW DEPT. CONSUMERS POWER CO. 212 MICHIGAN AVE. WEST JACKSON, MICHIGAN

WARRANTY DEED

TO

REGISTER'S OFFICE... This instrument was presented and received for record this... day of... at... o'clock... M., and recorded in Liber... of Deeds... 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.

