

Charles B. Johnson, et al

Warranty Deed, 2/5/68, 4/22/68, 121, 352

ACCOUNT NO. W.O. 8237

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

RECORDED IN DEEDS  
WARRANTY DEED LIBER 121 PAGE 352

Recorded APRIL 22, 1968  
at 9:30 o'clock AM  
Liber 121 of Deeds, Page 352  
Theodore W. Webb, Register of Deeds.

MICHIGAN STATE  
Otsego COUNTY  
Chester TOWNSHIP  
19 SECTION T 30 N R 2 W  
MUNICIPALITY 23.21 PLAT OR AREA

This Indenture, made February 5, 1968  
BETWEEN CHARLES B. JOHNSON and DOROTHY P. JOHNSON, his wife, and DAN L. JOHNSON and SALLY W. JOHNSON, his wife, all of 471 Rivard Street, Grosse Pointe, Michigan,  
parties of the first part,  
and CONSUMERS POWER COMPANY, a corporation duly authorized to do business in Michigan and having its principal office therein at 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 ONE HUNDRED THIRTY-THREE and 55/100 DOLLARS (\$3,133.55)  
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 Chester County of Otsego and State of Michigan, and described as follows, to-wit:

A strip of land 365 feet wide across the SE 1/4 of Section 19, T30N, R2W, described as follows: To find the place of beginning of this description commence at the E 1/4 post of said section; run thence S 00° 16' 35" W along the East line of said section 710.5 feet to the place of beginning of this description; thence continuing along said East line of said section S 00° 16' 35" W, 381.04 feet; thence N 73° 02' 23" W, 2780.05 feet to the North and South 1/4 line of said section; thence N 00° 18' 57" W along said North and South 1/4 line of said section 331.37 feet to the East and West 1/4 line of said section; thence S 88° 54' 30" E along said East and West 1/4 line of said section 177.65 feet; thence S 73° 02' 23" E, 2598.19 feet to the place of beginning.  
SEE NEXT SHEET FOR EASEMENT PRIOR TO PURCHASE

Excepting and reserving to first parties, their heirs or assigns, the easement and right to cross said strip of land 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.

OTSEGO COUNTY TREASURER'S OFFICE  
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

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.

SEE NOTE #1 FOR REL OF R/W FOR PIPELINE  
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  
Jeannine M. Wellman  
Caryl L. Sovey  
Charles B. Johnson  
Dorothy P. Johnson  
Dan L. Johnson  
Sally W. Johnson

STATE OF MICHIGAN, )  
County of Otsego ) ss.  
On February 5, 1968  
before me, a Notary Public of Otsego County, Michigan, acting in and for  
County, personally appeared Charles B. Johnson and Dorothy P. Johnson, and Dan L. Johnson and Sally W. Johnson,  
to me known to be the same person as described in and who executed the within instrument, who severally acknowledged the same to be their free act and deed.

My commission expires December 12, 1971  
Samuel B. Miller, Notary Public, Otsego County, Michigan.

SEE NOTE # 2 FOR SALE OF LAND  
SEE NOTE # 3 FOR SALE OF LAND  
PREPARED BY D. R. ROOD, CONSUMERS POWER CO  
212 W. MICHIGAN AVENUE, JACKSON, MICHIGAN

Traverse 1367-D1454

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE. A large stamp reads: ENVIRONMENTAL ASSESSMENT REFER TO DOCUMENT IN FILE.

13

8

MAPPED AND CHECKED

OTHER DATA AND NOTES

NOTE #1 (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:

GENERAL ENGINEERING MAP REFERENCES			
Line Map No. <u>F-16944</u>	Sheet <u>19</u>	of	Sheets
Plan & Profile No. _____	Sheet _____	of	Sheets
Survey Map No. _____	Sheet _____	of	Sheets

- |                          |         |            |     |
|--------------------------|---------|------------|-----|
| 1. Consumers Power Co.   |         |            |     |
|                          | 6-25-73 | Rel of R/W | X-4 |
| 2. Shell Pipe Line Corp. |         | Pipeline   |     |

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 or 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 20: A strip of ld across the N  $\frac{1}{2}$  of the S  $\frac{1}{2}$  and across the S  $\frac{1}{2}$  of the N  $\frac{1}{2}$  of Sec 19, T30N, R2W, Chester Twp, Otsego Co, desc as beg at a point on the E ln of sd sec which sd point is S 00° 16' 35" W, 710.50' from the E  $\frac{1}{4}$  post of sd sec; run th N 73° 02' 23" W, 3805.07'; th N 88° 54' 30" W, 1190.93' to the W ln of sd sec; th S 01° 02' 30" E alg the W ln of sd sec, 330.23' to the W  $\frac{1}{4}$  post of sd sec; th S 88° 54' 30" E alg the E&W  $\frac{1}{4}$  ln of sd sec, 1004.65'; th S 73° 02' 23" E, 3991.59' to the E ln of sd sec; th N 00° 16' 35" E alg the E ln of sd sec, 381.04' 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 PIPELINE SIZE, DATED SEPTEMBER 20, 1973) FOR ABOVE EASEMENT FOR PIPELINE (T72-388) SEE ORIGINAL IN FILE:

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

1. Abstract \_\_\_\_\_
2. Opinions of Title \_\_\_\_\_
3. Title Search \_\_\_\_\_
4. Mortgage Release \_\_\_\_\_

NOTE # 2: (Otsego #52) Consumers Energy Company granted an easement for gas pipeline and tap site purposes across the ld on the caption of this tract, as follows:

- |  |                                    |
|--|------------------------------------|
| 1. Consumers Energy Company<br>11-1-98 | Easement - Gas pipeline & tap site |
| 2. Michigan Consolidated Gas Company   |                                    |

Forever, esmt rights in the Township of Chester, Co of Otsego, and State of Mich, described and made a part hereof, described as follows:

Easement Strip #1: A 20-foot wide strip of land owned by CECO in Sections 19, 20, 28 & 29, T30N, R2W, being 330 ft wide in a portion of Sec 19 and 365 ft wide in a portion of Sec 19 and in Sections 20, 28 and 29 ("Consumers' Fee Strip"), the centerline of the 20-foot wide strip being described as: Beginning at a point on the North line of Consumers' fee strip in the NW 1/4 of Sec 19, that is 972 ft, more or less, E of the W ln of Sec 19, as measured alg the N ln of Consumers's fee strip, and run thence SE'ly 13,969 ft, more or less, alg a line 30 ft SW'ly of and parallel to the NE'ly line of Consumers' fee strip as it traverses Section 19, 20, 29 and 28; thence S 67 deg 07'55" E to the NE'ly line of Consumers' fee strip in the S 1/2 of Section 28 and the POE of the description of the centerline of the 20-foot wide easement strip.

Easement Strip #2: A 20-foot wide strip of land across a strip of land owned by CECO in the SW 1/4 of Section 20, T30N, R2W, being 365 ft wide ("Consumers' fee strip"), the centerline of the 20-foot wide strip being described as: Beginning at a pt on the SW'ly line of Consumer's fee strip that is 275 ft, more or less, due E of the W line of Section 20, and running thence N'ly to a point that is 365 feet, more or less, due E of the W line of Sec 20, (being a point on the centerline of Easement Strip #1, as described above), and the POE of the centerline of the 20-foot wide easement strip.

Easement Strip #3: A 20 foot wide strip of land across a strip of land owned by CECO in the E 1/2 of Sec 3, T29N, R2W, being 365 feet wide ("Consumers' fee strip"), the centerline of the 20-foot wide strip being described as: To find the POB, commence at the N 1/4 corner of Sec 3 and run thence S 00 deg 04'37" W 424.19 ft, alg the N & S 1/4 line of Sec 3, to a point on the NE'ly line of Consumers' fee strip; thence S 37 deg 20'48" E, 1429.17 ft, alg sd NE'ly ln, to the POB; thence S 54 deg 15' 04" W, 10.00 ft; thence S 37 deg 20'48" E, 2157.38 ft; thence N 52 deg 39' 13" E, 10.00 ft to a pt on the NE'ly line of Consumers' fee strip, and the POE of the description of the centerline of the 20-foot wide easement strip.

This easement is conveyed solely to allow Grantee to operate and maintain a gas pipeline that presently existing in, under and across each of the strips of land described above. Grantee shall have the right to repair, replace, remove, and enlarge the pipeline on each strip to a pipe diameter of not more than 10 inches; provided, that any replaced or enlarged pipeline shall be located at least 3 feet beneath the surface of the land (measured from the surface of the land to the top of the pipeline).

FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE.

**NOTE # 3** : (Otsego #57) Consumers Energy Company granted an easement for gas pipeline purposes across the ld on the caption of this tract, as follows:

- |                                      |                         |
|--------------------------------------|-------------------------|
| 1. Consumers Energy Company          | Easement - Gas Pipeline |
| 7-29-99                              |                         |
| 2. Michigan Consolidated Gas Company |                         |

Forever, the easement and right for gas pipeline purposes on, over, under, along and across that certain piece or parcel of land situate in the Township of Chester, County of Otsego and State of Michigan, known and described as follows:

A 20 foot wide easement across part of the Northeast 1/4 of the Southeast 1/4 of Section 19, T30N, R2W, lying 10 feet on either side of the following described centerline:

Commencing at the East 1/4 corner of said Section 19; thence S01E16'35"W along the East line of said section, 710.50 feet to the North line of Consumers Energy's fee strip; thence N73E02'23"W along said North line, 65.53 feet to the POINT OF BEGINNING of this description; thence S16E57'37"W 30 feet more or less to a point on an existing 6-inch pipeline and the POINT OF ENDING of this description.

The easement hereby conveyed is for the sole and only purpose of locating, constructing and maintaining over and across said land one 3-inch gas pipeline. The route and course of said pipeline being described as follows:

To run in a North and South direction to interconnect with Grantee's existing 6-inch pipeline located within Grantor's right-of-way and to be buried a minimum of 3 feet beneath the surface of the land (said distance to be measured from the surface to the top of said pipeline) with no above-ground facilities located at the interconnect.

FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE.