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TITLE DATA

CONSUMERS POWER COMPANY

John Pewinski, et al

TRACT 351-D318-7

Warranty Deed | 12/7/67 | 12/29/67 | 119 | 646 |

ACCOUNT NO. W.O. 8337

MAP 6

TITTABAWASSEE-LIVINGSTON

RECORDED IN DEEDS LIBER 119 PAGE 646

Recorded DEC 29 1967 at 9:30 o'clock A.M. Liber 119 of Deeds, Page 646 T.W. West Register of Deeds

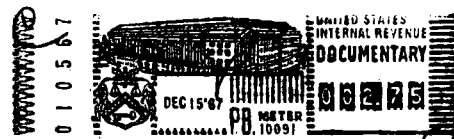
WARRANTY DEED

This Indenture, made December 7, 1967 BETWEEN JOHN PEWINSKI, a single man, and ANDREW PEWINSKI, a single man, both of Route #1, Box 424, Gaylord, 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 ONE DOLLAR and Other Good and Valuable Consideration 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 parcel of land in the NW fractional 1/4 of Section 19, T30N, R2W, described as follows: Beginning at the W 1/4 post of said section; running thence N 01° 02' 30" W along the West line of said section 330.23 feet; thence S 88° 54' 30" E and parallel with the East and West 1/4 line of said section 1190.93 feet; thence S 73° 02' 23" E, 1020.89 feet to the North and South 1/4 line of said section; thence S 00° 18' 57" E along said North and South 1/4 line of said section 50.87 feet to the East and West 1/4 line of said section; thence N 88° 54' 30" W along said East and West 1/4 line of said section 2161.88 feet to the place of beginning.

SEE NOTE #1 FOR REL OF R/W FOR PIPELINE SEE NOTE #2 FOR LICENSE FOR UNDERGROUND OIL FLOW LINE SEE NOTE #3 FOR EASEMENT FOR PIPELINE



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

Lucille E. Duczowski, Samuel B. Miller

John Pewinski, Andrew Pewinski

OTSEGO COUNTY TREASURER'S OFFICE, Gaylord, Mich., DEC 29 1967, 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. Robert A. D. May COUNTY TREASURER

STATE OF MICHIGAN,) ss. December 7, 1967 County of Otsego) On before me, a Notary Public of Otsego County, Michigan, acting in Otsego County, personally appeared John Pewinski and Andrew Pewinski

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 Jan. 23, 1971 Lucille E. Duczowski, Notary Public, Otsego County, Michigan.

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

Formerly 1370-D145-7

MICHIGAN STATE, Otsego COUNTY, Chester TOWNSHIP, 19 T 30 N R 2 W, MUNICIPALITY, SECTION, TOWN, RANGE, PLAT OR AREA 13.27a

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE. Includes text: ENVIRONMENTAL ASSESSMENT - REFER TO DOCUMENT IN FILE!

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MAILED AND INDEXED

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. Feb 16 9 44 Sheet 19 of 19
 Plan & Profile No. _____ Sheet _____ of _____
 Survey Map No. _____ Sheet _____ of _____

- | | | | |
|--------|--------------------------|------------|-----|
| Sheets | 1. Consumers Power Co. | | |
| | 6-25-73 | Rel of R/W | X-7 |
| Sheets | 2. Shell Pipe Line Corp. | Pipeline | |
| Sheets | | | |

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 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.

NOTE #2

(By Sale No. 189.218-1; T #74-285) Consumers Power Company granted a license for underground oil flow line across the land on the caption of this tract and other lands as follows:

- | | | | |
|------------------------|----------|---------------------------|-----|
| 1. Consumers Power Co. | | | |
| | 10/29/74 | License | X-7 |
| 2. Shell Oil Company | | Underground Oil Flow Line | |

LICENSE AND PERMIT to use the following described premises situated and being in the Townships of Bagley and Chester, County of Otsego, and State of Michigan, to wit:

Pcl 2. A pcl of land in the NW fract $\frac{1}{4}$ of Sec 19, T30N, R2W, desc as beg at the W $\frac{1}{4}$ post of said sec; run th N 01° 02' 30" W alg the W line of sd sec 330.23 ft; th S 88° 54' 30" E & par with the E&W $\frac{1}{4}$ line of sd sec 1190.93 ft; th S 73° 02' 23" E 1020.89 ft to the N&S $\frac{1}{4}$ line of sd sec; th S 00° 18' 57" E alg sd N&S $\frac{1}{4}$ line of sd sec 50.87 ft to the E&W $\frac{1}{4}$ line of sd sec; th N 88° 54' 30" W alg sd E&W $\frac{1}{4}$ line of sd sec 2161.88 ft to the pl of beg.

on the terms and conditions hereinafter mentioned, to be occupied and used for construction and maintenance, repair, replacement, and operation of an underground 3 inch flow line and in no case to be used for any purpose deemed extra hazardous on account of fire. It is expressly understood that the license hereby granted may be terminated at any time after the date hereof by Licensor or Licensee on written notice to the other party, and, upon termination of this license, Licensee shall promptly quit the said premises, and Licensor, its certain attorneys, successors and assigns may put out Licensee and each and every other occupant, and Licensee hereby waives any claim for damages as a result of such removal; provided, however, that, in event of termination by Licensor, Licensee shall be permitted to enter upon the land as may be necessary for the purpose of removing personal property thereon at the time of termination; and provided further that, if such removal has not been completed within 3 months after the termination hereof, such personal property shall be deemed to have been abandoned and shall become the property of Licensor.

FOR FURTHER DETAILS, SEE ORIGINAL INSTRUMENT.

INSTRUMENTS FILED WITH ORIGINAL INSTRUMENTS

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

OTHER DATA AND NOTES

NOTE #3

(By Sale Otsego Co. #3, Acct 189.409-6) Consumers Power Company granted an Easement for Pipeline across land on the caption of this tract as follows:

1. Consumers Power Co
11-22-82
2. Shell Pipe Line Corp.

Easement for Pipeline

The esmt and right to construct, operate, inspect, renew, maintain, repair, replace, change the size of and remove a four (4) inch 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 that certain piece or parcel of land situate in the Twp of Chester, Co of Otsego and State of Michigan described as follows:

A pcl of land in the NW fractional $\frac{1}{4}$ of Sec 19, T30N, R2W, desc as follows: Beginning at the W $\frac{1}{4}$ post of said sec; running th N 01° 02' 30" W along the W line of sd sec 330.23 ft; th S 88° 54' 30" E and para with the E & W $\frac{1}{4}$ line of sd sec 1190.93 ft; th S 73° 02' 23" E, 1020.89 ft to the N & S $\frac{1}{4}$ line of sd sec; th S 00° 18' 57" E along sd N & S $\frac{1}{4}$ line 50.87 ft to the E & W $\frac{1}{4}$ line of sd sec; th N 88° 54' 30" W along sd E & W $\frac{1}{4}$ line of sd sec 2161.88 ft to the place of beginning.

The right of way hereby conveyed and released is for the sole and only purpose of locating and establishing upon, over, under and across sd above-desc premises, a 4 inch pipeline and appurtenances, sd pipeline to be buried approx 3 ft beneath the surface of the land, sd depth being measured from the surface of the land to the top of sd pipeline, along a center line described as follows:

To find the place of beginning of sd center line, commence at the SW corner of sd Sec 19; run th along the W line of sd sec N 2638.9 ft to the W $\frac{1}{4}$ corner of sd sec; th continuing N 268.0 ft; th E 53.9 ft to a point on the Shell Pipe Line Corp.'s 16" diameter Otsego pipeline and the pob of sd center line; running th S 00° 05' 00" E, 268.0 ft to the place of ending of sd ctr line.

FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE.