

PATRICK J. RILEY
ATTORNEY-AT-LAW
500 WEST MICHIGAN AVENUE
JACKSON, MI 49201
(517)-787-4357

FAX: (517) 787-7948
e-mail: Rileylaw@tds.com

June 16, 2003

Michigan Electric Transmission Company
Attention: Executive Vice President and Chief Operating Officer
C/O NSI Consulting and Development, Inc.
26657 Woodward Ave., Suite 100
Huntington Woods, MI 48070

Subject: Second Amendment to Easement for Gas & Water Pipelines
File NO. Otsego # 45.002

Reference: Amended and Restated Easement Agreement (the "Agreement") dated April 29, 2002,
between Consumers Energy Company ("Consumers") and Michigan Electric Transmission
Company, now Michigan Electric Company, LLC (METC")

My client, PLC Pipeline Company, has initiated the process of seeking an easement from Consumers Energy Company on certain land in which METC has an interest under the Agreement. The location of said land is set forth on "Annex A", attached to this letter.

Pursuant to Section 7.1 of the Agreement between Consumers and METC (a copy of the provision was provided to me by Consumers), PLC Pipeline Company hereby notifies METC that it intends to construct

Parcel 1: One 4-inch diameter steel natural gas pipeline, one 4-inch diameter polyurethane water pipeline and one PVC natural gas pipeline that may be no larger than 12 inches in diameter.

Parcel 2: One 4- inch diameter polyurethane water pipeline and one 4- inch diameter steel natural gas pipeline that may be no larger than 12 inches in diameter on said land. A further description of the intended use is also set forth on Annex A to this letter.

Under Section 7.1 of the Agreement (a copy of which was furnished to me by Consumers), METC must within 30 days of this notice notify PLC Pipeline, as "Initiating User," of whether or not METC approves the proposed use as a Compatible Use. If you do not notify this office on behalf of PLC Pipeline Company either way within 30 days of this notice, then, as provided in said Section 7.1, METC will be deemed to have approved the proposed use as being a Compatible Use. On behalf of PLC Pipeline Company, I would appreciate receiving METC's express approval of the proposed use as being a Compatible Use as soon as possible so that my client, PLC Pipeline Company can start work without delay.

This letter is being sent to you in triplicate. If METC agrees that the proposed use is a Compatible Use, please indicate that by signing and returning a copy of this letter to me as soon as possible. As called for in Section 7.1 of the Agreement, please also send one signed copy of this letter to

Consumers, at : Consumers Energy Company, One Energy Plaza, Jackson, Michigan 49201, Attention: Marcia Losert, EP&-471 and the last copy may be retained by METC for its records.

Very truly yours,



Patrick J. Riley
on behalf of PLC Pipeline Company

APPROVED:

MICHIGAN ELECTRIC TRANSMISSION COMPANY

By: _____

Date: _____

Annex A
Otsego County #45.002

LAND TO BE IMPACTED:

That certain strip of land in the Township of Bagley, County of Otsego, State of Michigan, described as follows:

Part of Section 17, T30N,R3W
See Attached Land Record Map

PROPOSED USE:

Parcel 1: One 4-inch diameter steel natural gas pipeline, one 4- inch diameter polyurethane water pipeline and one PVC natural gas pipeline that may be no larger than 12 inches in diameter.

Parcel 2: One 4- inch diameter polyurethane water pipeline and one 4- inch diameter steel natural gas pipeline

Said pipelines to be buried side by side and buried a minimum of 3 feet beneath the surface of the land and to run in a Northerly and Southerly direction.

See attached drawings - Job Number GSG5577-01G, Both indicated Sheet 1

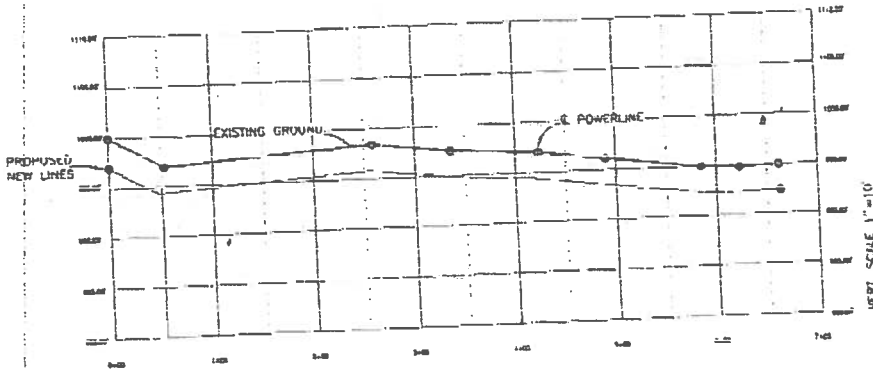
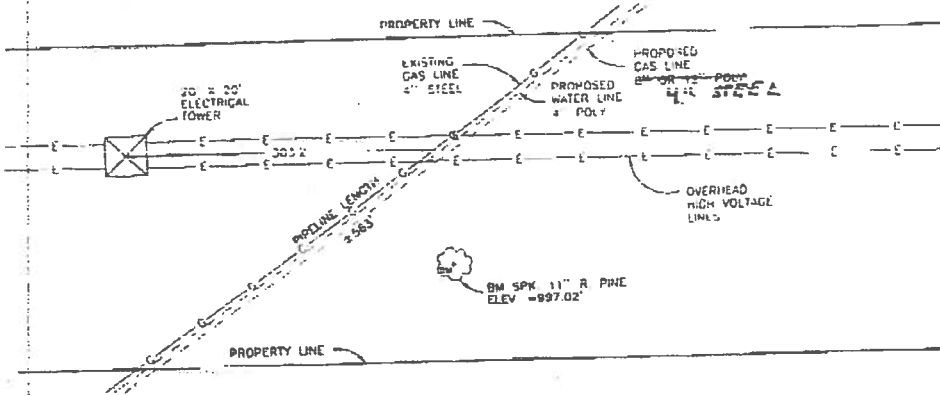
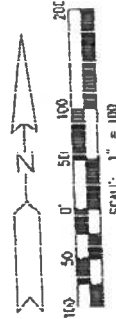
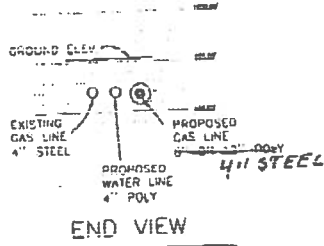
BAGLEY 30 PROJECT WEST PROFILE SOUTH 1/2 SECTION 17 T30N-R3W OTSEGO CO. MI.

NOTES

1. DIMENSIONS SHALL PROPERTY ARE SHOWN IN THE FIELD AND LABELED. EXISTING LINES SHALL BE SHOWN WITH DASHED LINES.
2. THE LOCATION OF DIMENSIONS SHALL BE INDICATED BY DIMENSION LINES WITH ARROWS.
3. ALL DIMENSIONS SHALL BE TO THE CENTER OF THE LINE UNLESS OTHERWISE NOTED.
4. LOCATION OF EXISTING LINES IS APPROXIMATE ONLY AND SHOULD BE VERIFIED BY THE FIELD PRIOR TO ANY CONSTRUCTION.

CONSTRUCTION SPECIFICATIONS

1. ALL LINES SHALL BE 18" DEEP WITH 12" SAND FILL.
2. ALL LINES SHALL BE 18" DEEP WITH 12" SAND FILL.
3. ALL LINES SHALL BE 18" DEEP WITH 12" SAND FILL.



CLIENT	OIL	<p style="text-align: center;">Wade-Trim 271 West McCoy Road, P.O. Box 818 Gaylord, MI 49735 589.732.3584/589.968.4440 FAX: 589.732.6391 www.wadetrims.com</p>	<p style="text-align: center;">PROFILE ACROSS CONSUMERS ENERGY POWER LINES</p>	<p style="text-align: center;">SCALE AS NOTED</p> <p style="text-align: center;">SHEET 1 WEST PROFILE CSG577-01G</p>
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O.I.L.
 BAGLEY 30 PROJECT
 EAST PROFILE
 SOUTH 1/2 SECTION 17
 T30N-R3W OTSEGO CO. MI.

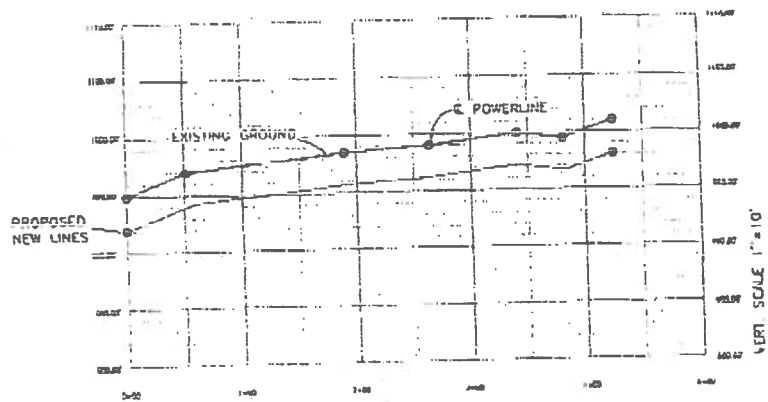
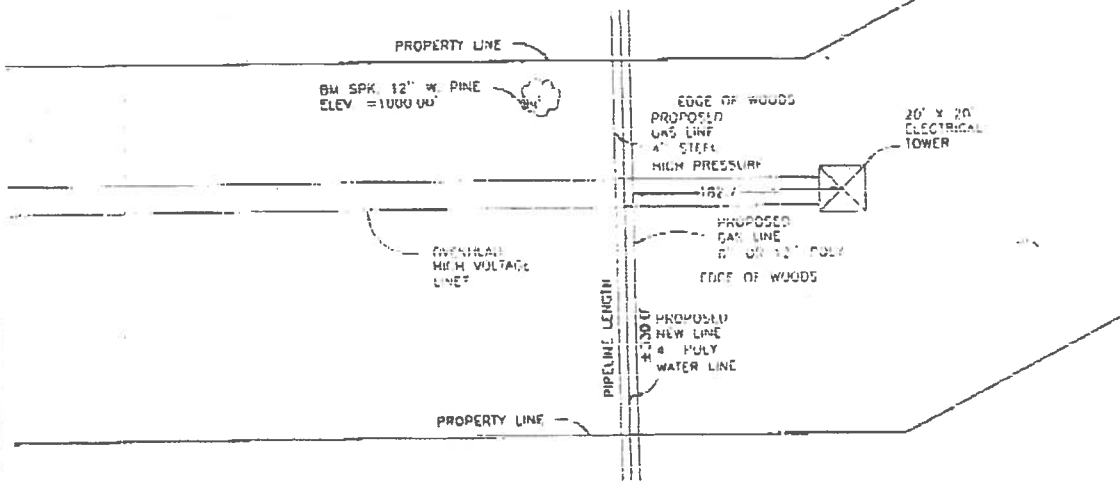
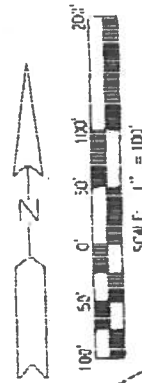
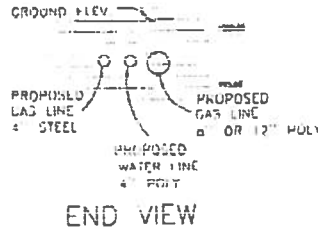
SEY4


NOTES

1. EXISTING AND PROPOSED LINES SHOWN IN THE FIELD WITH LABELED WOOD MARKERS SETTING WITH SPARKER MARKERS.
2. THE PORTIONS OF EXISTING LINES TO BE REMOVED SHALL BE IDENTIFIED BY RED-PAINTED WOOD MARKERS.
3. ALL EXISTING LINES SHALL BE DELETED TO 10 OR MORE FEET DEPENDENT ON THE TYPE AND DEPTH OF SOILS.

CONSTRUCTION SPECIFICATIONS

1. INSTALL DOUBLE ROW BAIT FENCE BOTH SIDES AS SHOWN
2. SOCIAL PIPE - OPERATIONAL DRILL
3. REPLACE LOOSE AND EARTH



REFERENCE PROJECT:	CLIENT	 Wade-Trim 271 West McCoy Road, P.O. Box 616 Gaylord, MI 49734 989 732 3384 / 800.300.4440 Fax: 889 732 6391 www.wadetrim.com	TITLE	SCALE	
	DATE		PROFILE ACROSS CONSUMERS ENERGY POWER LINES	AS NOTED	
	DRAWN BY			PROJECT	1
	CHECKED BY			FILE	FAST PROFILE
				JOB NO.	GSG5577-01G

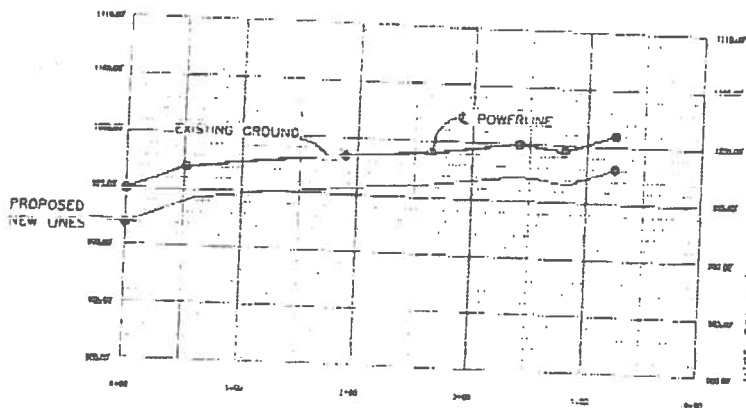
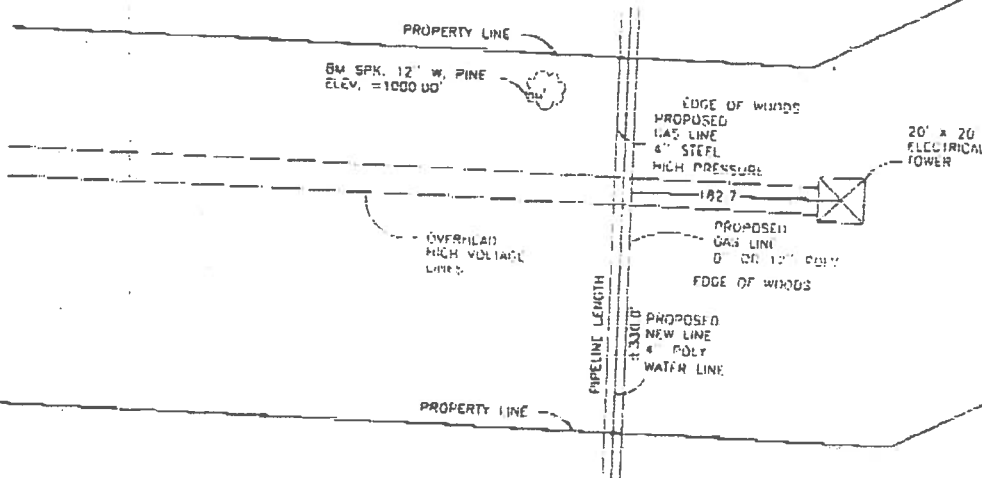
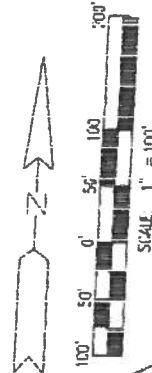
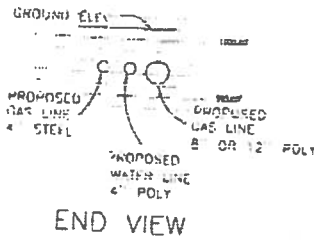
Parcel # 1 dated 3-03


O.I.L.
 BAGLEY 30 PROJECT
 EAST PROFILE
 SOUTH 1/2 SECTION 17
 T30N-R3W OTSEGO CO. MI.

SEY4

NOTES:

1. DIRECTIONAL DRILL EXPOSURE WILL BE MADE IN THE FIELD WITH OVERHEAD WOOD LATH STAKES TOPPED WITH BRASS PLACING.
 2. THE PORTIONS OF FLOWLINES DRILLED DIRECTIONALLY WILL BE CONSTRUCTED OF 2" DIA. STEELPIPE, 10' DIA. PIPE, OR 12" DIA. PIPE.
 3. ALL WORKERS SHALL MAINTAIN A COPY OF 10' OR 12" DIA. STEELPIPE UNDER THE JOBS AND RECORDS.
- CONSTRUCTION METHODS:**
1. INITIAL DOUBLE ROW 12" PINE WITH TIES AS SHOWN
 2. INITIAL ROW - DIRECTIONAL DRILL
 3. REPLACE PIPELINE WITH



DATE	JUN 17 2003	 <p>Wade-Trim 271 West McCoy Road, P.O. Box 618 Gaylord MI 49734 989 732.3594/800.268.4440 FAX: 989 732.8191 www.wadeftrim.com</p>	SCALE	AS NOTED	
PROJECT	O.I.L.		DESCRIPTION	PROFILE ACROSS CONSUMERS ENERGY POWER LINES	SHEET
DRAWN	JCR			DATE	
CHECKED	JCR			PROJECT	EAST PROFILE
				SHEET NO.	GSG5577-01G

Parcel # 1 dated 3-0-3

O.I.L.
BAGLEY 30 PROJECT
 WEST PROFILE
 SOUTH 1/2 SECTION 17
 T30N-R3W OTSEGO CO. MI.

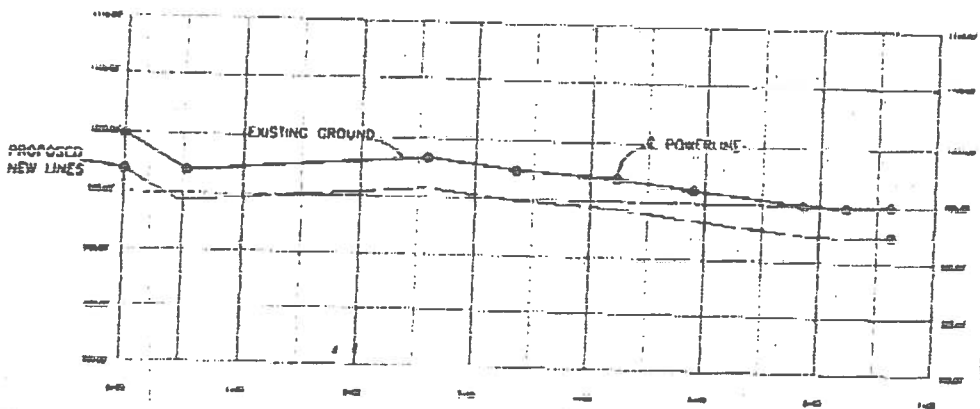
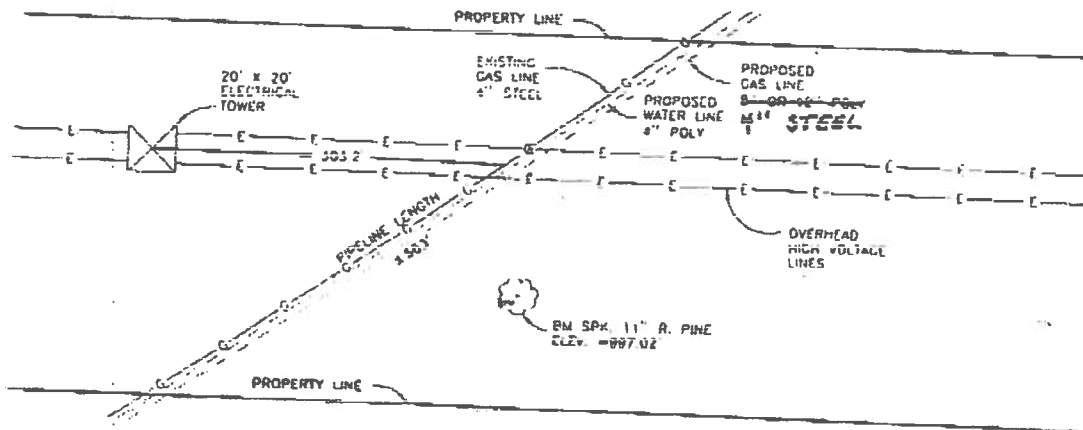
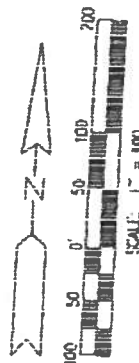
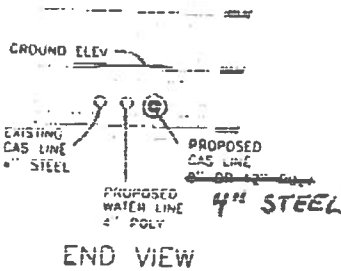
SWYH

NOTES

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE FIELD SURVEY AND THE RECORD DRAWINGS.
2. THE PURPOSE OF THIS PROJECT IS TO INSTALL A 4" STEEL GAS LINE AND A 4" POLY WATER LINE FROM THE STREET TO THE PROPERTY LINE.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE FIELD SURVEY AND THE RECORD DRAWINGS.
4. LOCATIONS OF EXISTING GAS AND WATER LINES SHALL BE DETERMINED BY FIELD SURVEY AND SHALL BE PLACED ON THIS PLAN TO ANY OBSTRUCTION.

INSTALLATION METHOD

1. INSTALL DOUBLE END BOLT FLANGES WITH WELDS AS SHOWN.
2. INSTALL PIPE - CONCRETE DUCT.
3. REPAIR EXCAVATED EARTH.



DATE	SCALE	TITLE	SHEET
06/17/03	AS NOTED	PROFILE ACROSS CONSUMERS ENERGY POWER LINES	1
BY	DATE	PROJECT	NO.
JCR	06/17/03	WEST PROFILE	GSG5577-01G
CHECKED	DATE	PROJECT	NO.
JCR	06/17/03	WEST PROFILE	GSG5577-01G

Parcel #2 dated 3-03



Wade-Trim

271 West McCoy Road, P.O. Box 618
 Gaylord, MI 49735
 800 733 3585 / 231 568 4440
 FAX 231 732 6391
 www.wade-trim.com

PROFILE ACROSS
 CONSUMERS ENERGY
 POWER LINES

SCALE AS NOTED

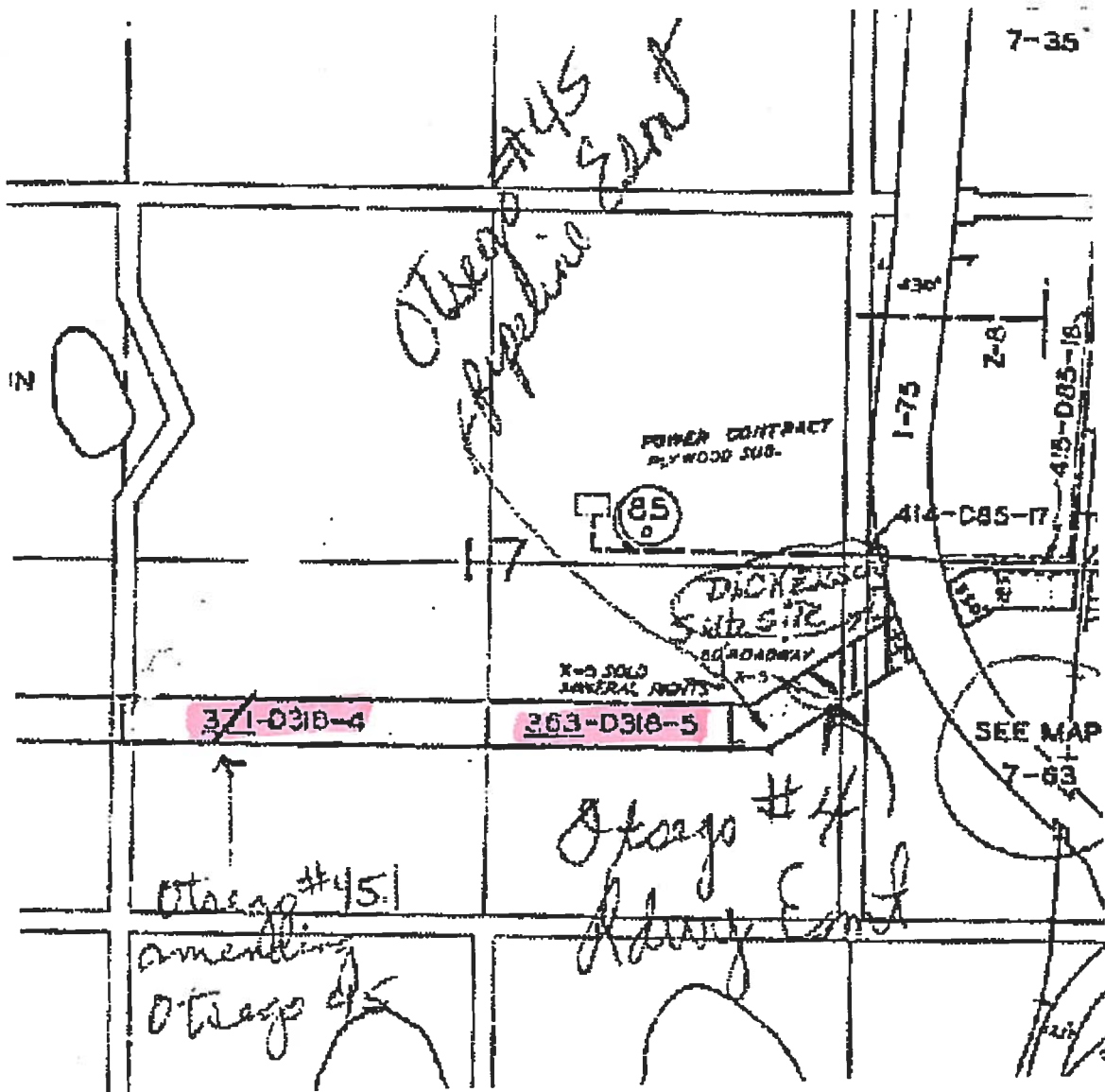
SHEET 1
 TITLE WEST PROFILE
 JOB NO. GSG5577-01G

OTSEGO CO.

T.30N. R.3W. /

BAGLEY TWP.

MAP No. 7





NSI Consulting and
Development, Inc.

26657
Woodward
Suite 100

Huntington Woods
Michigan, 48070

Telephone (248) 399-0700
Facsimile (248) 399-6085
E-Mail [Info@NSI-
Consulting.com](mailto:Info@NSI-Consulting.com)

June 26, 2003

Patrick J. Riley, Esquire
500 West Michigan Avenue
Jackson, MI 49201

RE: Easement for Gas and Water Pipelines – Section 17, T30N -- R3W, Ostego County,
MI.

PLC Pipeline Company.

Dear Mr. Riley:

On behalf of Michigan Electric Transmission Company, LLC (“METC”) and at the request of Mary Anne Marr of Consumers Energy Company (“CE”), please accept this letter as your authority to advise your client that it is not required to execute the document entitled “RESTRICTIONS ON COMPATIBLE USES FOR EASEMENTS, LICENSES OR LEASES” that accompanied the approval letter by METC of the above referenced Compatible Use request. If that document has already been executed by your client, please consider it rescinded by METC.

Very Truly Yours,

Philip W. Mann
Director, Property Management
Michigan Electric Transmission Company, LLC Account

c: Mary Anne Marr, Consumers Energy Company

19A

TITLE DATA

Richard W. Holmes and wife, Betty S.

Warranty Deed 12/20/67 2/21/68 120 1484 #340 + 350

RECORDED IN DEEDS 120 1484

Office of the Registrar of Deeds

Dec. 20, 1967

Office of the Registrar of Deeds

Richard W. Holmes and Betty S. Holmes

of 36 Oakridge Lane, West Hartford, Connecticut 06107,

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,

parties 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 second part, the receipt whereof is hereby confessed and acknowledged, does by these present grant, sell, remise, release, alien and confirm unto the said party of the second part, its successors and assigns, Forever and State of Michigan, and described as follows,

to-wit: Parcel 1

A parcel of land in Lot 1 of Summer 8 Holmes Subdivision, being a subdivision in the SE 1/4 of Section 16, T32N, R3W, according to the recorded plat thereof, described as follows: Beginning at the Northeast corner of said lot; running thence S 01° 46' 50" E along the East line of said lot 88.89 feet to a point which is 285 feet distant 81 1/2' of the East and West 1/4 line of said section as measured at right angles; thence N 81° 43' 30" W parallel with said East and West 1/4 line of said section 238.45 feet to the West line of said lot; thence N 03° 09' 10" E along said West line of said lot 87.87 feet to the North line of said lot; thence S 81° 43' 30" E along said North line of said lot 290.77 feet to the place of beginning.

Also conveying to said party of the second part, its successors and assigns, the right to cut, trim, remove, destroy or otherwise control all trees and brush standing on all that portion of a strip of land 40 feet in width which lies within Lots 1 and 2 of Summer 8 Holmes Subdivision, being a subdivision in the SE 1/4 of Section 16, T32N, R3W, according to the recorded plat thereof, along, adjoining, adjacent and meeting at right angles to the 81 1/2' line of Parcel 1 above described, and also the right to re-enter upon said strip of land from time to time, to keep said strip of land clear of trees and brush.

Parcel 2

A strip of land 330 feet in width across the N 1/2 of the SE 1/4 of Section 17, T32N, R3W, described as follows: To find the place of beginning of this description commence at the Southeast corner of said section; run thence N 01° 21' 30" W along the East line of said section 1692.55 feet to the place of beginning of this description; thence containing N 01° 21' 30" W along the East line of said section 367.74 feet; to a point which is 522.72 feet distant 81 1/2' of the E 1/4 line of said section as measured along the East line of said section; thence S 89° 27' 30" W, 860.12 feet; thence N 89° 34' 10" W, 1283.15 feet to the North and South 1/4 line of said section; thence S 01° 15' 10" E along the North 1/4 line of said section 1926.56 feet to a point along the South 1/8 line of said section 1926.56 feet to a point which is 700.34 feet distant 1/4 line of said section; thence N 66° 52' 00" E, 700.05 feet to the place of beginning.

SEE NOTE #1 FOR SALE OF MINERALS AND RELO OF R/W FOR HIGHWAYS & EGRESS

SEE NOTE #2 FOR RELEASE OF R/W FOR HIGHWAYS & EGRESS

SEE NOTE #3 FOR ROADWAY EASEMENT & QUICCLAIM OF PRIOR ESMT RIGHTS.

CONSUMERS POWER COMPANY

ACCOUNT NO. 110 8337

MICHIGAN STATE, Oscoda COUNTY, 17 TOWNSHIP R 3 W, SUMMERS & HOLMES SUBDIVISION, BARLEY TOWN RANGE

Formerly 1382-D145-1*

Table with columns: DATE, JOURNAL ENTRY, ITEMS OF COST, AMOUNT, TRANSFERS, BALANCE

Note #2 (Cont.)

Comm at the place of intersection of the SE 1/4 in of sd above-desc strip of 1d 330 ft in width with the W 1/4 of Dickerson Rd; run th N 89° 37' W, 207 ft to the pt of a curve to the right, sd curve having a radius of 271.061 ft, a chord length of 187.638 ft and a delta angle of 40° 30', th NW 1/4 alg the arc of sd curve 191.602 ft to a pt of tangent; th N 49° 07' W to a poe of sd ctr ln on the NW 1/4 in of sd above-desc 1d.

FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE.

NOTE #3: (By Sale No. Otsego Co. #4; 189-217-3) Consumers Power Company granted a roadway esmt and quitclaimed a prior esmt across the 1d on the caption of this tract as follows:

- 1. Consumers Power Company Roadway Esmt & Quitclaim of Prior Esmt 5-6-85 X-5
- 2. Richard W Holmes & vt

The esmt and r/v for rdwy purposes on, over and across that certain piece of pcl of 1d situate in the Twp of Bagley, Co of Otsego and State of Mich, known & desc as follows, to wit:

All that part of the hereinafter desc strip of 1d 80 ft in width running in a NW 1/4 & SE 1/4 direction on, over and across line following desc strip of 1d: A strip of 1d 340 ft in width across the NW 1/4 of the SE 1/4 of Sec 17, T30N, R3W, desc as follows: To find the POB of this desc comm at the SE cor of sd sec; run th N 01 deg 21' 30" W alg the E ln of sd sec 1682.55 ft to the POB of this desc; th cont N 01 deg 21' 30" W alg the E ln of sd sec 367.74 ft to a pt which is 582.72 ft distant S 1/4 of the E 1/4 part of sd sec as measured alg the E ln of sd sec; th S 62 deg 27' 20" W, 860.12 ft; th N 89 deg 34' 10" W, 1883.75 ft to the N & S 1/4 ln of sd sec; th S 01 deg 15' 10" E alg the N & S 1/4 ln of sd sec 330.2 ft to the S 1/8 ln of sd sec; th S 89 deg 34' 10" E alg the S 1/8 ln of sd sec 1956.26 ft to a pt which is 700.34 ft distant W 1/4 from the E ln of sd sec as measured alg the S 1/8 ln of sd sec; th N 62 deg 27' 20" E, 780.05 ft to the POB.

Sd strip of 1d 80 ft in width is desc as follows: Comm at a pt on the E ln of sd Sec 17, which 8d pt is S 01 deg 18' 44" E, 931.32 ft from the E 1/4 cor of sd sec; run th S 01 deg 18' 44" E, 80.04 ft alg the E ln of sd sec; th N 89 deg 30' 31" W, 209.26 ft; th 219.88 ft alg a curve to the right, sd curve having a radius of 311.06 ft and a long chord of 215.33 ft bearing N 69 deg 15' 31" W, th N 49 deg 00' 31" W, 135.25 ft; th N 62 deg 29' 34" E, 86 ft alg the NW 1/4 ln of sd above-desc 1d; th S 49 deg 00' 31" E, 103.73 ft; th 163.33 ft alg a curve to the left, sd curve having a radius of 231.06 ft and a long chord of 159.95 ft bearing S 69 deg 15' 31" E; th S 89 deg 30' 31" E, 206.74 ft to the POB.

FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE.

NOTE #4: (By Easement No. OTSEGO #45) CFCO granted easement across land as shown on the caption of this tract as follows:

- 1. Consumers Power Company Gas & Water Pipeline Esmt 4-15-96
- 2. FLO Pipeline Company

Forever, the easement and right to construct, maintain, inspect, remove, reconstruct, replace and repair one natural gas pipeline and one water pipeline, together with all valves, fittings, meters, protective apparatus, and all other equipment and appurtenances as may be convenient from time to time hereinafter collectively referred to as "pipeline or pipelines", on, over, under, along and across that certain piece of parcel of land situate in the Township of Bagley, County of Otsego and State of Michigan, known and described as follows:

PARCEL 1: A 20-foot-wide strip of land, 10 feet either side of a center line described as being in the Southeast 1/4 of Section 17, Township 30 North, Range 3 West, commencing at the East 1/4 corner of said Section 17; thence S 01°18'44" E 950.24 feet along the East line of said Section 17; thence S 82°30'21" W 780.62 feet to the South 1/8 line of said Section 17; thence N 89°30'22" W 248.51 feet along said 1/8 line to the point of beginning of this description; thence North 330.02 feet to the North side of Consumers Power Property and the point of ending.

PARCEL 2: A 20-foot-wide strip of land, 10 feet either side of a center line described as being in the Southwest 1/4 of said Section 17; commencing at the West 1/4 corner of said Section 17; thence S 00°43'10" E 982.59 feet along the West line of said Section 17; thence S 89°15'15" E

NOTE #4 cont.: the point of beginning of this description: thence S 00°43'10" E 330.22 feet to the 10.05 feet to the point of Consumers Power property and the point of ending.

TRACT 363-D318-5 1

The easement hereby conveyed is for the sole and only purpose of constructing, inspecting, repairing, replacing, removing, reconstructing, and maintaining under and across said land one steel natural gas pipeline to be a maximum of 4 inches in diameter and one polyurethane water pipeline to be a maximum of 8 inches in diameter. The pipelines shall run in a Northernly and Southernly direction under the above-described parcel of land. Furthermore, said pipelines shall be buried at a minimum of 3 feet beneath the surface of the land, as measured from the surface of the land to the top of the each pipeline.

FOR OTHER CONDITIONS, SEE ORIGINAL IN FILE.

KIND OF INSTRUMENT DATE OF INSTR DATE OF RECORD LINES PAGE

1958 120 PAGE 485

Together with all and singular the hereditaments and appurtenances thereto belonging or in anywise appertaining: To Have and to hold the said premises, as herein described, unto the said party of the second part and to his heirs and assigns forever. And the said party of the first part, for himself, his heirs, executors and administrators, do hereby covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at all times the delivery of these presents be is well seized of the above granted premises in fee simple that they are free from all incumbrances whatsoever

and that he will, and his heirs, executors, and administrators shall warrant and defend the same against all lawful claims whatsoever. When applicable, pronoun 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

[Signature]
Richard W. Bolinas
Chardon, Michigan

[Signature]
Richard W. Bolinas
Betty S. Bolinas

STATE OF CONNECTICUT) ss.
County of _____)
before me, _____)
County, _____)
Richard W. Bolinas and Betty S. Bolinas
County, _____)
My commission expires _____ 19__

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 _____ 19__

STATE OF MICHIGAN,) ss.
County of _____)
before me, a Notary Public of _____)
County, Michigan, acting in _____)
County, personally appeared _____)
to me known to be the same person described in and who executed the within instrument, who severally acknowledged the same to be _____)
My commission expires _____ 19__

My commission expires _____ 19__
Notary Public
County, Michigan.

PREPARED BY U. R. HOOD, CONSUMERS POWER CO.
212 W. MICHIGAN AVENUE, JACKSON, MICHIGAN

RETURN TO LAND & R/W DEPT.
CONSUMERS POWER CO.
212 MICHIGAN AVE. WEST
JACKSON, MICHIGAN

WARRANTY DEED

TO _____
REGISTER'S OFFICE.
County of _____
This instrument was presented and received for record this _____ day of _____ A.D. 19____ at _____ o'clock _____ of Deeds on page _____ 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.

GEN. ENGR'G AND ARCHT. REFERENCE
 Line Map No. 16947 Sheet 20 of
 Plan & Profile No. _____ Sheet _____ of
 Survey Map No. _____ Sheet _____ of

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

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

NOTE #1

(By W.O. 8337: T70-49) Consumers Power Company conveyed mineral rights and ingress and egress rights across the following described land as follows:

1. Consumers Power Company
3-4-70
2. Richard W. Holmes & vr

QCD

Forever, all those certain interests in land situate in the Township of Bagley, County of Otsego and State of Michigan, known and described as follows:

All oil, gas and other minerals (not including sand, clay, or gravel) in and under the premises hereinafter described as Parcel 1 and Parcel 2, together with the right to remove the same by wells or shafts placed on adjoining lands; no wells or shafts are to be placed on the premises hereinafter described as Parcel 1 and Parcel 2.

Also conveying to second party, his heirs and assigns, the esmt and right to cross the premises hereinafter desc as Parcel 1 and Parcel 2 at such places and in such a manner as is mutually satisfactory to both parties so long as sd crossing shall not interfere with the use of sd premises hereinafter desc as Parcel 1 and Parcel 2 by first party, its successors and assigns.

Sd premises herein referred to as Parcel 1 and Parcel 2 are desc as follows:

PARCEL 1

SAHE AS CAFFIOW

PARCEL 2

SAHE AS CAFFIOW

NOTE #2

(By Sale No. 189,787-5; T73-266) Consumers Power Co granted a release of r/w for hogway purposes across the ld on the caption of this tract as follows:

1. Consumers Power Co
9-20-77
Release of R/W
for Roadway
2. R. W. Holmes

Forever, the esmt and r/w for roadway purposes on, over, alg and across that certain piece or pcl of ld situate in the Twp of Bagley, Co of Otsego and State of Mich., known and desc as follows, to wit:

A strip of ld 80 ft in width, run in a NW'y and SE'y direction across the following desc strip of ld: A strip of ld 330 ft in width across the N 1/2 of the SE 1/4 of Sec 17, T30N, R3W, desc as follows: To find the pob of this desc comm at the SE corner of sd sec; run th N 01° 21' 30" W alg the E ln of sd sec 1682.55 ft to the pob of this desc; th cont N 01° 21' 30" W alg the E ln of sd sec 367.74 ft to a pt which is 582.72 ft dist S'yly of the E 1/4 post of sd sec meas alg the E ln of sd sec; th S 62° 27' 20" W, 860.12 ft; th N 89° 34' 10" W, 1883.75 ft to the N and S 1/4 ln of sd sec; th S 01° 15' 10" E alg the N and S 1/4 ln of sd sec 330.2 ft to the S 1/8 ln of sd sec; th S 89° 34' 10" E alg the S 1/8 ln of sd sec 1956.26 ft to a pt which is 700.34 ft dist W'yly from the E ln of sd sec as meas alg the S 1/8 ln of sd sec; th N 62° 27' 20" E, 780.05 ft to the pob.

The ctr ln of sd roadway, 80 ft in width, is desc as follows:

(Cont.)

NOTE: SPECIAL ENGINEERING MARK REFERENCES
 Otsego Co. 545.1) CECo granted an amendment of esmt rights across
 the north, east and south sides of this tract; as follows:
 Plan & Profile No. _____
 Survey Map No. _____
 1. Otsego Energy Service Company
 11-18-96
 2. PLC Pipeline Co.
 Esmt - Amendment

- DOCUMENTS FILED WITH THE REGISTERED CLERK OF THE COUNTY OF OTSEGO, MICHIGAN, FOR THE TOWNSHIP OF BAGLEY, COUNTY OF OTSEGO, MICHIGAN, AS FOLLOWS:
1. Abstract _____ recorded 5-13-96 in Liber 0611 at Page 145, Otsego Co Records, "the easement";
 2. Opinions of Title _____
 3. Title Search _____ outside the esmt strip desc in the esmt;
 4. Mortgage Release _____

Now, therefore for good and valuable consideration, the receipt of which is hereby acknowledged, Consumers and PLC mutually agree that the esmt is hereby amended to substitute the following as the desc of Pcl #2 in place of the desc of Pcl #2 in the easement:

PARCEL #2: A 20 foot wide strip of 1d in the SW 1/4 of Sec 17; T30N; R3W, being 10 ft on either side of a cen ln desc as: Comm at the E 1/4 cor of sd Sec 17 and run th S 01° 18' 44" E 950.24 ft, alg the E ln of sd Sec 17; th S 62° 30' 21" W 780.62 ft; th N 89° 30' 22" W 1987.02 ft alg the S 1/8 ln of Sec 17; th continuing alg sd S 1/8 ln, N 89° 15' 15" W 1999.34 ft to the POB of the desc of the cen ln; th N 54° 51' 10" E 562.90 ft to the N ln of CPCo's property and the POE of this desc.

FOR OTHER CONDITIONS, SEE ORIGINAL IN FILE.

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

LIBER 119 PAGE 442

assigns to the sole and only proper use, benefit and behoof of said party of the second part, its successors and assigns, forever.
IN WITNESS WHEREOF, said party of the first part has caused this instrument to be executed in its corporate name and by its duly authorized officers as of the day and year first above written.

Signed, Sealed and Delivered
In Presence of: U.S. FLYWOOD-CHEMPTON PAPERS, INC.

Loretta Lombardi
Loretta Lombardi

By *A. W. Reichmeyer*
A. W. Reichmeyer
Vice President

Barbara H. Viggiano
Barbara H. Viggiano

Attest:
Barbara H. Viggiano
Barbara H. Viggiano
Asst. Secretary



STATE OF New York
County of New York } SS

On this 16th day of October, 1961, before me, a Notary Public of New York County, New York, acting in New York County, New York, personally appeared A. W. Reichmeyer to me personally known, who being by me duly sworn, did say that he is Vice President of U.S. Flywood-Chempton Papers, Inc., the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors; and said A. W. Reichmeyer acknowledged said instrument to be the free act and deed of said corporation.

Notary Public, _____ County of _____
My Commission expires _____

STATE OF MICHIGAN | REGISTERED | 3774
COUNTY OF OREGON | DEED | A. D. 1962
Thomas J. ...
REGISTER OF DEEDS



PREPARED BY D. R. RHOOD, CONSUMERS POWER CO.,
212 W. MICHIGAN AVENUE, JACKSON, MICHIGAN
UNIFORM COUNTY TRACTORS SERVICE, Inc., Detroit, Mich.
I hereby certify that according to my records all taxes due on this instrument, to wit: State and Federal taxes in the amount of \$_____, have been paid in full by me, the undersigned, on the _____ day of _____, 1961.
Pauline A. ...
COUNTY TRACTOR



Phill Mann

From: Mary Anne Marr [mamarr@cmsenergy.com]
Sent: Thursday, June 26, 2003 12:10 PM
To: pmann@nsi-consulting.com
Subject: Compatible Use Approval File No. Otsego 45.002

Phil,

One of the Compatible Use approvals that you recently sent out with the Indemnification Agreement was was PLC Pipelines and the Compatible Use Request was sent in by their attorney Patrick J. Riley.

If possible, would you send a letter to Mr. Riley rescinding the Indemnification Agreement and indicate that you approve the Compatible Use Request. This is one I'd like to catch early on.