



File #3755

EASEMENT

FORM 314

County of Otsego, State of Michigan, a municipal corporation, with its offices at City-County Building, City of Gaylord, Michigan, by its duly authorized officers, Grantor, in consideration of One and no/100 Dollars (\$1.00) to him paid by CONSUMERS POWER COMPANY, a Michigan corporation, 212 W. Michigan Avenue, Jackson, Michigan, Grantee, receipt of which is hereby acknowledged, Conveys and Warrants to Grantee, its successors and assigns, Forever, the easement and right to erect, lay and maintain lines consisting of towers, pole structures, poles, or any combination of same, wires, cables, conduits, crossarms and other fixtures and appurtenances for the purpose of transmitting and distributing electricity and electric control circuits and devices on, over, under and across the following described land, including all public highways upon or adjacent to said land, which land is situate in the Township of Bagley, County of Otsego, and State of Michigan, to-wit:

All that part of the Northwest  $\frac{1}{4}$  of Section 16, Township 30 North, Range 3 West, lying West of the Penn Central Transportation Company right of way and East of Highway I-75.

The center line of said line of towers, pole structures, poles, wires, cables and conduits, on, over, under and across said land being described as:

Beginning at a point not more than 150 feet nor less than 50 feet East of the West line of Section 16, Township 30 North, Range 3 West, at a point not more than 110 feet nor less than 85 feet North of the East and West  $\frac{1}{4}$  line of said Section, thence Southeasterly to a point not more than 700 feet nor less than 600 feet East of the West line of said Section, at a point not more than 50 feet nor less than 45 feet North of the East and West  $\frac{1}{4}$  line of said Section, thence Easterly along and not more than 50 feet nor less than 45 feet North of the East and West  $\frac{1}{4}$  line of said Section to a point approximately 10 feet West of the West line of the Penn Central Transportation right of way, thence Northerly along and approximately 10 feet West of the West line of said right of way to the North line of said Section.

Also conveying the full right and authority to Grantee, its successors, licensees, lessees or assigns, and its and their agents and employees, to enter at all times upon said premises for the purpose of constructing, repairing, removing, replacing, patrolling, improving, enlarging and maintaining such towers, pole structures, poles and other supports or any combination of same, with all necessary crossarms, braces, guys, anchors, and transformers, and stringing thereon and supporting and suspending therefrom lines of wire, cables or other conductors for the transmission of electrical energy and electric control circuits and devices.

Also conveying the right to cut, trim, remove, destroy or otherwise control (1) all trees and brush on the land of the Grantor described in this easement within 30 feet on each side of the center line of the towers, pole structures, poles and wires comprising said electric line, and (2) all trees in excess of 30 feet in height on the land of the Grantor described in this easement within 70 feet on each side of the center line of the towers, pole structures or poles. It is expressly agreed that the complete exercise of the rights herein granted to cut, trim, remove, destroy or otherwise control trees and brush may be gradual and not fully completed for some time in the future. Grantee may enter upon said land, from time to time, to cut, trim, remove or otherwise control trees and brush as aforesaid.

It is expressly agreed that, for the protection of said electric line, no buildings or other structures will be placed within 30 feet on each side of the center line of the towers, pole structures, poles and wires comprising said electric line. Grantee shall pay for all damage to crops arising out of the construction, operation and maintenance of the electric line.

It is expressly understood that nonuse or a limited use of this easement by Grantee shall not prevent Grantee from later making use of the easement to the full extent herein conveyed.

STATE OF MICHIGAN) REGISTERED 11th DAY OF  
 COUNTY OF OTSEGO) August 25 1930  
 WITNESSES) *Thomas H. [Signature]*  
 REGISTER OF DEEDS

Where applicable, pronouns and relative words used herein shall be read as plural, feminine or neuter.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officers this 14<sup>TH</sup> day of JULY, 1975, pursuant to a Resolution of the Board of Commissioners dated the 14<sup>TH</sup> day of JULY, 1975.

WITNESSES:

COUNTY OF OTSEGO

Molly L. Craig  
Molly L. Craig

By Beeman M. Simmons  
Beeman M. Simmons Chairman of Board of Commissioners

Jean L. Brown  
Jean L. Brown

By Theodore W. Werts  
Theodore W. Werts Clerk

STATE OF MICHIGAN )  
County of OTSEGO ) SS

The foregoing instrument was acknowledged before me this 14<sup>TH</sup> day of JULY, 1975, by BEEMAN M. SIMMONS & THEODORE W. WERTS of the County of Otsego, a Michigan municipal corporation, on behalf of the corporation.

Robert A. Gray  
Robert A. Gray

Notary Public, OTSEGO County, Michigan

My commission expires FEB. 14, 1977

Prepared By: Bud Hagen  
212 W. Michigan Avenue  
Jackson, MI 49201

# Otsego County Board of Commissioners

GAYLORD, MICHIGAN 49735



File # 875 W O # 6017 <sup>5</sup> Copy to: FJCummings 7/28/75  
WStephenson, HProuty, ~~XXXXXXXXXXXXXXXXXXXX~~, RWianda  
RWells, PThomas

## RESOLUTION

WHEREAS, the Otsego County Board of Commissioners agreed with Consumers Power upon an easement in Section 16, T30N, R3W of Bagley Township.

NOW THEREFORE BE IT RESOLVED, that the Chairman of the Board of Commissioners, and the County Clerk be authorized to sign such easement for the County of Otsego.

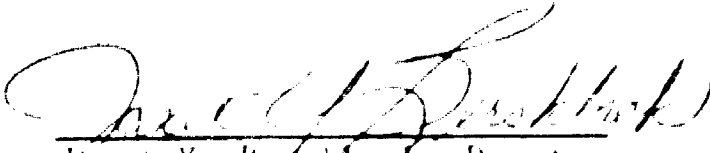
Motion by Kucharek to adopt the above resolution. Seconded by Crawford.

AYES: Intgroen, Simmons, Hartley, Crawford, Kucharek, Buell.

NAYES: None.

ABSENT: Tomaski, Yuill, Weber.

I, Janet Y. Bershback, Deputy County Clerk do hereby certify that this is a true copy of a resolution passed at the July 14, 1975, meeting of the Otsego County Board of Commissioners.

  
Janet Y. Bershback, Deputy

(SEAL)

RECEIVED

JUL 21 1975

LAND & ELECTRIC  
RIGHT OF WAY DEPT.



I-75 & M-32 "The Alpine Village" CENTER OF NORTHERN MICHIGAN

Retain in permanent file

April 29, 1975

After a consultation  
between R. C. Ratcliff,  
R. Nelson and C. K. Henry  
a determination was  
made to build this  
line across County of  
Otsego ~~as~~ land as the  
route is described in  
this easement.

L. Dibble

# TITLE SEARCH

Otsego  
.....County, Michigan.  
Township.....Bagley.....

Description  
T. 30 N. R. 3 W.

Sec. 16, All that part of the NW $\frac{1}{4}$ , lying West of the Penn Central Railroad right of way and East of Highway I-75.

Last Grantee Otsego County (See copy attached hereto)

From (Grantor) Industrial Development Corporation.

Kind of Deed...Warranty..... Date...Jan. 29, 1974...  
Recorded.....Feb. 5, 1974..... Liber...180..... Page...192...  
Reservations

No Mortgages of record.

This search is not intended by us to be any guarantee of the title to the above description. We do not assume any responsibility as to the correctness thereof.

Dated...Dec. 30.....1974  
Charge \$.....  
Redated.....  
Charge \$.....

OTSEGO COUNTY ABSTRACT COMPANY  
*Sylvia Sanders*  
Manager

(Mortgages and other encumbrances not to be furnished unless specifically requested.)

Mortgagor.....  
Mortgagee.....  
Amount \$..... Date.....  
Recorded..... Liber..... Page.....  
Remarks:

Assigned to.....  
Date..... Recorded.....  
.....

(If more than one assignment, give same data on each.)  
(Contracts, agreements, oil leases and other miscella encumbrances  
to be listed below.)



Rec# 34#6

180 and 192

WARRANTY DEED

STATE OF MICHIGAN

KNOW ALL MEN BY THESE PRESENTS, That Industrial Development Corporation, a Michigan Corporation, Gaylord, Michigan 49735.

County of Otsego

City-County Building, Gaylord, Michigan 49735

in and to the County of Otsego, Township of Bagley, County of Otsego

That part of the West one-half of T. 30 N., R. 3 W., Section 18, being West of the Michigan Central Railroad, now New York Central Railroad, right of way and East of U.S. Highway 135, excepting therefrom a grant by the Industrial Development Corporation, a Michigan Corporation, to Consumers Power Company as described in Liber 220, Page 35, Otsego County Register of Deeds Office, Otsego County, Michigan.

together with all benefits, improvements, encumbrances and appurtenances thereto belonging or in anywise appertaining, be and remain, as to the same, in Sections 18 and 9, T. 30 N., R. 3 W., Otsego County, Michigan.

Subject to the covenants, restrictions and reservations of record.

Witness my hand and seal of office this 20th day of January, 1976.

Industrial Development Corporation, a Michigan Corporation

Virginia H. Myers

Debra Starlocki

John M. Demann

Dorothy Starlocki

Donald Bain

President

Edward H. Calkins

Secretary

STATE OF MICHIGAN  
County of Otsego

On this 20th day of January, 1976, before me, Notary Public in and to the County of Otsego, Michigan, Donald Bain and Edward H. Calkins,

known to me to be the duly authorized agents of each for himself, and they are respectively

Industrial Development Corporation, a Michigan Corporation, the corporation named in and which executed the within instrument, and the said Edward H. Calkins, its president and secretary, and Donald Bain, its president, and they are respectively the Board of Directors and the Board of Directors of said corporation, and they are respectively the duly authorized agents of each for himself and do hereby certify that the foregoing is a true and correct copy of the original instrument.

Hone S. Arvess

My Commission Expires Annual 1, 1976 Otsego

OTSEGO COUNTY  
CLERK'S OFFICE  
I hereby certify that according to law records all taxes shown on this office tax bill for 1976, paid in full by the date of this instrument. Tax paid on behalf of the person or collection.

When recorded return to: Recording Fee: Ray Starns. Prepared by: John M. Demann, 246 West Main Street, Gaylord, Michigan 49735