

LIBER 0717 PAGE 228

STATE OF MICHIGAN
 REAL ESTATE TRANSFER TAX
 Dept. of Taxation
 County of Otsego
 0061480 09 Apr 1999

\$3.85-C
 \$26.25-S
 #0005386

~~100-2-DX308-17~~
~~100-1-DX308-16~~
 101-DX308-2

OTSEGO COUNTY MICHIGAN
 RECEIVED FOR RECORD
 99 APR -9 AM 10:49
 EVELYN M. PRATT
 CLERK / REGISTER OF DEEDS

QUITCLAIM DEED

OTSEGO #56

CONSUMERS ENERGY COMPANY (formerly known as Consumers Power Company), a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan 49201, (successor by merger to Consumers Power Company, a Maine corporation), Grantor,

for the sum of \$3,330.00, receipt of which Grantor hereby acknowledges, quitclaims to

THE MICHIGAN DEPARTMENT OF TRANSPORTATION, and to its successors in office and assigns, whose address is Lansing, Michigan 48909, Grantee,

the following described land in the Townships of Livingston and Hayes, County of Otsego and State of Michigan:

That part of the Southwest 1/4 of the Southwest 1/4 of Section 31, T31N, R3W described as follows: Beginning at the Southwest corner of said Section 31; thence N 00°33'09" E 52.49 feet, along the West line of said section; thence S 89°16'49.29" E 780.68 feet; thence S 00°43'10.71" E 52.49 feet; thence N 89°10'34.62" W 780.53 feet, along the South line of said section and the place of beginning.

100-2-DX308-17
100-1-DX308-16

Also, the North 49.21 feet of a parcel of land in the Northeast fractional 1/4 of Section 1, T30N, R4W, described as follows: To find the place of beginning of this description commence at the North 1/4 post of said section; thence S 89°24'00" E, along the North line of said section, 521.24 feet; thence continuing along said North line of said section S 89°13'20" E 262.46 feet; thence S 00°07'20" E 33 feet to the Southerly line of State Trunk Line Highway M-32 and the place of beginning of this description; thence continuing S 00°07'20" E 200 feet; thence S 89°13'20" E 100 feet; thence N 00°07'20" W 200 feet to the Southerly line of said Highway M-32; thence N 89°13'20" W, along said Southerly line of Highway M-32, 100 feet to the place of beginning.

101-DX308-2

Also, the North 49.21 feet of the West fractional 1/2 of the Northeast 1/4 of Section 1, T30N, R4W, excepting therefrom the West 52-164/243 rods thereof.

100-DX308-1

Saving, excepting and reserving to Grantor, its successors and assigns, forever, the easement and right to erect, lay and maintain two existing lines consisting of towers, poles, wires, cables, conduits and other fixtures and appurtenances for the purpose of transmitting and distributing electricity and/or conducting a communication business on, over, under and across said land, including all public highways upon or adjacent to said land.

DX

The route to be taken by said lines of towers, poles, wires, cables and conduits on, over, under and across said land being more specifically described as follows:

3.85

26.25

1 1/2

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Said lines as now located and constructed in a Northerly and Southerly direction on, over, under and across said land.

With full right and authority to Grantor, its successors, licensees, lessees or assigns and its and their agents and employees, to enter at all times upon said land and to patrol, construct, repair, remove, replace, improve, enlarge including enlarging by the addition of new and additional poles, wires and towers, and maintain such wires, cables, conduits, structures, towers, pole structures, poles and other supports with all necessary braces, guys, anchors, manholes and transformers and stringing thereon and supporting and suspending therefrom lines of wires, cables or other conductors for the transmission of electrical energy and/or communication. Grantee shall not erect or construct any buildings or other structures upon said land. Nonuse or a limited use of this easement by Grantor shall not prevent Grantor from later making use of the easement to the full extent herein reserved.

Also saving, excepting and reserving to Grantor, its successors and assigns, the easement and right to trim, remove, destroy or otherwise control any trees and brush upon said land.

Statement pursuant to MCL 560.109(3): Grantor grants to Grantee the right to make zero (0) divisions under section 108 of the land division act, Act No. 288 of the Public Acts of 1967.

Notice pursuant to MCL 560.109(4): This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act.

Dated this 5th day of April, 1999.

WITNESSES:

Linda M. Harmon
Linda M. Harmon

Therese H. Tash
Therese H. Tash

CONSUMERS ENERGY COMPANY

By Judy M. Schultz
Judy M. Schultz

Its Real Estate and Facilities Planning Manager

APPROVED AS TO FORM
JMS

Acknowledged before me in Jackson County, Michigan, on April 5, 1999, by Judy M. Schultz, Real Estate and Facilities Planning Manager of CONSUMERS ENERGY COMPANY, a Michigan corporation, for the corporation.

Linda M. Harmon
Linda M. Harmon
Notary Public, Jackson County, Michigan
My Commission Expires November 26, 2003

Prepared by:
David A. Pell
212 W. Michigan Avenue
Jackson, MI 49201.