

Gordon Food Service, Inc. (13)

STATE

COUNTY

TOWNSHIP

32

31N

3W

TRACT 152.1-D85-22

NAME OF GRANTOR

MUNICIPALITY

SECTION

TOWN

RANGE

Easement

6-22-95

7-28-95

591

131

W0# 8108

MAP 11-128

KIND OF INSTRUMENT

DATE OF INST.

DATE OF RECORD

LIBER

PAGE

PLAT OR AREA

Mio-Gaylord Relocation

Form 314 1-83

80-032-400-025-05

LIBER 0591 PAGE 129

File #1997 EASEMENT FOR ELECTRIC LINE

ARTHUR LAND COMPANY, A MICHIGAN CO-PARTNERSHIP

P.O. Box 593, Gaylord Michigan 49735

Grantor, for good and valuable consideration to him paid by CONSUMERS POWER COMPANY, a Michigan corporation, 212 West 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 enter upon the land hereinafter described and to construct, operate, maintain, repair, inspect, replace, improve, enlarge and remove electric transmission and distribution facilities consisting of one line of towers, pole structures, poles, or any combination of same, with wires, cables, conduits, crossarms, braces, guys, anchors and transformers and other fixtures and appurtenances and electric control circuits and devices in, over and across said land, including all public highways upon or adjacent to said land, which land is in the Township of Livingston, County of Otsego and State of Michigan, and described as:

The North 150 feet of a parcel of land in the Southwest 1/4 of the Southeast 1/4 of Section 32, Township 31 North, Range 3 West described as: Commencing at the South 1/4 corner of said Section 32; thence South 89°04'59" East, 356.71 feet along the South line of said Section 32; thence North 00°10'00" East 60.00 feet to point of beginning of this description; thence continuing North 00°10'00" East 440.00 feet; thence South 89°04'59" East 200.00 feet; thence South 00°10'00" West 440.00 feet; thence North 89°04'59" West 200.00 feet along the Northerly right of way line of Highway M-32 to the point of beginning.

080-032-400

Said line of towers, pole structures or poles is to be located in, over and across said land on a center line described as:

Beginning in the center line of Consumers Power Company's existing electric transmission line as located at a point on the South line of Section 32, Township 31 North, Range 3 West at point not more than 850 feet nor less than 825 feet East of the North and South 1/4 line of said Section 32; thence Northwesterly to a point not more than 75 feet nor less than 60 feet North of the South line of said Section 32 at point not more than 760 feet nor less than 740 feet East of said North and South 1/4 line; thence North along and not more than 760 feet nor less than 740 feet East of said North and South 1/4 line to a point not more than 465 feet nor less than 445 feet North of said South section line; thence Westerly to the center line of Consumers Power Company's existing electric transmission line as located at a point not more than 485 feet nor less than 465 North of said South Section line at a point not more than 420 feet nor less than 400 feet East of said North and South 1/4 line; thence Northwesterly along said center line to a point not more than 750 feet nor less than 700 feet North of the South line of said Section 32 at a point not more than 250 feet nor less than 200 feet East of the North and South 1/4 line of said Section 32.

080-032

Also conveying the right to cut, trim, remove, destroy or otherwise control (1) all trees and brush now or hereafter standing or growing on the land of Grantor described in this easement within 45 feet on each side of the center line of said line of towers, pole structures or poles, and (2) all trees in excess of 40 feet in height on the land of Grantor described in this easement within 90 feet on each side of the center line of said line of towers, pole structures or poles. 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, and Grantee may enter upon said land, from time to time and at no additional cost to Grantee, to cut, trim, remove, destroy or otherwise control trees and brush as aforesaid.

Grantor agrees that, for the protection of said facilities, no buildings or other structures will be placed within 36 feet on each side of the center line of said line of towers, pole structures or poles. Grantee shall pay for all damage to crops arising out of the construction, operation and maintenance of said facilities.

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.

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

IN WITNESS WHEREOF, Grantor has executed this instrument or has caused this instrument to be executed by its duly authorized officer this 16th day of June, 1995.

WITNESSES:

John T. Stoliker, Jr.

Linda S. Christiansen

ARTHUR LAND COMPANY Daniel A. Miller, Partner

OTSEGO COUNTY MICHIGAN RECEIVED FOR RECORD

95 JUL 28 AM 11:13

EVELYN H. PRATT CLERK / REGISTER OF DEEDS

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(INDIVIDUAL ACKNOWLEDGEMENT)

STATE OF MICHIGAN ) ) SS. COUNTY OF OTSEGO )

The foregoing instrument was acknowledged before me this 16TH day of June, 1995, by Daniel A. Miller, Partner of Arthur Land Company, A Michigan Co-Partnership on behalf of the Co-Partnership.

John T. Stoliker, Jr. Notary Public St. Clair County, Michigan Acting in Otsego County, Michigan My Commission Expires March 27, 1998

(CORPORATE ACKNOWLEDGEMENT)

STATE OF MICHIGAN, ) ) SS. COUNTY OF )

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_, 19\_\_\_, by \_\_\_ a \_\_\_ corporation, on behalf of the corporation.

Notary Public County, Michigan Acting in County, Michigan My Commission Expires

Return to: Consumers Power Company Real Estate and Right of Way Dept. Attn: Nancy P. Fisher, JSC-205 1955 West Parnall Rd. Jackson, MI 49201

Prepared By: Tamra L Hawkins Consumers Power Company 212 West Michigan Avenue Jackson, Michigan 49201

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