

Reservation from Sale of Land for Electric Transmission Line Rights.  
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MICHIGAN STATE TRANSFER TAX  
 Dept. of Taxation  
 County of Otsego  
 0060806 10 Mar 1999

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 EVELYN PRATT  
 CLERK / REGISTER OF DEEDS

QUIT-CLAIM DEED

Otsego #55

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

for the consideration of \$7,300.00, receipt of which Grantor hereby acknowledges,

quit-claims to

CMS GENERATION MICHIGAN POWER, L.L.C., a Michigan limited liability company, Fairlane Plaza, Suite 1000, 300 Town Center Drive, Dearborn, Michigan 48126, Grantee,

certain land in the Township of Livingston, County of Otsego, and State of Michigan, described as follows:

*parcel 080-031-300*

A parcel of land in the Southwest 1/4 of Section 31, Township 31 North, Range 3 West, described as follows: To find the point of beginning of this description, commence at the Southwest corner of Section 31 and run thence South 89° 14' 20" East, along the South section line (being the centerline of M-32) 1444.78 feet to the West 1/8 line of Section 31; and thence North 00° 27' 10" East, along the West 1/8 line, 659.03 feet to the point of beginning of this description; thence North 89° 15' 00" West 404.77 feet; thence North 00° 42' 54" East 773.69 feet; thence South 89° 47' 24" East 388.94 feet to a point on the West 1/8 line; thence South 00° 27' 10" East, along the West 1/8 line, 777.43 feet to the point of beginning.

Together with a non-exclusive easement for an access driveway, over, and across a strip of land described as follows: To find the point of beginning of this description, commence at the Southwest corner of said Section 31 and run thence North 00° 19' 00" East, along the West section line, 1201.70 feet to the point of beginning; thence North 89° 53' 53" East 707.11 feet; thence North 87° 45' 15" East 328.34 feet to a point on the West line of Parcel 1 described above; thence North 00° 42' 54" East, along the West line of Parcel 1, 32.00 feet; thence South 87° 45' 15" West 328.34 feet; thence South 89° 53' 53" West 707.11 feet to a point on the West section line; thence South 00° 19' 00" West, along the West section line, 32.00 feet to the point of beginning. Grantee's use of the access driveway shall be in common with use by Grantor, its successors and assigns. Grantee, its successors and assigns, shall be solely responsible for snow removal and for maintaining said driveway

in good condition, and Grantor, its successors and assigns, shall have no responsibility to perform or contribute to the cost of same.

Excepting and reserving to Grantor, its successors and assigns forever, (a) all right, title, and interest in and to all coal, oil, gas, and other minerals (but not including sand, clay, or gravel) on, in, or under said land, and (b) the exclusive right to store, re-store, and protect oil, gas, and other minerals in the subsurface strata underlying said land. Grantor, its successors and assigns, and its and their lessees and licensees, shall have the right, at any time, to use all usual, necessary, or convenient means for (i) exploring for, mining, and removing said coal, oil, gas, and other minerals, and (ii) storing, re-storing, and protecting oil, gas, and other minerals in such subsurface strata and taking and retaking same from storage; but without entering upon the surface of said land.

Also excepting and reserving to Grantor, its successors and assigns forever: 1) the easement and right to operate, maintain, repair, inspect, replace, improve (including but not limited to the addition of guys wire and anchors), enlarge, and remove the existing electric lines that run in a Northerly-Southerly and Easterly-Westerly direction on, over, and across said land as presently located, and 2) the easement and right to construct, operate, maintain, repair, inspect, replace, improve, enlarge, and remove an additional electric line, consisting 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 for the purpose of transmitting and distributing electricity, said future line to run in a North-South direction on, over, and across said land, the centerline of which shall be approximately 85 feet West of the East line of said land. Grantor, its successors and assigns, shall have the right to cut, trim, remove, destroy, or otherwise control all trees and brush now or hereafter standing or growing within 80 feet on each side of the existing and future lines. Grantee, its successors and assigns, shall at no time place any buildings or other above-ground structures within 36 feet on each side of the existing and future lines. Limited exercise of the reserved easements and rights by Grantor, its successors or assigns, shall not prevent Grantor, its successors or assigns, from later making use of the easements and rights to the full extent herein excepted and reserved.

STATEMENT UNDER MCL 560.109(3): Grantor grants to Grantee the right to make 0 divisions of the land herein conveyed, under section 108 of the Land Division Act (1967 PA 288), MCL 560.108.

STATEMENT UNDER 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 11th day of February, 1999.

TITLE DATA

MICHIGAN

CONSUMERS ENERGY CO.

STATE

COUNTY

TOWNSHIP

NAME OF GRANTOR

MUNICIPALITY

SECTION

TOWN

RANGE

TRACT 205.1-DX114-18 Cont'd

MAP

KIND OF INSTRUMENT

DATE OF INST.

DATE OF RECORD

LIBER

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PLAT OR AREA

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Signed in the presence of:

Signed by:

CONSUMERS ENERGY COMPANY

Diane M. Tyrrell  
Diane M. Tyrrell

By: Scott M. Carlson  
Scott M. Carlson

Cynthia K. Jones  
Cynthia K. Jones

Its Manager-Right of Way Acquisition and Management

APPE  
BY

Acknowledged before me in Jackson County, Michigan, this 11th day of February, 1999, by Scott M. Carlson, Manager-Right of Way Acquisition and Management of CONSUMERS ENERGY COMPANY, a Michigan corporation, on behalf of the corporation.

Diane M. Tyrrell  
Diane M. Tyrrell Notary Public  
Jackson County, Michigan  
Acting in Jackson County  
My Commission Expires: June 1, 2003

Prepared by:  
Deborah Ann Kile (P36689)  
Consumers Energy Company  
212 West Michigan Avenue  
Jackson, MI 49201

Return to: Real Estate & R/W Dept.  
Consumers Energy Company  
Henry B. Fisher, P21-4182  
1500 W. Grand Road  
Jackson, MI 49201