

Lynn Everett and wife, Lavena E.

TRACT 220.5-D1114-7

Warranty Deed 9/24/68 11/20/68 127 226

ACCOUNT NO. W.D.#55700

MAP 11

LIVINGSTON-ROGERS CITY

RECORDED IN DEEDS

LIBER 127 PAGE 226

Recorded Nov. 20, 1968 at 9:30 o'clock A.M. Liber 127 of Deeds, Page 226 Theodore W. Westbrook Register of Deeds

MICHIGAN STATE

Otsego COUNTY

Livingston TOWNSHIP

MUNICIPALITY

SECTION 30

T 31 N R 3 W

PLAT OR AREA 0.33A

WARRANTY DEED

This Indenture, made September 24, 1968 BETWEEN LYNN EVERETT and LAVENA E. EVERETT, his wife, of 30745 Woodside Drive, Franklin, Michigan,

parties of the first part, and CONSUMERS POWER COMPANY, a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan 49201, party of the second part. Witnesseth, That the said party of the first part, for and in consideration of the sum of Three Hundred and no/100

Dollars (\$300.00) to him in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, does by these presents grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, its successors and assigns, Forever, all that certain piece or parcel of land situate and being in the Township of Livingston County of Otsego and State of Michigan, and described as follows, to-wit:

A triangular parcel of land located in the NE 1/4 of the SW fractional 1/4 of Section 30, T31N, R3W, described as follows: To find the place of beginning of this description commence at the W 1/4 post of said section; run thence S 89° 03' 50" E along the East and West 1/4 line of said section 1382.8 feet to the West 1/8 line of said section and the place of beginning of this description; running thence S 00° 05' 12" W along said West 1/8 line of said section 235.5 feet; thence N 27° 31' 15" E, 263.31 feet to the East and West 1/4 line of said section; thence N 89° 03' 50" W along said East and West 1/4 line of said section 121.33 feet to the place of beginning.

Excepting and reserving to first parties, their heirs or assigns, the easement and right to cross said parcel of land at such places and in such a manner as is mutually satisfactory to both parties so long as said crossing shall not interfere with the use of said land by second party, its successors or assigns.

SEE NOTE #1 FOR GAS PIPELINE ESMT.

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining: To Have and to Hold the said premises, as herein described, with the appurtenances, unto the said party of the second part and to its successors and assigns. Forever. And the said party of the first part, for himself, his heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, its successors and assigns, that at the time of the delivery of these presents he is well seized of the above granted premises in fee simple; that they are free from all incumbrances whatever and that he will, and his heirs, executors, and administrators shall Warrant and Defend the same against all lawful claims whatsoever.

When applicable, pronouns 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

John Haley Breniser, Samuel B. Miller

Lynn Everett, Lavena E. Everett

OTSEGO COUNTY TREASURER OFFICE, I hereby certify that according to our records all taxes returned to this office are paid for five years preceding the date of this instrument. This does not include taxes in the process of collection. Robert A. Gray COUNTY TREASURER

STATE OF MICHIGAN, ) ss. County of Oakland ) On September 24, 1968 before me, a Notary Public of Otsego County, Michigan, acting in Oakland County, personally appeared Lynn Everett and Lavena E. Everett

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 December 12, 1971 Samuel B. Miller Notary Public, Otsego County, Michigan.

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE. The table is mostly empty with some handwritten entries in the TRANSFERS and AMOUNT columns.

MAILED AND CHECKED

Handwritten note: 5-12-11-1-7

NOTES AND OTHER DATA

GENERAL ENGINEERING MAP REFERENCES

Line Map No.	<u>F-17080</u>	Sheet	<u>1</u>	of	<u>10</u>	Sheets
Plan & Profile No.	_____	Sheet	_____	of	_____	Sheets
Survey Map No.	_____	Sheet	_____	of	_____	Sheets

NOTE #1: (By Sale No. Otsego Co #12; 189.421-0) CPCo granted an esmt for gas pipeline purposes across the ld on the caption of this tract, as follows:

1. Consumers Power Company  
2-5-91  
Esmt - Gas Pipeline
2. Apollo Exploration and Dev., Inc.

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

1. Abstract \_\_\_\_\_
2. Opinions of Title \_\_\_\_\_
3. Title Search \_\_\_\_\_
4. Mortgage Release \_\_\_\_\_
5. Tree Vouchers \_\_\_\_\_
6. Other Documents \_\_\_\_\_

Forever, the esmt and right to construct, maintain, repair and replace a 4 inch gas pipeline upon, over, under and across ld situate in the Twp of Livingston, Co of Otsego and State of Mich., desc as follows:

A strip of ld 10 ft in width, being 5 ft each side of the following desc centerline: Comm at the SW cor of Sec 31, T31N, R3W; run th N 00 deg 19' 57" E, 1644.78 ft alg the W ln of sd Sec 31 to the POB of this centerline; th S 89 deg 40' 10" E, 570.45 ft; th N 00 deg 04' 07" E, 894.76 ft; th N 05 deg 15' 08" E, 554.18 ft; th N 00 deg 01' 20" W, 331.56 ft; th N 00 deg 05' 23" E, 1924.85 ft; th N 01 deg 06' 06" E, 1359.19 ft; th N 26 deg 57' 47" E, 1449.11 ft; th N 30 deg 40' 29" E, 797.35 ft; th N 22 deg 10' 22" E, 178.69 ft; th N 43 deg 03' 49" E, 341.85 ft; th N 26 deg 32' 55" E, 333.03 ft; th N 14 deg 45' 52" E, 388.03 ft; th N 27 deg 26' 01" E, 997.04 ft to the POE of this centerline, being N 89 deg 22' 45" W, 13.50 ft from the N 1/4 cor of Sec 30, T31N, R3W.

Together with the right to use 2 strips of ld, each 10 ft wide on each side of the 10 foot strip desc above, as temporary work space during the construction, maintenance or removal of sd 4 inch gas pipeline.

The esmt hereby conveyed and released is for the sole and only purpose of locating and est establishing upon, over, under and across sd above desc premises, a 4 inch gas pipeline buried a minimum of 4 ft beneath the surface of the ld, sd distance being measured from the surface of sd ld to the top of sd pipeline, as near as practicable to the centerline desc above.

FOR FURTHER CONDITIONS, SEE ORIGINAL IN FILE.

NOTE #2: (By Sale No. Otsego #40) CPCo granted a license across the land on the caption of this tract as follows:

1. Consumers Power Company  
3-2-95  
License for Pipelines
2. Mercury Exploration Company, Inc.  
and Access Roadway

Consumers Power Company does hereby grant to Licensee the License and Permit to use certain land situate in the Township of Livingston, County of Otsego and State of Michigan, known and described as follows:

(Note #2 Cont'd)

Parcel A:

A strip of land 20 feet in width located in the NW 1/4 of Section 30, T31N, R3W, the center line of said strip of land being described as follows: Commencing at the West 1/4 corner of said Section 30, thence S 88°48'48" E 1339.99 feet along the East and West 1/4 line of said Section 30 and the center line of Fischer Road to the point of beginning; thence N 00°35'41" E 379.41 feet to the point of ending.

Parcel B:

A strip of land 20 feet in width located in the NW 1/4 of Section 30, T31N, R3W, the center line of said strip of land being described as follows: Commencing at the West 1/4 corner of said Section 30, thence S 88°48'48" E 1504.01 feet along the East and West 1/4 line of said Section 30 and the center line of Fischer Road to a point on the Easterly line of Consumers Power Company's fee strip; thence N 27°47'01" E 264.13 feet along said Easterly line to the point of beginning; thence N 62°13'50" W 319.99 feet to the point of ending.

Parcel C:

A strip of land 20 feet in width being located in the West 1/2 of Section 30, T31N, R3W, the center line of said 20 foot wide strip of land being described as follows: Commencing at the West 1/4 corner of said Section 30, thence S 88°48'48" E 1470.28 feet along the East and West 1/4 corner of said Section 30 and the center line of Fischer Road; thence N 62°56'45" E 52.67 feet to a point on the Easterly line of Consumers Power Company's fee strip and the point of beginning; thence S 62°56'45" W 122.12 feet; thence S 44°45'26" W 53.83 feet; thence S 00°19'59" W 186.67 feet to a point on said Easterly line and the point of ending.

Parcel D:

The East 20 feet of a parcel of land in the E 1/2 of the NW 1/4 of Section 30, T31N, R3W, described as follows: To find the place of beginning of this description commence at the W 1/4 post of said section; run thence S 88°48'48" E along the East and West 1/4 line of said section 13 53.5 feet to the East line of the W 1/2 of the NW 1/4 of said section and the place of beginning of this description; running thence N 00°37'14" E along the said East line of the W 1/2 of the NW 1/4 of said section 1330.14 feet to the North 1/8 line of said section; thence S 88°57'29" E along the said North 1/8 line of said section 539.61 feet; thence N 27°47'01" E 1493.17 feet to the North line of said section; thence S 89°06'29" E along the said North line of said section 121.44 feet to the North 1/4 post of said section; thence S 00°23'27" W along the North and South 1/4 line of said section 329.72 feet; thence S 27°47'01" W 2814.22 feet to the East and West 1/4 line of said section; thence N 88°48'48" W along the said East and West 1/4 line of said section 150.63 feet to the place of beginning.

Temporary Rights:

Along with temporary construction rights over a 10-foot wide strip of land on either side of the above-described Parcels A, B, and C, and over a 10-foot wide strip of land West of and adjacent to Parcel D.

The license hereby conveyed is for the sole and only purpose of constructing, inspecting, repairing, replacing, removing, reconstructing, and maintaining over and across said land no more than ten pipelines consisting of the following: two polypipe lines (one 3-inch diameter gas line and one 2-inch diameter water line) to be located within

## Note #2 (Cont'd)

Parcel B. and three polypipe lines (one 12-inch diameter gas line, one 6-inch diameter gas line, and one 4-inch diameter water line) and one 6-inch diameter steel gas line to be located within Parcel C and three polypipe lines (one 12-inch diameter gas line, one 6-inch diameter gas line, and one 4-inch diameter water line) and one 6-inch diameter steel gas line to be located within Parcel D.

No more than two trenches are to be placed within each of the above-described parcels. All trenches shall run parallel to the center line of the above-described strips of land. Furthermore, all 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 each pipeline.

The access roadway may be located anywhere within the above-described Parcel A. Said access roadway shall be limited solely to a "two-track" lane or gravel surface. Licensee shall install, at its sole expense, a gate with a tandem lock at the intersection of said roadway with any public roads. Licensee shall request said lock(s) from Lessor's Land Management Section at telephone number 517-788-0411.

It is understood that the license herein granted for use of the above-described premises is non-exclusive. Without limiting the foregoing, Licensor expressly retains the right to the use and possession of the premises for its purposes, including, without limitation, electric and gas transmission and distribution lines and all appurtenances used or usable in connection therewith, and the right to enter upon said premises at all times for the purpose of constructing and maintaining roadways for the purpose of carrying on such construction, maintenance, operations and patrols.

FOR FURTHER CONDITIONS SEE ORIGINAL IN FILE.