

Henry Washburn and wife, Donna

Warranty Deed | 9/27/68 | 12/13/68 | 127 | 658 |

ACCOUNT NO. W.O. # 5500

MAP 11

LIVINGSTON-ROGERS CITY

RECORDED IN

WARRANTY DEED

STATE OF MICHIGAN REAL ESTATE TRANSFER TAX 0.65

Recorded Dec 13 1968 at 12:00 o'clock P.M. Liber 127-658 of Deeds, Page 658

MICHIGAN STATE

Otsego COUNTY

Livingston TOWNSHIP

MUNICIPALITY

30 SECTION

T 31 N R 3 W TOWN RANGE

6.11A PLAT OR AREA

This Indenture, made September 27, 1968, between HENRY WASHBURN and DONNA WASHBURN, his wife,

13

and CONSUMERS POWER COMPANY, a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan 49201,

Witnesseth, That the said party of the first part, for and in consideration of the sum of One Thousand Three Hundred and no/100

Dollars (\$1,300.00) 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 strip of land 320 feet in width across part of the W 1/2 of the NW 1/4 and across the N 1/2 of the NW 1/4 of the SW 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 sd sec. 1146.3 feet to the p.o.b. of this description; running thence N 27° 31' 15" E, 453.84 feet to the East line of the W 1/2 of the NW 1/4 of sd sec; thence S 00° 21' 28" W along sd East line of the W 1/2 of the NW 1/4 of sd sec 405.88 feet to the East and West 1/4 line of sd sec; thence S 89° 03' 50" E along said East and West 1/4 line of sd sec 29.3 feet to the West 1/8 line of sd sec; thence S 00° 05' 12" W along said West 1/8 line of sd sec 235.5 feet; thence S 27° 31' 15" W, 481.98 feet to a point on the South line of the N 1/2 of the NW 1/4 of the SW 1/4 of sd sec; which said point is 222.09 feet distant W'ly of the West 1/8 line of sd sec as measured along said South line of the N 1/2 of the NW 1/4 of the SW 1/4 of sd sec; thence N 89° 05' 32" W along said South line of the N 1/2 of the NW 1/4 of the SW 1/4 of sd sec 357.92 feet; thence N 27° 31' 15" E, 745.49 feet to the place of beginning.

Excepting and reserving to first parties, their heirs or assigns, the easement and right to cross said strip 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.

Also excepting and reserving to first parties herein, their heirs or assigns, all oil, gas and other minerals (but not including sand, clay or gravel) in and under said land, together with the right to remove the same by wells or shafts placed on the adjoining land. No wells or shafts are to be placed on the land herein conveyed.

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

Samuel B. Miller Notary Public

Nic C. Enders

Henry Washburn Donna Washburn

OTSEGO COUNTY TREASURER'S OFFICE Gaylord, Mich. Dec 13 1968

STATE OF MICHIGAN, ) ss. County of Otsego ) On September 27, 1968 before me, a Notary Public of Otsego County, Michigan, acting in Otsego County, personally appeared Henry Washburn and Donna Washburn

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.

SEE NOTE #1 FOR GAS PIPELINE ESMT.

6-1241-9

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE

MAPPED AND CHECKED

NOTES AND OTHER DATA

GENERAL ENGINEERING MAP REFERENCES

Line Map No. F-17080 Sheet 1 of 10 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 and other lds, as follows:

1. Consumers Power Company Esmt - Gas Pipeline  
2-5-91
2. Apollo Exploration & Development, 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, 5541.18 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 ¼ 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 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 License for Pipelines  
3-2-95 and Access Roadway
2. Mercury Exploration Company, Inc.

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:

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 1353.5 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 2614.22 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 150.83 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 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.