

13

TITLE DATA

CONSUMERS POWER COMPANY

Joseph T. Theisen and Joyce O. Theisen, his wife;

TRACT 235-D114-1

Easement 9/13/1960 6/5/1961 87 593

ACCOUNT NO. 540104

MAP 12

KIND OF INSTRUMENT DATE OF INST. DATE OF RECORD LIBER PAGE

21

Gaylord - Emmet

Parcel No. 24

FORM 321 MULTH - 56

79 WMM

RIGHT OF WAY

Recorded ... day of ... A.D. 19... at ... o'clock ... M. Liber ... Page...

Register of Deeds

Joseph T. Theisen and Joyce O. Theisen, his wife and in her own right first part ... in consideration of ... One and no/100 ... Dollars (\$1.00 ...) to ... them ... paid by the CONSUMERS POWER COMPANY, a Maine corporation authorized to do business in Michigan, at 212 W. Michigan Ave., Jackson, Michigan, second party, receipt of which is hereby acknowledged, Convey ... and Warrant ... to the second party, its successors and assigns, Forever, the easement and right to erect, lay and maintain lines consisting of ~~concrete~~ 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, and across the following described parcel ... of land, including all public highways upon or adjacent to said parcel ... of land, which parcel ... is situate in the ... Township of ... Elmira ... County of ... Otsego ... and State of Michigan, to-wit:

The Southeast one-quarter (SE 1/4) of the Northeast one-quarter (NE 1/4) of Section eleven (11), Township thirty-one (31) North, Range four (4) West.

The route to be taken by said lines of ~~concrete~~ poles, wires, cables and conduits across, over and under said land being more specifically described as follows: Second party may locate sd. route on, over and acr. sd. above desc. land, alg. or adj. as near as pract. a line, wh. sd. line is desc. as beg. at a point not more than 300 ft. W of the W, N & S 1/8 line of Sec. 12, T 31 N, R 4 W, at a point not more than 200 ft. N of the S, E & W 1/8 line of sd. Sec., run. th. NW'ly to a point not more than 2350 ft. nor less than 2150 ft. W of the E line of Sec. 2 of sd. Twp., at a point not more than 650 ft. nor less than 450 ft. N of the S line of sd. Sec. 2.

With full right and authority to the second party, its successors, licensees, lessees or assigns, and its and their agents and employees, to enter at all times upon said premises for the purpose of constructing, repairing, removing, replacing, patrolling, improving, enlarging and maintaining such cables, conduits ~~concrete~~ poles and other supports, with all necessary braces, guys, anchors manholes and transformers, and stringing thereon and supporting and suspending therefrom lines of wire, cables or other conductors for the transmission of electrical energy and/or communication, and to trim, remove, destroy or otherwise control any trees and brush which may, in the opinion of said second party, interfere or threaten to interfere with or be hazardous to the construction, operation and maintenance of said lines. It is expressly understood that no buildings or other structures will be placed under such wires and/or over such cables without the written consent of said second party. It is expressly understood that non-use or a limited use of this easement by second party shall not prevent second party from later making use of the easement to the full extent herein authorized. Second party to pay at the rate of Eighty Dollars (\$80.00) per mile of length of the line of poles and wires across said above described premises, the same to be paid before any work is done on the land, and also to pay for any damage to crops in erecting and maintaining said line of poles and wires.

WITNESS the hand, s. and seal s. of the parties ... of the first part, this ... 13th ... day of September ... 19... 60

Signed, Sealed and Delivered in Presence of

Harold Gornby (Signature)
James F. Miller (Signature)

Joseph T. Theisen (L.S.)
Joyce O. Theisen (L.S.)

STATE OF MICHIGAN) On this 13th day of September 19. 60.
) ss. before me, a Notary Public of Cheboygan County,
County of ... Otsego) Michigan, acting in Otsego County, personally appeared

Joseph T. Theisen and Joyce O. Theisen

to me known to be the same person s. named in and who executed the foregoing instrument, and severally acknowledged the execution of the same to be their free act and deed.

James F. Miller (Signature)
Notary Public, Cheboygan Co., Mich.
My commission expires May 6, 1961

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE. Includes handwritten entries for 'Original Cost (LR 4, Exh 114a-1)' and dates 'Dec 1962' and 'July 1964'.

MAPPED AND CHECKED

GENERAL ENGINEERING MAP REFERENCES

Line Map No. D16428 Sheet 1 of 5 Sheets
Plan & Profile No. _____ Sheet _____ of _____ Sheets
Survey Map No. _____ Sheet _____ of _____ Sheets

DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS

1. Abstract _____
2. Opinions of Title _____
3. Title Search YES _____
4. Mortgage Release _____

Mortgage Liber 79 Page 169
Release Dated Aug. 1, 1961
Recorded Oct. 13 - 1961
Liber 89 Page 358