

13

TITLE DATA

CONSUMERS POWER COMPANY 16

Allen D. Marushak and Anne V. Marushak, his wife

TRACT 259-D103-2

easement, NAME OF GRANTOR 1-28-1958, 10-14-1958, 141, 287, 716407

ACCOUNT NO. 100.110-340.000

MAP 19

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

Rockport-Calcite

Parcel No. 13

FORM 321 MULH - 56

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

RIGHT OF WAY

Register of Deeds

Allen D. Marushak and Anne V. Marushak, his wife... first part... in consideration of... One... Dollar (\$1.00) to them... paid by the CONSUMERS POWER COMPANY, a Maine corporation authorized to do business in Michigan... 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 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, under and across the following described parcels of land, including all public highways upon or adjacent to said parcels of land, which parcels are situate in the Township of Rogers, County of Presque Isle, and State of Michigan, to-wit: A parcel of land in the South-east 1/4 of Section 34, described as beginning at the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section, running thence West 40 rods to a point, thence North 8 rods to a point, thence East 40 rods to the East line of said Section, thence South 8 rods to the place of beginning and also a parcel of land described as beginning at a point 8 rods North of the Southeast corner of the North 1/2 of the Southeast 1/4 of said Section, running thence North along the East line of said Section 8 rods 6 feet to a point, thence Northwesterly parallel with Trunk Line Highway US-23, 16 rods 36 feet to a point, thence South parallel with the East line of said Section 19 rods 14 feet 6 inches to a point, thence East to the place of beginning, all being in Township 35 North, Range 5 East.

The route to be taken by said lines of poles, wires, cables and conduits across, over and under said land being more specifically described as follows:

Second party may locate said route on, over and across said above described land along or adjoining as near as practicable a line, which said line is described as beginning at a point not more than 100 feet North of the East and West quarter line of Section 2, Township 34 North, Range 5 East, at a point not more than 300 feet East of the North and South quarter line of said Section, running thence Northwesterly to a point not more than 700 feet nor less than 500 feet West of the East line of Section 34, Township 35 North, Range 5 East, at a point not more than 1100 feet nor less than 900 feet South of the East and West quarter line of said Section 34.

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 and towers, 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 and seal of the parties of the first part, this 28th day of January, 1958.

Signed, Sealed and Delivered in Presence of John J. Loughray, James F. Miller, Allen D. Marushak, Anne V. Marushak

STATE OF MICHIGAN ) On this 28th day of January 1958, ) ss. before me, a Notary Public of Cheboygan County, Michigan, acting in Presque Isle County, personally appeared

Allen D. Marushak and Anne V. Marushak, to me known to be the same person 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, Notary Public, Cheboygan Co., Mich. My commission expires May 6, 1961.



MICHIGAN STATE COUNTY Presque Isle TOWNSHIP Rogers T 35 N R 5 E MUNICIPALITY SECTION TOWN RANGE

PLAT OR AREA

Table with columns: BALANCE, TRANSFERS, AMOUNT, ITEMS OF COST, JOURNAL ENTRY, DATE. Includes values like \$452.06 and Original Cost (See Vol IR4, Exhibit 102a-1 Working Papers).

Sheet  
Sheet

of  
of

Sheets  
Sheets

**DOCUMENTS FILED WITH ORIGINAL INSTRUMENTS**

- 1. Abstract \_\_\_\_\_
- 2. Opinions \_\_\_\_\_
- 3. Title Cert. \_\_\_\_\_
- 4. Mortgage Release \_\_\_\_\_
- 5. Tree Vouchers \_\_\_\_\_ Yes