

13

TITLE DATA

MICHIGAN STATE

Presque Isle COUNTY

Rogers TOWNSHIP

CONSUMERS POWER CO.

Diamond Shamrock Corporation

Easement

NAME OF GRANTOR

10-2-74

DATE OF INST. 1-20-75

DATE OF RECORD 207

PAGE 723

MUNICIPALITY

SUPERVISOR'S PLAT OF PETERSVILLE

SECTION

TOWN

RANGE

TRACT 265.2-D103-1*

MAP 19-102-19-103

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

ROCKPORT-CALCITE (ROGERS CITY EXITS) 138KV (Line 103c)

LIBER 207 PAGE 723

File #2695 & 2711

EASEMENT

Recorded Jan. 20, 1975
at 11:00 clock A.M. Liber Page

Eleanor Gordon
Reg. of Deeds Presque Isle Co. Mich.

LIBER 207 PAGE 724

patrolling, improving, enlarging and maintaining such pole structures, poles and other supports or any combination of same, with all necessary crossarms, braces, guys, anchors, and transformers, and stringing thereon and supporting and suspending therefrom lines of wire, cables or other conductors for the transmission of electrical energy and electric control circuits and devices.

Also conveying the right to cut, trim, remove, destroy or otherwise control (1) all trees and brush on the land of the Grantor described in this easement within 50 feet on each side of the center line of the pole structures, poles and wires comprising said electric line, and (2) all trees in excess of 40 feet in height on the land of the Grantor described in this easement within 85 feet on each side of the center line of the pole structures or poles. It is expressly agreed that the complete exercise of the rights herein granted to cut, trim, remove, destroy or otherwise control trees and brush may be gradual and not fully completed for some time in the future. Grantee may enter upon said land, from time to time, to cut, trim, remove or otherwise control trees and brush as aforesaid.

It is expressly agreed that, for the protection of said electric line, no buildings or other structures will be placed within 36 feet on each side of the center line of the pole structures, poles and wires comprising said electric line. Grantee shall pay for all damage to crops arising out of the construction, operation and maintenance of the electric line.

It is expressly understood that nonuse or a limited use of this easement by Grantee shall not prevent Grantee from later making use of the easement to the full extent herein conveyed.

Where applicable, pronouns and relative words used herein shall be read as plural, feminine or neuter.

Grantor, DIAMOND SHAMROCK CORPORATION, in consideration of One a Delaware corporation, Cleveland, Ohio and no/100 Dollars (\$1.00) to him paid by CONSUMERS POWER COMPANY, a Michigan corporation, 212 W. Michigan Avenue, Jackson, Michigan, Grantee, receipt of which is hereby acknowledged, conveys and warrants to Grantee, its successors and assigns, forever, the easement and right to erect, lay and maintain lines consisting of pole structures, poles, or any combination of same, wires, cables, conduits, crossarms and other fixtures and appurtenances for the purpose of transmitting and distributing electricity and electric control circuits and devices on, over, under and across the following described land, including all public highways upon or adjacent to said land, which land is situate in the Township of Rogers, County of Presque Isle, and State of Michigan, to-wit:

Lots 1 to 11, both inclusive; Block 1; entire Block 2, and entire Block 3 of Supervisor's Plat of Petersville, being a subdivision of part of the West 1/2 of Section 26, Township 35 North, Range 5 East.

The center line of said line of pole structures, poles, wires, cables and conduits, on, over, under and across said land being described as:

Beginning at a point in the West line of Section 26, T35N, R5E; said point being approximately 1320 feet more or less South of the N.W. corner of said Section 26. Thence easterly along the north property line of Diamond Shamrock Chemical Co. to a point not more than 49 feet east of the West section line. Thence Southerly and parallel with said section line a distance of 2250 feet more or less to a point. Thence westerly 49 feet to said west section line, thence Northerly along this west section line also being the approximate center line of State Route Alternate 23-A a distance of 2250 feet to the point of beginning, and containing approximately 2.53 ± acres.

Also conveying the full right and authority to Grantee, 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,

Refer

MAPPED AND CHECKED

LIBER 207 PAGE 725

IN WITNESS WHEREOF, Grantor has executed this instrument
or has caused this instrument to be executed this 2nd day of
October, 1974.

ATTEST:

Edward J. Mack
Assistant Secretary

DIAMOND SHAMROCK CORPORATION
a Delaware corporation

By J. P. Hyde
J. P. Hyde, Group Vice President
Diamond Shamrock Chemical Company,
a unit of Diamond Shamrock Corporation

WITNESSES:

A. P. Van Dyke
A. P. Van Dyke
Marilyn E. Hemming
Marilyn E. Hemming

STATE OF Ohio)
COUNTY OF Cuyahoga) SS

The foregoing instrument was acknowledged before me this
2nd day of October, 1974, by J. P. Hyde, Group Vice
President of Diamond Shamrock Chemical Company, a unit of Diamond Shamrock Corp
a Delaware corporation, on behalf of the Diamond Shamrock
corporation.

Eleanor A. Griffin
Notary Public, Cuyahoga County,
Ohio
My commission expires
ELEANOR A. GRIFFIN, Notary Public
For Cuyahoga County, Ohio
My commission expires April 19, 1976

WITNESSES:

A. P. Van Dyke
Marilyn E. Hemming

ATTEST:

STATE OF)
County of) SS.

The foregoing instrument was acknowledged before me this _____ day of
_____, 19____, by _____ of

This instrument was
prepared by:
A. Philip Van Dyke
Attorney at Law
1800 Superior Ave.
Cleveland, Ohio 44114

Notary Public, _____ County,
My commission expires _____