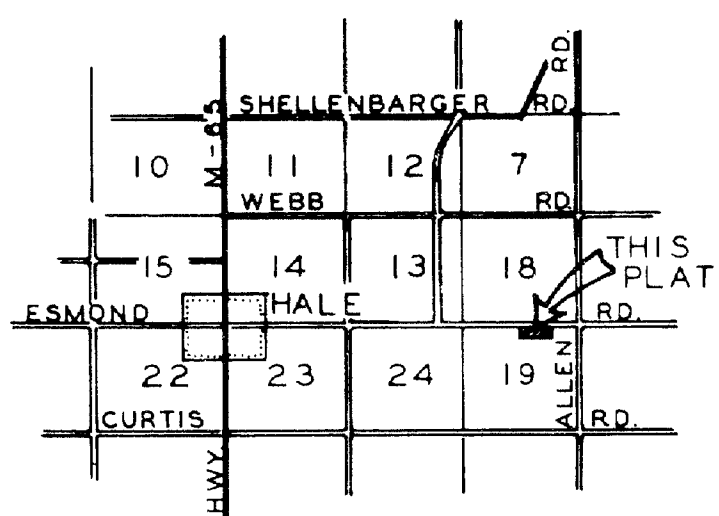
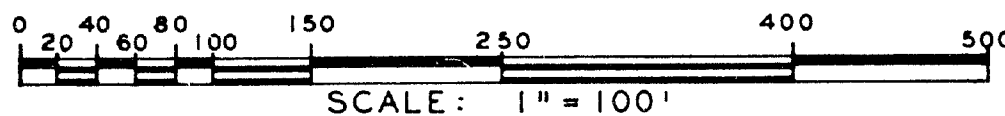


# PINE PLANTATION ACRES NO. 1

A SUBDIVISION OF PART OF THE N.W. 1/4 OF THE N.E. 1/4 OF SECTION 19, T. 23 N. R. 6 E.,  
PLAINFIELD TOWNSHIP, IOSCO COUNTY,  
MICHIGAN

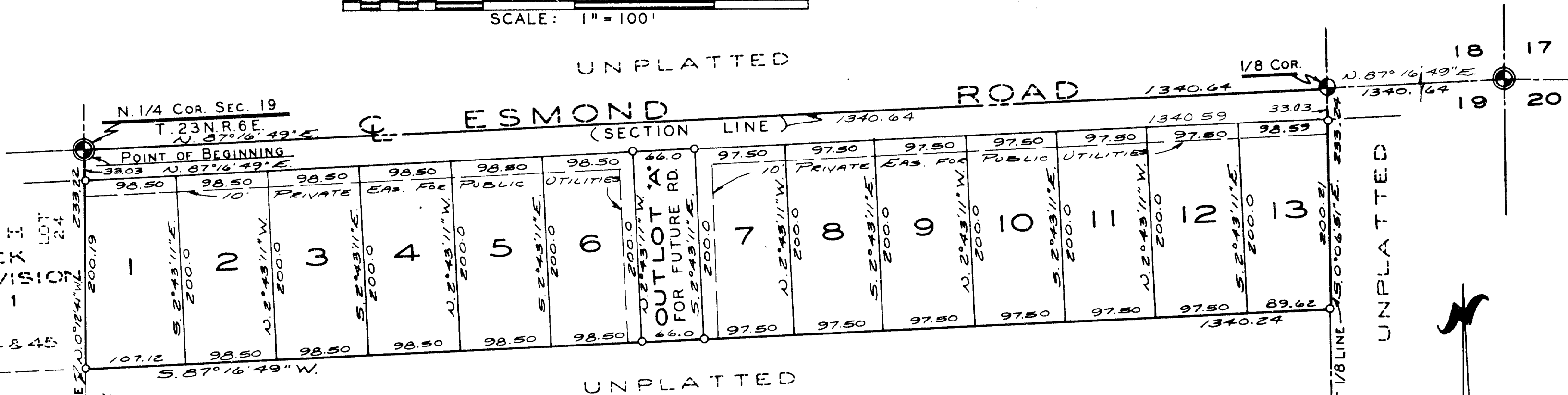
NOTE:

This plat is subject to restrictions as required by Act 288, P.A. 1967, as amended on certain Lots with respect to the requirements of the Michigan Department of Natural Resources and/or the Michigan Department of Public Health, which are recorded in Liber 304, page 393-4 of the records of this County.



VICINITY MAP  
NO SCALE

SMITH CREEK  
SUBDIVISION  
NO. 1  
LIBER 13  
PAGES 44 & 45



**PLAT LEGEND**

All dimensions are given in feet. Bearings are based on the plat of "SMITH CREEK SUBDIVISION", as recorded in Liber 13, pages 44 and 45 of Iosco County Records. The symbol "b" indicates the location of concrete monuments, BEING 1/2" ROD ENCASED IN 4" DIA. CYLINDER 36" LONG. Lot corners are monumented with iron rods at least 1/2" in diameter and 24" in length.

**SURVEYOR'S CERTIFICATE**

I, Richard L. Miller, Surveyor, certify: That I have surveyed, divided and mapped the land shown on this plat described as "PINE PLANTATION ACRES NO. 1", a subdivision of part of the N.W. 1/4 of the N.E. 1/4 of Section 19, T. 23 N. R. 6 E., Plainfield Township, Iosco County, Michigan, further described as follows: Beginning at the N. 1/4 Corner of said Section 19, thence N. 87° 16' 49" E., along the North Section Line, 1340.64 feet, thence S. 0° 06' 51" E., along the East 1/8 Line, 233.24 feet, thence S. 87° 16' 49" W., 1340.24 feet, thence N. 0° 12' 41" W., along the North-South 1/2 Line, 233.22 feet to the Point of Beginning; containing 13 LOTS, NUMBERED 1 THROUGH 13 INCLUSIVE AND OUTLOT "A". That I have made such survey, land division and plat by the direction of the owners of such land.

That such plat is a correct representation of all exterior boundaries of the land surveyed and the division of it.

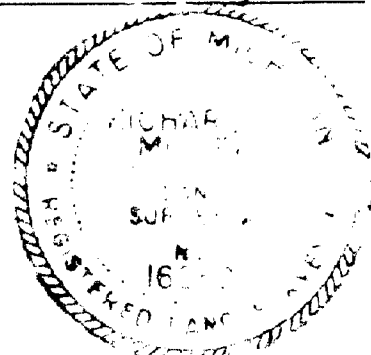
That the required monuments and Lot corners are located in the ground or that surety has been deposited with the municipality as required by Section 125 of the Act.

That the accuracy of survey is within the limits required by Section 126 of the Act.

That the bearings on the plat are expressed as required by Section 126 (3) of the Act and as explained in the legend.

Date: FEBRUARY 4, 1988

Richard L. Miller  
Registered Land Surveyor  
209 STATE STREET  
P.O. Box 22  
Oscoda, Michigan 48750



*Richard L. Miller*  
Richard L. Miller Reg. No. 16050

**CERTIFICATE OF MUNICIPAL APPROVAL**

I hereby certify that this plat was approved by the Township Board of the Township of Plainfield at a meeting held FEB 10, 1988 and was reviewed and found to be in compliance with Act 288 of P.A. 1967.

Date: FEBRUARY 4, 1988; District Health Department No. 2 approval of Preliminary Plat.

*Betty Timmer*  
Betty Timmer (Clerk)

**PROPRIETOR'S CERTIFICATE**

We, as proprietor's, certify that we have caused the land embraced in this plat to be surveyed, divided, mapped and dedicated as represented on this plat and that the roads are for the use of the public and that the public utility easements are private easements and that all other easements are for the uses shown on the plat. OUTLOT "A" IS FOR FUTURE ROAD.

Witnesses:

*Carol L. Leslie*  
CAROL L. LESLIE  
*William F. Mylek*  
WILLIAM F. MYLEK

*C. Earl Bennington*  
C. Earl Bennington  
214 Airport Road  
East Tawas, Michigan 48730  
*Pauline M. Bennington*  
Pauline M. Bennington

**ACKNOWLEDGEMENT**

State of Michigan)  
Iosco County)

Personally came before me this 5<sup>th</sup> day of FEB. 1988 the above named C. Earl Bennington and Pauline M. Bennington, his wife, to me known to be the persons who executed the foregoing instrument and acknowledged the same to be their free act and deed.

*Carol L. Leslie*  
CAROL L. LESLIE  
Notary Public  
Iosco County

My Commission expires: SEPT. 28, 1991

**CERTIFICATE OF COUNTY ROAD COMMISSION**

Approved on FEB. 8, 1988, as complying with Section 183 of Act 288, P.A. 1967 and the applicable published rules and regulations of the Board of County Road Commissioners of Iosco County.

*Frank Leiva*  
FRANK LEIVA (Chairman)  
*Stanley Kowalski*  
Stanley Kowalski (MEMBER)

*Richard Harris*  
RICHARD HARRIS (VICE-CHAIRMAN)

**COUNTY DRAIN COMMISSIONER'S CERTIFICATE**

Approved on FEBRUARY 5, 1988 as complying with Section 192 of Act 288, P.A. 1967 and the applicable rules and regulations published by my office in the County of Iosco.

*Harry Kueger*  
Harry Kueger (Commissioner)

**COUNTY TREASURER'S CERTIFICATE**

The records in my office show no unpaid taxes or special assessments for the five years preceeding FEB. 5, 1988 involving the land included in this plat.

*Richard Stevens*  
Richard Stevens (Co. Treasurer)

**COUNTY PLAT BOARD CERTIFICATE**

This plat has been reviewed and is approved by the Iosco County Plat Board on FEBRUARY 16, 1988, as being in compliance with all the provisions of Act 288, P.A. 1967 and the Plat Board's applicable rules and regulations.

*Bonita M. Coyle*  
Bonita M. Coyle (Reg. of Deeds)  
*Richard Stevens*  
Richard Stevens (County Treasurer)

*D. Keith Papas*  
D. Keith Papas (County Clerk)

**RECORDING CERTIFICATE:**

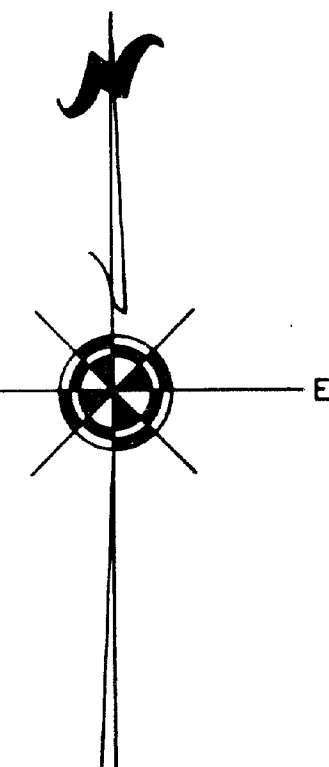
State of Michigan  
Iosco County

This plat was received for record on the 15<sup>th</sup> day of April, A.D., 1988 at 9:45 A.M. and recorded in Liber 10 of Plats on pages 2.

CERTIFIED TRUE AND CORRECT COPY OF PLAT BY DEPARTMENT OF COUNTY CLERK BY *Richard E. Jomax*  
Richard E. Jomax (County Clerk)

*Bonita M. Coyle*  
Bonita M. Coyle (Reg. of Deeds)

Date: June 21, 1988



59804 (8)

STATE OF MICHIGAN  
IN THE 23RD JUDICIAL CIRCUIT COURT FOR THE COUNTY OF IOSCO

Court Address: Iosco County Building, 422 Lake Street (US 23), P.O. Box 658,  
Tawas City, Michigan 48764-0658, Telephone No. 989-362-3497

JAMES E. BENNINGTON &  
JOY BENNINGTON, his wife,  
Plaintiffs,

-v-

FILE NO. 01-3290-CH

TREASURER OF THE STATE OF MICHIGAN; DIRECTOR OF THE MICHIGAN DEPARTMENT OF TRANSPORTATION; IOSCO COUNTY DRAIN COMMISSIONER; CHAIRMAN IOSCO COUNTY BOARD OF ROAD COMMISSIONERS; CONSUMER POWER COMPANY; MICHIGAN BELL TELEPHONE COMPANY; CENTURY TELEPHONE COMPANY; MICHIGAN CONSOLIDATED GAS COMPANY; TOWNSHIP OF PLAINFIELD; DIRECTOR OF THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES; DELBERT H. WOOD; MILDRED WOOD; CHRISTOPHER REID; TIMIRI REID; PATRICK READY; TRACY READY; STEVEN CAUMARTIN; FREDERICK ZILLIOX; and U.S. FOREST SERVICE U.S. DEPARTMENT OF AGRICULTURE.

A TRUE COPY

JAN 18 2001

23rd CIRCUIT COURT

Dept. of Attorney General  
**RECEIVED**

JAN 07 2002

NATURAL RESOURCES  
DIVISION

Defendants.

MYLES AND MARTIN  
Attorney for Plaintiffs  
By: Kenneth J. Myles (P18149)  
502 Lake Street, P.O. Box 518  
Tawas City, MI 48764-0518  
(989)362-4405

ROBERT J. EPPERT (P28841)  
Attorney for Iosco Co. Rd. Commission  
1144 W. Lake Street, P.O. Box 426  
Tawas City, MI 48764  
(989)362-8675

JAMES R. PIGGUSH (P29221)  
Attorney for State Defendants  
315 Knapps Centre  
300 S. Washington Square  
Lansing, MI 48913  
(989)373-7540

WENDY A. McINTYRE (P53792)  
Attorney for Consumers' Energy  
212 W. Michigan Avenue  
Jackson, MI 49201  
(989) 788-0717

LAW OFFICES OF MYLES AND MARTIN, 502 LAKE STREET, TAWAS CITY, MICHIGAN 48764

JUDGMENT PARTIALLY VACATING THE PLAT OF  
PINE PLANTATION ACRES NO. 1  
PLAINFIELD TOWNSHIP, IOSCO COUNTY, MICHIGAN

At a session of said Court held in the  
Courthouse in the City of Tawas City,  
County of Iosco and State of Michigan,  
on the 19 day of December 2001.

PRESENT: Hon. J. Richard Ernst  
Circuit Judge

This matter having come before the Court on Plaintiffs Complaint to partially vacate Pine Plantation Acres No. 1, a recorded plat, as recorded in Liber 16, Page 2 of Plats, Iosco County Records, said plat dated, being recorded on April 15, 1988, and all interested parties either consenting or having been defaulted and;

The Plaintiff's being proper parties to seek the relief requested; and,

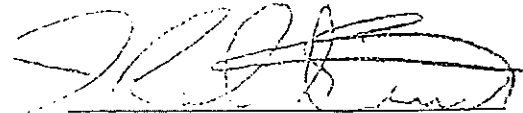
After due consideration, it appearing to this Court that there are no valid objections to the relief prayed for in the Complaint,

NOW, THEREFORE, IT IS HEREBY ORDERED that Lots 1 through 13 and Outlot 'A' of Pine Plantation Acres No. 1, as recorded at Liber 16, Page 2 of Plats, Iosco County Records, Plainfield Township, Iosco County, Michigan, be and the same is hereby vacated and title is hereby vested in Plaintiffs in accordance with MCL 560.227a(1).

IT IS FURTHER ORDERED that all existing easements for utilities within the plat affected by this Judgment be and the same are hereby preserved by this Court, as shown by survey dated October 15, 2001, being Rigg Land Surveying, Inc. Job No. 192306-13401B, attached hereto and expressly made a part hereof.

IT IS FURTHER ORDERED that this Judgment does not determine whether the resulting parcel, as the result of the vacation, is or is not a parent parcel within the meaning of the Land Division Act.

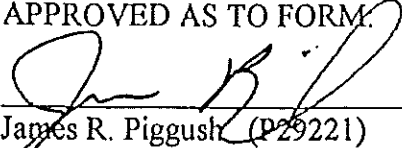
IT IS FURTHER ORDERED that a copy of this Judgment be recorded with the Register of Deeds for Iosco County, Michigan in accordance with the statute, MCL 560.228, shall be forwarded to the Michigan Department of Consumer and Industry Services, Subdivision Control and Surveying Remonumentation Section.



J. Richard Ernst  
Circuit Judge

Dated: 12-19-01

APPROVED AS TO FORM.

  
James R. Piggush (P29221)  
Attorney for State Defendants

Robert J. Eppert (P28841)  
Attorney for Iosco Co. Rd. Comm.

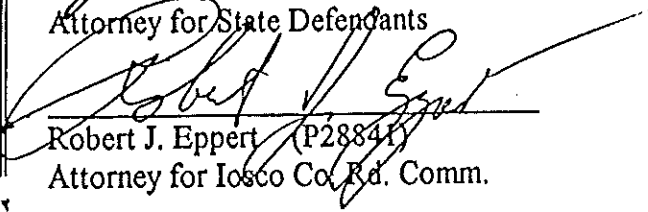
Wendy A. McIntyre (P53792)  
Attorney for Consumers Power

Michael Hluchaniak  
Attorney for U.S. Dept. of Agriculture

cll/land/bennington

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Robert J. Eppert (P28841)  
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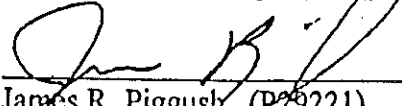
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Michael Hluchaniak  
Attorney for U.S. Dept. of Agriculture

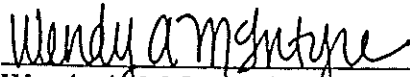
cl/land/bennington

LAW OFFICES OF MYLES AND MARTIN, 502 LAKE STREET, TAWAS CITY, MICHIGAN 49784

APPROVED AS TO FORM.

  
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Attorney for Iosco Co. Rd. Comm.

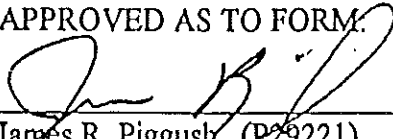
  
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cll/land/bennington

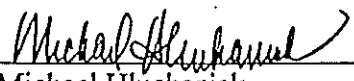
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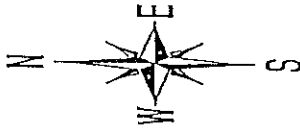
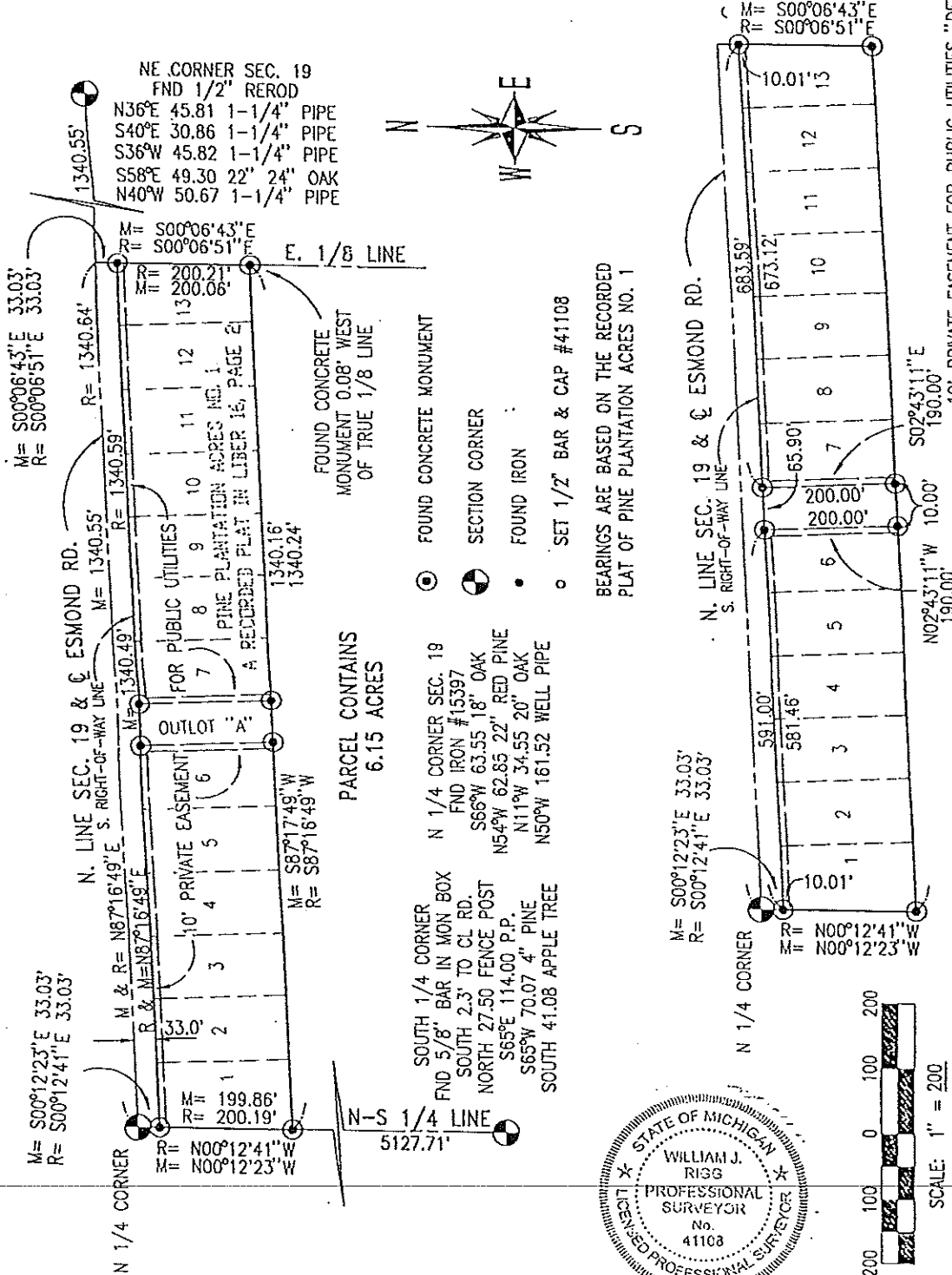
  
Michael Hluchaniak  
Attorney for U.S. Dept. of Agriculture

cll/land/bennington

# CERTIFICATE OF SURVEY

PART OF THE NW 1/4 OF THE NE 1/4, OF SECTION 19, T23N, R6E,  
PLAINFIELD TOWNSHIP, IOSCO COUNTY, MICHIGAN

COPY



BEARINGS ARE BASED ON THE RECORDED  
PLAT OF PINE PLANTATION ACRES NO. 1



DATE: October 15, 2001

I hereby state that I have surveyed and mapped the land above platted and described on June 7, 2001, and that all of the requirements of PA 132 of 1970 have been met.

*William J. Rigg*  
William J. Rigg, P.S. #41108

FOR:  
James & Joy Bennington  
c/o Myles & Mortin  
502 Lake Street  
Tawas City, MI 48763

**RIGG LAND SURVEYING INC.**  
430 M-55  
TAWAS CITY, MI 48763  
FAX (989) 362-1374  
PHONE (989) 362-13782

SEC. 19 , T23N , R6E		
DRAWN	WJR	SHEET 1 OF 2
CHECKED BY	WJR	JOB NUMBER 192306-13401B



COPY

# CERTIFICATE OF SURVEY

PART OF THE NW 1/4 OF THE NE 1/4, OF SECTION 19, T23N, R6E,  
PLAINFIELD TOWNSHIP, IOSCO COUNTY, MICHIGAN

Legal Description for that part of "Pine Plantation Acres No. 1" to be vacated, being Lots 1 - 13 inclusive and Outlot "A",

That part of the Northwest 1/4 of the Northeast 1/4 of Section 19, T23N, R6E, Plainfield Township, Iosco County, Michigan described as:

Commencing at the North 1/4 corner of said Section 19, thence South 00°12'23" East, along the North-South 1/4 line and the West line of "Pine Plantation Acres No. 1", (a recorded plat in Liber 16, of plats, Page 2, Iosco County Records), 33.03 feet to the Point of Beginning; thence North 87°16'49" East, along the South line of Esmond Road as shown on the plat, 1340.49 feet; thence South 00°06'43" East, along the East 1/8 line and the East line of said plat, 200.06 feet; thence South 87°17'49" West, along the South line of said plat, 1340.16 feet; thence North 00°12'23" West, along the North-South 1/4 line and the West line of said plat, 199.86 feet to the Point of Beginning. Together with and subject to a 10-foot wide private easement for public utilities as shown on said plat and is described below. Subject to easements, restrictions and reservations of record, if any. Contains 6.15 acres, more or less.

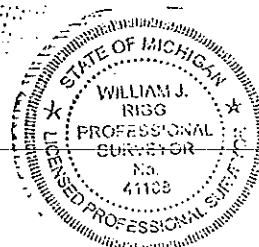
Legal Description for a 10 - foot wide private easement for public utilities as shown of the recorded plat of "Pine Plantation Acres No. 1",

That part of the Northwest 1/4 of the Northeast 1/4 of Section 19, T23N, R6E, Plainfield Township, Iosco County, Michigan described as:

Commencing at the North 1/4 corner of said Section 19, thence South 00°12'23" East, along the North-South 1/4 line and the West line of "Pine Plantation Acres No. 1", (a recorded plat in Liber 16, of plats, Page 2, Iosco County Records), 33.03 feet to the Point of Beginning; thence North 87°16'49" East, along the South line of Esmond Road as shown on the plat, 591.00 feet; thence South 02°43'11" East 200 feet; thence South 87°17'49" West, along the South line of said plat, 10.00 feet; thence North 02°43'11" West 190.00 feet; thence South 87°16'49" West, parallel to the South line of Esmond Road, 581.46 feet; thence North 00°12'23" West, along the West line of said Plat, 10.01 feet to the Point of Beginning.

AND


Commencing at the North 1/4 corner of said Section 19, thence South 00°12'23" East, along the North-South 1/4 line and the West line of "Pine Plantation Acres No. 1", (a recorded plat in Liber 16, of plats, Page 2, Iosco County Records), 33.03 feet; thence North 87°16'49" East, along the South line of Esmond Road as shown on the plat, 656.90 feet to the Point of Beginning; thence continuing North 87°16'49" East, along the South line of Esmond Road, 683.59 feet; thence South 00°06'43" East, along the East 1/8 line and the East line of said plat, 10.01 feet; thence South 87°16'49" West, parallel to the South line of Esmond Road, 673.12 feet; thence South 02°43'11" East 190.00 feet; thence South 87°17'49" West, along the South line of said Plat, 10.00 feet; thence North 02°43'11" West 200.00 feet to the Point of Beginning.



DATE: October 15, 2001

I hereby state that I have surveyed and mapped the land above platted and/or described on June 7, 2001, and that all of the requirements of PA 132 of 1970 have been met.

*William J. Rigg*  
William J. Rigg, P.S. #41108

FOR: James & Joy Bennington c/o Myles & Martin 502 Lake Street Tawas City, MI 48763	 <b>RIGG LAND SURVEYING INC.</b> 430 M-55 TAWAS CITY, MI 48763 FAX (989) 362-1374 PHONE (989) 362-13782	SEC. 19 , T23N , R6E	
		DRAWN	WJR SHEET 2 OF 2
		CHECKED BY	WJR JOB NUMBER 192306-13401B