LEGAL NOTICE

STATE OF MICHIGAN
IN THE PROBATE COURT FOR
THE COUNTY OF WAYNE

No. 577647

ORDER FIXING DATE FOR
HEARING AND TO SHOW CAUSE

IN THE MATTER OF THE PETITION OF CONSUMERS POWER COMPANY, A CORPORATION, FOR THE CONDEMNATION OF CERTAIN INTERESTS IN LANDS IN WAYNE COUNTY, MICHIGAN, AS INSET:

ADMIRAL DEVELOPMENT COMPANY
AETNA LIFE INSURANCE COMPANY
DONALD E. ALSBRO AND SHARON ALSBRO
RICHARD E. ALSBRO
AMERICAN COMMUNITY MUTUAL INSURANCE COMPANY
BANK OF THE COMMONWEALTH
JAMES BODY AND ELIDA BODY
EVERETT BROWN AND HARRIET BROWN
H. ETHEL CALDWELL
ELMORE CARNEY AND WINIFRED CARNEY
CROWN CARPET CONTRACTING COMPANY
DONALD LOUIS DE MAESTRI AND MARY LILLIAN DE MAESTRI
DETROIT MUTUAL INSURANCE COMPANY
EDWARD W. EBERT AND FRANCES C. EBERT
GRACE A. ENGLAND
FAITH TABERNACLE PENTECOSTAL CHURCH OF GOD
FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF DETROIT
ORA GLASS AND ALTHA GLASS
JOHN F. GREEN AND WILMA L. GREEN
FRED E. GREENSPAN AND ELAINE GREENSPAN AND JOSEPH L. STAUB
D/B/A LAKE POINTE VILLAGE PROPERTIES
GUARDIAN SAVINGS AND LOAN ASSOCIATION
WILLIAM C. HANN AND PATRICIA HANN
J. AUSTIN OIL COMPANY OF WAYNE, INC.
CLARENCE E. JOHNSON AND MARY JOHNSON
EVERETT L. KING AND THERESA KING
CARLO B. LICATA AND JOSEPHINE LICATA
LINDA J. LUKER
MC LAREN TRANSIT MIX COMPANY
LEON L. MERRIMAN AND ADELAID A. MERRIMAN
MICHIGAN BANK, NATIONAL ASSOCIATION
HAROLD C. MOSHIER AND DOROTHY MOSHIER
NATIONAL BANK OF DETROIT
GEORGE L. O'CONNOR AND MABEL O'CONNOR
JOSEPH L. PASSANISE AND MARY M. PASSANISE
RAYMOND PETTY AND LILLY BELL PETTY
RAYMOND C. PETTY AND BETTY JO PETTY
DOROTHY PINNOW
DAVID E. POWELL AND LILLIAN M. POWELL
ROBERT N. PROCTOR AND DAISY A. PROCTOR
PURE OIL DIVISION - UNION OIL COMPANY OF CALIFORNIA
ORIN S. RIBAR AND PATRICIA RIBAR
PERRY W. RICHWINE AND JANET H. RICHWINE
REINHOLD RUEHR
CLEO SATTERFIELD AND SYLVIA SATTERFIELD
DENIS A. SCHWARZ AND JANITH SCHWARZ
RICHARD J. SCHWARZ AND CAROLINE J. SCHWARZ
LESSIE JEAN SIPPEL
HARLAND B. SMITH AND DOROTHY JEAN SMITH
SPECIALTY FEED COMPANY
DOTT M. STIMPSON
JAMES G. STIMPSON
AUGUSTA SUTHERLAND
DONALD H. SUTHERLAND
JAMES TAIT
WILLARD TATZKA AND BERTHA TATZKA
THE PRUDENTIAL INSURANCE COMPANY OF AMERICA
ANTHONY TOCCO AND CARMELA TOCCO
JACK W. TOCCO AND MARIA TOCCO
VETERANS ADMINISTRATION
LUCY S. WAGENSCHUTZ
JOYCE A. WALTON AND LUCILLE M. WALTON
INZA D. WICKS
DONALD E. WORSLEY AND CAROL WORSLEY
GEORGE ZIVKOVICH AND JEAN E. ZIVKOVICH

Respondents and Defendants

STATE OF MICHIGAN
IN THE PROBATE COURT FOR
THE COUNTY OF WAYNE

IN THE MATTER OF THE PETITION OF CONSUMERS POWER COMPANY, A CORPORATION, FOR THE CONDEMNATION OF CERTAIN INTERESTS IN LANDS IN WAYNE COUNTY, MICHIGAN.

ORDER FIXING DATE FOR
HEARING AND TO SHOW CAUSE

At a session of said Court, held at the Probate Courtroom at the Courthouse, in and for said County, on the 8th day of February, 1968.

PRESENT: HONORABLE JOSEPH A. MURPHY, Judge of Probate.

It appearing to the Court that Consumers Power Company, a corporation, has this day filed in said Court, a Petition to condemn certain interests in lands as described in said Petition and its Schedules, which Petition and Schedules are hereto attached, made a part hereof, and hereby incorporated by reference, for the purpose of developing an underground natural gas storage field, to be known as the Northville underground natural gas storage field, located partially in the Township of Lyon, Oakland County, the Township of Salem, Washtenaw County, the Townships of Northville and Plymouth, Wayne County, and the City of Plymouth, Wayne County, all in the State of Michigan, for the purpose of producing, injecting, storing and withdrawing natural gas underground in formations lying between the top of the Detroit River formation (approximately 1,000 feet below ground surface) and the base of the Black River formation (approximately 5,000 feet below ground surface), for the ultimate sale of such gas to the public generally, all of which is set out more fully in the said Petition, and

It further appearing to the Court that the names of the persons mentioned in said Petition as being interested in said proceedings as owners or otherwise of the parcels of land described and the descriptions of the parcels of land are as set forth in the attached Petition and its Schedules, and

It further appearing that the interests sought to be acquired with respect to each parcel described in said Schedules, which interests are necessary for establishing, developing and operating an underground natural gas storage field, as set forth in said Petition and its Schedules, the same being herein and hereby incorporated by reference, and

It further appearing to the Court that said Petition prays that the Court, upon the hearing of such Petition, appoint three disinterested freeholders, who are residents of Wayne County, as Commissioners, to ascertain and determine the necessity of the proposed public use, and the necessity of acquiring and using the interests in land described in said Petition and its Schedules for the purposes named, and the just compensation to be paid therefor to each of the owners thereof, or to those otherwise interested therein, as and for his, her, their, and/or its just compensation for the interests in the land sought to be taken by this proceeding;

IT IS THEREFORE ORDERED, that the 2nd day of April, 1968, at 11 o'clock in the forenoon in the Probate Courtrooms, in and for the County of Wayne, Michigan, be and hereby is fixed as the time and place for the hearing of said Petition, and the persons or parties set out in said Schedules A and B, or C, and all other persons interested in said parcels of land or any part thereof, affected by said Petition, shall appear and answer such Petition and show cause, if any they have, against the same.

It is further ordered that a copy of this order shall be served at least ten days before the day of hearing upon the parties above named who reside in and can be found in this County, and upon persons having possessory interests in the interests sought to be acquired by the Petition, if other than the owner thereof; and further, that service upon persons having recorded interests in such property, who reside out of or are absent from the County, or whose whereabouts cannot be ascertained, be made as in such case made and provided by Statutes or applicable Court Rules.

JOSEPH A. MURPHY
Judge of Probate,
Wayne County, Michigan

Frank Felock
Deputy Probate Register

DeVine & DeVine

By John B. DeVine
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Ann Arbor, Michigan 48108
Attorneys for Petitioner
Consumers Power Company
S.H. Redner
R.F. Godbout
Business Address:
212 West Michigan Avenue
Jackson, Michigan 49201

Of Counsel for Petitioner

STATE OF MICHIGAN
IN THE PROBATE COURT FOR
THE COUNTY OF WAYNE

PETITION

IN THE MATTER OF THE PETITION OF CONSUMERS POWER COMPANY, ACORPORATION, FOR THE CONDEMNATION OF CERTAIN INTERESTS IN LANDS IN WAYNE COUNTY, MICHIGAN, AS AGAINST:

ADMIRAL DEVELOPMENT COMPANY
AETNA LIFE INSURANCE COMPANY
DONALD E. ALSBRO AND SHARON ALSBRO
RICHARD E. ALSBRO
AMERICAN COMMUNITY MUTUAL INSURANCE COMPANY
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Respondents and Defendants

STATE OF MICHIGAN
IN THE PROBATE COURT FOR
THE COUNTY OF WAYNE

IN THE MATTER OF THE PETITION OF CONSUMERS POWER COMPANY, A CORPORATION, FOR THE CONDEMNATION OF CERTAIN INTERESTS IN LANDS IN WAYNE COUNTY, MICHIGAN.

PETITION FOR CONDEMNATION OF INTERESTS IN LAND

To the Probate Court for the County of Wayne:

Petitioner, Consumers Power Company, pursuant to the provisions of Act No. 238 of the Public Acts of 1923, as amended, respectfully shows unto the Court as follows:

1. That Petitioner is a corporation lawfully organized under the laws of the State of Maine, and is engaged, among other things, in producing, gathering, storing, transmitting, distributing, selling and supplying gas to the public generally, and is duly authorized to carry on such business as a public utility in the State of Michigan, with its principal offices therein located at 212 West Michigan Avenue, Jackson, Michigan.

2. That Petitioner is engaged in the distribution and sale of natural gas in 37 counties in Michigan's Lower Peninsula, serving more than 745,000 customers in such area.

3. That Petitioner is acquiring and developing the so-called Northville underground natural gas storage field in the State of Michigan, for the purpose of producing and storing natural gas underground in formations lying between the top of the Detroit River formation (approximately 1,000 feet below the surface) and the base of the Black River formation (approximately 5,000 feet below the surface), for ultimate sale of such gas to the public generally. The surface area, underlaid by the formation or formations for natural gas storage in the proposed Northville underground natural gas storage field, is located in the Township of Lyon, Oakland County, the Township of Salem, Washtenaw County, the Townships of Northville and Plymouth, Wayne County, and the City of Plymouth, Wayne County, Michigan, and is described as follows:

Land in the Township of Lyon, Oakland County, Michigan, described as: The W 1/2 of the SW 1/4 of Section 27; the East 40 acres of the SW 1/4 and the SE 1/4 of Section 28; the NE 1/4 and the E 1/2 of the NW 1/4 of Section 33; all of Section 34; the West 26 acres of the SE 1/4 and the SW 1/4 of Section 35; all in T1N, R7E.

Land in the Township of Salem, Washtenaw County, Michigan, described as: The W 1/2 of the NE 1/4, the NW 1/4, the SW 1/4 and the SE 1/4 except the North 330.00 feet of the East 660.00 feet of said SE 1/4, all in Section 1; the NE 1/4, the NW 1/4, the E 1/2 of the SW 1/4 and the SE 1/4 of Section 2; the N 3/8 of the E 1/2 of the NE 1/4 of Section 3; the NE 1/4, the E 1/2 of the NW 1/4, the NW 1/4 of the NW 1/4, the East 235.00 feet of the SW 1/4 of the NW 1/4, the E 1/2 of the SE 1/4 and the East 60 acres of the W 1/2 of the SE 1/4 of Section 12; all in T1S, R7E.

Land in the Township of Northville, Wayne County, Michigan, described as: The South 26.58 acres of the West 1667.25 feet of the SW 1/4 of Section 6; all of Section 7 except the North 43.50 acres of the E 1/2 of the NE 1/4; the SW 1/4 and the West 40 acres of the SE 1/4 of Section 8; all that part of the SW 1/4 of Section 14 lying West of the center line of Northville Road as located in 1943 and also lying West of the South 207.67 feet of the West line of the Chesapeake & Ohio Railway Company's Right of Way; the South 24.46 acres of the NE 1/4, the SW 1/4 and the SE 1/4 of Section 15; all of Section 16; all of Section 17; the NE 1/4 and the East 40 acres of the NW 1/4 of Section 18; all in T1S, R7E.

Land in the Township of Plymouth, Wayne County, Michigan, described as: The North 40 acres of the E 1/2 of the NE 1/4, the W 1/2 of the NE 1/4 and the NW 1/4 of Section 20; the NE 1/4 and the NW 1/4 except the South 25 acres of the West 1813.76 feet of the NW 1/4 and the East 70.84 acres of that part of the S 1/2 of Section 21 lying North of the North line of the Chesapeake & Ohio Railway Company's Right of Way; all that part of the E 1/2 of Section 22 lying North of Supervisor's Plymouth Plat #6 as recorded in Liber 72 of Plats on Page 47; also Lots 104 to 157 inclusive and Lots 160, 161 and 162 of said Supervisor's Plymouth Plat #6; also that part of the SE 1/4 of said Section 22 lying Easterly of the West line of Lot 116 of Supervisor's Plymouth Plat #6 prolongated to the North line of the Chesapeake & Ohio Railway Company's Right of Way; also that part of the W 1/2 of Section 22 lying North of the North line of the Chesapeake & Ohio Railway Company's Right of Way; that part of the NW 1/4 of Section 23 lying West of the center line of Northville Road and South of a line which extends due West to the West line of said Section 23 from the intersection of the center lines of Five Mile Road and Northville Road excepting therefrom Lot 72 of Supervisor's Plymouth Plat #5 as recorded in Liber 66 of Plats on Page 36, all of the SW 1/4 of Section 23 excepting the lots and portions of the lots that fall within the limits of the said SW 1/4 described as: Lots 39b, 45, 46 and 47 of Supervisor's Plymouth Plat #3 as recorded in Liber 66 of Plats on Page 98 and further excepting Lots 7 to 11 inclusive and 17 to 21 inclusive of Parkway Heights subdivision as recorded in Liber 67 of Plats on Page 91; all that part of the SE 1/4 of Section 23 described as: That part of Lot 35 of Supervisor's Plymouth Plat #3 that falls within the limits of said SE 1/4; entire plat of Assessor's Plymouth Plat #16 as recorded in Liber 66 of Plats on Page 82; and Lots 18, 19, 20, 21, 22, 23 and 24 of Supervisor's Plymouth Plat #2 as recorded in Liber 66 of Plats on Page 39 excepting from Lot 20 land described as: The Northerly 365.00 feet of the Westerly 200.00 feet thereof, and further excepting from said Lot 20 land described as: Beginning at the NE corner of said Lot and running thence South 1° 08' 50" East 400.00 feet, thence North 85°02'36" West 118.13 feet, thence North 90°56'25" West 365.00 feet to the South line of Wilcox Road, thence along said South line North 79° 53' 15" East 175.46 feet to the place of beginning of this exception; that part of the SW 1/4 of Section 24 described as: Beginning at the SW corner of said Section and running thence North on the West line of the Section 513.50 feet, thence East 140.20 feet, thence Southeasterly 1038.40 feet to a point 33.00 feet East of the West line of Haggerty Road and 415.20 feet North of the South line of Section 24 measured on a line which runs in a Northeasterly and Southwesterly direction and lies 33.00 feet East of and parallel to the West line of Haggerty Road, continuing thence Northeasterly along said line 33.00 feet East of and parallel to the West line of said Haggerty Road to its intersection of the South line of Schoolcraft Road, Running thence Southeasterly along the South line of said Schoolcraft Road to the North and South quarter line of said Section 24, running thence South along the said North and South quarter line to the South line of the Section, running thence West along the South line of said Section to the place of beginning; all that part of Section 25 described as: Beginning at a point where the center line of Plymouth Road intersects the West line of said Section, running thence North along the West Section line to the North line of said Section 25, running thence East along the North line of the Section to the NE corner of the W 1/2 of the NE 1/4 of said Section, running thence South to the North line of the Chesapeake & Ohio Railway Company's Right of Way, running thence Easterly and Southeasterly along the North line of said Railway Company's Right of Way to the center line of Eckles Road, running thence South along said center line of Eckles Road to its intersection with the center line of Plymouth Road, running thence Northwesterly along the center line of Plymouth Road to a line which runs in a Northerly and Southerly direction and lies approximately 1490.00 feet East of and parallel to the North and South quarter line of said Section, running thence South on said line to a point of intersection of a line which runs in an Easterly and Westerly direction and said point being approximately 1011.00 feet South of the East and West quarter line and approximately 1490.00 feet East of the North and South quarter line of said Section, running thence Westerly along said line and parallel to the East and West quarter line of said Section approximately 2640.00 feet, running thence North on a line parallel to the North and South quarter line of said Section to the center line of Plymouth Road, running thence Northwesterly along the center line of Plymouth Road to the West line of the Section and the place of beginning; all that part of the NE 1/4 of Section 26 which lies North of the center line of Plymouth Road; all that part of the NW 1/4 of Section 26 described as: Beginning at the NW corner of said Section 26, running thence South along the West line of said Section (being also the West line of Lot 125 of Kate E. Allen's Addition to Plymouth Village as recorded in Liber 22 of Plats on Page 54) to the North line of Junction Avenue, running thence East along said North line to the West line of the Chesapeake & Ohio Railway Company's Right of Way, running thence Southeasterly along said Railway Company's Right of Way lands to a point which would intersect the center line of Liberty Street if said center line extended Westerly across the Chesapeake & Ohio Railway Company's Right of Way, running thence Easterly along said extended center line of Liberty Street to its intersection with the center line of Starkweather Avenue, running thence Southerly along said center line of Starkweather Avenue to its intersection with the center line of North Main Street, running thence Northeasterly along the center line of North Main Street to its intersection with the center line of Mill Street, running thence Northerly along said center line of Mill Street to the North line of Section 26, running thence Westerly along the North line of Said Section 26 to the point of beginning; all being in T1S, R8E.

That Petitioner has acquired, prior to the filing of this Petition, by means other than by condemnation, at least seventy-five per cent (75%), computed in respect to surface area, of the property rights and the interests in said underground natural gas storage field required for gas storage purposes.

4. That the interests in land sought to be acquired through these proceedings from each of the respondents and defendants are necessary for establishing, developing and operating the aforesaid proposed underground natural gas storage field and are as follows:

(a) an easment for the exclusive right to store natural gas, from any source obtained underground in and under the lands described in Schedule A in those formations lying between the top of the Detroit River formation and the base of the Black River formation and the exclusive right to establish, develop and operate an underground natural gas storage field by injecting, storing and withdrawing, at will, any kind of natural gas underground in and under the lands described in Schedule A in and from said formations, by pumping or otherwise, by means of any well now or hereafter owned by Petitioner and now existing on any of the lands described in Schedule A or on lands adjoining or in the vicinity thereof; and for the exclusive right to use said formations for the protection of stored gas; and

(b) all of the right, title, interest and estate of respondents and defendants, under and by virtue of any oil and gas leases now existing and as shown on Schedule A and Schedule B attached hereto, insofar as said leases affect and include those formations lying between the top of the Detroit River formation and the base of the Black River formation, including any drilling delay rental payable under such leases; and including royalties and overriding royalties accrued and to accrue thereunder; and all of the respondents' and defendants' reversionary rights to the gas, oil, minerals and other products contained in said formations, in and under said land in the event any such leases become cancelled, forfeited or terminated insofar as said leases affect and include those formations lying between the top of the Detroit River formation and the base of the Black River formation; and

(c) all of the right, title, interest and estate owned by respondents and defendants in the working interest in any oil and gas leases shown on Schedule A and Schedule B attached hereto, insofar as said leases affect and include those formations lying between the top of the Detroit River formation and the base of the Black River formation; and all of the right, title, interest and estate of such owners in any now existing well or wells together with the right of any such working interest owners to operate, maintain, repair, rework, deepen or abandon such well or wells as shown on Schedule C attached hereto; and

(d) all of the right, title and interest of respondents and defendants, where no oil and gas lease exists, to all of the gas, oil, minerals and products contained in, and the exclusive right to remove same from, all sands, strata, formations and horizons lying between the top of the Detroit River formation and the base of the Black River formation, and as shown on said Schedule A and Schedule B attached hereto; and

(e) an easement or easements, as set forth in Schedule C, to enter upon the surface of certain of the lands described in Schedule A for the purpose of operating, redrilling, replacing and maintaining a well; and for the right to use, construct and maintain such roadways as may be necessary for free and clear passage across and upon the lands to any such well and the right to construct, install, maintain and remove structures, fences surrounding structures, pipe lines, casings, drips, valves and other appliances usual, necessary and convenient for such uses upon the lands described in Schedule C; and the right and privilege of Petitioner to abandon its facilities and remove its property at any time.

The descriptions of the parcels of land in which the aforesaid interests of said respondents and defendants are sought to be acquired, and the name or names of the persons owning or having an interest in said parcels insofar as disclosed by the records in the Office of the Register of Deeds in and for the county, and others interested in said parcels are as set forth in said Schedule A, Schedule B and Schedule C attached hereto.

5. That the interests in land described in Paragraph 4 hereof are required for the purpose of establishing, operating and maintaining said underground natural gas storage field, and for producing, gathering, storing, transmitting, selling and supplying natural gas to the public and the acquisition of said interests is necessary for the public use and the attainment of said purposes.

6. That the interests in land sought to be condemned and described in Paragraph 4 hereof do not lie within a known mineral zone of iron ore, copper or coal and none of the rights, interests or properties herein sought to be condemned are owned, leased or used by any public utility or natural gas company other than Petitioner, as defined in Act No. 238 of the Public Acts of 1923, as amended.

That the condemnation of interests in lands herein sought will be without prejudice to the right of the owner or owners of such lands, dry natural gas leaseholds or other property or interests therein to drill through a formation or formations used or to be used for underground storage of natural gas provided adequate precautions are taken by such owner or owners to prevent the escape of gas stored in such formation or formations.

7. That Petitioner does not know, and has been unable, after diligent search and inquiry, to ascertain the names of those persons who are included as respondents and defendants herein without being named other than as being included in the phrase "or his unknown heirs, devisees, legatees and assigns."

It That Petitioner herewith gives notice that Petitioner will apply to the Court, following a determination by the Commissioners, to be appointed, that the necessity of taking has been established in favor of Petitioner and for the purposes named in this Petition, for an order authorizing Petitioner immediately to occupy the premises herein sought to be acquired, pending further proceedings herein. Such application will be in accordance with the provisions of Section 2h of said Act No. 238 of the Public Acts of 1923, as amended, the same being Michigan Statutes Annotated (Supp.), Section 22.1672(8).

WHEREFORE, the Petitioner prays:

(a) That an order be made by the Court fixing a date for the hearing of this Petition and requiring each and all of the persons referred to and set forth in Schedules A, B and C attached hereto and made a part hereof, as owning or having an interest in the lands, or any part thereof, described in said Schedules A, B and C, and all other persons interested in said parcels of land, and the rights therein, or any part thereof, to appear and answer this Petition and show cause, if any they have, against the same.

(b) That upon the hearing of the Petition, the Court shall appoint three disinterested freeholders, who are residents of the County, as Commissioners, to ascertain and determine the necessity of the proposed public use, the necessity of acquiring and using the interests in land hereinabove described for the purposes named and the just compensation to be paid therefor by Petitioner to the owner or owners thereof, as his, her, their, and/or its respective interests therein appear or are made to appear, as and for his, her, their, and/or its just compensation for the interests in land sought to be taken by this proceeding, and to perform such other duties as are assigned and provided to be performed by such Commissioners by said Act 238 of the Public Acts of 1923, as amended.

(c) That upon the hearing on this Petition, the Court shall fix a time and place for the first meeting of such Commissioners and require their attendance, and shall fix a time for the filing of their report or reports.

(d) That the Court shall instruct the Commissioners the first determine the necessity of taking the interests in land described in this Petition and its exhibits, Schedule A, Schedule B and Schedule C, for the purposes named in this Petition, and if the necessity of taking is determined by the Commissioners in favor of Petitioner, the Court thereupon shall entertain proof by affidavit or otherwise as to the reason for requiring an immediate and speedy occupation, and upon the hearing on such issue, the Court instruct the Commissioners to make a preliminary determination or estimate of the amount of damages or just compensation likely to accrue from such condemnation, and thereupon grant to Petitioner an order authorizing Petitioner to occupy and take the interests in land described in said Petition and its exhibits, Schedule A, Schedule B, and Schedule C upon the compliance by the Petitioner with the indemnification provisions of Act 238 of the Public Acts of 1923, as amended.

(e) That upon the filing of this Petition, the Court, in its order for appearance, provide for publication and mailing of such order for appearance, with respect to persons residing out of or absent from the county, or whose whereabouts or status are unknown or cannot be ascertained, as in such case made or provided by Statute or applicable Court rules.

(f) That the Court make such other or further orders relative to the condemnation of said lands or interests therein as may be just and proper and as provided by law.

Dated this 20th day of December, 1967.

CONSUMERS POWER CO.
by J.B. Simpson, Vice Pres.

DeVine & DeVine
By John B. DeVine
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300 National Bank & Trust Building
Ann Arbor, Michigan 48108

Attorneys for Petitioner
Consumers Power Company

S.H. Redner
R.F. Godbout

Business Address
212 West Michigan Avenue
Jackson, Michigan 49201

Of Counsel for Petitioner

STATE OF MICHIGAN)
) SS
COUNTY OF JACKSON)

J.B. SIMPSON, being first duly sworn, deposes and says, that he is a Vice President of Consumers Power Company, Petitioner herein, and that he has read the foregoing Petition signed by him on behalf of Consumers Power Company, and that the statements contained therein are true, and that he has been duly authorized to execute the said Petition on behalf of Petitioner.

Deponent further says that Petitioner does not know, and has been unable, after diligent search and inquiry, to ascertain the names of the persons who are included as respondents and defendants herein without being named other than as being included in the phrase "or his unknown heirs, devisees, legatees and assigns."

J.B. Simpson

Subscribed and sworn to before me this 20th day of December, 1967.

H.L. Fruechtenicht, Notary
Public, Jackson County, Mich.

My Commission Expires:
May 8, 1971