

Deed Notation Notification

March 9, 2022

Pursuant to 40 CFR 257.102(i) the attached “Notice of Obligation” for the JR Whiting Ponds 1 and 2 and Pond 6 has been recorded with the Monroe County Register of Deeds on February 22, 2022 for the purposes of notifying any potential purchaser that:

- The land has been used as a coal combustion residual unit; and
- Its use is restricted under the post-closure care requirements as provided by 40 CFR 257.104(d)(1)(iii).

This Notice of Obligation is being placed in the Operating Record as required by 40 CFR 257.105, placed on the publicly accessible internet site as required by 40 CFR 257.107, and shall run with the Property.

NOTICE OF OBLIGATION

This notice of obligation has been recorded with the Monroe County Register of Deeds for the purpose of notifying any potential purchaser pursuant to 40 CFR 257.102(i) that:

- The land has been used as a coal combustion residual unit; and
- Its use is restricted under the post-closure care requirements as provided by 40 CFR 257.104(d)(1)(iii).

The property is also known as Ponds 1 and 2 and Pond 6 (aka Disposal Areas #1 and #2 and Disposal Area #6) is located at **4525 East Erie Road, Erie, Monroe County** and legally described in **Attachment A** attached hereto ("Property").

This Notice of Obligation shall run with the Property and shall be binding upon all future owners, successors, lessees or assigns and their authorized agents, employees, or persons acting under their direction and control. A copy of this Notice of Obligation shall be provided to all future owners, heirs, successors, lessees, assigns, and transferees by the person transferring the interest.

The undersigned person executing this Notice of Obligation is the Owner, or has the express written permission of the Owner, and represents and certifies that he or she is duly authorized and has been empowered to execute and deliver this Notice of Obligation.

CONSUMERS ENERGY COMPANY,
a Michigan corporation

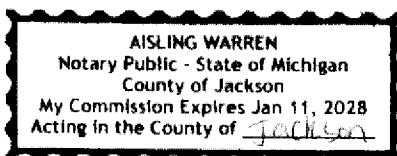
By: *Julie C. Guinn*

Julie C. Guinn

Its: Senior Real Estate Analyst

STATE OF MICHIGAN
COUNTY OF JACKSON

The foregoing instrument was acknowledged before me this 18th day of February, 2022 by Julie C. Guinn, Senior Real Estate Analyst, of Consumers Energy Corporation, a Michigan corporation, on behalf of the corporation.



Aisling Warren
 Aisling Warren Notary Public
 Jackson County, Michigan
 Acting in Jackson County
 My Commission expires: 1/11/2028

Prepared By:
Michelle Marion
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

After recording, return to:
Julie Guinn
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

Attachment A

LEGAL DESCRIPTION

Description for Disposal Areas # 1 & #2 9 (aka Ponds 1 and 2):

A parcel of land in Section 14, Town 8 South, Range 8 East, City of Luna Pier, Monroe County, Michigan, more particularly described as follows:

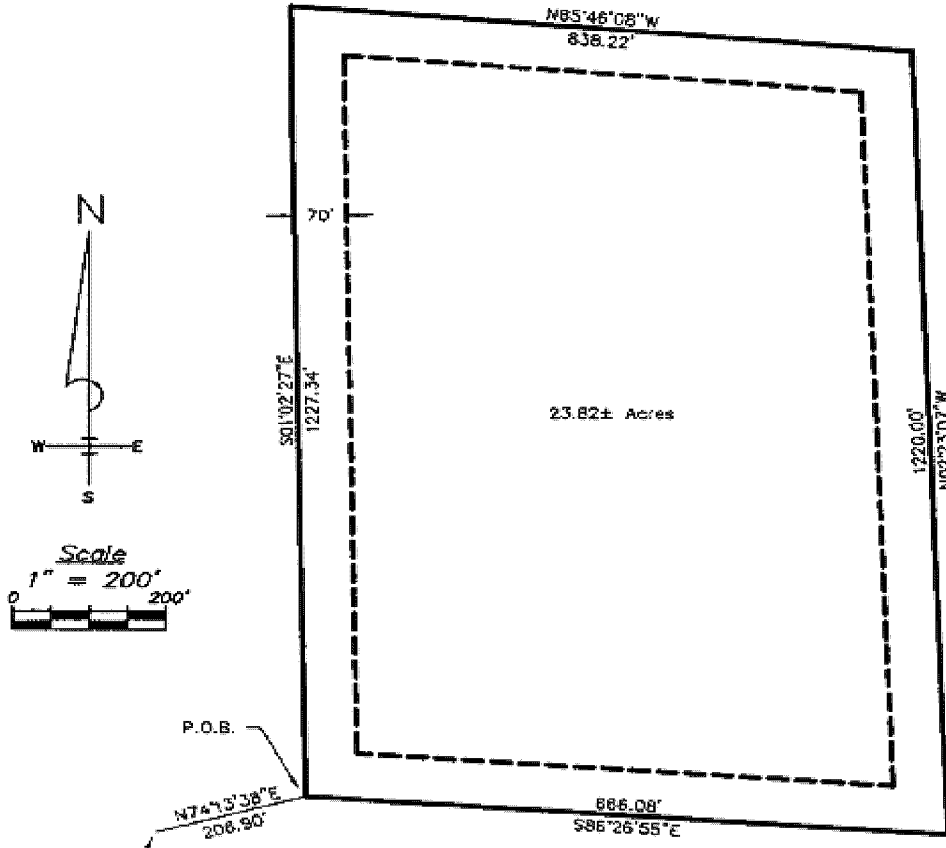
Commencing at the Northwest Corner of said Section 14; thence S86°46'07"E along the North Line of said section, 1435.75 feet; thence S01°02'27"E 28.57 feet to the **Point of Beginning** of this description; thence S01°02'27"E 1227.34 feet; thence S86°26'55"E 866.08 feet; thence N02°23'07"W 1220.00 feet; thence N85°46'08"W 838.22 feet to the **Point of Beginning**. Containing 23.82 acres, more or less.

Description for Disposal Area #6 (aka Pond 6):

A parcel of land in Section 11, Town 8 South, Range 8 East, City of Luna Pier, Monroe County, Michigan, more particularly described as follows:

Commencing at the Southwest Corner of said Section 11, thence East along the South Line of said section 913.78 feet to the **Point of Beginning** of this description; thence continuing East along said South Line, 883.00 feet; thence N01°30'30"E 2496.74 feet to the centerline of the LaPointe Drain; thence N74°43'40"W along said centerline, 989.00 feet; thence S0°06'41"E 2756.39 feet to the **Point of Beginning**. Containing 55.47 acres, more or less.

Whiting Plant - Disposal Areas #1 & #2
 Sec. 14, T8S, R8E
 City of Luna Pier, Monroe County, Michigan



Approximate C/L Intersection of
 Overhead Pipe Rack & Intake Structure
 (C.P. #1 20000,20000)

Legend

- Facility Boundary & Covenant Boundary
- - - Solid Waste Boundary

Coordinate Basis

Assumed North 20,000 & East 20,000
 on Control Point #1 Located on Overhead Pipe Rack
 at Approximate Center of Intake Structure

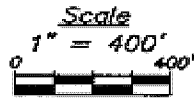
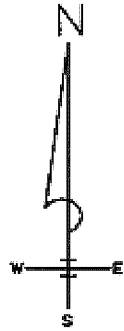
SEE THE MAPS 20726X 0042
 & 20727X 0040

Revised - 5/30/00 - Changed
 Municipality to Luna Pier

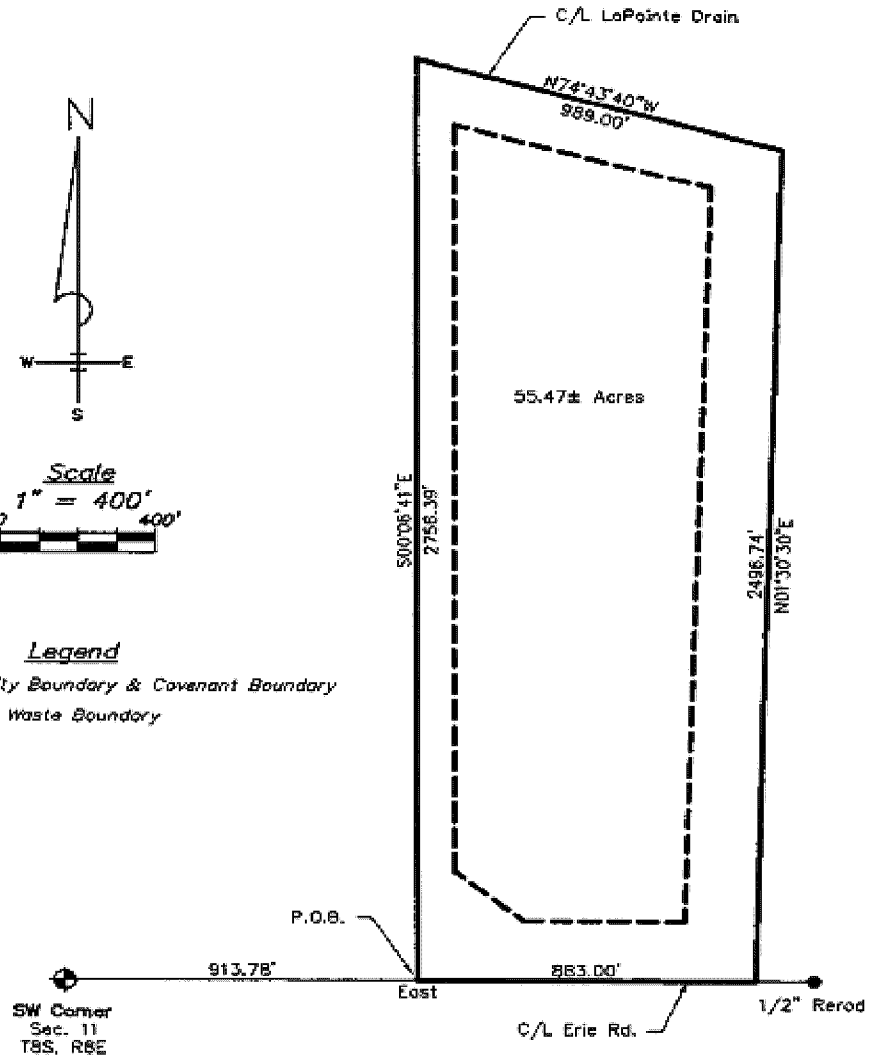
JOB # :	2000.2122
DRAWN :	SSC
DATE :	5-12-00
SCALE :	1" = 200'
PAGE :	2 OF 6

Consumers Energy

Whiting Plant - Disposal Areas #6
 Sec. 11, T8S, R8E
 City of Luna Pier, Monroe County, Michigan



- Legend**
- Facility Boundary & Covenant Boundary
 - - - Solid Waste Boundary



SSC FILE NAME: 21000.2125
 SS FILE NAME: 1910031010

Revised - 5/30/00 - Changed Municipality to Luna Pier

JOB # :	2000.2125
DRAWN :	SSC
DATE :	5-12-00
SCALE :	1" = 400'
PAGE :	4 OF 6

