

September 3, 2020

Mr. Phil Roycraft  
Michigan Department of Environment, Great Lakes, and Energy  
Materials Management Division  
Saginaw Bay District Office  
401 Ketchum St, Suite B  
Bay City, Michigan 48708

**TRANSMITTAL OF SOLID WASTE DISPOSAL AREA OPERATING LICENSE APPLICATION: DE KARN COAL ASH DISPOSAL AREA (TYPE III LOW HAZARD INDUSTRIAL WASTE); WASTE DATA SYSTEM NUMBER 392503**

Dear Mr. Roycraft,

Enclosed please find an application for the initial operating license for the DE Karn Lined Impoundment located in Hampton Township, Bay County, Michigan. The application package includes a check for \$13,00.00 to the State of Michigan as the required fee for submitting an operating license for a coal ash impoundment. Additionally, the following items have been included with this submittal:

- Copy of Irrevocable Letter of Credit No. OSB65301NYA issued by The Bank of Nova Scotia, NY Agency on August 31, 2020
- Original Standby Trust Agreement for Perpetual Care Fund signed by U.S. Bank and Consumers Energy with \$0 placed in Account#232462000 dated September 2, 2020
- Coal Combustion Residuals License to Operate a Solid Waste Disposal Area
  - Facility Area Summary Form
  - Application Fee Worksheet/Table
  - Form A, Financial Assurance Required
  - Facility Site Plan, Figure 1
- Summary/spreadsheet of documents from public-facing compliance website
- Draft Restrictive Covenant with Survey and Legal Description

The DE Karn Lined Impoundment is an "Existing coal ash impoundment" as defined in 324.11503(9) which further characterizes the coal ash impoundment as an "Existing disposal area" as defined in 324.11503(10)(e). The DE Karn Lined Impoundment commenced operation on June 7, 2018 and was in operation as of December 28, 2018, the effective date of the amendatory act referenced as Public Act 640. This solid waste operating license application submittal is an initial application for a solid waste operating license and expected to meet the requirement of obtaining an operating license within 2 years of the effective date of Public Act 640 (December 28, 2020).



The Karn Lined Impoundment, as an existing coal ash impoundment, is exempt from the requirement of submitting a certification under the seal of a licensed professional engineer verifying construction in accordance with approved plans [324.11512(4)]. The construction documentation in possession by Consumers Energy for the lined impoundment was submitted under a separate cover on September 1, 2020, satisfying this statutory requirement. In addition to the construction documentation, the Hydrogeological Monitoring Plan (HMP) was also submitted under a separate cover on September 1, 2020 for review and approval.

Please feel free to contact me with any questions regarding this application or any of the supplemental attachments.

Sincerely,

A handwritten signature in blue ink that reads "Harold D. Register, Jr." with a stylized flourish at the end.

Harold D. Register, Jr., P.E.  
Principal Engineer  
Landfill Operations Compliance  
Phone: (517) 788-2982  
Email: [harold.registerjr@cmsenergy.com](mailto:harold.registerjr@cmsenergy.com)

cc: Mr. Gary Schwerin, EGLE Saginaw Bay District Office  
Ms. Lori Babcock, EGLE Saginaw Bay District Office  
Ms. Margie Ring, EGLE Materials Management Division, Lansing  
Mr. Jim Arduin, EGLE Materials Management Division, Lansing  
Mr. Caleb Batts, Consumers Energy



### COAL COMBUSTION RESIDUALS (CCR)

## LICENSE TO OPERATE A SOLID WASTE DISPOSAL AREA APPLICATION

This information is required under the provisions of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. Providing false information may result in civil or criminal penalties.

This application is hereby made to the director, Michigan Department of Environment, Great Lakes, and Energy for a Coal Combustion Residuals (CCR) License to Operate a Solid Waste Disposal Area. Completion of this form is required to obtain a license.

If help is needed to fill out these forms, please contact your Materials Management Division (MMD) District Office. MMD District Office location information is available on the Department of Environment, Great Lakes, and Energy (EGLE), MMD, web site at: <https://www.michigan.gov/egle> and by clicking on "Locations" in the upper right hand corner. All fields are required.

<b>I. FACILITY NAME AND LOCATION</b>			
<i>A CCR solid waste disposal area includes coal ash landfills and coal ash surface impoundments. Two or more disposal areas may be combined into one facility on a single license. If separate disposal areas are desired, then separate applications are needed.</i>			
NAME OF FACILITY: DE Karn Lined Coal Ash Impoundment			WDS ID NUMBER: 392503
PHYSICAL ADDRESS: 2742 North Weadock Highway		TOWNSHIP: Hampton	COUNTY: Bay
CITY: Essexville	STATE: MI	ZIP CODE: 48732-	TELEPHONE: (989) 891-3019 x
LEGAL NAME OF FACILITY OWNER: Consumers Energy Company			

<b>II. OPERATOR/APPLICANT</b>			
<i>A Michigan Corporate ID Number is 9 digits. Municipally owned facilities usually do not have a Michigan Corporate ID Number. Enter "N/A" or "Municipality" for these.</i>			
LEGAL NAME OF OPERATOR/APPLICANT: Consumers Energy Company			
MAILING ADDRESS: One Energy Plaza		CITY: Jackson	
STATE: MI	ZIP CODE: 49201-	TELEPHONE: (517) 788-2982 x	MICHIGAN CORPORATE ID NUMBER: 021395
RESPONSIBLE INDIVIDUAL: Caleb D. Batts	TITLE: CCR Operations Lead		TELEPHONE: (989) 891-3019 x
PERSON PREPARING APPLICATION: Harold D. Register, Jr.	TITLE: Principal Engineer		TELEPHONE: (517) 788-2982 x

<b>III. PROPERTY OWNER(S) and MINERAL RIGHTS OWNER(S)</b>			
<i>List all entities that own a portion of either the property and/or mineral rights. If there are multiple owners and/or contact persons, attach a separate sheet, and indicate in space provided.</i>			
NAME OF OWNER: Consumers Energy Company		TELEPHONE: (989) 891-3019 x	
CONTACT PERSON Caleb D. Batts		TELEPHONE: (989) 891-3019 x	
ADDRESS: 2742 North Weadock Highway		CITY: Essexville	STATE: MI      ZIP CODE: 48732-

<b>IV. APPLICATION TYPE:</b>		
<input checked="" type="checkbox"/> First application for a new disposal area	<input type="checkbox"/> Renewal of previous activities	<input type="checkbox"/> Previous license expired
<input type="checkbox"/> Change in owner	<input type="checkbox"/> Renewal with application for additional authorization (Landfills only)	

<b>V. CONSTRUCTION PERMIT (Number(s) and date(s) issued)</b>			
<i>List all that currently apply to facility. Attach separate sheet if necessary.</i>			
<u>PERMIT NUMBER</u>	<u>ISSUE DATE</u>	<u>PERMIT NUMBER</u>	<u>ISSUE DATE</u>
N/A	N/A	N/A	N/A

**COAL COMBUSTION RESIDUALS (CCR) LICENSE TO  
OPERATE A SOLID WASTE DISPOSAL AREA APPLICATION**

**VI. TYPE OF DISPOSAL AREA** *Check all that apply. More than one may be selected.*

	<u>RENEWAL</u>	<u>NEW</u>
<input type="checkbox"/> Coal Ash Landfill	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Coal Ash Surface Impoundment	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VII. FEE AND APPLICATION DOCUMENTS** *Check all that apply*

Combined Facility Area Summary and License Application/Annual Fee Worksheet:	<input checked="" type="checkbox"/> Attached		
Copy of Application Fee check:	<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> N/A	Amount \$13,000
Construction Certification:	<input type="checkbox"/> Attached	<input checked="" type="checkbox"/> No new construction	
Declaration of Restrictive Covenant:	<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> N/A	<input type="checkbox"/> Previously submitted
Perpetual Care Fund (PCF) Agreement:	<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> N/A	<input type="checkbox"/> Previously submitted
PCF Financial Statement:	<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> N/A	
Financial Assurance documents:	<input checked="" type="checkbox"/> Attached	<input type="checkbox"/> N/A	
Facility Map:	<input checked="" type="checkbox"/> Attached		
Financial Assurance forms:	<input checked="" type="checkbox"/> A	<input type="checkbox"/> D	

**VIII. TYPE OF WASTE:** *Check one*

Same as previously authorized       Change or first application: Separate description attached as necessary

**IX. SPECIAL CONDITION(S):** *Check all that apply. Attach separate sheet if necessary.*

<input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Alternative Daily Cover(s)	<input type="checkbox"/> Request Attached	<input type="checkbox"/> Request Previously Approved (date):
	<input type="checkbox"/> Leachate Recirculation	<input type="checkbox"/> Request Attached	<input type="checkbox"/> Request Previously Approved (date):
	<input type="checkbox"/> Other:	<input type="checkbox"/> Request Attached	<input type="checkbox"/> Request Previously Approved (date):

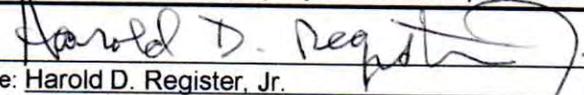
The undersigned certify that they are fully authorized as a signatory by the party they represent, and that this information and all attached pages are correct and complete.  
*Any person signing as a representative for the operator, facility owner, and/or property owner must certify that they are an authorized signatory for that person.*

OPERATOR'S SIGNATURE: <u>Harold D. Register, Jr.</u>	DATE: <u>09/03/2020</u>
TYPED or PRINTED NAME: <u>Harold D. Register, Jr.</u>	TITLE: <u>Principal Engineer</u>
FACILITY OWNER'S SIGNATURE: <u>Harold D. Register, Jr.</u>	DATE: <u>09/03/2020</u>
TYPED or PRINTED NAME: <u>Harold D. Register, Jr.</u>	TITLE: <u>Principal Engineer</u>
PROPERTY OWNER'S SIGNATURE: <u>Harold D. Register, Jr.</u>	DATE: <u>09/03/2020</u>
TYPED or PRINTED NAME: <u>Harold D. Register, Jr.</u>	TITLE: <u>Principal Engineer</u>

## FACILITY AREA SUMMARY

LEGAL NAME OF FACILITY: DE Karn Lined Coal Ash Impoundment	WDS ID NUMBER: 392503
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DETAILED FACILITY DESCRIPTION		
<b>Active Portion(s):</b> To be an active portion, it must have been included in the previous license as active, a constructed area certified with the previous application, or an unconstructed area with financial assurance that was both constructed and certified during the previous license period.		
This format should be used to describe the following individual areas: <i>Area identifier, acreage, date certified closed.</i>		
1.	Coal Ash Landfill (number of cells or units)	SUBTOTAL      acres
2.	Coal Ash Surface Impoundment (number of cells or units) 1 Cell	SUBTOTAL      2.3      acres
3.	Unconstructed Area(s) with Financial Assurance <i>Permitted but unconstructed.</i>	SUBTOTAL      acres
<b>Closed Portion(s):</b> To be a closed portion, a final cover must be in place, a final cover must be properly certified, and certification must be approved by MMD.		
4.	Coal Ash Landfill (number of cells or units)	SUBTOTAL      acres
5.	Coal Ash Surface Impoundment (number of cells or units)	SUBTOTAL      acres
<b>Facility Area NOTE:</b> <i>This area is the entire property and should equal the total of Items 1 – 5 above.</i>		<b>TOTAL      2.3      acres</b>

Preparer's Signature:  Date: 09/03/2020  
 Typed or Printed Name: Harold D. Register, Jr. Title: Principal Engineer  
 Telephone: Office: 517-788-2982 Cell: 517-740-0655 Fax: 517-788-2329 E-mail: harold.registerjr@cmsenergy.com

**COAL COMBUSTION RESIDUALS (CCR) LICENSE TO  
OPERATE A SOLID WASTE DISPOSAL AREA APPLICATION**

For Cashier's Use Only:	CCR
Accounting Template:	761RSWCCR

**LICENSE TO OPERATE APPLICATION  
FEE WORKSHEET/TABLE**

**WASTE AMOUNT:** Remaining Capacity: 9,660 cubic yards  
Air Space (cubic yards) OR Years Projected: 10 yrs

<b>LEGAL NAME OF FACILITY:</b> DE Karn Lined Coal Ash Impoundment	<b>WDS ID NUMBER:</b> 392503
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<b>ANNUAL FEE</b>			
	Type of Disposal Area		Annual Fee
<input type="checkbox"/>	Coal Ash Landfill	\$13,000/unit	\$
<input type="checkbox"/>	Coal Ash Surface Impoundment	\$13,000/unit	\$
<b>ANNUAL FEE SUBTOTAL</b>			\$
<b>ANNUAL FEE TOTAL (Enter here and Section VII of the License Application Form)</b>			<b>\$</b>

<b>LICENSE APPLICATION FEE</b>			
	Type of Disposal Area		License Application Fee
<input type="checkbox"/>	Coal Ash Landfill	\$13,000/unit	\$
<input checked="" type="checkbox"/>	Coal Ash Surface Impoundment	\$13,000/unit	\$13,000
<b>LICENSE APPLICATION FEE SUBTOTAL</b>			\$
<b>LICENCE APPLICATION FEE TOTAL (Enter here and Section VII of the License Application Form)</b>			<b>\$13,000</b>

Preparer's Signature: Harold D. Register, Jr. Date: 09/03/2020  
 Typed or Printed Name: Harold D. Register, Jr. Title: Principal Engineer  
 Telephone: Office: 517-788-2982 Cell: 517-740-0655 Fax: 517-788-2329 E-mail: harold.registerjr@cmsenergy.com

Make check or money order payable to:	REMIT TO:
STATE OF MICHIGAN	MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY CASHIER OFFICE PO BOX 30657 LANSING, MI 48909-8157
<b>Return this completed and signed Worksheet and the fee to the Cashier Office.</b>	

All facilities return the remainder of the application documents, a copy of this Worksheet, a copy of the application fee, and any attachments directly to the Department of Environment, Great Lakes, and Energy through the Materials Management Division's District Office. If the proposed disposal area is located in Wayne County, return a copy of the remainder of the application documents, a copy of this Worksheet, a copy of the application fee, and copies of any attachments to Wayne County Land Resource Management Division.

**FORM A (CCR ONLY)  
FINANCIAL ASSURANCE REQUIRED<sup>1</sup>**

LEGAL NAME OF FACILITY: Karn Lined Impoundment	WDS ID NUMBER: 392503
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Reason for Submittal:

License Application                       Reduction in Cost Estimate                       Release in Cost Estimate

FACILITY CLOSURE COST ESTIMATE			
1.	Total Acreage of Unit(s):	2.3 acres	
2.	Bonding for Unit(s) (line 1 x \$20,000) (Maximum Bond Amount of \$1,000,000, Minimum of \$20,000)		\$46,000
3.	Corrective Action Cost Estimate (Form D, line 10)	\$	
4.	Other required Financial Assurance:	\$	
5.	<b>Total Cost Estimate (lines 2 + 3 + 4):</b>		<b>\$46,000</b>

FINANCIAL ASSURANCE PROVIDED			
6.	Existing Bond(s) to be used during licensing period (Submit evidence of continuation if applicable): Financial Institution Name(s) (List on separate sheet if needed)                      Amount(s)                      Type(s) <sup>2</sup> Account Number(s)		
a.		\$	
b.		\$	
7.	New Bond(s) to this application: Financial Institution Name(s) (List on separate sheet if needed)                      Amount(s)                      Type(s) <sup>2</sup> Account Number(s)		
a.	Bank of Nova Scotia, NY Agency	\$46,000	LOC                      [REDACTED]
b.		\$	
8.	<b>Total of Bonds (lines 6a + 6b + 7a + 7b):</b>	<b>\$46,000</b>	
9.	Current Balance of Perpetual Care Fund (Attach current statement) Financial Institution Name(s) (List on separate sheet if needed)                      PCF Amount(s)                      PCF Account #(s)		
a.		\$0	[REDACTED]
b.		\$	
10.	<b>Total Perpetual Care Fund Balance</b>		<b>\$0</b>
11.	<b>Total Financial Assurance (lines 8 + 10):</b>	<b>Must be ≥ line 5</b>	<b>\$</b>
12.	Bond(s) to be Reduced/Released (i.e. will not count toward financial assurance requirement) Financial Institution Name(s)                      Amount(s)                      Type(s) <sup>3</sup> Account Number(s)		
a.		\$	
b.		\$	
13.	Are all units on the same closure schedule? If No, attach a separate summary sheet. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

Preparer's Signature: Harold D. Register, Jr.                      Date: 09/03/2020  
 Typed or Printed Name: Harold D. Register, Jr.                      Title: Principal Engineer  
 Telephone: Office: 517-788-2982                      Cell: 517-740-0655                      Fax: 517-788-2329                      E-mail: harold.registerjr@cmsenergy.com

**FORM D**

<sup>1</sup> This form may also be used to request a reduction in the approved cost estimates and corresponding financial assurance.  
<sup>2</sup> Insurance may not be used to cover corrective action costs.  
<sup>3</sup> Bond types include surety bond, certificate of deposit, cash bond, irrevocable letter of credit, insurance, trust fund, or escrow account.  
 EGLE Environmental Assistance Center                      [Michigan.gov/EGLE](http://Michigan.gov/EGLE)                      EQP5508  
 800-662-9278                      Page 5 of 6                      Rev. 6/2020

**LEGEND**

-  DEK BOTTOM ASH POND MONITORING WELL
-  DECOMMISSIONED WELL
-  BOTTOM ASH POND & LINED IMPOUNDMENT MONITORING WELL
-  DEK LINED IMPOUNDMENT MONITORING WELL
-  MONITORING WELL
-  EXTENT OF GEOSYNTHETICS

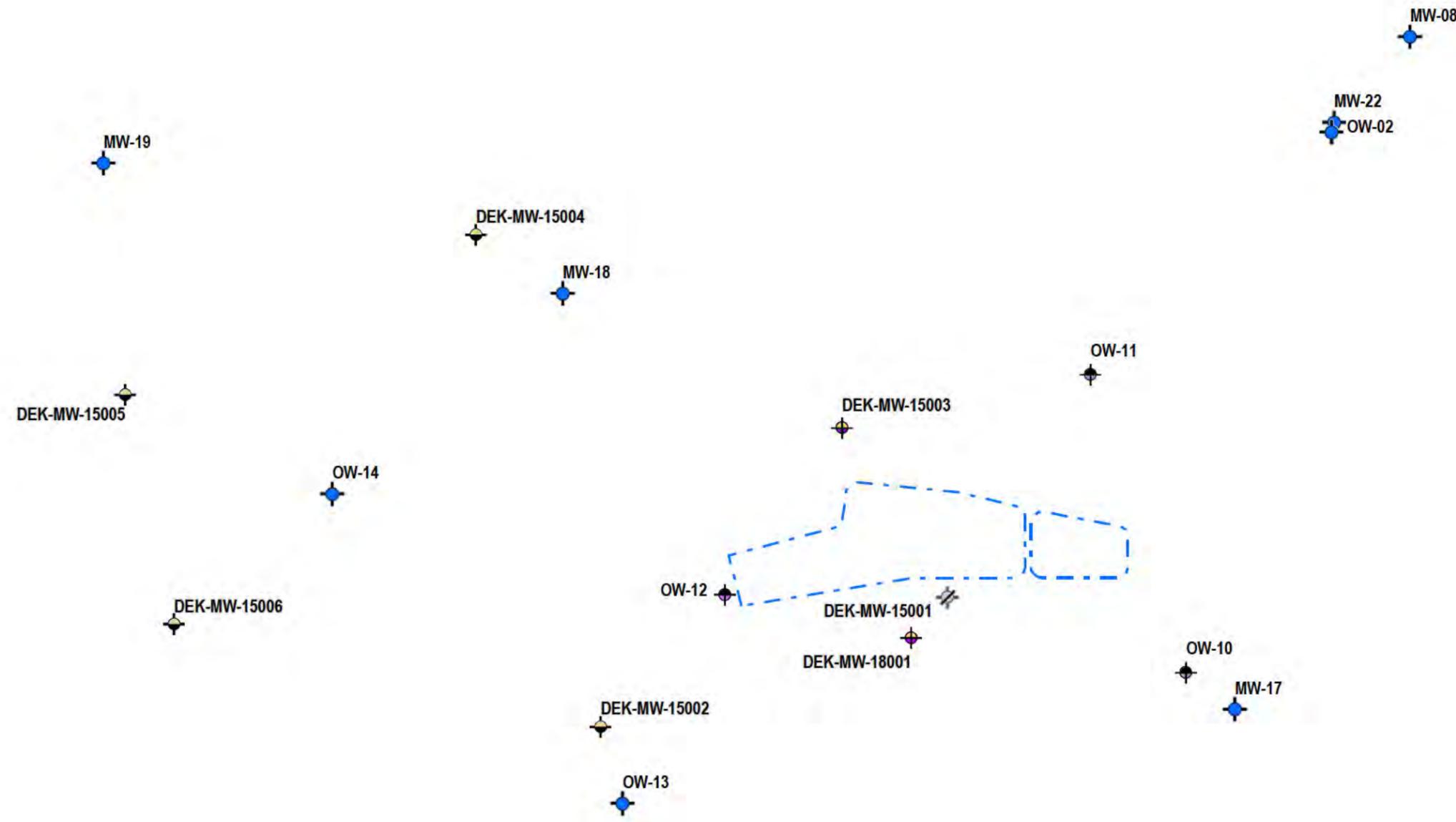
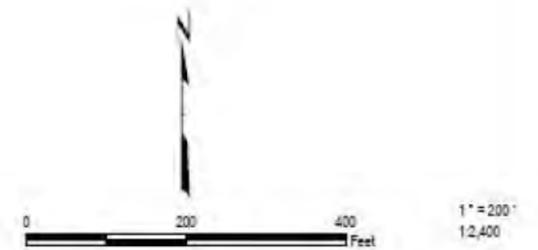


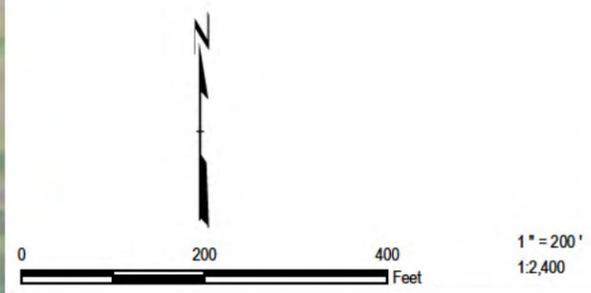
Figure 1



**LEGEND**

- DEK BOTTOM ASH POND MONITORING WELL
- DECOMMISSIONED WELL
- BOTTOM ASH POND & LINED IMPOUNDMENT MONITORING WELL
- DEK LINED IMPOUNDMENT MONITORING WELL
- MONITORING WELL
- EXTENT OF GEOSYNTHETICS

- NOTES**
1. BASE MAP IMAGERY FROM USDA – NATIONAL AGRICULTURE IMAGERY PROGRAM, 7/10/2016.
  2. WELL LOCATIONS SURVEYED BY ROWE PROFESSIONAL SERVICES COMPANY ON 11/4/2015.
  3. NOAA/NATIONAL OCEANIC SERVICE GREAT LAKES GAUGING STATION, ESSEXVILLE, MI (ID: 9075035).



PROJECT:		<b>CONSUMERS ENERGY COMPANY DE KARN POWER PLANT ESSEXVILLE, MICHIGAN</b>	
TITLE:		<b>KARN LINED IMPOUNDMENT AREA</b>	
DRAWN BY:	S. MAJOR	PROJ NO.:	290804-001
CHECKED BY:	D. LITZ	<b>FIGURE 2</b>	
APPROVED BY:	G. CROCKFORD		
DATE:	JUNE 2018		
		1540 Eisenhower Place Ann Arbor, MI 48108-3284 Phone: 734.971.7080 www.trcsolutions.com	
FILE NO.:	290804-001-001.mxd		



**The Bank of Nova Scotia, NY Agency**

Trade Services Center,  
250 Vesey Street (24th Floor)  
New York, NY 10281  
Tel: 212 225 5000  
Fax: 212 225 6464  
SWIFT: NOSCUS33TPS

**Irrevocable**

**Letter of Credit No. OSB65301NYA**

ISSUE DATE: August 31, 2020

Applicant:

**Consumers Energy Company**  
One Energy Plaza  
Jackson, MI 49201

FACILITY NAME: D.E. Karn

WASTE DATA SYSTEM NUMBER: 392503

Beneficiary:

**Michigan Department of Environment, Great Lakes, and Energy**  
Materials Management Division  
Solid Waste Section  
525 W Allegan Street  
Lansing, Michigan 48933

EXPIRATION DATE: **August 31, 2021**

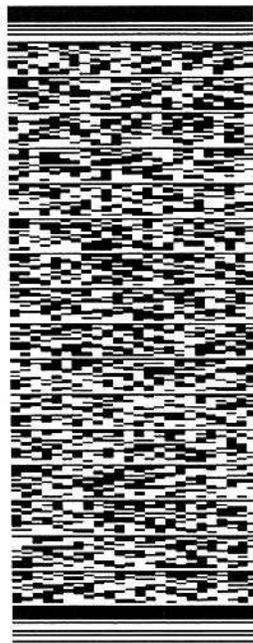
At the request of Consumers Energy Company ("Company"), we hereby issue our Irrevocable Letter of Credit Number OSB65301NYA in favor of the Michigan Department of Environment, Great Lakes, and Energy ("Department"), for a sum of **Forty Six Thousand and 00/100 United States Dollars (USD 46,0000.00)**, available by your drafts at sight drawn on our institution The Bank of Nova Scotia, New York Agency. We are a bank or financial institution which has authority to issue Letters of Credit. The Bank of Nova Scotia, New York Agency, is licensed by the New York State Department of Financial Services and regulated and examined by both the New York State Department of Financial Services and the Federal Reserve Board.

We are informed by the Company that this Letter of Credit is issued to establish a Perpetual Care Fund as financial assurance to the Department for the costs of closure, post-closure monitoring and maintenance, and corrective action as necessary to protect the public health, safety, or welfare, or the environment pursuant to Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, for the solid waste disposal facility known as D.E. Karn located at 2742 Weadock Hwy, Essexville, MI 48732.

ORIGIN ID:YFHA (416) 847-6250  
 AGNES TIO  
 THE BANK OF NOVA SCOTIA  
 4TH FLOOR, 1 ST. CLAIR AVE. E.  
 4TH FLOOR  
 TORONTO, ON M4T 1Z3  
 CANADA CA

SHIP DATE: 31AUG20  
 ACT/WGT: 0.50 LB  
 CAD: 111822496/NET4280  
 BILL SENDER

**TO MATERIALS MANAGEMENT DIVISION**  
**MICHIGAN DEPARTMENT OF ENVIRONMENT,**  
**SOLID WASTE SECTION**  
**525 W ALLEGAN STREET**  
**LANSING MI 48933**  
 (517) 388-0293 REF 0886301NVA  
 INV DEPT  
 PO (US)  
 56BJ3/3044/B766

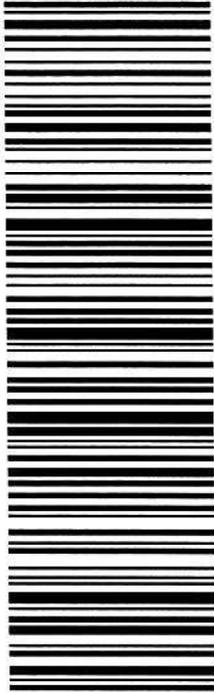


TRK# 7714 0274 7584  
 0430

9:00A  
 INTL FIRST

**X1 LANA**

MI-US  
 48933  
 GRR



After printing this label:

**CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH**

1. Fold the printed page along the horizontal line.
2. Place label in shipping pouch and affix it to your shipment.

**Warning:** Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

**LEGAL TERMS AND CONDITIONS OF FEDEX SHIPPING DEFINITIONS.** On this Air Waybill, "we", "us", and "FedEx" refer to Federal Express Corporation, its subsidiaries and branches and their respective employees, agents, and independent contractors. The terms "you" and "your" refer to the shipper, its employees, principals and agents. If your shipment originates outside the United States, your contract of carriage is with the FedEx subsidiary, branch or independent contractor who originally accepts the shipment from you. The term "package" means any container or envelope that is accepted by us for delivery, including any such items tendered by you utilizing our automated systems, meters, manifests or waybills. The term "shipment" means all packages which are tendered to and accepted by us on a single Air Waybill. **AIR CARRIAGE NOTICE.** For any international shipments by air, the Warsaw Convention, as amended, may be applicable. The Warsaw Convention, as amended, will then govern and in most cases limit FedEx's liability for loss, delay of, or damage to your shipment. The Warsaw Convention, as amended, limits FedEx's liability. For example in the U.S. liability is limited to \$9.07 per pound (205 per kilogram), unless a higher value for carriage is declared as described below and you pay any applicable supplementary charges. The interpretation and operation of the Warsaw Convention's liability limits may vary in each country. There are no specific stopping places which are agreed to and FedEx reserves the right to route the shipment in any way FedEx deems appropriate. **ROAD TRANSPORT NOTICE.** Shipments transported solely by road to or from a country which is a party to the Warsaw Convention or the Contract for the International Carriage of Goods by Road (the "CMR") are subject to the terms and conditions of the CMR, notwithstanding any other provision of this Air Waybill to the contrary. For those shipments transported solely by road, if a conflict arises between the provisions of the CMR and this Air Waybill, the terms of the CMR shall prevail. **LIMITATION OF LIABILITY.** If not governed by the Warsaw Convention, the CMR, or other international treaties, laws, other government regulations, orders, or requirements, FedEx's maximum liability for damage, loss, delay, shortage, mis-delivery, non-delivery, misinformation or failure to provide information in connection with your shipment is limited by this Agreement and as set out in the terms and conditions of the contract of carriage. Please refer to the contract of carriage set forth in the applicable FedEx Service Guide or its equivalent to determine the contractual limitation. FedEx does not provide cargo liability or all-risk insurance, but you may pay an additional charge for each additional U.S. \$100 (or equivalent local currency for the country of origin) of declared value for carriage. If a higher value for carriage is declared and the additional charge is paid, FedEx's maximum liability will be the lesser of the declared value for carriage or your actual damages. **LIABILITIES NOT ASSUMED. IN ANY EVENT, FEDEX WON'T BE LIABLE FOR ANY DAMAGES, WHETHER DIRECT, INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL IN EXCESS OF THE DECLARED VALUE FOR CARRIAGE (INCLUDING BUT NOT LIMITED TO LOSS OF INCOME OR PROFITS) OR THE ACTUAL VALUE OF THE SHIPMENT, IF LOWER, WHETHER OR NOT FEDEX HAD ANY KNOWLEDGE THAT SUCH DAMAGES MIGHT BE INCURRED.** FedEx won't be liable for your acts or omissions, including but not limited to incorrect declaration of cargo, improper or insufficient packaging, securing, marking or addressing of the shipment, or for the acts or omissions of the recipient or anyone else with an interest in the shipment or violations by any party of the terms of this agreement. FedEx won't be liable for damage, loss, delay, shortage, mis-delivery, non-delivery, misinformation or failure to provide information in connection with shipments of cash, currency or other prohibited items or in instances beyond our control, such as acts of God, perils of the air, weather conditions, mechanical delays, acts of public enemies, war, strike, civil commotion, or acts or omissions of public authorities (including customs and health officials) with actual or apparent authority. **NO WARRANTY.** We make no warranties, express or implied. **CLAIMS FOR LOSS, DAMAGE OR DELAY. ALL CLAIMS MUST BE MADE IN WRITING AND WITHIN STRICT TIME LIMITS. SEE OUR TARIFF, APPLICABLE FEDEX SERVICE GUIDE, OR STANDARD CONDITIONS OF CARRIAGE FOR DETAILS.** The Warsaw Convention provides specific written claims procedures for damage, delay or non-delivery of your shipment. Moreover, the interpretation and operation of the Warsaw Convention's claims provisions may vary in each country. Refer to the Convention to determine the claims period for your shipment. The right to damages against us shall be extinguished unless an action is brought within two years, as set forth in the Convention. FedEx is not obligated to act on any claim until all transportation charges have been paid. The claim amount may not be deducted from the transportation charges. If the recipient accepts the shipment without noting any damage on the delivery record, FedEx will assume the shipment was delivered in good condition. In order for us to consider a claim for damage, the contents, original shipping carton and packing must be made available to us for inspection. **MANDATORY LAW.** Insofar as any provision contained or referred to in this Air Waybill may be contrary to any applicable international treaties, laws, government regulations, orders or requirements such provisions shall remain in effect as a part of our agreement to the extent that it is not overridden. The invalidity or unenforceability of any provisions shall not affect any other part of this Air Waybill. Unless otherwise indicated, **FEDERAL EXPRESS CORPORATION, 2005 Corporate Avenue, Memphis, TN 38132, USA,** is the first carrier of this shipment. Email address located at [www.fedex.com](http://www.fedex.com).

**Karn Lined Impoundment**

Part 115 Reference	RCRA Reference	Document/Requirement	Date of Document	Link/Note
314.11512a(1)(a)(i&ii)		Approved hydrogeological monitoring plan	9/1/2020	Part 115 HMP submitted on 09/01/2020 under separate cover from Solid Waste Operating License Application
314.11512a(1)(b)	257.90	2018 Annual Groundwater Report	01/31/2019	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/2019-DEK-Inspection-Lined-Impoundment-Annual-Groundwater.ashx?la=en&amp;hash=6EDC0903205F046151A9BC1B3BE85269">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/2019-DEK-Inspection-Lined-Impoundment-Annual-Groundwater.ashx?la=en&amp;hash=6EDC0903205F046151A9BC1B3BE85269</a>
314.11512a(1)(b)	257.90	2019 Annual Groundwater Report	01/31/2020	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/7_DEK_KLI_CCR%202019%20Annual%20GW%20Report_TRC_FINAL.ashx?la=en&amp;hash=D80BAF7956AD1CFCAD4639261869247B">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/7_DEK_KLI_CCR%202019%20Annual%20GW%20Report_TRC_FINAL.ashx?la=en&amp;hash=D80BAF7956AD1CFCAD4639261869247B</a>
314.11512a(2)	257.81( c)(1)	Run-on and Run-off control system plan	N/A	N/A - not a landfill
314.11512a(3)	257.82( c)(1)	Inflow Design Flood Control System Plan	6/1/2018	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-inflow-design-flood-control.ashx?la=en&amp;hash=40C04B3D112258AE760EC94CBD40D8EC">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-inflow-design-flood-control.ashx?la=en&amp;hash=40C04B3D112258AE760EC94CBD40D8EC</a>
314.11512a(4)	N/A	Construction Permit and Response Action Plan	N/A	N/A - no new construction and no groundwater violations
314.11512a(5)	257.74(a)(3)	Emergency Action Plan	06/07/2018	Letter - Exempted since Hazards Assessment was not "High" or "Significant" Hazard
314.11519a(1)(a)	N/A	Annual leachate testing	N/A	Leachate is collected on a quarterly basis coordinated with the groundwater monitoring events
314.11519a(1)(b)	N/A	Impoundment is not a nuisance, doesn't violate Part 31 or 55	N/A	The Karn Lined Impoundment is compliant with the NPDES permit and has no fugitive dust complaints/issues.
314.11519a(1)(c)	257.83	2018 Annual Surface Impoundment Inspection	10/15/2018	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/2018-DEK-Inspection-Lined-Impoundment-Report%20_FINAL-10-15-18.ashx?la=en&amp;hash=C2756888F2EA34BE17BA79B479C19835">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/2018-DEK-Inspection-Lined-Impoundment-Report%20_FINAL-10-15-18.ashx?la=en&amp;hash=C2756888F2EA34BE17BA79B479C19835</a>
314.11519a(1)(c)	257.83	2019 Annual Surface Impoundment Inspection	10/10/2019	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/2019_DEK%20Inspection%20Bottom%20Ash%20Impoundment%20Report%20_FINAL.ashx?la=en&amp;hash=8C3DF91CC03C4DF5D2A564B6D120981E">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/2019_DEK%20Inspection%20Bottom%20Ash%20Impoundment%20Report%20_FINAL.ashx?la=en&amp;hash=8C3DF91CC03C4DF5D2A564B6D120981E</a>
314.11519a(1)(d)	257.73(a)(2)	Periodic Hazard Potential Classification Assessment	6/4/2018	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-hazard-potential-classification.ashx?la=en&amp;hash=6B3A62900713C6DBAC7A95E608573E78">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-hazard-potential-classification.ashx?la=en&amp;hash=6B3A62900713C6DBAC7A95E608573E78</a>
314.11519a(1)(e)	257.74( c )	History Of Construction	10/17/2016	Letter - Exempted since Design Basis is less than 5 feet and storage volume is less than 20 acre-ft
314.11519a(1)(f)	257.74( d )	Structural Stability Assessment Report	10/13/2016	Letter - Exempted since Design Basis is less than 5 feet and storage volume is less than 20 acre-ft
314.11519a(1)(g)	257.74( e )	Safety Factor Assessment	10/14/2016	Letter - Exempted since Design Basis is less than 5 feet and storage volume is less than 20 acre-ft
314.11519a(2)(a)	257.80(b)	Fugitive Dust Control Plan	11/19/2019	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/2019_DEK_JCW_CCRFugitiveDustControlPlan_rev05.ashx?la=en&amp;hash=8C950D9E62FA70FD632E3BC8BD4CAA47">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/2019_DEK_JCW_CCRFugitiveDustControlPlan_rev05.ashx?la=en&amp;hash=8C950D9E62FA70FD632E3BC8BD4CAA47</a>
314.11519a(2)(a)	257.80(c)	Annual Fugitive Dust Report	12/7/2018	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/2018_DEK_JCW_AnnualCCRFugitiveDustReport.ashx?la=en&amp;hash=41FCEA3924C3F364C63E7F1203F8A353">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/2018_DEK_JCW_AnnualCCRFugitiveDustReport.ashx?la=en&amp;hash=41FCEA3924C3F364C63E7F1203F8A353</a>
314.11519a(2)(a)	257.80(c)	Annual Fugitive Dust Report	12/6/2019	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/2019_DEK_JCW_AnnualFDRReport.ashx?la=en&amp;hash=0E80AAF4E294DB36625F209CCCD59786">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/2019_DEK_JCW_AnnualFDRReport.ashx?la=en&amp;hash=0E80AAF4E294DB36625F209CCCD59786</a>
314.11519a(2)(b)	257.105	Operating Record	N/A	
314.11519a(2)( c)	257.107	CCR Rule Compliance Data and Information	N/A	
314.11519a(4)	257.60-64	Location Restriction Certification Report	06/04/2018	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-location-restrictions.ashx?la=en&amp;hash=37A58B9EA5403BD8D8F210B411F26D44">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-location-restrictions.ashx?la=en&amp;hash=37A58B9EA5403BD8D8F210B411F26D44</a>
	257.72	Liner System Certification Report	4/6/2018	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-liner-system-cert.ashx?la=en&amp;hash=1DEEEEC80981EC6D85CDB054B55C7002">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-liner-system-cert.ashx?la=en&amp;hash=1DEEEEC80981EC6D85CDB054B55C7002</a>
	257.91	Groundwater Monitoring System Certification	6/7/2018	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-groundwater-monitoring-cert.ashx?la=en&amp;hash=1723A9E6479902224B6FFA54DAD4F278">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-groundwater-monitoring-cert.ashx?la=en&amp;hash=1723A9E6479902224B6FFA54DAD4F278</a>
	257.93	Selection of Statistical Procedures Certification	6/7/2018	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-selection-statistical-procedures.ashx?la=en&amp;hash=47495884C322907B6AEB9A8781727D96">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-selection-statistical-procedures.ashx?la=en&amp;hash=47495884C322907B6AEB9A8781727D96</a>
	257.102( c )(2)	Initial Closure Plan	6/4/2018	<a href="https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-closure-plan.ashx?la=en&amp;hash=4B55EF57CEB7274E4749B87C1B5095E9">https://www.consumersenergy.com/-/media/CE/Documents/sustainability/coal-combustion-residuals/dek/lined-impoundment/lined-impoundment-closure-plan.ashx?la=en&amp;hash=4B55EF57CEB7274E4749B87C1B5095E9</a>
	257.104(d)	Initial Postclosure Plan	6/7/2018	Letter - Exempted since Karn Lined Impoundment will Close By Removal provided by §257.102(c) as exempted by §257.104(a)(2).

A CMS Energy Company

Date: June 7, 2018

To: Operating Record

From: Harold D. Register, Jr., P.E. 

RE: Karn Lined Impoundment, New CCR Surface Impoundment  
Matrix of Applicability of CCR RCRA Rule Requirements

On April 17, 2015, the United States Environmental Protection Agency (EPA) issued the Coal Combustion Residual (CCR) Resource Conservation and Recovery Act (RCRA) Rule (40 CFR 257 Subpart D) ("CCR RCRA Rule") to regulate the beneficial use and disposal of CCR materials generated at coal-fired electrical power generating complexes. An owner or operator of a new CCR landfill, new CCR surface impoundment, or any lateral expansion of a CCR unit has obligations to development certifications or plans, complete inspections, or maintain records as detailed in Table 1 (below) with most of the requirements needing to be completed no later than the date of the initial receipt of CCR in the CCR unit.

The Karn Lined Impoundment, a new CCR surface impoundment will start receiving CCRs on June 7, 2018. Based on a review of the design and operation of the Karn Lined Impoundment, the following compliance plans or certifications have been determined to not apply and, therefore, are not necessary to be placed in the operating record or posted to the publically accessible CCR Rule Compliance Data and Information website:

**Emergency Action Plan [§257.74(a)(3)]** – this certification isn't necessary since the hazards assessment certification required by §257.74 (a)(2) didn't determine a high hazard potential or significant hazard potential for the Karn Lined Impoundment.

**Design and Construction Plan [§257.74(c)(1)]** – this certification isn't necessary since the design basis of the Karn Lined Impoundment doesn't exceed five feet or contain a storage volume of 20 acre-ft or more, or exceed a height of 20 feet or more as exempted by §257.74(b).

**Initial Periodic Structural Stability [§257.74(d)]** – this certification isn't necessary since the design basis of the Karn Lined Impoundment doesn't exceed five feet or contain a storage volume of 20 acre-ft or more, or exceed a height of 20 feet or more as exempted by §257.74(b).

**Initial Period Safety Factor Assessment [§257.74(e)]** – this certification isn't necessary since the design basis of the Karn Lined Impoundment doesn't exceed five feet or contain a storage volume of 20 acre-ft or more, or exceed a height of 20 feet or more as exempted by §257.74(b).

**Initial Postclosure Plan [§257.104(d)]** – this plan isn't necessary since the Karn Lined Impound will close by removal provided by §257.102(c) as exempted by §257.104(a)(2).

**TABLE 1**

<b>CCR Surface Impoundment Requirements</b>				
<b>Requirement</b>	<b>New Surface Impoundments and Lateral Expansions</b>			
	<b>Five feet high AND 20 acre-feet, or 20 feet high</b>			
	<b>Yes</b>		<b>No</b>	
	<b>Required?</b>	<b>Rule Section</b>	<b>Required?</b>	<b>Rule Section</b>
Location Restrictions:	√	§257.60 - §257.64	√	§257.60 - §257.64
Placement Above the Uppermost Aquifer	√	§257.60	√	§257.60
Wetlands	√	§257.61	√	§257.61
Fault Areas	√	§257.62	√	§257.62
Seismic Impact Zones	√	§257.63	√	§257.63
Unstable Areas	√	§257.64	√	§257.64
Floodplains <sup>4</sup>	√	§257.3-1	√	§257.3-1
Endangered Species <sup>4</sup>	√	§257.3-2	√	§257.3-2
Design Requirements:	√	§257.72	√	§257.72
Composite Liner	√	§257.72	√	§257.72
Leachate Collection and Removal System				
Groundwater Monitoring and Corrective Action	√	§257.90 - §257.98	√	§257.90 - §257.98
Structural Integrity Criteria:	√	§257.74 & §257.83	√	§257.74 & §257.83
History of Construction				
Construction Plan	√	§257.74 (c)		
Marker	√	§257.74 (a)(1)	√	§257.74 (a)(1)
Hazard Potential Classification Assessments	√	§257.74 (a)(2)	√	§257.74 (a)(2)
Structural Stability Assessments	√	§257.74 (d)		
Safety Factor Assessments	√	§257.74 (e)		
Emergency Action Plan	√	§257.74 (a)(3)	√	§257.74 (a)(3)
Weekly Inspections	√	§257.83 (a)	√	§257.83 (a)
Annual Inspections	√	§257.83 (b)		
Fugitive Dust Controls	√	§257.80	√	§257.80
Hydrologic & Hydraulic Capacity Requirements	√	§257.82	√	§257.82
Surface Water Protection	√	§257.3-3	√	§257.3-3
Closure Requirements	√	§257.100 - §257.103	√	§257.100 - §257.103
Post-Closure Care	√	§257.104	√	§257.104
Recordkeeping Requirements	√	§257.105	√	§257.105
Notification Requirements	√	§257.106	√	§257.106
Publicly Accessible Internet Site Requirements	√	§257.107	√	§257.107

## DECLARATION OF RESTRICTIVE COVENANT

Recorded to fulfill a licensure requirement under provisions of Part 115, Solid Waste Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, MCL 324.11501 et seq.

THIS INDENTURE made the \_\_\_\_\_, day of \_\_\_\_\_, 2020, by Consumers Energy Company whose address is One Energy Plaza, Jackson, Michigan.

WHEREAS, application for licensure under provisions of Part 115, for the purpose of conducting, managing, maintaining, or operating a ~~disposal area~~ coal ash impoundment upon lands situated in the Township of Hampton, County of Bay, has been properly made by Consumers Energy Company or its successor; and

WHEREAS, the Director of the Department of Environment, Great Lakes, and Energy will contemporaneously issue such license to the 2.3 acres, more or less, facility as defined in Solid Waste Disposal Area Construction Permit # \_\_\_\_\_ issued \_\_\_\_\_ to \_\_\_\_\_ as defined on the attached survey; and

WHEREAS, Part 115, Section 11518, requires that at the time of licensing of a ~~sanitary landfill~~ coal ash impoundment an instrument which imposes a restrictive covenant upon the land involved shall be executed by all the owners of the tract of land upon which the ~~landfill~~ coal ash impoundment is located.

NOW THEREFORE, the legal description of the 2.3 acres, more or less, area facility (or portion of land containing acres of the facility) upon which this restrictive covenant is imposed is set forth in Attachment A. Attachment A ~~also~~ contains a ~~map drawing~~ depicting the following:

- a. the facility boundary,
- b. the solid waste boundary, and,
- c. the boundary of the land upon which the restrictive covenant is imposed, as described in Attachment A, with Metes and Bounds for each section of traverse labeled.

NOW THEREFORE, Consumers Power Company, a Michigan Corporation, One Energy Plaza, Jackson, Michigan, 49201, do for themselves, their heirs, successors, lessees, or assigns declare, covenant, and agree:

1. That the lands upon which this restrictive covenant is imposed have been or will hereafter be used as a sanitary landfill coal ash impoundment, and that neither they, nor their servants, agents, employees, nor any of the heirs, successors, lessees or assigns shall (or shall by their leave or sufferance permit others to) engage in filling, grading, excavating, drilling, or mining of the lands and premises above described until 50 years after completion of ~~all~~ landfill the impoundment activity upon the same, unless written authorization therefore is obtained from the Director of the Department of Environment, Great Lakes, and Energy and that the state of Michigan or any municipality may in addition to any other remedy available at law bring an action for an injunction or other process against any person, county, or municipality to restrain or prevent any violation of the restrictive covenant hereby imposed upon the subject premises.
2. That at the time of the sealing and delivery of this instrument, the above described premises are free from all encumbrances (other than liens, mortgages, judgement liens, mechanics' liens, accrued or unpaid taxes, leases other than mineral leases, or other security interests).



# EXHIBIT

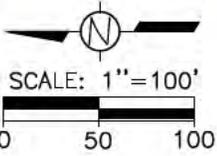
West 1/4 Corner,  
Section 12, T14N-R5E  
Hampton Township,  
Bay County, Michigan

West line Section 12  
N01°06'36"E 2643.93'

Southeast Corner,  
Section 2, T14N-R5E  
Hampton Township,  
Bay County, Michigan

Calculated East line Section 2

3343.65'  
N01°06'36"E



P.O.B.  
Restrictive  
Covenant Area

### Line Information

L1	S08°33'18"W	31.06'
L2	S08°59'04"W	38.36'
L3	S62°50'47"W	15.24'
L4	S75°55'58"W	30.62'
L5	S74°49'23"W	36.77'
L6	S72°30'43"W	23.17'
L7	S48°03'56"W	47.52'
L8	S05°49'28"E	12.42'
L9	S01°06'16"W	35.80'
L10	S16°20'52"E	47.62'
L11	S61°12'39"W	0.24'
L12	S57°52'24"W	86.35'
L13	S58°28'21"W	21.44'
L14	S66°41'27"W	55.14'

KARN  
SUBSTATION

Restrictive Covenant Boundary,  
Facility Boundary and  
Solid Waste Boundary  
2.317 Acres

### Legend

- Restrictive Covenant Boundary, Facility Boundary and Solid Waste Boundary
- As-built contours
- Substation fence

### Notes:

1) Restrictive Covenant Boundary, Facility Boundary and Solid Waste Boundary and as-built contours per Golder drawing 695-1278, sheet 120, revision A

2) See sheet #2 for legal description

Bearings are referenced to Michigan State Plane Coordinate System, North American datum 1983, 1994 adjustment - NAD83 (94) ground distances shown



*Handwritten signature: H. B. Horton*

**Consumers Energy**

DE Karn Plant Lined  
Impoundment  
Restrictive Covenant

Drawing No. SB-24625

Filename: 24625base.dwg  
Field Crew: n/a  
Field Book No. n/a  
Drawn By: J.PLUMMER  
Date: 8/17/20  
Scale: 1" = 100'  
Sheet 1

**ROWE PROFESSIONAL SERVICES COMPANY**

East 1/2, Section 2  
T14N-R5E, Hampton Twp.  
Bay Co., Michigan

# EXHIBIT

## Legal Description: Restrictive Covenant Area - DE Karn Plant Lined Impoundment

Part of the East 1/2 of Section 2, T14N-R5E, Hampton Township, Bay County, Michigan being more particularly described as commencing at the monumented West 1/4 corner of Section 12, T14N-R5E, Hampton Township, Bay County, Michigan; Thence N01°06'36"E, along the West line of said section, 2643.93 feet to the monumented Southeast Corner of said section 2; Thence N01°06'36"E, along the calculated East line of said section, 3343.65 feet; thence N88°53'24"W 214.43 feet to the Point of Beginning; Thence N79°04'35"W 26.33 feet; Thence N81°43'38"W 83.73 feet; Thence N80°54'35"W 11.28 feet; Thence N00°21'54"E 143.20 feet; Thence N78°02'34"W 116.23 feet; Thence N83°03'59"W 121.49 feet; Thence N87°32'32"W 80.75 feet; Thence N45°25'25"W 9.08 feet; Thence N86°19'50"W 13.30 feet; Thence S08°33'18"W 31.06 feet; Thence S08°59'04"W 38.36 feet; Thence S62°50'47"W 15.24 feet; Thence S75°55'58"W 30.62 feet; Thence S74°49'23"W 36.77 feet; Thence S72°30'43"W 23.17 feet; Thence S48°03'56"W 47.52 feet; Thence S05°49'28"E 12.42 feet; Thence S01°06'16"W 35.80 feet; Thence S16°20'52"E 47.62 feet; Thence S61°12'39"W 0.24 feet; Thence S57°52'24"W 86.35 feet; Thence S58°28'21"W 21.44 feet; Thence S66°41'27"W 55.14 feet; Thence S21°55'57"E 18.66 feet; Thence N76°48'12"E 56.14 feet; Thence N64°58'27"E 106.35 feet; Thence N79°07'37"E 115.45 feet; Thence N80°21'09"E 101.91 feet; Thence N89°14'19"E 105.13 feet; Thence S85°03'43"E 84.85 feet; Thence S89°38'06"E 99.07 feet; Thence S87°29'27"E 44.45 feet; Thence N80°25'00"E 12.60 feet; Thence N60°14'58"E 3.85 feet; Thence N24°03'21"E 19.61 feet to the Point of Beginning. Contains 2.3 acres.



A handwritten signature in black ink, appearing to read "H. B. Horton", with a long horizontal line extending to the left.

Bearings are referenced to Michigan State Plane Coordinate System, North American datum 1983, 1994 adjustment - NAD83 (94) ground distances shown

The logo for Consumers Energy, featuring the company name in blue text with a green swoosh underneath.

The logo for Rowe Professional Services Company, featuring a stylized "R" icon and the company name in bold black text.

DE Karn Plant Lined Impoundment Restrictive Covenant

East 1/2, Section 2  
T14N-R5E, Hampton Twp.  
Bay Co., Michigan

Drawing No. SB-24625

Filename: 24625base.dwg  
Field Crew: n/a  
Field Book No. n/a  
Drawn By: J.PLUMMER  
Date: 8/17/20  
Scale: N/A  
Sheet 2