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Alpena Register of Deeds

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Catherine Murphy, Register Alpena Co., Mi

\$30.00



## EASEMENT FOR ELECTRIC FACILITIES

MICHIGAN ELECTRIC TRANSMISSION COMPANY, LLC, a Michigan limited liability company, whose address is 27175 Energy Way, Novi, Michigan 48377 (hereinafter "Owner") for \$1.00 [exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)] grants to ALPENA POWER COMPANY, a Michigan corporation, whose address is 401 N. 9<sup>th</sup> Ave., Alpena, Michigan 49707 (hereinafter "APC"):

1. Grant of Easement: A permanent, non-exclusive easement on a portion of land located in the Township of Alpena, County of Alpena, and State of Michigan as more particularly described in the attached **Exhibit A** ("Owner's Land") to access, construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, an electric distribution line or lines, on, in, under, and through an easement on Owner's Land (hereinafter, collectively, the "Easement Area") as more fully described and depicted in the attached **Exhibit B-1** (with respect to overhead lines) and **Exhibit B-2** (with respect to underground lines), together with any poles, towers, crossarms, insulators, wires, guy wires, anchors and other necessary fixtures, structures, cables (including fiber optic cable), and equipment for transmitting electricity and communications, and all other equipment, appurtenances, and associated fixtures (collectively, the "Facilities"), within the Easement Area useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be convenient in connection therewith for the purpose of distributing electricity.
2. Additional Work Space: In addition to the easement rights granted herein, Owner further grants to APC, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said Facilities. Said temporary work space shall abut the Easement Area, on either side, as required for construction.
3. Access: APC shall have the right to unimpaired access to the Easement Area, and the right of ingress and egress on, over, and through the Easement Area, for any and all purposes necessary, convenient, or incidental to the exercise by APC of the rights granted hereunder.
4. Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. APC shall have the right from time to time hereafter to enter the Easement Area to cut, trim, remove, destroy or otherwise control any or all trees, bushes, or brush now or hereafter standing or growing upon or within the Easement Area.



5. Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without a prior written agreement executed by APC expressly allowing the aforementioned.

6. Restoration: APC shall repair and restore any portion of Owner's Land adjacent to the Easement Area that is damaged or disturbed in connection with APC's work to substantially the same condition as existed immediately prior to such damage or disturbance.

7. Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without a prior written agreement executed by APC allowing said alteration. Likewise, APC shall not materially alter the existing grade or ground elevation within the Easement Area without the prior written agreement executed by Owner.

8. Exercise of Easement: APC's nonuse or limited use of this Easement shall not preclude APC's later use of this Easement to its full extent.

9. Ownership: Owner covenants with APC that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

10. Successors: This easement shall bind and benefit Owner's and APC's respective heirs, successors, lessees, licensees, and assigns.

11. Counterparts: This easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

(Signature and Notary on following page)



GRANTOR:

MICHIGAN ELECTRIC TRANSMISSION COMPANY, LLC, a Michigan liability company

By: ITC Holdings Corp., a Michigan corporation  
Its: Sole Manager

By: [Signature]  
Name: Jean Kim D'Anna  
Its: Vice President and Deputy General Counsel – Legal Services

STATE OF MICHIGAN )  
 )ss  
COUNTY OF OAKLAND )

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of May, 2022 by Jean Kim D'Anna, the Vice President and Deputy General Counsel – Legal Services of ITC Holdings Corp., a Michigan corporation, the Sole Manager of Michigan Electric Transmission Company, LLC, a Michigan limited liability company, on behalf of said limited liability company.

M. WEAVER  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF MACOMB  
MY COMMISSION EXPIRES Jun 20, 2024  
ACTING IN COUNTY OF Oakland

[Signature]  
Notary Public,  
Macomb County, Michigan  
My commission expires: 6/20/24  
Acting in the County of Oakland

Drafted By:

Matthew Hetzner (P73044)  
ITC Holdings Corp.  
27175 Energy Way  
Novi, MI 48377

When Recorded Return To:

ITC Holdings Corp.  
27175 Energy Way  
Novi, MI 48377

\* RETURN TO:

Fidelity National Title  
45467 Market St.  
Shelby Twp, MI 48315



EXHIBIT A

Owner's Land

Land Situated in the State of Michigan, County of Alpena, Township of Alpena more particularly described as follows:

All that part of Government Lot 4 of Section 7, Town 31 North, Range 8 East, described as:

Commencing at the Northwest Section corner of said Section 7; thence South 03 degrees 33 minutes 30 seconds West, along the West Section line, 1126.30 feet; thence along the Southwesterly 33 foot right of way line of Long Rapids Road the following six (6) courses:

- (1) Southeasterly 60.77 feet along the arc of a 00 degrees 59 minutes 40 seconds curve to the left (long chord bearing South 55 degrees 36 minutes 34 seconds East 60.76 feet);
- (2) South 55 degrees 54 minutes 41 seconds East 1039.27 feet;
- (3) Southeasterly 393.86 feet along the arc of a 00 degrees 30 minutes 06 seconds curve to the right (long chord bearing South 54 degrees 55 minutes 26 seconds East 393.84 feet);
- (4) South 53 degrees 56 minutes 10 seconds East 709.01 feet;
- (5) Southeasterly 386.04 feet along the arc of a 03 degrees 54 minutes 36 seconds curve to the left (long chord bearing South 61 degrees 28 minutes 58 seconds East 384.92 feet); and
- (6) South 69 degrees 01 minute 47 seconds East 1333.51 feet to the Point of Beginning;

thence continuing along said Southwesterly 33 foot right of way line the following three (3) courses:

- (1) South 69 degrees 01 minute 47 seconds East 255.21 feet;
- (2) Southeasterly 185.09 feet along the arc of a 01 degree 58 minutes 39 seconds curve to the left (long chord bearing South 70 degrees 51 minutes 35 seconds East 185.05 feet); and
- (3) South 72 degrees 41 minutes 24 seconds East 67.65 feet;

thence South 04 degrees 07 minutes 05 seconds West, along the East North-South 1/8 line, 500.78 feet; thence North 71 degrees 52 minutes 22 seconds West 401.45 feet; thence North 18 degrees 08 minutes 03 seconds East 20.17 feet; thence North 71 degrees 52 minutes 22 seconds West 127.22 feet; thence North 06 degrees 21 minutes 42 seconds East 491.00 feet to the Point of Beginning.

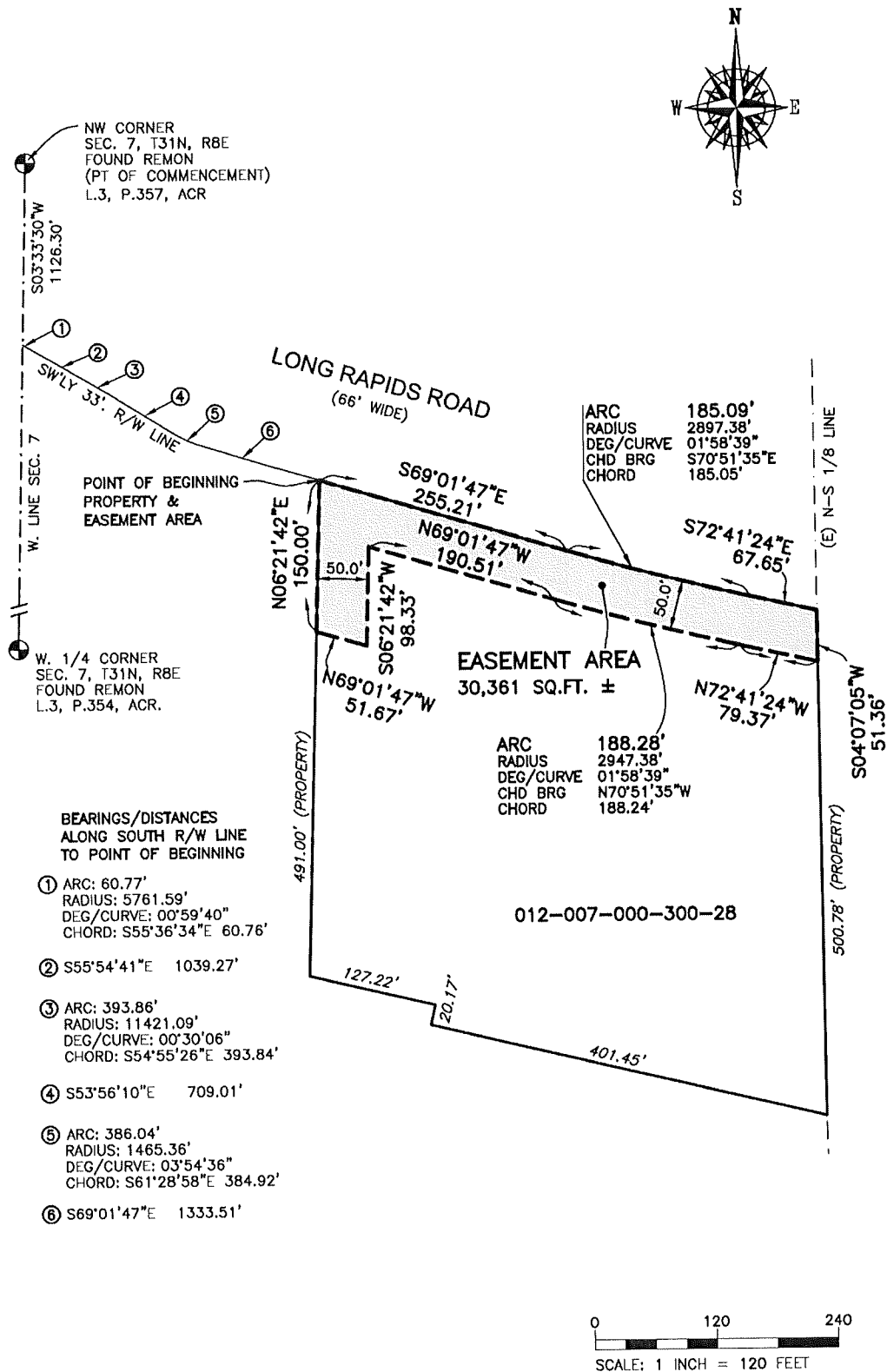
Commonly known as: Vacant Land, Long Rapids Road, Alpena Township

Parcel Identification No.: 012-007-000-300-03 (includes more land); New Parcel Identification No. for 2023: 012-007-000-300-28



EXHIBIT B-1

Depiction and Description of the Easement Area (Overhead Lines)





**DESCRIPTION OF EASEMENT AREA**

All that part of Government Lot 4 of Section 7, Town 31 North, Range 8 East, described as:

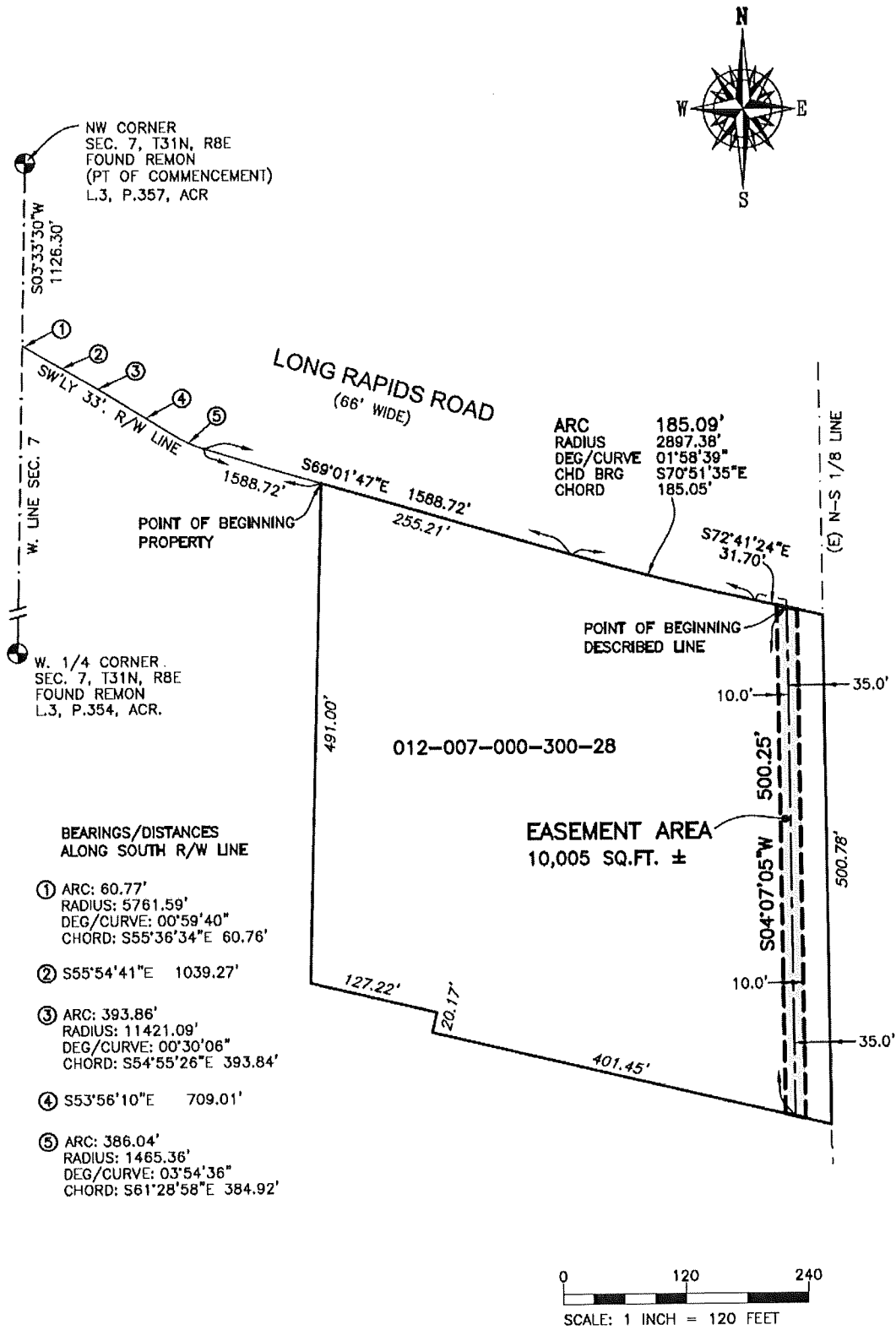
Commencing at the Northwest Section corner of said Section 7;  
thence South 03 degrees 33 minutes 30 seconds West, along the West Section line, 1126.30 feet;  
thence along the Southwesterly 33 foot right of way line of Long Rapids Road the following six (6) courses:  
(1) Southeasterly 60.77 feet along the arc of a 00 degrees 59 minutes 40 seconds curve to the left (long chord bearing South 55 degrees 36 minutes 34 seconds East 60.76 feet),  
(2) South 55 degrees 54 minutes 41 seconds East 1039.27 feet,  
(3) Southeasterly 393.86 feet along the arc of a 00 degrees 30 minutes 06 seconds curve to the right (long chord bearing South 54 degrees 55 minutes 26 seconds East 393.84 feet),  
(4) South 53 degrees 56 minutes 10 seconds East 709.01 feet,  
(5) Southeasterly 386.04 feet along the arc of a 03 degrees 54 minutes 36 seconds curve to the left (long chord bearing South 61 degrees 28 minutes 58 seconds East 384.92 feet)  
and (6) South 69 degrees 01 minute 47 seconds East 1333.51 feet to the **Point of Beginning**;  
thence continuing along said Southwesterly 33 foot right of way line the following three (3) courses:  
(1) South 69 degrees 01 minute 47 seconds East 255.21 feet,  
(2) Southeasterly 185.09 feet along the arc of a 01 degree 58 minutes 39 seconds curve to the left (long chord bearing South 70 degrees 51 minutes 35 seconds East 185.05 feet)  
and (3) South 72 degrees 41 minutes 24 seconds East 67.65 feet;  
thence South 04 degrees 07 minutes 05 seconds West, along the East North-South 1/8 line, 51.36 feet;  
thence North 72 degrees 41 minutes 24 seconds West 79.37 feet;  
thence Northwesterly 188.28 feet along the arc of a 01 degree 58 minutes 39 seconds curve to the right, long chord bears North 70 degrees 51 minutes 35 seconds West 188.24 feet;  
thence North 69 degrees 01 minute 47 seconds West 190.51 feet;  
thence South 06 degrees 21 minutes 42 seconds West 98.33 feet;  
thence North 69 degrees 01 minute 47 seconds West 51.67 feet;  
thence North 06 degrees 21 minutes 42 seconds East 150.00 feet to the **Point of Beginning**.

Affects land commonly known as: Vacant Land, Long Rapids Road, Alpena Township

Parcel Identification No.: 012-007-000-300-03 (includes more land); New Parcel Identification No. for 2023: 012-007-000-300-28

EXHIBIT B-2

Depiction and Description of the Easement Area (Underground Lines)





**DESCRIPTION OF EASEMENT AREA**

All that part of Government Lot 4 of Section 7, Town 31 North, Range 8 East, described as:

All that part of the above-described Property that lies within 10 feet on each side of the following described line:

Commencing at the Northwest Section corner of Section 7, Town 31 North, Range 8 East;

thence South 03 degrees 33 minutes 30 seconds West, along the West Section line, 1126.30 feet;

thence along the Southwesterly 33 foot right of way line of Long Rapids Road the following eight (8) courses:

(1) Southeasterly 60.77 feet along the arc of a 00 degrees 59 minutes 40 seconds curve to the left (long chord bearing South 55 degrees 36 minutes 34 seconds East 60.76 feet),

(2) South 55 degrees 54 minutes 41 seconds East 1039.27 feet,

(3) Southeasterly 393.86 feet along the arc of a 00 degrees 30 minutes 06 seconds curve to the right (long chord bearing South 54 degrees 55 minutes 26 seconds East 393.84 feet),

(4) South 53 degrees 56 minutes 10 seconds East 709.01 feet,

(5) Southeasterly 386.04 feet along the arc of a 03 degrees 54 minutes 36 seconds degree curve to the left (long chord bearing South 61 degrees 28 minutes 58 seconds East 384.92 feet),

(6) South 69 degrees 01 minute 47 seconds East 1588.72 feet,

(7) Southeasterly 185.09 feet along the arc of a 01 degree 58 minutes 39 seconds degree curve to the left (long chord bearing South 70 degrees 51 minutes 35 seconds East 185.05 feet)

and (8) South 72 degrees 41 minutes 24 seconds East 31.70 feet to the **Point of Beginning** of the described line;

thence South 04 degrees 07 minutes 05 seconds West 500.25 feet to the **Point of Ending**. The sidelines of the above-described easement shall be extended or shortened to terminate at the boundaries of the above-described Property.

Affects land commonly known as: Vacant Land, Long Rapids Road, Alpena Township

Parcel Identification No.: 012-007-000-300-03 (includes more land); New Parcel Identification No. for 2023: 012-007-000-300-28