



201200614

ROSE SMITH  
Register of Deeds  
ARENAC COUNTY, MI

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**DOC#: 201200614**

February 28, 2012 10:19 AM

Fee: \$23.00

## EASEMENT

On FEBRUARY 16, 2012, for good and valuable consideration, the receipt of which is hereby acknowledged, Grantors convey and warrant to Grantee, its successors and assigns, a permanent, perpetual easement over, under, across and through a part of Grantors' Land called the Easement Area, as herein described.

**Grantors are:** Robert E. Morgan and Kaye I. Morgan, his wife, of 429 E. Center Street, Omer, Michigan, 48749-9766.

**Grantee is:** Michigan Electric Transmission Company, LLC, a Michigan limited liability company, of 27175 Energy Way, Novi, Michigan 48377.

**Grantors' Land** is in Section 15, Town 19 North, Range 5 East, Township of Arenac, County of Arenac and State of Michigan, and is more completely described in Exhibit A attached hereto.

**The Easement Area** is within Grantors' Land, and is more completely described under the heading "Easement Description" in Exhibit A attached hereto.

**1. Purpose:** The purpose of this Easement is to allow Grantee the right to enter at any time upon the Easement Area to (1) construct, operate, maintain, repair, inspect, replace, improve, enlarge or remove overhead electric lines consisting of poles, towers, structures, wires, cables (including fiber optic cable) and other equipment for transmitting electrical energy and communications signals, (2) cross the Easement Area to construct, operate, maintain, repair, inspect, replace, improve, enlarge or remove overhead electric equipment located on other land, and (3) temporarily improve the surface of the Easement Area, as reasonably necessary, in Grantee's discretion, to place and operate Grantee's construction vehicles and equipment; provided Grantee shall remove such temporary surface improvements, and repair pavement and reseed lawn areas it disturbs.

**2. Buildings or other Permanent Structures:** No buildings or other above-ground structures shall be installed, constructed or permitted in the Easement Area, with the exception of any such structures existing at the time of execution of this Easement. Grantee may remove prohibited structures from the Easement Area without prior notice and without responsibility for any damage that occurs as a result of such removal.

**3. Vegetation Management:** Grantee shall have the right at any time to cut, trim remove, destroy or otherwise control any or all trees, bushes, or brush now or hereafter standing or growing within the Easement Area. The complete exercise of this right may be gradual and not fully completed for some time in the future.

[Morgan]

4. **Access:** Grantors also grant to Grantee the right of access, ingress and egress to the Easement Area on, over and across lands now owned by the Grantors.

5. **Limited Use; Nonuse:** Nonuse or limited use of the rights herein granted shall not prevent later use to the full extent herein conveyed.

6. **Successors:** This easement runs with the land and binds and benefits Grantors' and Grantee's successors and assigns.

7. **Crop Damage:** Grantee shall pay for actual damage to crops located within the Easement Area, arising out of Grantee's maintenance of the transmission line within the Easement Area.

This easement is exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to the provisions of MCLA 207.526(f).

**GRANTOR:**

Robert E. Morgan  
Robert E. Morgan

**GRANTOR:**

Kaye I. Morgan  
Kaye I. Morgan

Acknowledged before me in ARENAC County, State of Michigan, on this 16<sup>th</sup> day of FEBRUARY, 2012 by Robert E. Morgan.

PAUL S. STEMPIN  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires Oct. 11, 2014  
Acting in the County of ARENAC

Paul S. Stempin  
PAUL S. STEMPIN, Notary Public  
MACOMB County, Michigan  
Acting in ARENAC County, Michigan  
My Commission Expires 10-11-2014

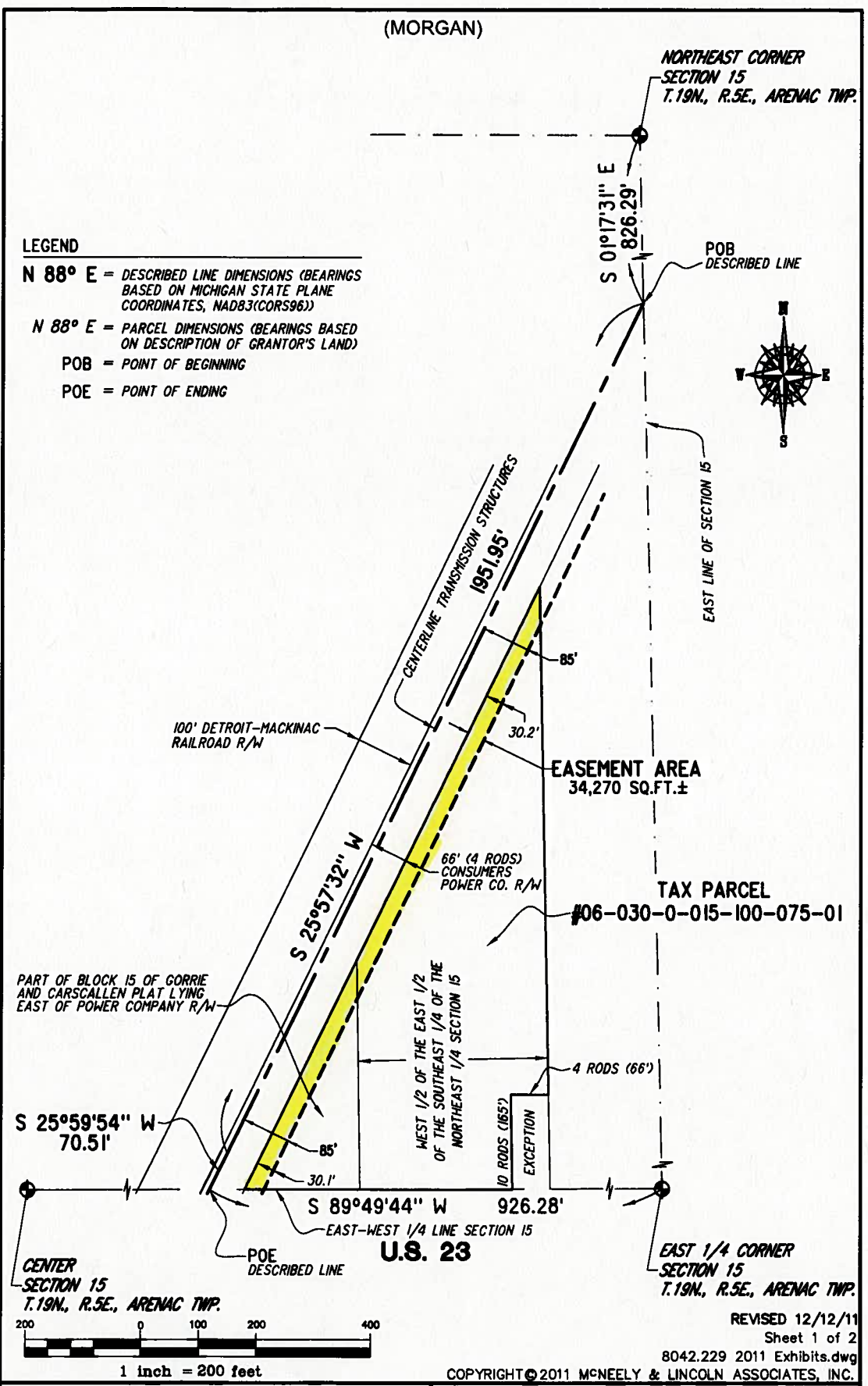
Acknowledged before me in ARENAC County, State of Michigan, on this 16<sup>th</sup> day of FEBRUARY, 2012 by Kaye I. Morgan.

PAUL S. STEMPIN  
Notary Public, State of Michigan  
County of Macomb  
My Commission Expires Oct. 11, 2014  
Acting in the County of ARENAC

Paul S. Stempin  
PAUL S. STEMPIN, Notary Public  
MACOMB County, Michigan  
Acting in ARENAC County, Michigan  
My Commission Expires 10-11-2014

Prepared by:  
William Logan (P54771)  
313 Droste Circle  
East Lansing, MI 48823

When recorded return to:  
Elaine Clifford  
ITC Holdings Corp.  
27175 Energy Way  
Novi, MI 48377



**MCNEELY & LINCOLN Associates, Inc.**  
CIVIL ENGINEERING & LAND SURVEYING  
PH. (734) 432-9777 FAX (734) 432-9786  
37741 PEMBROKE, LIVONIA, MICHIGAN, 48152  
WWW.MNLINC.COM

For            I.T.C.            Date 11/23/11  
Scale 1"=200' Drawn By DP  
Job No. 8042.229 Checked By DW

(MORGAN)

**GRANTOR'S LAND**

Land situated in the City of Omer, County of Arenac, State of Michigan, described as follows:

All that part of Block 15 of "Gorrie and Carscallen Plat of the City of Omer", lying East of the Michigan Power Company right of way in Section 15, Town 19 North, Range 5 East; ALSO the West 1/2 of the East 1/2 of the Southeast 1/4 of the Northeast 1/4 EXCEPT a piece of land in the Southeast corner 4 rods East and West and 10 rods North and South; ALSO EXCEPTING that part lying West of the D & M R.R. right of way in Section 15, Town 19 North, Range 5 East; ALSO EXCEPTING a right of way for Highway U.S. 23; AND ALSO EXCEPT a right of way in favor of Eastern Michigan Power Company for a strip of land 4 rods in width adjoining the Easterly Line of the main line of the Detroit and Mackinac Railroad right of way.

(per First American Title Insurance Company Property Profile Report, File No. 559323 dated October 17, 2011)

Tax Parcel No. 06-030-0-015-100-075-01

**EASEMENT DESCRIPTION**

Part of Section 15, Town 19 North, Range 5 East, Arenac Township, Arenac County, Michigan, described as:

All that part of the above described Grantor's Land which lies within 85.00 feet each side of the following described line:

Commencing at the Northeast corner of Section 15, Town 19 North, Range 5 East, Township of Arenac, Arenac County, Michigan;

thence South 01 degree 17 minutes 31 seconds East, along the East line of Section 15, 826.29 feet to the Point of Beginning of said described line;

thence South 25 degrees 57 minutes 32 seconds West 1951.95 feet;

thence South 25 degrees 59 minutes 54 seconds West 70.51 feet to the Point of Ending of said described line.

said point of ending lying distant South 89 degrees 49 minutes 44 seconds West, along the East-West 1/4 line of Section 15, 926.28 feet from the East 1/4 corner of Section 15. The sidelines of herein described easement are to be extended or shortened so as to terminate at the boundaries of the above described Grantor's Land.

REVISED 12/12/11  
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8042.229 2011 Exhibits.dwg

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For \_\_\_\_\_ I.T.C. \_\_\_\_\_ Date 11/23/11  
Scale NONE Drawn By DP  
Job No. 8042.229 Checked By DW

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