



201300126

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January 14, 2013 11:18 AM

Fee: \$29.00

Darlene Mikkola
Register of Deeds
Arenac County, MI

Page 1 of 6

MIKKOLA

EASEMENT

On March 21, 2012, for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor conveys and warrants to Grantee, its successors and assigns, a permanent, perpetual easement over, under, across and through a part of Grantor's Land called the Easement Area, as herein described.

Grantor is: Saginaw-Midland Municipal Water Supply Corporation, a nonprofit municipal corporation, of 4678-3 Mile Road, Bay City, Michigan 48706-9452.

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

Grantor's Land is in Section 15, Township 19 North, Range 5E, City of Omer, County of Arenac and State of Michigan, and is more particularly described and shown as such on the attached Exhibit A.

The Easement Area is within Grantor's Land, and is described as all that part of the Grantor's Land which lies within 85 feet on each side of the electric transmission line, as more accurately described and shown on Exhibit A 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) 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, fences 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.

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

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 Grantor's 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:

SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY CORPORATION

By: Michael Quinnell

MICHAEL QUINNELL

Its: Manager

Acknowledged before me in BAY County, State of Michigan, on this 21st day of MARCH 2012, by MICHAEL QUINNELL, Manager of the SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY CORPORATION, on behalf of the corporation.

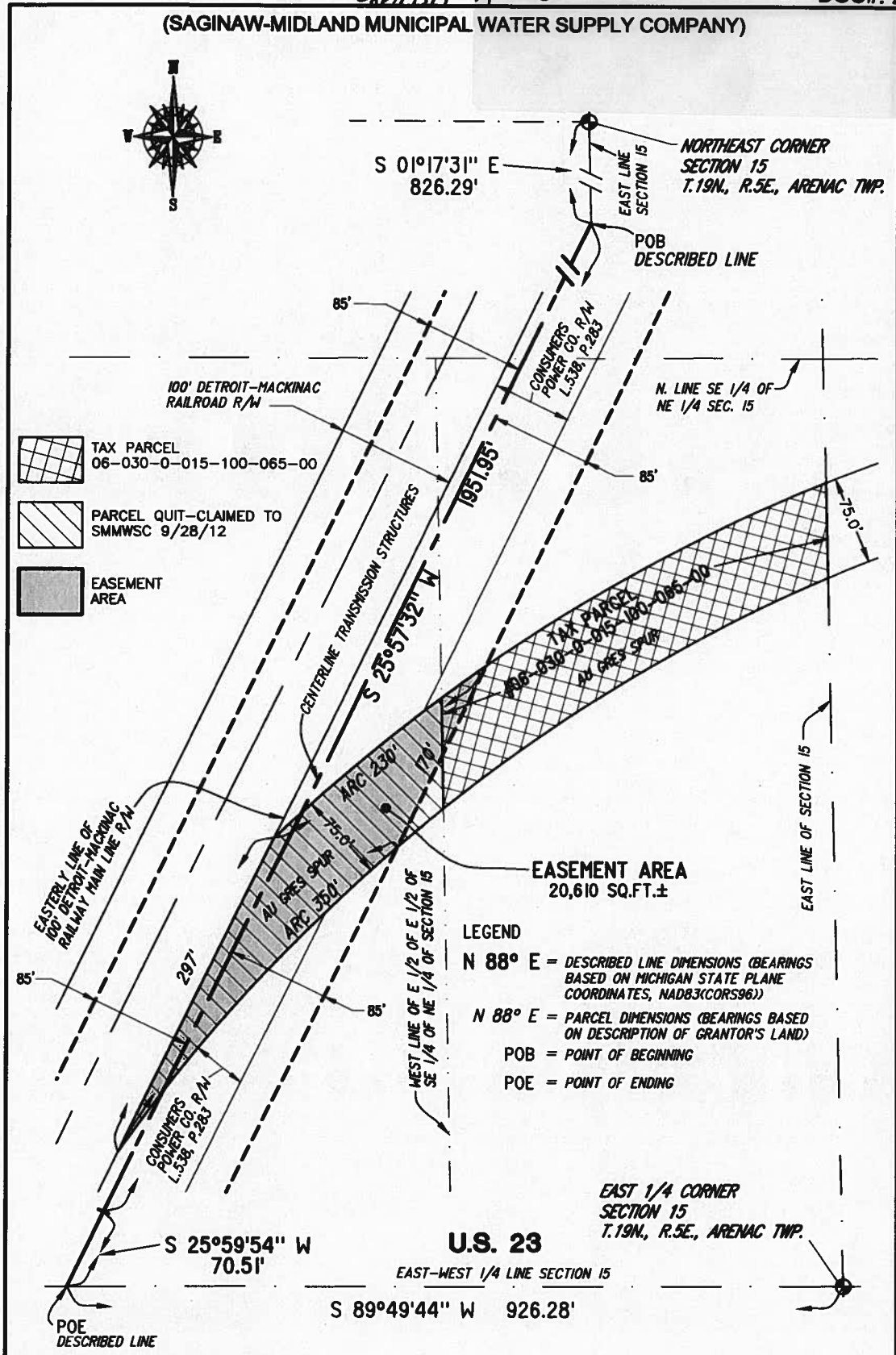
PAUL S. STEMPIN
Notary Public, State of Michigan
County of Macomb
My Commission Expires Oct. 11, 2014
Acting in the County of BAY

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

Prepared by:
William Logan (P54771)
Law Office of William L. Logan, PLLC
313 Droste Circle
East Lansing, MI 48823

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

(SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY COMPANY)



0 50 100 200
 SCALE: 1"=100'

LEGEND
 N 88° E = DESCRIBED LINE DIMENSIONS (BEARINGS BASED ON MICHIGAN STATE PLANE COORDINATES, NAD83(CORS96))
 N 88° E = PARCEL DIMENSIONS (BEARINGS BASED ON DESCRIPTION OF GRANTOR'S LAND)
 POB = POINT OF BEGINNING
 POE = POINT OF ENDING

EAST 1/4 CORNER SECTION 15
 T.19N., R.5E., ARENAC TWP.
U.S. 23
 EAST-WEST 1/4 LINE SECTION 15
 S 89°49'44" W 926.28'

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

Sheet 1 of 2
 8042.229 2011 Exhibits.dwg
 COPYRIGHT ©2012 MCNEELY & LINCOLN ASSOCIATES, INC.
 For I.T.C. Date 10/31/12
 Scale 1"=100' Drawn By DW
 Job No. 8042.229 Checked By SA

(SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY COMPANY)

GRANTOR'S LAND

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

That part of the East 1/2 of the East 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 15, Town 19 North, Range 5 East, being 75 feet x 430 feet long of the spur of D & M Railroad running between the City of Omer and the City of Au Gres, Arenac County, Michigan

(per First American Title Insurance Company Property Profile Report, File No. 567647 dated January 19, 2012)

Tax Parcel No. 06-030-0-015-100-065-00

ALSO

All that part of the spur of the Detroit & Mackinac Railway running between the City of Omer and the City of Au Gres, Arenac County, Michigan, which lies East of the Easterly line of the Detroit & Mackinac Railway Main Line right of way (100 feet wide), and West of the West line of the East 1/2 of the East 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 15, Town 19 North, Range 5 East, Arenac Township, Arenac County, Michigan.

(per Quit Claim Deed to Saginaw-Midland Municipal Water Supply Company, dated 09/28/2012)

EASEMENT DESCRIPTION

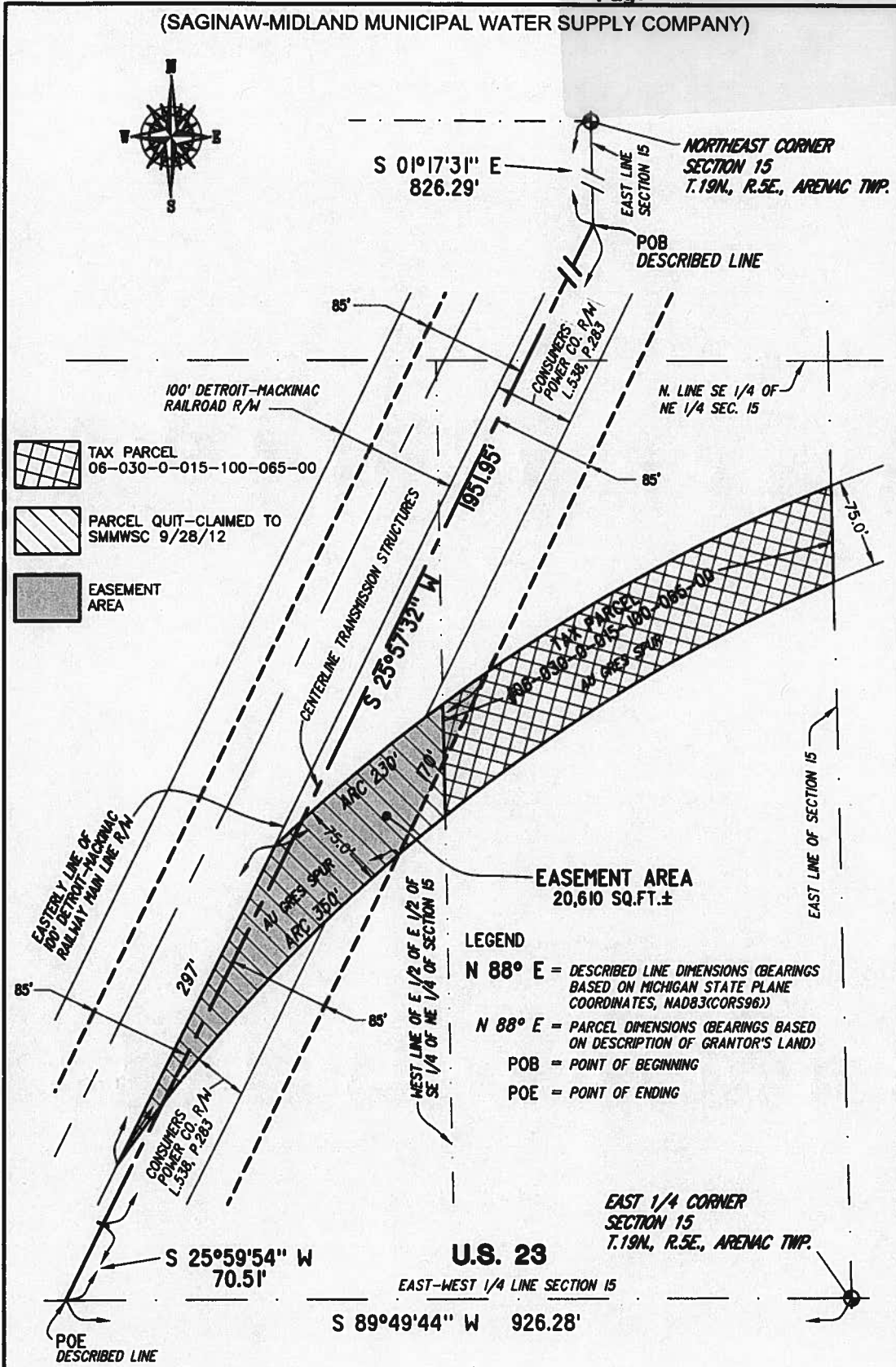
Part of Section 15, Town 19 North, Range 5 East, Arenac Township, Arenac County, Michigan, described as:




All that part of the above described Grantor's Land which lies within 85.00 feet on 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.

<p>MCNEELY & LINCOLN Associates, Inc. CIVIL ENGINEERING & LAND SURVEYING PH. (734) 432-9777 FAX (734) 432-9786 37741 PEMBROKE, LIVONIA, MICHIGAN, 48152 WWW.MNLINC.COM</p>	<p>For <u>I.T.C.</u> Date <u>10/31/12</u> Scale <u>NA</u> Drawn By <u>DW</u> Job No. <u>8042.229</u> Checked By <u>SA</u></p>
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(SAGINAW-MIDLAND MUNICIPAL WATER SUPPLY COMPANY)



-  TAX PARCEL
06-030-0-015-100-065-00
-  PARCEL QUIT-CLAIMED TO
SMMWSC 9/28/12
-  EASEMENT
AREA

LEGEND

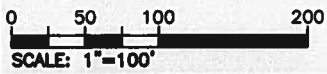
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N 88° E = PARCEL DIMENSIONS (BEARINGS BASED ON DESCRIPTION OF GRANTOR'S LAND)

POB = POINT OF BEGINNING

POE = POINT OF ENDING

EASEMENT AREA
20,610 SQ.FT.±



EAST 1/4 CORNER
SECTION 15
T.19N., R.5E., ARENAC TWP.

U.S. 23

EAST-WEST 1/4 LINE SECTION 15

S 89°49'44" W 926.28'

Sheet 1 of 2

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