



201200583

ROSE SMITH  
Register of Deeds  
ARENAC COUNTY, MI

Page 1 of 4 CD

DOC#: 201200583

February 23, 2012 12:38 PM

Fee: \$23.00

## EASEMENT

On FEB, 10<sup>TH</sup>, 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:** Thomas H. Klingensmith and Debra L. Klingensmith, his wife, of 5362 Liberty Street, Standish, Michigan 487658-9774.

**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.

[Klingensmith]

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.

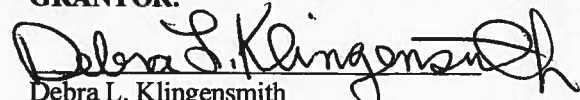
7. **Crop Damage:** Grantee shall pay for actual damage to crops located within the Easement Area, arising out of Grantee's maintenance of the transmission line within the Easement Area.

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).

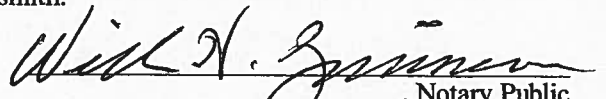
GRANTOR:

  
Thomas H. Klingensmith

GRANTOR:

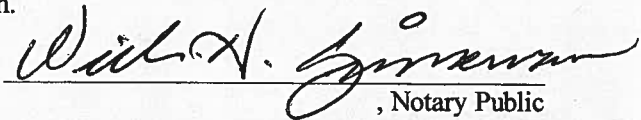
  
Debra L. Klingensmith

Acknowledged before me in ARENAC County, State of Michigan, on this 10<sup>th</sup> day of FEBRUARY, 2012 by Thomas H. Klingensmith.



\_\_\_\_\_, Notary Public  
County, Michigan  
Acting in ARENAC County, Michigan  
My Commission Expires WILLIAM H. ZIMMERMAN  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF JACKSON  
MY COMMISSION EXPIRES Aug 12, 2012

Acknowledged before me in ARENAC County, State of Michigan, on this 10<sup>th</sup> day of FEBRUARY, 2012 by Debra L. Klingensmith.



\_\_\_\_\_, Notary Public  
County, Michigan  
Acting in ARENAC County, Michigan  
My Commission Expires WILLIAM H. ZIMMERMAN  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF JACKSON  
MY COMMISSION EXPIRES Aug 12, 2012

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

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

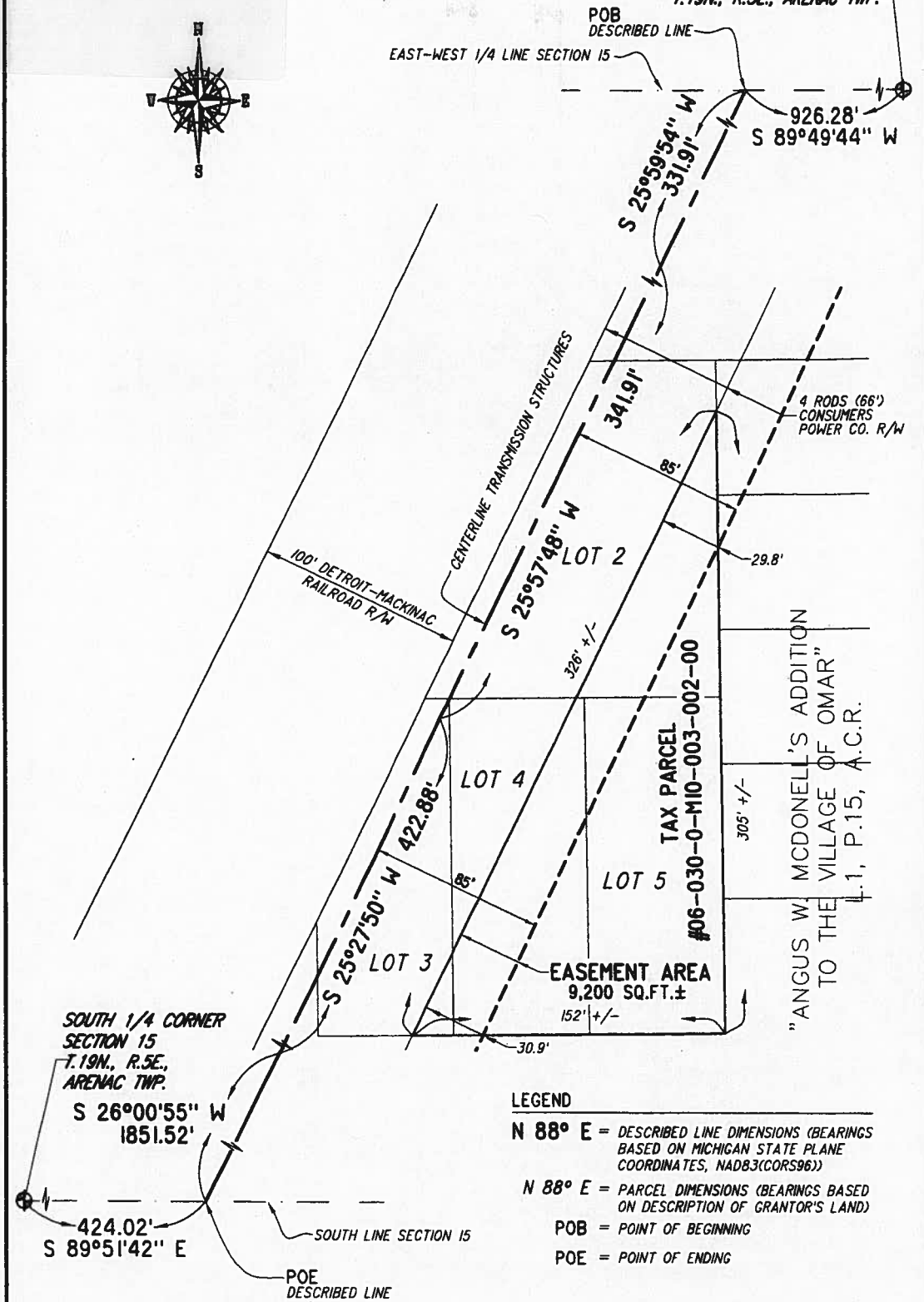
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(KLINGENSMITH)

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

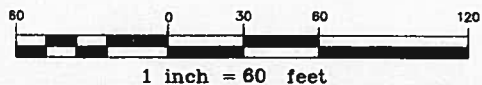


POB DESCRIBED LINE  
EAST-WEST 1/4 LINE SECTION 15  
926.28'  
S 89°49'44" W



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



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8042.229 2011 Exhibits.dwg

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<b>McNEELY &amp; LINCOLN Associates, Inc.</b>	
CIVIL ENGINEERING & LAND SURVEYING PH. (734) 432-9777 FAX (734) 432-9786 37741 PEMBROKE, LIVONIA, MICHIGAN, 48152 WWW.MNLINC.COM	
For <u>          </u> I.T.C. <u>          </u>	Date <u>01/27/12</u>
Scale <u>1"=60'</u>	Drawn By <u>DP</u>
Job No. <u>8042.229</u>	Checked By <u>MB</u>

**GRANTOR'S LAND**

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

Lots 2, 3, 4 and 5, Block 4, except a strip 4 rods wide along and adjacent to the East side of D&M RR R/W, "Plat of Angus W. McDonnell's Addition to the Village of Omer", according to the recorded Plat thereof, recorded in Liber 1 of Plats, Page 15, Arenac County Records.

(per First American Title Insurance Company Property Profile Report, File No. 559314 dated October 17, 2011)

Tax Parcel No. 06-030-0-M10-003-002-00

**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 East 1/4 corner of Section 15, Town 19 North, Range 5 East; Township of Arenac, Arenac County, Michigan;  
 thence South 89 degrees 49 minutes 44 seconds West, along the East-West 1/4 line of Section 15, 926.28 feet to the Point of Beginning of said described line;  
 thence South 25 degrees 59 minutes 54 seconds West 331.91 feet;  
 thence South 25 degrees 57 minutes 48 seconds West 341.91 feet;  
 thence South 25 degrees 27 minutes 50 seconds West 422.88 feet;  
 thence South 26 degrees 00 minutes 55 seconds West 1851.52 feet to the Point of Ending of said described line, said point of ending lying distant South 89 degrees 51 minutes 42 seconds East, along the South line of Section 15, 424.02 feet from the South 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.

**MCNEELY & LINCOLN**  
 Associates, Inc.  
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 37741 PEMBROKE, LYONIA, MICHIGAN, 48152  
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Sheet 2 of 2  
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For	I.T.C.	Date	01/27/12
Scale	NONE	Drawn By	DP
Job No.	8042.229	Checked By	DW