

201201300
ROSE SMITH
Register of Deeds
ARENAC COUNTY, MI
Page 1 of 4 CD

DOC#: 201201300
April 19, 2012 1:16 PM
Fee: \$23.00

EASEMENT

On March 28, 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: The City of Omer, a Michigan municipal corporation, whose address is P.O. Box 160 Omer, Michigan 48749-0160.

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, Town 19 North, Range 5 East, City of Omer, County of Arenac and State of Michigan, and is more completely described in Exhibit A attached hereto.

The Easement Area is within Grantor's 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; provided that Grantor reserves the right to place/construct underground pipelines at such locations within the Easement Area at such locations mutually agreed upon by the Grantee. 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.

[City of Omer]

FILE
2012
6308

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:

CITY OF OMER, a Michigan municipal corporation

By: Alice Sproule
Alice Sproule
Its: Mayor

By: Sue Oliver
Sue Oliver
Its: Clerk

Acknowledged before me in Arenac County, State of Michigan, on this 28TH day of MARCH, 2012 by Alice Sproule, Mayor of the City of Omer, a Michigan municipal corporation, on behalf of the City.

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

Paul 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 28TH day of MARCH, 2012 by Sue Oliver, Clerk of the City of Omer, a Michigan municipal corporation, on behalf of the City.

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

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

Prepared by:
William L. 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

EXHIBIT A

(CITY OF OMER)

LEGEND

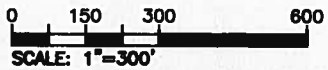
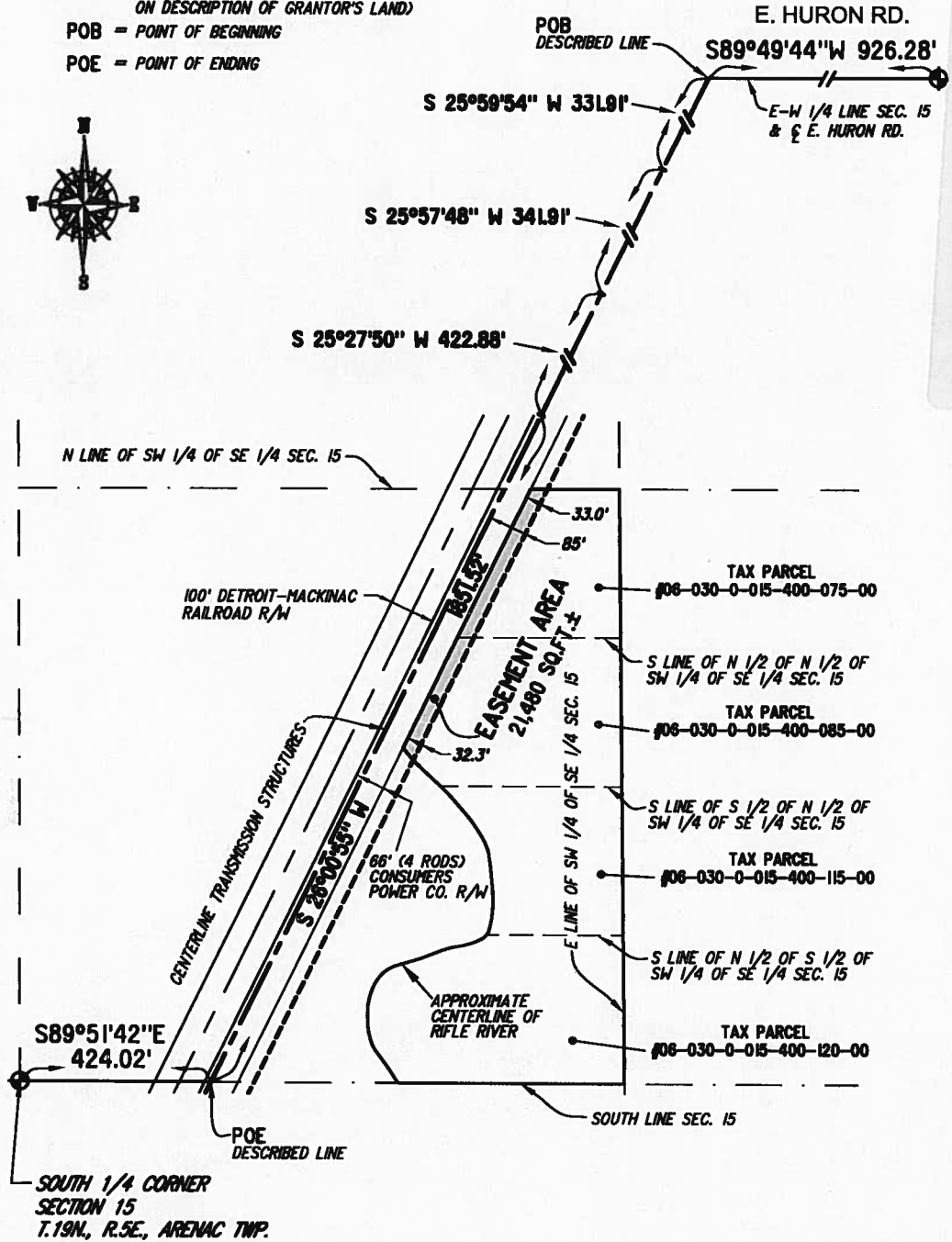
N 88° E = DESCRIBED LINE DIMENSIONS (BEARINGS BASED ON MICHIGAN STATE PLANE COORDINATES, NAD83(CORS96))

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.



Sheet 1 of 2

8042.229 2011 Exhibits.dwg

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

For I.T.C. Date 03/07/12
 Scale 1"=300' Drawn By _____
 Job No. 8042.229 Checked By DW

GRANTOR'S LAND

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

Section 15, Town 19 North, Range 5 East

All that part of the North half of the North half of the Southwest 1/4 of Southeast 1/4 (N 1/2 N 1/2 SW 1/4 SE 1/4) lying East of the D & M Railroad right of way and East of Michigan Power Company right of way.

(per WD, Document No. 201104110, Arenac Co. Records)
Tax Parcel No. 06-030-0-015-400-075-00

Section 15, Town 19 North, Range 5 East

All that part of the South half of North half of Southwest 1/4 of Southeast 1/4 lying East of the Rifle River, except a strip of land 4 rods wide East of and adjacent to the East side of the D & M Railroad right of way.

(per Arenac Co. Assessing records)
Tax Parcel No. 06-030-0-015-400-085-00

Section 15, Town 19 North, Range 5 East

North one half of the South one half of the Southwest quarter of the Southeast quarter lying East of the Rifle River.

(per QCD, Liber 558, Page 297, Arenac Co. Records)
Tax Parcel No. 06-030-0-015-400-115-00

Section 15, Town 19 North, Range 5 East

All that part of the South half of South half of Southwest 1/4 of Southeast 1/4 lying East of the Rifle River.

(per Arenac Co. Assessing records)
Tax Parcel No. 06-030-0-015-400-120-00

EASEMENT DESCRIPTION

Part of Section 15, Town 19 North, Range 5 East, City of Omer, 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 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;

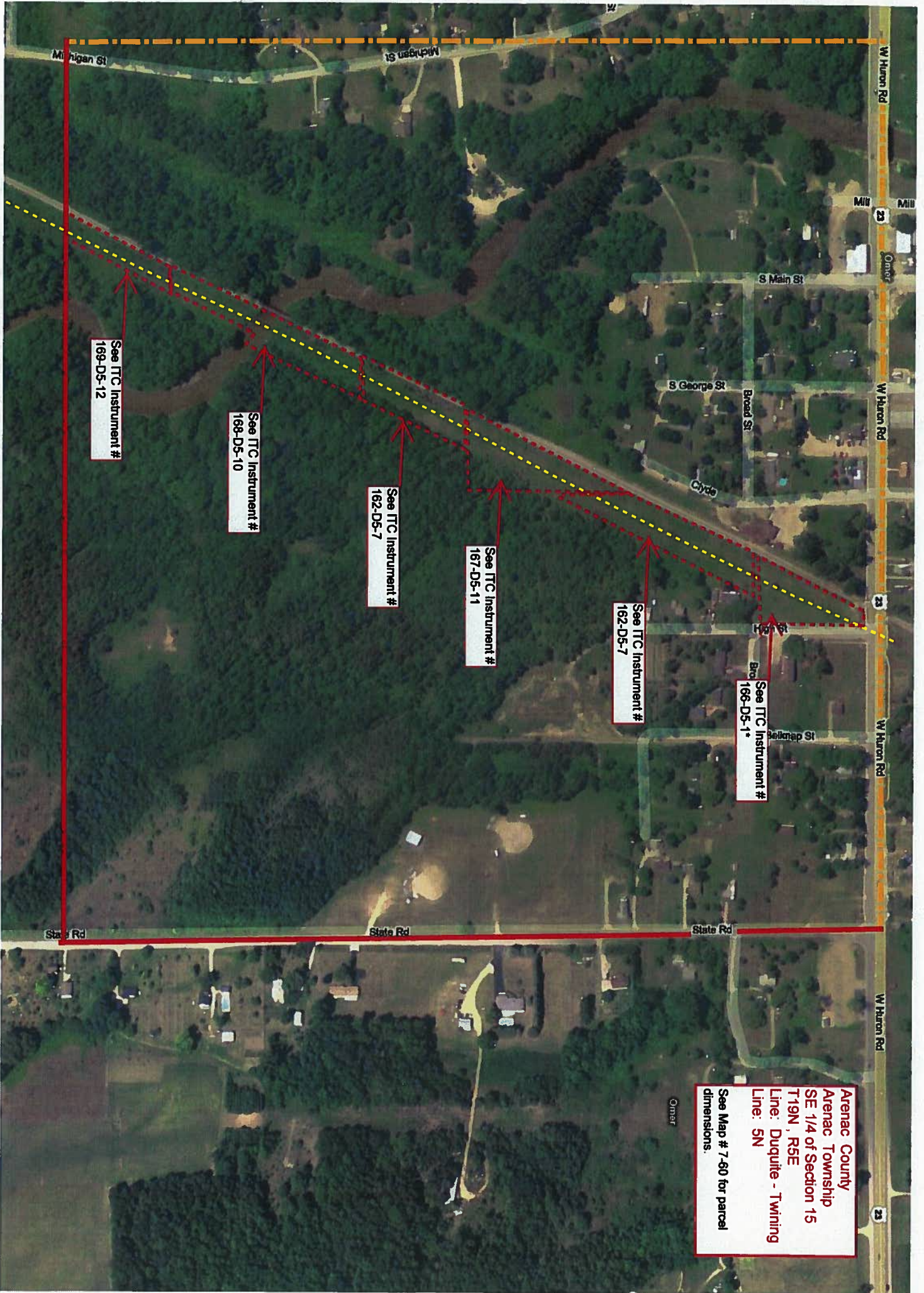
thence South 25 degrees 27 minutes 50 seconds West 422.88 feet;

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 the 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.
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 03/07/12
Scale NONE Drawn By DP
Job No. 8042.229 Checked By DW



See TIC Instrument #
169-D5-12

See TIC Instrument #
168-D5-10

See TIC Instrument #
162-D5-7

See TIC Instrument #
167-D5-11

See TIC Instrument #
162-D5-7

See TIC Instrument #
166-D5-1*

Arenac County
Arenac Township
SE 1/4 of Section 15
T19N, R5E
Line: Duquite - Twining
Line: 5N
See Map # 7-60 for parcel
dimensions.

Omer