



Tract: 96-D114-4

Real Estate Department

Project No. NKL0144304

Business Unit: METC

Date: January 16, 2015
To: Records Center
From: Trina Richardson
Real Estate
Subject: Non-Interference Easement Request-Section 12, Clearwater
Twp, Kalkaska County, Michigan.

Attached are papers related to a non-interference request to use the access road approximately 600 feet adjacent to the Plum Substation in order to haul out logs from the harvest of Biewer Lumber to one of the local residents near the substation. The timeframe for this is approximately one month in duration.

The request was approved with the following condition:

Engineering asks that loading be performed at least 50 feet away from the centerline of the transmission line.

The CE Easement is located in the NW $\frac{1}{4}$ of Section 12, T28N, R8W, Clearwater Twp, Kalkaska County, Michigan.

Please incorporate into METC Right of Way File No. 96-D114-4.

Attachment (s)



**COPY
MAILED**
12/19/14

December 19, 2014

Mr. Wes Windover
Biewer Forest Management, LLC
6251 West Gerwoude Drive
McBain, Michigan 49657

RE: Proposed Temporary Use of Access Road within Electric Transmission Easement Strip in Section 12, T28N, R8W, Clearwater Township, Kalkaska County, Michigan

Dear Mr. Windover:

I am writing in response to your recent inquiry for temporary access within Michigan Electric Transmission Company's ("METC's") electric transmission easement strip. METC's easement in this location is not an exclusive easement. Landowners may use or allow others to use METC's easement strip in any manner that does not unreasonably interfere with the exercise of METC's easement rights.

It is our understanding that Biewer Forest Management would like permission to use the access road approximately 600 feet adjacent to the Plum Substation in order to haul out logs from your harvest with a temporary timeframe of only 30 days (the "Project") which falls within METC's easement strip. Based on our review of your Exhibit B aerial plan, METC would not consider the Project to unreasonably interfere with the exercise of its easement rights, provided that the Project is located so that it does not now or hereafter 1) violate any provision of the National Electric Safety Code ("NESC"), including without limitation, the NESC clearance requirements; 2) block access to METC's electric transmission structures by METC's vehicles and equipment for purposes of exercising METC's easement rights; and 3) preclude the construction of such additional electric transmission lines within the easement strip as METC may, in its discretion, deem necessary or desirable, and further provided that the work necessary to complete the Project is completed in accordance with the requirements of the attached Exhibit A and Exhibit B aerial as submitted.

METC's sole purpose in reviewing the Project has been to determine whether it unreasonably interferes with METC's easement. METC has not and will not make any review of the Project to identify actual or potential safety hazards to persons or property. During the planning, design and construction of the Project, it is the sole responsibility of you and/or your contractor to identify and manage ALL safety issues, and to observe ALL applicable workplace and other

relevant safety regulations. METC makes no representation as to safety, and expressly disclaims all liability in any way related to the location of the proposed Project in its easement strip.

This letter should not be interpreted to limit or modify METC's easement in any way, nor should it be interpreted to limit or modify such rights or interests as METC or that you may have by virtue of the easement. METC expressly reserves the right to use its easement strip for all purposes indicated in its easement, including but not limited to the construction, operation, and maintenance of utility facilities and the trimming and removal of trees. Without limiting the foregoing, METC's use of the easement strip shall not be unreasonably restricted, limited, conditioned, or interfered with as a result of the Project. Should you have additional questions regarding METC's easement or the information in this letter, please contact me at (248) 946-3517.

Sincerely,

A handwritten signature in blue ink that reads "Trina Richardson". The signature is written in a cursive, flowing style.

Trina Richardson
Real Estate Specialist
ITC Holdings Corp.

EXHIBIT A

1. Engineering asks that loading be performed at least 50' away from the centerline of the transmission line.



Kalkaska County
 Clearwater Turp
 SECTION 12
 T 28 N. R 8 E.

Keystone-Plum (138KV)
 Plum Station
 NEAREST STRUCTURE: 114A740A

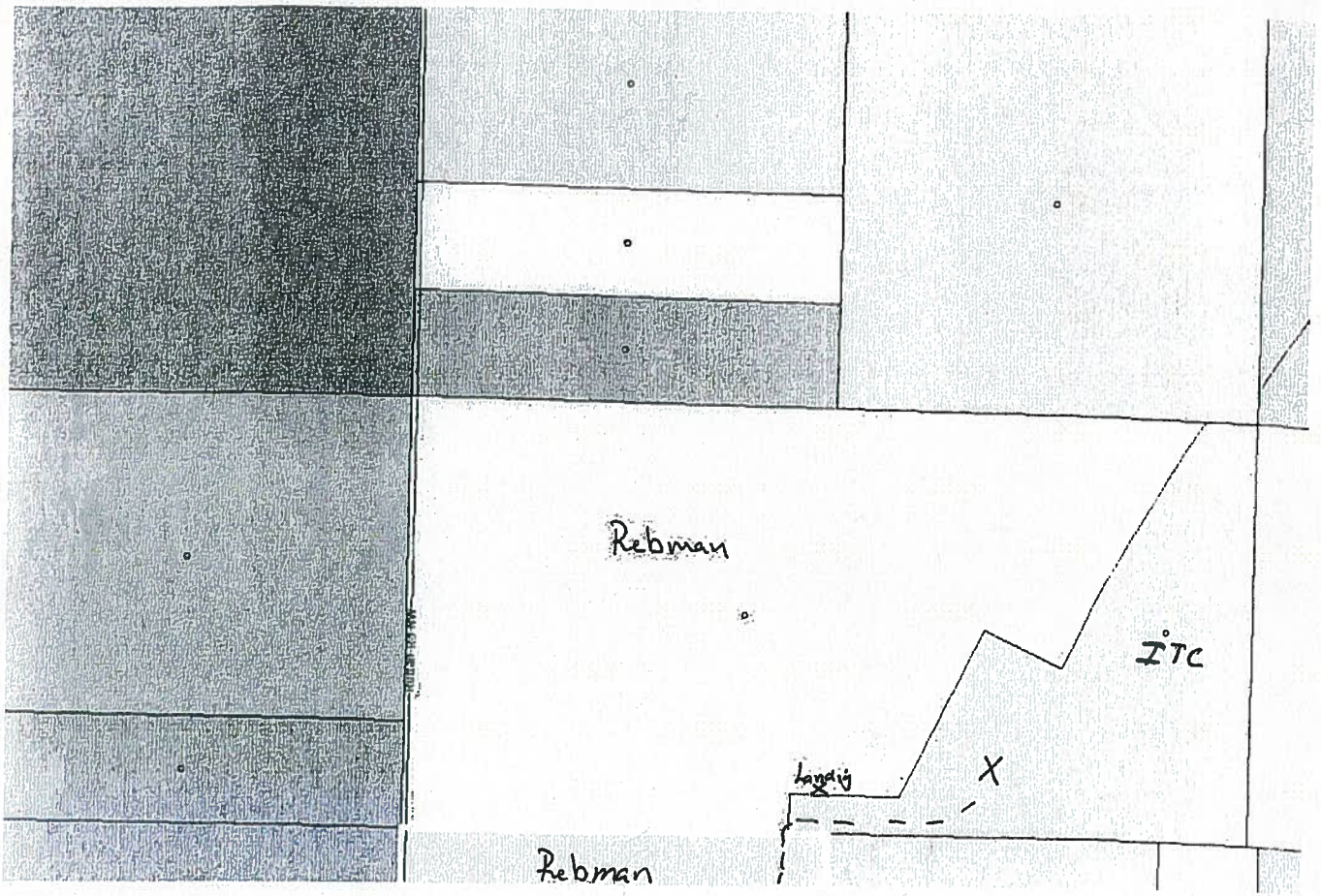


Exhibit B



Biewer Forest Management, LI
6251 W. Gerwoude I
McBain, MI 496
Phone 231-825-2855 Fax 231-825-81

November 26, 2014

ITC Transmission
Trina Richardson
27175 Energy Way
Novi, MI 48377

RECEIVED
DEC 02 2014

BY:

Dear Ms Richardson,

I am the manager for Biewer Forest Management in McBain Michigan. We have a timber sale contract with Donna Rebman in which you have an easement road coming off Plum Valley road through her property to your parcel (parcel # 004-012-009-15). The property is located in Kalkaska County, Clearwater Township, Section 12, in the NW ¼. We are requesting to use the access road into the property for our log trucks to haul out logs from this harvest. We would be decking the wood north of the road before your transmission station. The minimum distance from your facility would be at least 600 feet. This project once started should take approximately one month and we would not interfere with access to your facility during this period.

I have enclosed the property descriptions and landowner that we are dealing with as well as aerial photos and tax maps showing the proposed area and easement road. On the aerial photo the area outlined in red is the area that will be harvested. The yellow is the proposed easement road we would like to utilize and the Landing area is where we would like to deck the cut logs for loading.

Feel free to contract me with any questions or concerns about this request. I would be more than happy to meet with a field person also if that would make things easier on ITC's part.

Sincerely,

Wes Windover
Procurement Manager
231-357-9355 cell

Wes Windover | Procurement
Manager
wwindover@biewerlumber.com

Biewer Forest Management, LLC
6251 West Gerwoude Drive
McBain, MI 49657
ph: 231.825.2855
cell: 231.357.9355 • fax: 231.825.8113



Date: 12/17/14

To: Trina Richardson
Real Estate and Rights of Way
ITC

From: Erin M. Keeler
Engineering
ITC

Subject: **NKL0144304**
Permission to Encroach within a METC Easement

This request is approved. Engineering asks that loading be performed at least 50' away from the centerline of the transmission line.

Approved By:

A handwritten signature in red ink that reads "Erin M Keeler".

Erin M. Keeler
Principal Engineer



Real Estate Department

Project No: NKL0144304
Property: Keystone – Plum (138kV)

Date: December 2, 2014

To: _____ Dwayne Barnes, Underground
 _____ Jeff Wyman, Planning
 _____ Erin Keeler, Design Engineer (ITC)
_____ Ashley Dupree, Design Engineer (METC)
_____ Jessica Krzeminski, Station
 _____ Bruce Whitney, EMF

From: Trina Richardson – Real Estate/Legal
Ext. 3517

Subject: Permission to Encroach within an Easement

Wes Windover, Procurement Manager with Biewer Forest Management currently has a timber sale contract with Donna Rebman. We have an easement along our Keystone-Plum (Keystone-Clearwater) line and at Plum Station (attached). Mr. Windover would like permission to use the access road in order to haul out logs from their harvest and the timeframe for this is approximately one month in duration.

Easement Location:

NW ¼ of Section 12, T28N, R8W, Clearwater Twp, Kankaska County

Nearest Structures:

114A240A

Our December review meeting is scheduled for Tuesday, December 16, 2014 from 2pm-3:30pm in Conference Room 5F.

Attachment (s)



Biewer Forest Management, LLC
6251 W. Gerwoude Dr.
McBain, MI 49657
Phone 231-825-2855 Fax 231-825-8113

November 26, 2014

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Sincerely,

Wes Windover
Procurement Manager
231-357-9355 cell