



Tract: 81-D1-2

Real Estate Department

Project No. NLK0144314  
Business Unit: METC

Date: January 16, 2015  
To: Records Center  
From: Trina Richardson  
Real Estate  
Subject: Non-Interference Easement Request-Section 30, Pinora  
Twp, Lake County, Michigan.

Attached are papers related to a non-interference request to block off the hill to ORV traffic by installing a guardrail and a gate. The hill is within the corridor. This request was sent to ITC by David Fisher at the Baldwin DNR office and Pinora Township.

The CE Easement is located in the SW  $\frac{1}{4}$  of Section 30, T18N, R11W, Pinora Twp, Lake County, Michigan.

Please incorporate into METC Right of Way File No. 81-D1-2.

Attachment (s)



**COPY  
MAILED**  
12/19/14

December 19, 2014

Mr. David Fisher  
Department of Natural Resources – Baldwin Field Office  
Forest Resource Division, MI DNR  
2468 W. 24<sup>th</sup> Street  
Baldwin, Michigan 49304

RE: Proposed installation within Electric Transmission Easement Strip in  
Section 30, T18N, R11W, Pinora Township, Lake County, Michigan

Dear Mr. Fisher:

I am writing in response to your recent inquiry for proposed construction 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 the Department of Natural Resources (DNR) and Pinora Township on behalf of the Pinora Township Cemetery is proposing to block off the top of the hill that is within the METC ROW in order to stop illegal ORV traffic and to prevent severe erosion and possible exposure of the burial plots. They would like to do this by installing a guardrail and a gate (the "Project") within METC's easement strip. The gate would allow METC to have access for any and all future maintenance. Based on our review of your construction plan from your attached Exhibit B drawing, 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 Drawing 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,

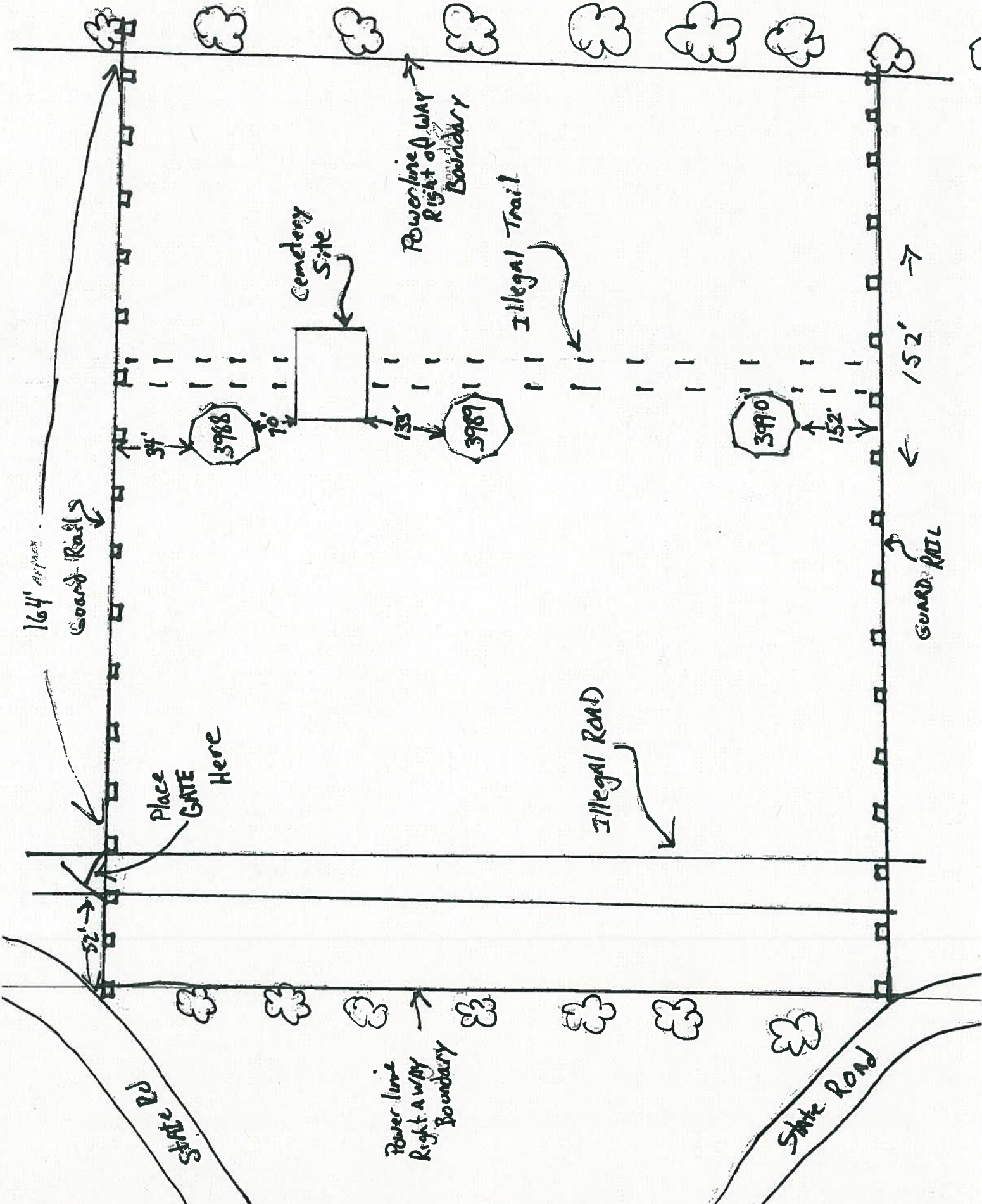
A handwritten signature in blue ink that reads "Trina Richardson". The signature is written in a cursive style with a large initial 'T'.

Trina Richardson  
Real Estate Specialist  
ITC Holdings Corp.

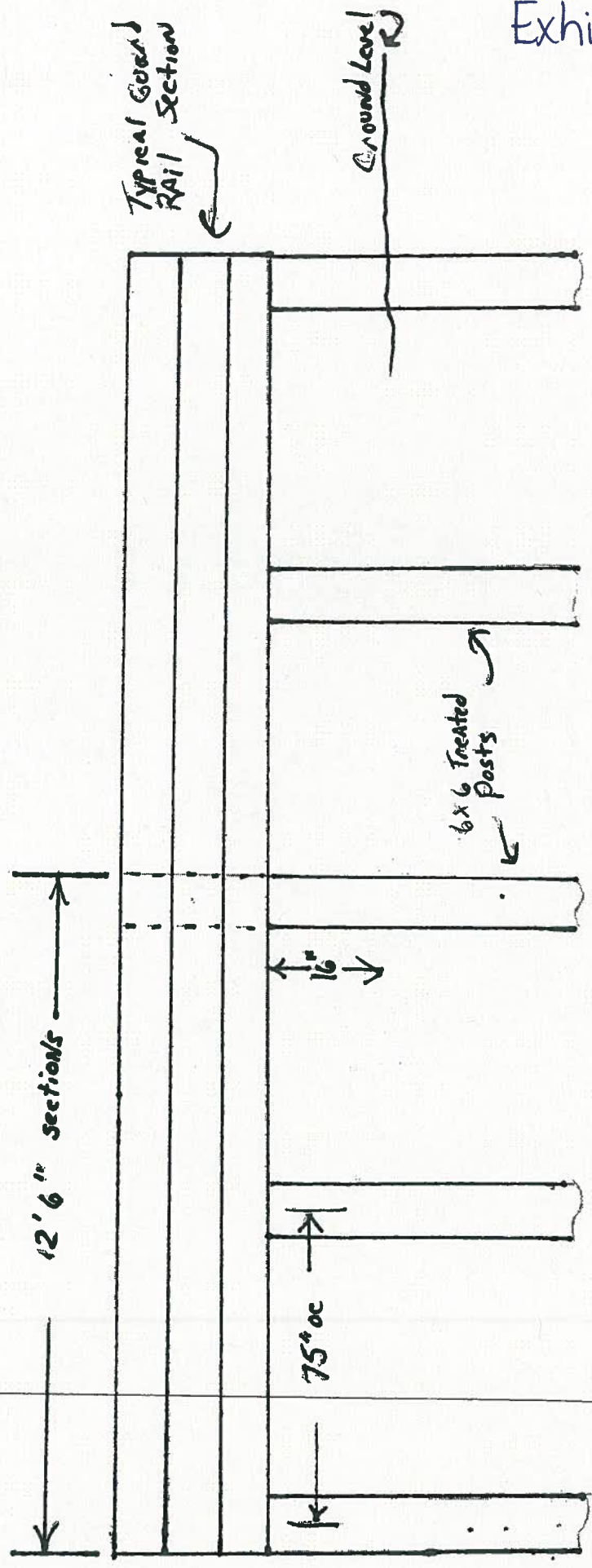
## **EXHIBIT A**

This request is approved with the following conditions:

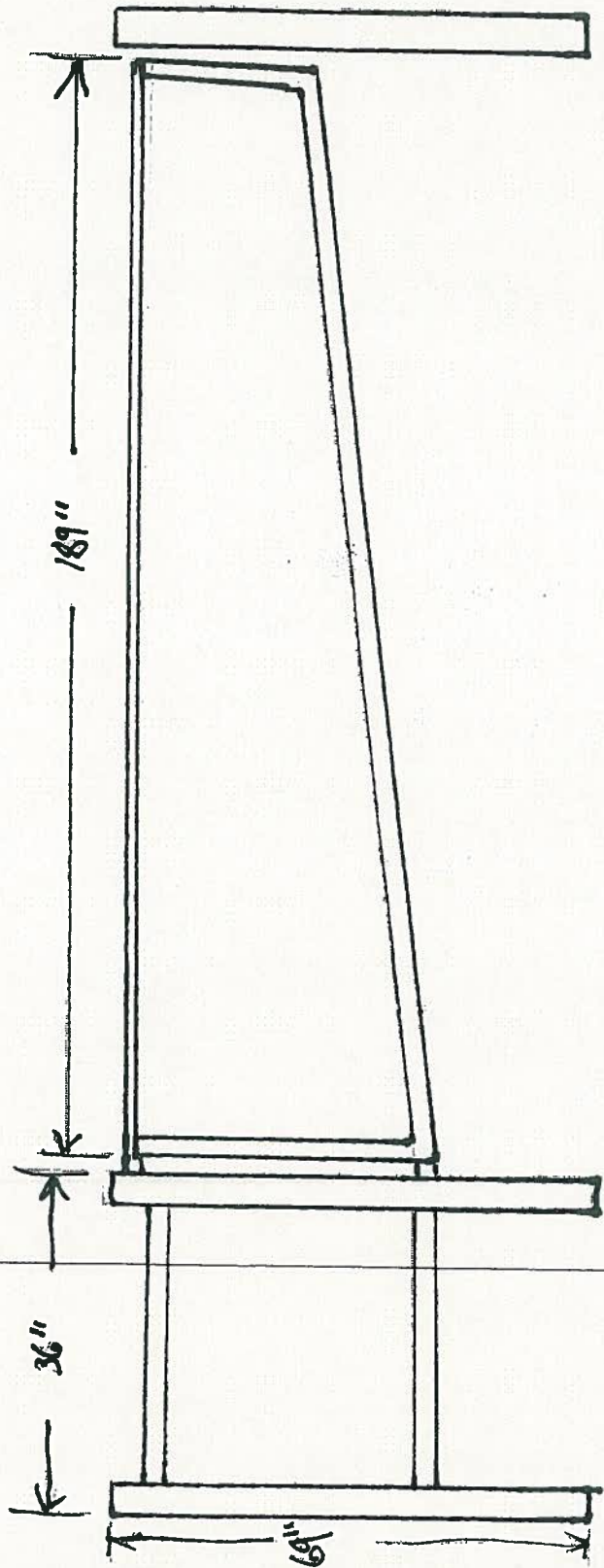
1. ITC requests that a 20' access gate is installed to provide access to our corridor.
2. No grading is to take place in the transmission line easement. Any increase in grade could potentially cause clearance violations.
3. The seed and mulch purchase decision is not one that is made by Engineering.



# GUARD RAIL



GATE





RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF NATURAL RESOURCES  
LANSING

Exhibit B4



KEITH CREAUGH  
DIRECTOR

November 13, 2014

Trina Richardson  
ITC  
27175 Energy Way  
Novi, MI 48377

RECEIVED  
NOV 19 2014

BY: .....

Dear Trina Richardson:

This past summer the Michigan DNR met with Pinora Township and Charlie DeVries, ITC, to discuss the lost Pinora Township Cemetery, which is located in the ITC right-of-way located in Lake County. Unmarked historical grave sites were located between posts 3988 and 3989.

This site is located on top of a hill on the right-of-way. ORVs are illegally riding the hill at this location and are causing severe erosion. The grave sites are in danger of being exposed if this illegal ORV activity is allowed to continue.

It was decided that the best course of action would be to block off the hill to ORV traffic and re-vegetate the hillside. This would stop the illegal ORV activity and help preserve the historic cemetery. Enclosed you will find copies of a proposed plan for blocking off the hill with guardrail. The plan also includes a gate that would allow ITC access for future maintenance. Please feel free to alter the plans as you see fit. We have the suggested guardrail because we have an available supply of it and it is easy to install. Does ITC have any funds available for the purchase of seed and mulch for this project? I am willing to have my employees do the work next spring.

The Michigan DNR is looking forward to working with ITC and Pinora Township on this project. Please feel free to give me a call if you have any questions.

Sincerely,

David Fisher, Cadillac Unit Manager  
Forest Resource Division, MI DNR  
231-745-4651, Ext. 6946





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**Date:** 12/17/14

**To:** Trina Richardson  
Real Estate and Rights of Way  
ITC

**From:** Erin M. Keeler  
Engineering  
ITC

**Subject:** **NLK0144314**  
Permission to Encroach within a METC Easement

This request is approved with the following conditions:

1. ITC requests that a 20' access gate is installed to provide access to our corridor.
2. No grading is to take place in the transmission line easement. Any increase in grade could potentially cause clearance violations.
3. The seed and mulch purchase decision is not one that is made by engineering.

Approved By:

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

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Erin M. Keeler  
Principal Engineer



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**Date:** 12/17/14

**To:** Trina Richardson  
Real Estate and Rights of Way  
ITC

**From:** Erin M. Keeler  
Engineering  
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Approved By:

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

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Erin M. Keeler  
Principal Engineer



Real Estate Department

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Project No: NLK0144314  
Property: Tippy-Chase (METC – 138kV)

Date: December 16, 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 METC Easement

David Fisher, Cadillac Unit Manager at the Baldwin DNR Office contacted ITC through Charles Devries (Community Relations) on behalf of Pinora Township regarding the Pinora Township Cemetery.

Apparently, the cemetery is located on top of a hill within the ROW. ORV's are illegally riding the hill at this location and are causing severe erosion. The grave sites are in danger of being exposed if the illegal ORV activity is allowed to continue.

The DNR and Pinora Twp would like to block off the hill to ORV traffic and re-vegetate the hillside. They would like to do this by installing a guardrail and a gate. The gate would allow ITC to have access for future maintenance as well. They also want to know if ITC would be willing to purchase the seed and mulch for their project and the area would be worked by their employees in the Spring of 2015.

METC's easement is located in the SW ¼ of Section 30, Pinora Twp, Lake County, Michigan. There is no defined width of the easement. It is a blanket easement.

Nearest Towers: 001B3988 and 001B3989

**We will review this request at our December 16, 2014 meeting.**