



Real Estate Department

Work Order No.: A0004389  
Project Name: Bloomfield-Wixom  
Business Unit: ITCT

Date: January 16, 2018  
To: Records Center  
From: Margaret Wessel Walker  
[mwalker@itctransco.com](mailto:mwalker@itctransco.com)  
Real Estate  
Subject: Supplement to Grant of Easement  
Tax ID: 17-32-427-019  
Site ID: 734

Attached are the documents related to the acquisition of a supplement to grant of easement dated December 7, 2010 to International Transmission Company (ITC) from Randal and Kelly Clark, whose address is 2498 Wenona, Wixom, MI 48393.

The easement is located in Section 32, Commerce Township, Oakland County, MI.

The easement consideration was \$4,769.78

The acquisition was negotiated by NSI Consulting and Development.

Please incorporate into Right of Way File No.: T72169 and cross reference with Right of Way File No.: R4795

Attachments

CC:

J. Andree  
M. Ely  
R. Everett  
S. Gagnon  
J. Gruca  
C. Scott  
A. Snow

N. Spencer  
M. Yoders  
[Fixedassetsgroup@itctransco.com](mailto:Fixedassetsgroup@itctransco.com)

RECEIVED  
OAKLAND COUNTY  
REGISTER OF DEEDS

2011 JAN 11 AM 10:43

6261  
LIBER 42726 PAGE 674  
\$16.00 MISC RECORDING  
\$4.00 REMONUMENTATION  
01/11/2011 12:51:18 P.M. RECEIPT# 3246



PAID RECORDED - OAKLAND COUNTY  
BILL BULLARD JR, CLERK/REGISTER OF DEEDS

**SUPPLEMENT TO GRANT OF EASEMENT**

This Supplement to Grant of Easement ("Supplement") is given this 7 day of December, 2010, by **Randal Clark** and **Kelly Clark**, husband and wife, whose address is 2498 Wenona, Wixom, Michigan 48393 ("Owner"), to **International Transmission Company**, a Michigan corporation, whose address is 27175 Energy Way, Novi, Michigan 48377 ("ITC").

WHEREAS, an easement was granted to The Detroit Edison Company on January 25, 1923, ("Original Grant of Easement"); and

WHEREAS, The Detroit Edison Company partially assigned its rights under the Original Grant of Easement to ITC on December 5, 2000, by an instrument entitled "Partial Assignment of Easement Rights," which is recorded at Liber 23842, Page 236, Oakland County Records; and

WHEREAS, Owner represents and warrants to ITC that Owner is the present owner in fee simple of the following described tract(s) of land ("Owner's Land"), all or a portion of which is subject to the Original Grant of Easement:

Lot(s) 75, INDIAN WELLS SUBDIVISION NO. 2, according to the recorded plat thereof, as recorded in Liber 207 of Plats, Page(s) 31 to 34, Oakland County Records.

*207031 207031*

More commonly known as: 2498 Wenona, Wixom, Michigan 48393

Parcel ID: 17-32-427-019

WHEREAS, ITC has requested that Owner reaffirm and amend the Original Grant of Easement, insofar and only insofar as it affects Owner's Land, which Owner is willing to do, for valuable consideration, the receipt of which is hereby acknowledged by Owner, subject to the terms and conditions set forth below.

NOW, THEREFORE, Owner reaffirms and amends the Original Grant of Easement insofar as the Original Grant of Easement affects Owner's Land, in the following particulars:

1. Effective as of the date hereof, all electrical transmission lines and all other appurtenances of ITC heretofore or hereafter constructed on Owner's Land by authority of the Original Grant of Easement or this Supplement, shall be confined within

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a strip of land beginning at the **Northwesterly** line of Owner's Land and continuing to a line lying **85 feet Southeasterly** of, and parallel to, the centerline of the electric lines as currently located ("Easement Strip").

2. Owner reaffirms and amends the grant to ITC of the perpetual right to enter at all times upon Owner's Land and to (1) operate, maintain, repair, inspect, replace, improve 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 associated with the operation of an electrical transmission utility business, (2) cross the Easement Strip to operate, maintain, repair, inspect, replace, improve or remove overhead electric equipment located on other land, and (3) temporarily improve the surface of the Easement Strip, as reasonably necessary, in ITC's discretion, to place and operate ITC's construction vehicles and equipment; provided, ITC shall remove such temporary surface improvements, and repair pavement and reseed lawn areas it disturbs.

3. Owner reaffirms that the full right is conveyed to ITC 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 Strip. The complete exercise of this right may be gradual and not fully completed for some time in the future.

4. Nothing contained in this Supplement shall be construed as releasing or impairing any rights or privileges granted to ITC under the Original Grant of Easement relative to the Easement Strip. To the extent this Supplement grants rights and privileges to either party not granted in the Original Grant of Easement, the Original Grant of Easement is hereby amended to include the additional rights and privileges granted by this Supplement. To the extent this Supplement imposes obligations on either party not imposed in the Original Grant of Easement, the Original Grant of Easement is hereby amended to include the additional obligations imposed by this Supplement. If, in any other way, any term, condition or provision of this Supplement is inconsistent with or conflicts with one or more provisions of the Original Grant of Easement, the term, condition or provision of this Supplement shall control, and to that extent the Original Grant of Easement is hereby amended. The Original Grant of Easement, insofar as it may cover and relate to land other than Owner's Land, shall remain in full force and effect in accordance with all of its terms, conditions and provisions.

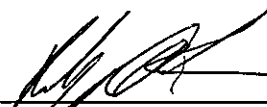
5. No buildings or other above-ground structures, with the exception of the existing structures, shall be installed or constructed by Owner within the Northwesterly 30 feet of the Easement Strip. No structures greater than 14 feet in height, with the exception of the existing structures, shall be installed or constructed by Owner within the remainder of the Easement Strip. ITC may remove prohibited structures from the Easement Strip without prior notice and without responsibility for any damage that occurs as a result of such removal. Nothing in this paragraph shall prohibit Owner from installing or constructing a non-electric fence no greater than six feet in height within the

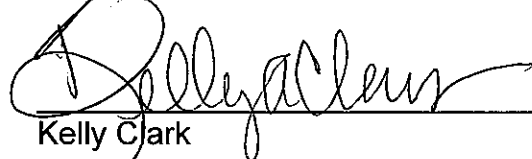
Easement Strip so long as such fence does not obstruct ITC's access to the Easement Strip.

6. The covenants contained in this Supplement and the Original Grant of Easement shall constitute covenants running with the land and shall be binding and inure to the benefit of the parties hereto, their personal representatives, heirs, successors, assigns and additionally, in the case of ITC, its licensees and lessees, as well as the agents, employees and contractors of ITC and its licensees and lessees. ITC shall have the right to assign, in whole or in part, the rights granted in this Supplement and in the Original Grant of Easement.

7. This Supplement is exempt from real estate transfer tax pursuant to MCL 207.505(f) and from State real estate transfer tax pursuant to the provisions of MCL 207.526(f).


OWNER

  
\_\_\_\_\_  
Randal Clark

  
\_\_\_\_\_  
Kelly Clark

Acknowledged before me in Oakland County, Michigan, on this 7 day of December, 2010, by Randal Clark and Kelly Clark, husband and wife.

MATT BOTSFORD  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF OAKLAND  
MY COMMISSION EXPIRES Mar 16, 2014  
ACTING IN COUNTY OF

  
\_\_\_\_\_  
, Notary Public  
Oakland County, Michigan

Acting in Oakland County, Michigan

My Commission Expires 3/16/2014

Prepared by:  
Patricia T. Murphy (P61872)  
ITC Holdings Corp.  
27175 Energy Way  
Novi, MI 48377

When recorded return to:  
NSI Consulting & Development  
26657 Woodward Avenue  
Suite 100  
Huntington Woods, MI 48070