

RETD FOR CORR. MAY 17 2019

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OAKLAND COUNTY
REGISTER OF DEEDS
2019 MAY 23 AM 10:3

79855
LIBER 52854 PAGE 581
\$26.00 MISC RECORDING
\$4.00 REMONUMENTATION
05/23/2019 10:30:17 A.M. RECEIPT# 54365
PAID RECORDED - OAKLAND COUNTY
LISA BROWN, CLERK/REGISTER OF DEEDS

VEGETATION MANAGEMENT EASEMENT

On FEBRUARY 22, 2019, for good and valuable consideration, the receipt of which is hereby acknowledged, Robert C. Kirschenheiter and Barbara A. Kirschenheiter ("Grantor") whose address is 1440 E. Avon Road, Rochester Hills, MI 48037, conveys and warrants to International Transmission Company, a Michigan corporation, of 27175 Energy Way, Novi, Michigan 48377 ("Grantee"), its successors and assigns, a permanent easement ("Easement") over, under, across and through a part of "Grantor's Land" referred to as the "Easement Area" and/or the "Easement Description," all of which are described on Exhibit "A" attached hereto.

1. **Purpose:** The purpose of this Easement is to provide Grantee with the perpetual right to enter at all times upon Grantor's Land 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.
2. **Structures:** This Easement does not prohibit structures in the Easement Area, however, nothing contained in this Easement alters any existing limitations or prohibitions on structures in any other agreement or recorded document.
3. **Restoration:** Within a reasonable time after performing any work pursuant to this Easement, Grantee shall clean up the Easement Area in accordance with best management practices for utility rights of way.
4. **Limited Use; Nonuse:** Nonuse or limited use of the rights herein granted shall not prevent later use to the full extent herein conveyed.
5. **Existing Rights:** Nothing contained in this Easement shall be construed as releasing or impairing any rights or privileges which may have been granted to, acquired by, or which already exist in favor of, Grantee or The Detroit Edison Company relative to the Easement Area or the Grantor's Land as described on the attached Exhibit "A."
6. **Damage Repair:** Grantee shall pay for any actual damage to Grantor's Land or Grantor's personal property resulting from Grantee's exercise of any of Grantee's rights under this Easement. Notwithstanding the foregoing, at no time shall Grantee be responsible for any damage to the extent that such damage results in whole, or in part, from Grantor's negligence. The term actual damage as used in this section is not intended to, nor does it, include damage to vegetation within the Easement Area as contemplated in paragraph 1.
7. **Successors:** This Easement runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.

(7P)
E

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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's signature and acknowledgement appear on the following page.)

GRANTOR

Robert C. Kirschenheiter

ROBERT C. KIRSCHENHEITER

GRANTOR

Barbara A. Kirschenheiter

BARBARA A. KIRSCHENHEITER

A.

Acknowledged before me in OAKLAND County, Michigan, on this 22nd day of FEBRUARY, 2019, by Robert C. Kirschenheiter + Barbara A. Kirschenheiter.

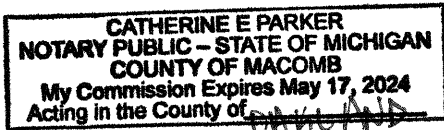
Catherine E. Parker

_____, Notary Public

_____, County, Michigan

Acting in _____ County, Michigan

My Commission Expires _____



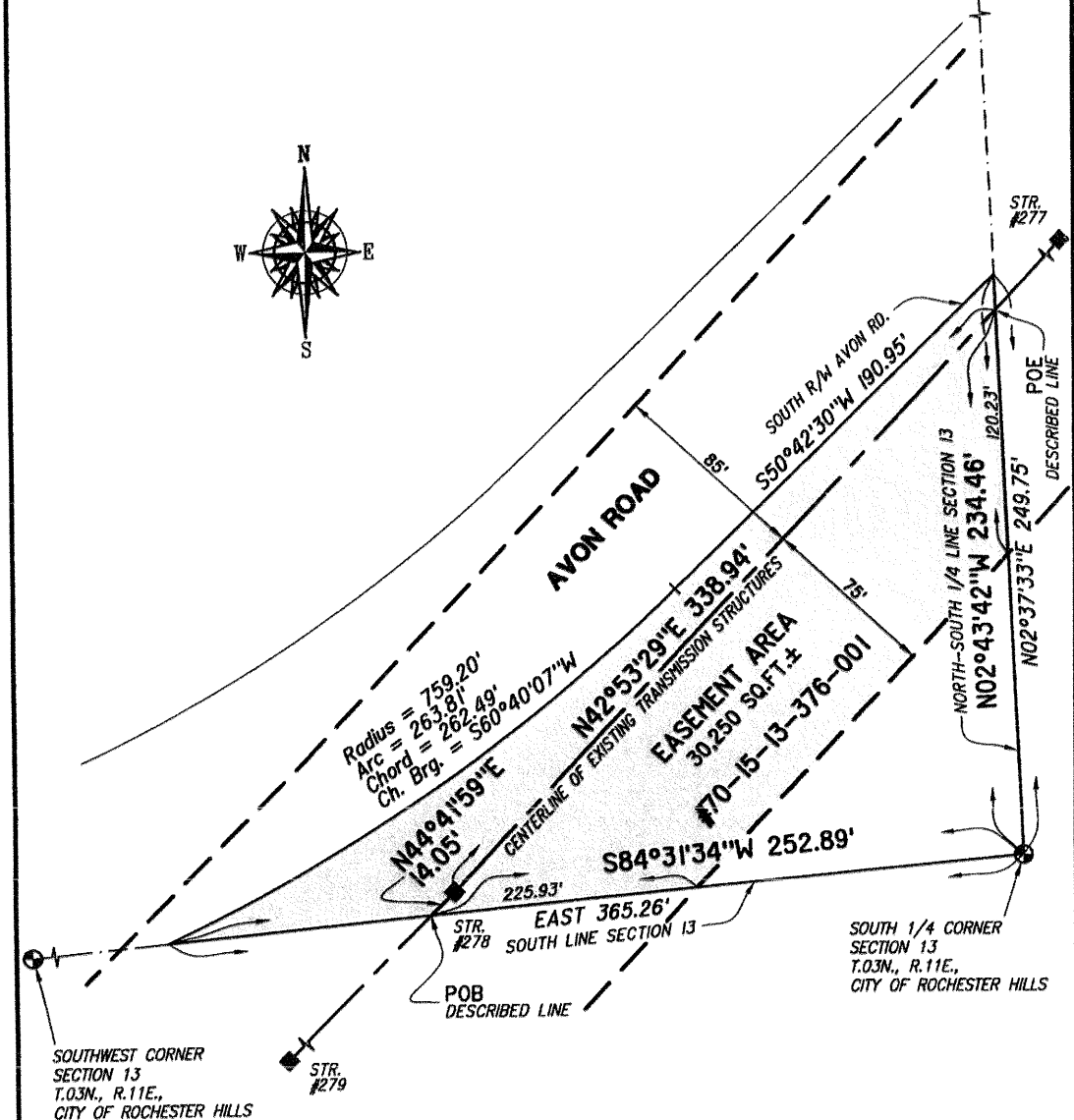
Drafted by:
Patricia Murphy (P61872)
ITC Holdings Corp.
27175 Energy Way
Novi, MI 48377

When recorded return to:
ITC Holdings Corp.
Real Estate Manager
27175 Energy Way
Novi, MI 48377

EXHIBIT "A"

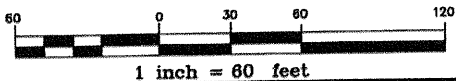
DESCRIPTION OF "GRANTOR'S LAND,"
"EASEMENT AREA" AND "EASEMENT DESCRIPTION"

CENTER
SECTION 13
T.03N., R.11E.,
CITY OF ROCHESTER HILLS



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
- = EXISTING STRUCTURE



Sheet 1 of 2
8042.646 Adams-Spokane-Bloomfield (Easement Exhibits).dwg
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MCNEELY & LINCOLN
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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 1/8/18
Scale 1"=60' Drawn By SA
Job No. 8042.646 Checked By MB

GRANTOR'S LAND

Land in the Southwest 1/4 of Section 13, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as:

CITY OF ROCHESTER HILLS
TOWN 3 NORTH, RANGE 11 EAST, SECTION 13, DESCRIBED AS: PART OF THE SOUTHWEST 1/4,
BEGINNING AT THE SOUTH 1/4 CORNER;
THENCE NORTH 02 DEGREES 37 MINUTES 33 SECONDS EAST 249.75 FEET;
THENCE ALONG THE SOUTH RIGHT OF WAY LINE OF AVON ROAD AS WIDENED,
SOUTH 50 DEGREES 42 MINUTES 30 SECONDS WEST 190.95 FEET ON A CURVE TO THE LEFT
(RADIUS 759.20 FEET) CHORD BEARING SOUTH 60 DEGREES 40 MINUTES 7 SECONDS WEST 262.49
FEET A DISTANCE OF 263.81 FEET;
THENCE EAST ALONG SECTION LINE 365.26 FEET TO THE **POINT OF BEGINNING.**

Tax ID #70-15-13-376-001
Commonly known as 1440 East Avon Road, Rochester Hills, MI
(Per Warranty Deed recorded in Liber 9665, Page 254, Oakland County Records)

DESCRIPTION OF EASEMENT AREA

Land in the Southwest 1/4 of Section 13, Town 3 North, Range 11 East, City of Rochester Hills, Oakland County, Michigan, described as:

All that part of the above-described Grantor's Land which lies Southeasterly of a line eighty-five (85.00) feet
Northwesterly of and parallel with the following described line, **and** which lies Northwesterly of a line seventy-
five (75.00) feet Southeasterly of and parallel with the following described line:

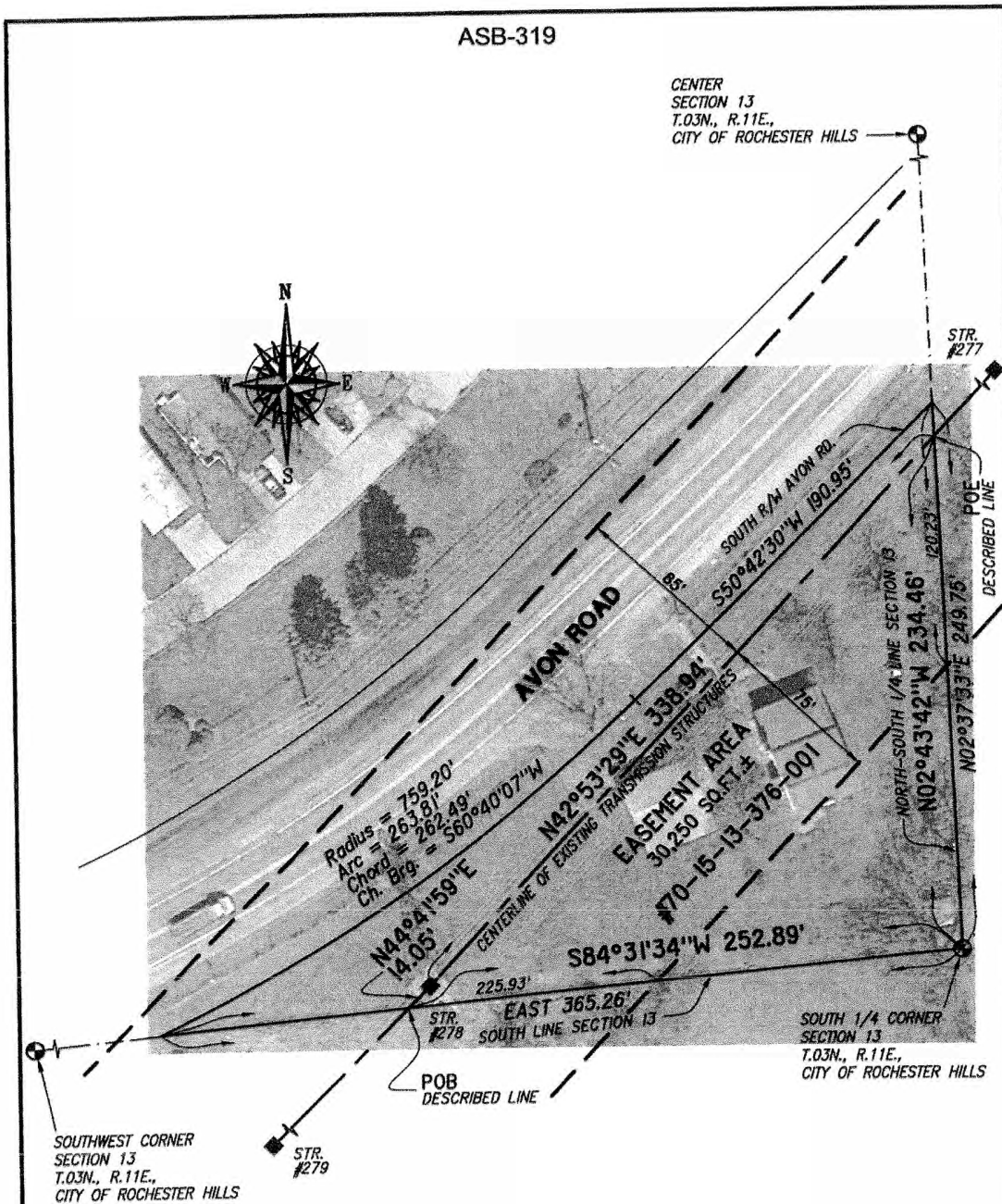
Commencing at the South 1/4 corner of Section 13, Town 3 North, Range 11 East;
thence South 84 degrees 31 minutes 34 seconds West, along the South line of said Section 13, 252.89 feet to
the **Point of Beginning;**

thence along said described line the following two (2) courses:
(1) North 44 degrees 41 minutes 59 seconds East 14.05 feet and
(2) North 42 degrees 53 minutes 29 seconds East 338.94 feet to a point on the North-South 1/4 line of said
Section 13 and the **Point of Ending**, said point being North 02 degrees 43 minutes 42 seconds West, along
said North-South 1/4 line of Section 13, 234.46 feet from the South 1/4 corner of said Section 13.

The side lines of the above described easement are intended to be prolonged or shortened to terminate at the
boundaries of the above described Grantor's Land and to intersect along the bisectors of the angle points in
said described line.

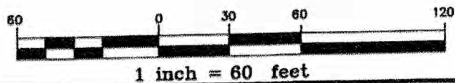
Pl. 15-13-376-001

| | |
|--|--|
| <p>MCNEELY & LINCOLN Associates, Inc. CIVIL ENGINEERING & LAND SURVEYING PH. (734) 432-9777 FAX (734) 432-9786 37741 PEMBROKE, LIVONIA, MICHIGAN, 48152 WWW.MNLINC.COM</p> | <p>For <u> I.T.C. </u> Date <u> 1/8/18 </u> Scale <u> N/A </u> Drawn By <u> SA </u> Job No. <u> 8042.646 </u> Checked By <u> MB </u></p> |
|--|--|



LEGEND

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Sheet 1 of 2
 8042.646 Adams-Spokane-Bloomfield (Easement Exhibits).dwg
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For _____ I.T.C. _____ Date 1/8/18
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