

6a

INDENTURE made the 3rd day of Dec, 1962, between

Thomas B. Brookes and Eva A. Brookes, parties of the first part, and THE DETROIT EDISON COMPANY, party of the second part,

WITNESSETH:

WHEREAS, the party of the second part has constructed or is about to construct certain of its lines, towers, poles, fixtures and equipment for the transmission of electricity, located entirely upon lands not subject to this grant but nevertheless adjoining the lands hereinafter described and affected hereby,

NOW THEREFORE:

For and in consideration of One Dollar and other valuable considerations, the receipt of which is hereby acknowledged, the parties of the first part grants to the party of the second part, its successors and assigns, a right to enter upon the lands hereinafter described from time to time, and at such time as the party of the second part shall determine, for the sole and only purpose of trimming or cutting down any trees along said transmission lines which could fall into the said lines or otherwise interfere with their operation and maintenance, now or at any time hereafter during the continued existence of the said lines,

PROVIDED HOWEVER:

The party of the second part is to be responsible for all damage to growing crops, buildings or fences caused by its men, teams, trucks and other vehicles and equipment in entering said lands for the purposes aforesaid; and further provided that nothing contained herein is intended or shall be construed to limit or restrict the parties of the first part in their occupancy or enjoyment of said lands in any way not inconsistent with the provisions of this grant.

This grant shall be binding upon parties of the first part, their heirs, executors, administrators, successors and assigns.

The lands which are the subject of this grant are located in the Township of Novi, County of Oakland, State of Michigan, described as:

The Westerly 30.0 feet of the East 16 acres of the North 36 acres of the Northeast fractional 1/4 of Section 1, Town 1 North, Range 8 East. Subject to the rights of the public in that part used for highway purposes. Also subject to right of way granted to The Detroit Edison Company in a Northerly and Southerly direction across the East 100 feet of premises along approximately 58 feet West of the East line thereof as set forth in Liber 3247, Page 56, Oakland County Records.

subject to existing easements and restrictions.

In the Presence of:

Lynn Brookes
Lynn Brookes
Thomas H. Beagan
Thomas H. Beagan

Signed and Sealed:
Thomas B. Brookes (L.S.)
Eva A. Brookes (L.S.)
Eva A. Brookes (L.S.)

STATE OF MICHIGAN
COUNTY OF OAKLAND

OAKLAND COUNTY MICHIGAN
REGISTER OF DEEDS RECORDS
1962 DEC 13 PM 1 08

On this 3rd day of DECEMBER, A.D. 1962, before me, the subscriber, a Notary Public in and for said County, personally appeared THOMAS B. BROOKES AND EVA A. BROOKES, HIS WIFE known to me to be the persons described in and who executed the foregoing instrument and acknowledged the execution thereof to be THEIR free act and deed.

EXPIRES NO
NOTARY PUBLIC
DETROIT, MICHIGAN

Thomas H. Beagan
Thomas H. Beagan
Notary Public, WAYNE
County, Michigan.

My Commission expires: MAY 7, 1965

RECORDED RIGHT OF WAY NO. 22260 029

OK (H) Pinallee 12-4-62 Rev. 53 Sec. 1; NE 1/4, N 1/2 of

159



January 5, 2018

Stephen White
Albert Kahn Associates, Inc.
7430 Second Ave.
Detroit, MI 48202

RE: Proposed building and parking lot within an Electric Transmission Easement in Section 1, T1N, R8E, Novi Township, Oakland County, Michigan

Dear Stephen:

I am writing in response to your recent inquiry for permission to construct a building and parking lot within International Transmission Company's ("ITC's") electric transmission easement in Section 1, Novi Township, Oakland County, Michigan. A landowner can be authorized to utilize the land that is allocated within the easement area.

It is our understanding that the building and parking lot that you are proposing to install (the "Project") will be within ITC's easement. Based on our review of your construction plan from your Exhibit A drawings, ITC would not consider the Project to unreasonably interfere with the exercise of its easement rights, provided that the Project is constructed in the location and manner as provided in the exhibit. In so doing, the Landowner hereby agrees to 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 ITC's electric transmission structures by ITC's vehicles and equipment for purposes of exercising ITC's easement rights; and 3) preclude the construction of such additional electric transmission lines within the easement strip as ITC 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 as submitted. Nuisance shock potential does exist in this area, and vehicles should be 55' long or less and 13.5' tall or less to reduce risk.

The landowner acknowledges and agrees to keep the easement area free of any vegetation that does not meet the ITC standards for limited vegetation. Acceptable forms of vegetation can be requested from ITC by the landowner. If vegetation should be deemed as a potential hazard, ITC reserves the right to remove said vegetation, without warning.



December 5, 2017

**To: Margaret Wessel Walker, Real Estate
ITC Holdings Corp**

**From: Gordie Halt, Asset Management
ITC Holdings Corp**

Subject: Non-interference Request NI-071

The Technical Solutions group has reviewed this request and calculates no concerns with induced voltages or space potential effects for the proposed design of the parking lot as long as vehicles are 55' long or less and 13.5' tall or less. Nuisance shock potential does exist in this area. Proper and safe practices must be followed and clearances maintained to keep personnel safe during the construction and operation of facilities adjacent to these ITC transmission lines.

Signed,

A handwritten signature in black ink, appearing to read 'Gordon Halt', is written over a light blue circular graphic element.

Gordon Halt

Walker, Margaret

From: Andree, John
Sent: Thursday, October 19, 2017 9:54 AM
To: Walker, Margaret; Keeler, Erin; Halt, Gordie; Doshi, Neil
Cc: Cooper, Steven
Subject: RE: non interference request Berkshire EEOA0175093

Follow Up Flag: Follow up
Flag Status: Flagged

Planning has no future projects planned for these circuits thus has no objections other than it should not be allowed to impede our ability to rebuild the circuits in the future should it be needed.

John Andree

From: Walker, Margaret
Sent: Wednesday, October 18, 2017 3:05 PM
To: Keeler, Erin <ekeeler@itctransco.com>; Halt, Gordie <ghalt@itctransco.com>; Andree, John <jandree@itctransco.com>; Doshi, Neil <ndoshi@itctransco.com>
Cc: Cooper, Steven <scooper01@itctransco.com>
Subject: non interference request Berkshire EEOA0175093

Please see attached non-interference request.

Margaret Weesel Walker
Real Estate Department
ITC Holdings Corp.
248-946-3312

ITC's sole purpose in reviewing the Project has been to determine whether it unreasonably interferes with ITC's easement. ITC 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. ITC 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 ITC's easement in any way, nor should it be interpreted to limit or modify such rights or interests as ITC or that you may have by virtue of the easement. ITC 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, ITC'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 ITC's easement or the information in this letter, please contact me at 248-946-3767.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven J. Cooper". The signature is fluid and cursive, with the first name "Steven" and last name "Cooper" clearly distinguishable.

Steven J. Cooper

Real Estate Manager – Michigan Operations
ITC Holdings Corp.

Email: scooper01@itctransco.com

Cc: Property file



October 10, 2017

Mr. Steven J. Cooper
Real Estate Manager – Michigan Operations
ITC Holding Corporation
21175 Energy Way
Novi, Michigan 48377
One page via email
Scooper01@itctransco.com

RE: proposed site development for Berkshire eSupply near Electric Voltage Transmission Permit as recorded in Liber 4305, page 318, Oakland County Records, as to parcel 22-01-200-027 and Electric Voltage Transmission Permit as recorded in Liber 4327, page 585, Oakland County Records parcel 22-01-200-018

Dear Mr. Cooper

As I believe I have communicated to you previously; SEHN Novi LLC (SEHN) are the owner of the above mentioned parcels and the easement agreements with ITC. We have entered into a purchase agreement with Berkshire eSupply and expect to close on the sale of these parcels to Berkshire eSupply in December 2017.

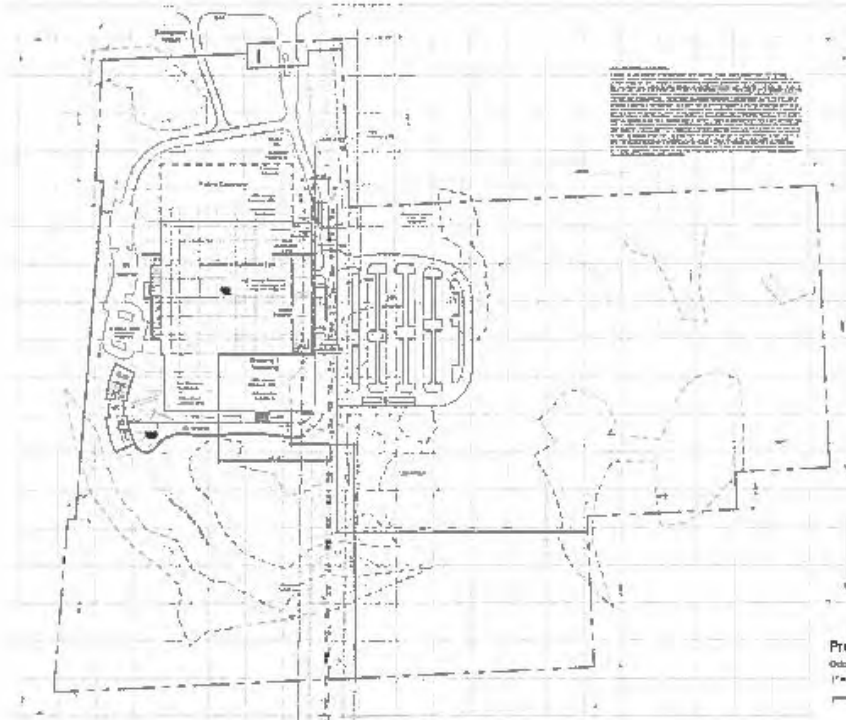
As the owner of the parcels we authorize ITC to enter into a non-interference agreement with Berkshire eSupply based on the signed Purchase Agreement so that Berkshire eSupply may gain approval for development of the site by the city of Novi and the two parties can transition from purchase agreement to closing on the sale of the parcels.

I understand that you have received information regarding this project from Berkshire eSupply contracted engineering firm Albert Kahn Associates. For the sake of good order attached is the final proposed layout for the site.

Respectfully

A handwritten signature in blue ink, appearing to read "Marlin Wroubel". The signature is fluid and cursive, with a large loop at the end.

Marlin Wroubel
Agent/Member
SEHN Novi LLC

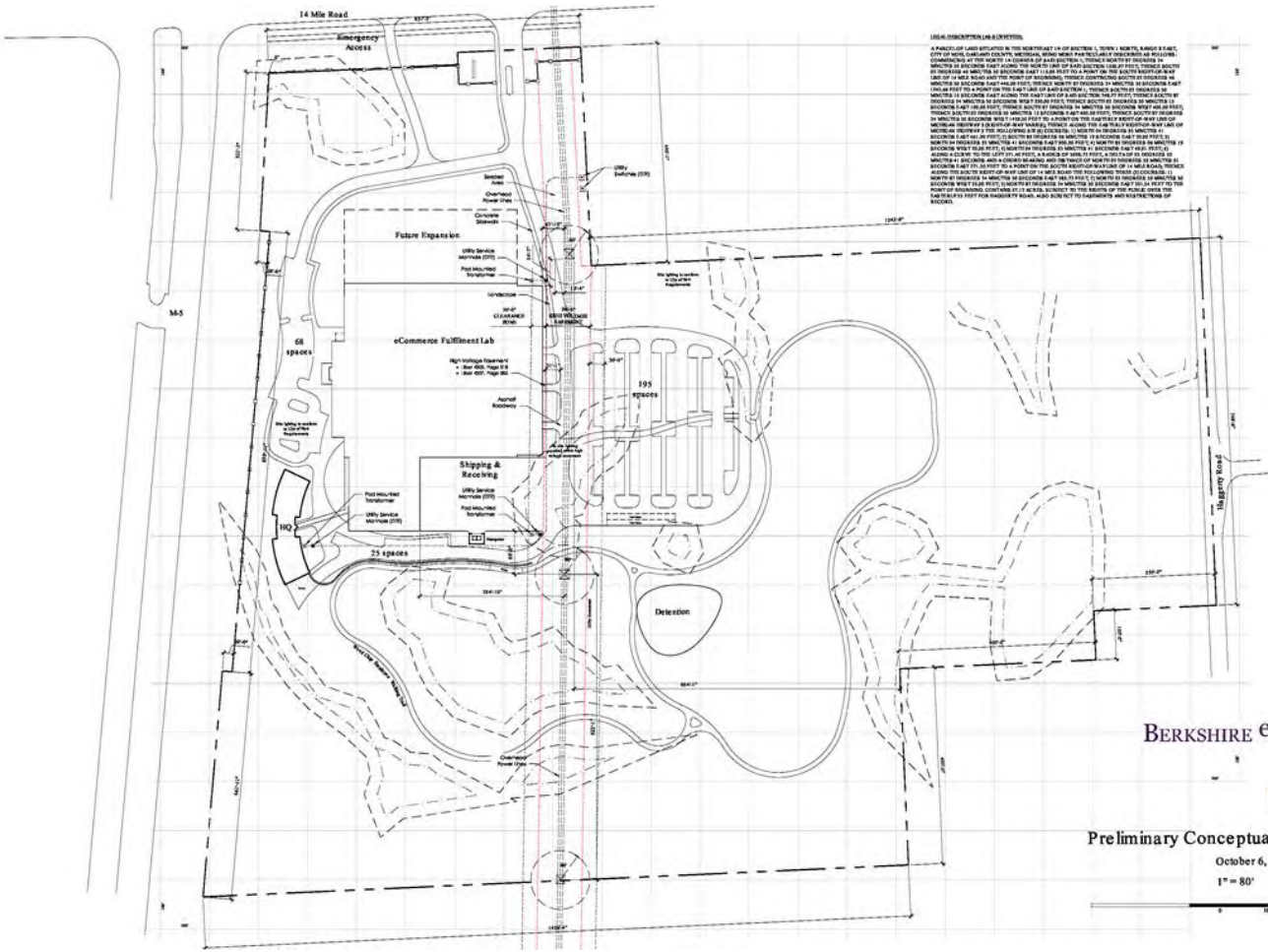


1. All other information on this plan shall be subject to the same conditions as the information on this plan. The information on this plan is for informational purposes only and does not constitute an offer of any securities. The information on this plan is not to be used in any way to solicit or induce any person to purchase or sell any securities. The information on this plan is not to be used in any way to solicit or induce any person to purchase or sell any securities. The information on this plan is not to be used in any way to solicit or induce any person to purchase or sell any securities.

BERKSHIRE SUPPLY

Kahn

Preliminary Conceptual Site Plan G
October 2017
1"=80'



PLANNING INFORMATION

A PORTION OF THE LAND SHOWN IN THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 10 NORTH, RANGE 1 EAST, COUNTY OF WISCONSIN, LAND AND COUNTY RECORDS, WHICH WERE FILED AS A PRELIMINARY CONCEPTUAL SITE PLAN UNDER THE WISCONSIN PLANNING ACT, IS HEREBY REOPENED TO THE PUBLIC FOR COMMENT. THE PLANNING ACT PROVIDES THAT THE PLANNING BOARD SHALL CONSIDER ALL COMMENTS RECEIVED BY THE BOARD ON THE PRELIMINARY CONCEPTUAL SITE PLAN AND SHALL REPORT TO THE BOARD ON THE COMMENTS RECEIVED. THE PLANNING BOARD SHALL CONSIDER ALL COMMENTS RECEIVED BY THE BOARD ON THE PRELIMINARY CONCEPTUAL SITE PLAN AND SHALL REPORT TO THE BOARD ON THE COMMENTS RECEIVED. THE PLANNING BOARD SHALL CONSIDER ALL COMMENTS RECEIVED BY THE BOARD ON THE PRELIMINARY CONCEPTUAL SITE PLAN AND SHALL REPORT TO THE BOARD ON THE COMMENTS RECEIVED.

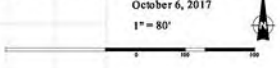
BERKSHIRE eSUPPLY

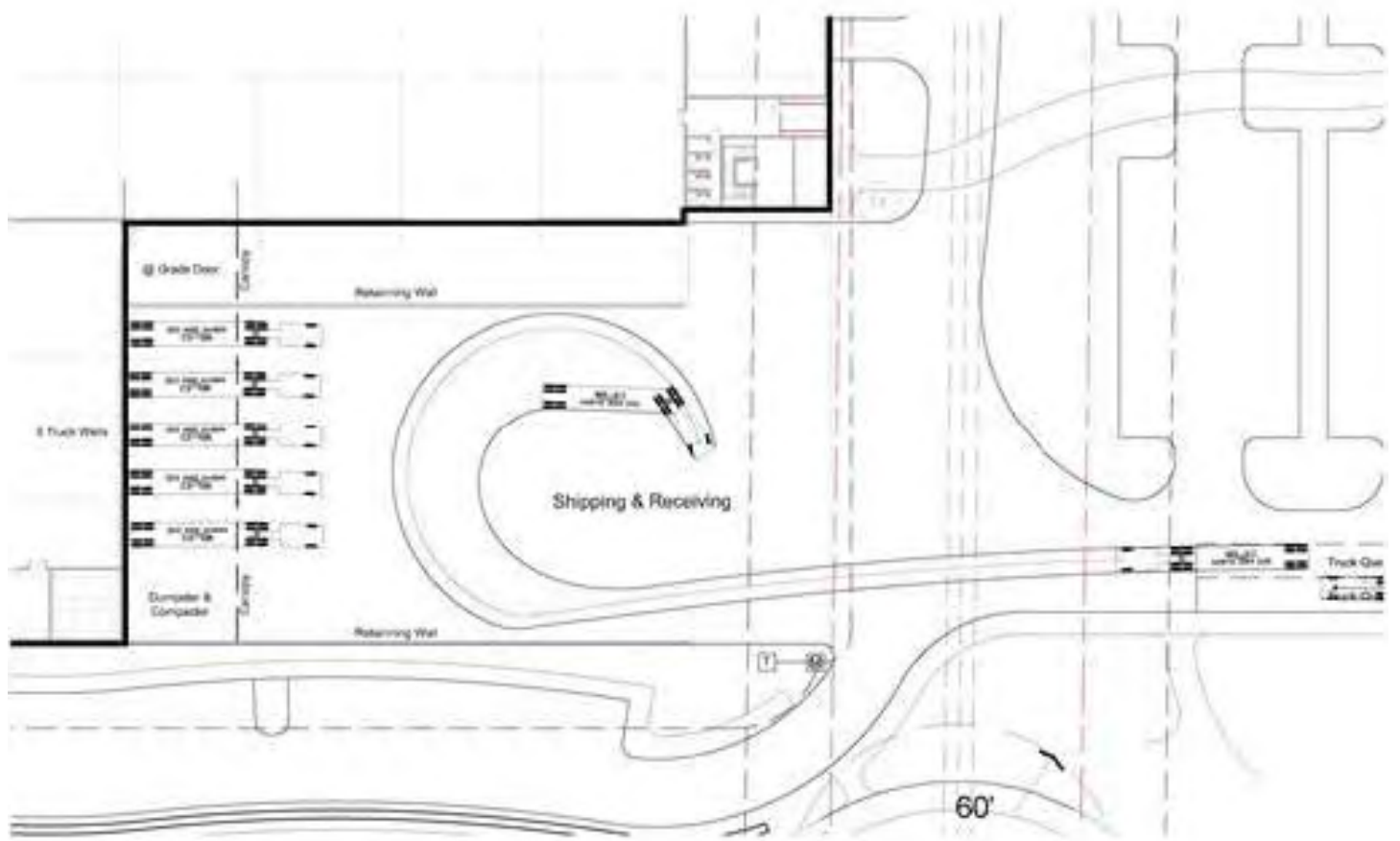


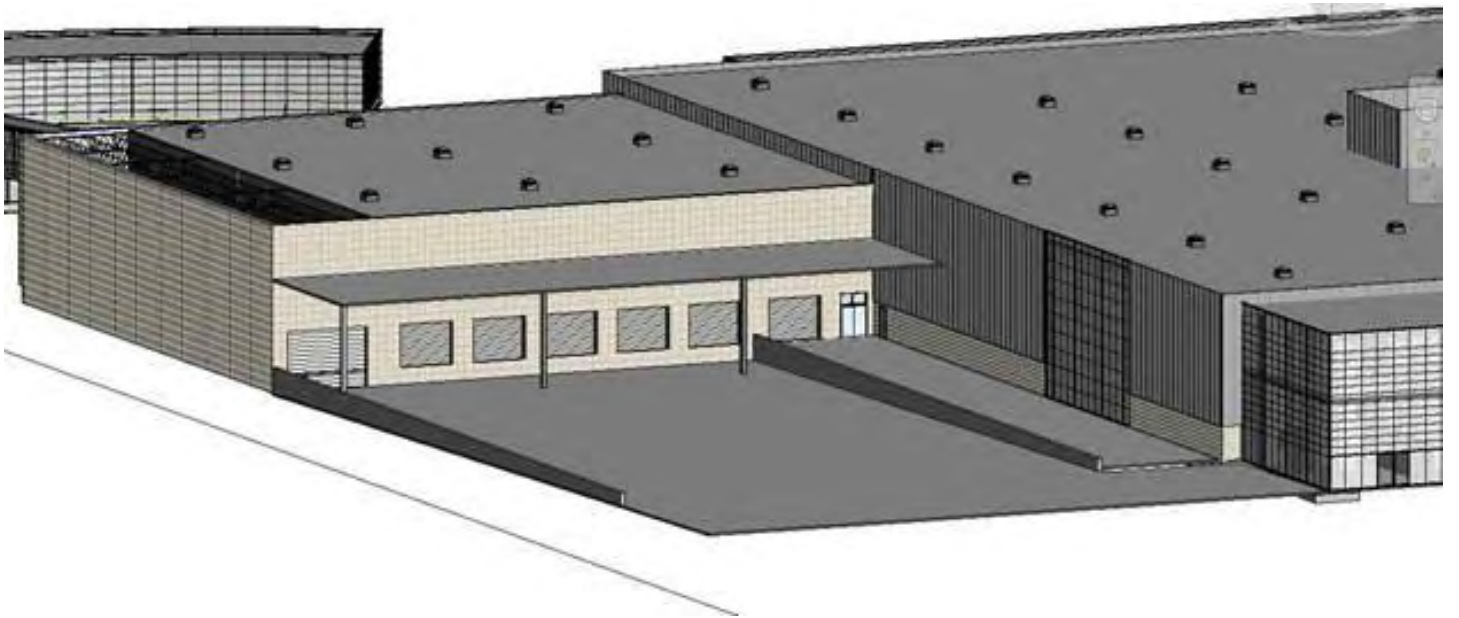
Preliminary Conceptual Site Plan G

October 6, 2017

1" = 80'









Date: 11/20/17

To: Margaret Wessel Walker
Real Estate and Rights of Way
ITC

From: Erin M. Keeler
Design Engineering
ITC

Subject: EEOA0175093 (NI-71)
Berkshire eCommerce – Distribution Building and Parking

Response: This request is approved.

Design does not have issues with the building within the vegetation easement or the parking within the transmission line easement provided no lighting is installed within it.

Approved By:

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

Erin M. Keeler
Principal Engineer - Design

Walker, Margaret

From: Doshi, Neil
Sent: Wednesday, October 18, 2017 4:17 PM
To: Walker, Margaret; Keeler, Erin; Halt, Gordie; Andree, John
Cc: Cooper, Steven
Subject: RE: non interference request Berkshire EEOA0175093

Asset Management approved.

Neil D Doshi, PE
ITC Holdings Corp,
Cell: 248-705-6442

From: Walker, Margaret
Sent: Wednesday, October 18, 2017 3:05 PM
To: Keeler, Erin <ekeeler@itctransco.com>; Halt, Gordie <ghalt@itctransco.com>; Andree, John <jandree@itctransco.com>; Doshi, Neil <ndoshi@itctransco.com>
Cc: Cooper, Steven <scooper01@itctransco.com>
Subject: non interference request Berkshire EEOA0175093

Please see attached non-interference request.

Margaret Weasel Walker
Real Estate Department
ITC Holdings Corp.
248-946-3312