

Real Estate and Claims Division

Project No: UOD0122888 CU-639

Date: October 9, 2012

To: Ashley Dupree (Towers Group)

From: Fernando Guevara (Real Estate)

Subject: Proposed Access Drive & Parking Area in area of METC's 138kV line (5A) CE Reference No. Oscoda/Mentor/Big Creek Twp/McTaggart

Consumers Energy is proposing to build a gravel access drive and a gravel parking lot to access a day park providing barrier free fishing on the Au Sable River. The day park will be maintained by Big Creek Township. The gravel access drive will cross under the Mio-Alcona Line (5A) and the gravel parking lot is within the 72 foot wide easement area. Furthermore, pursuant to the Amended and Restated Easement Agreement, METC/ITC needs to submit a response letter to CE by *October* 23, 2012

Please review and return to my attention with your recommendations/comments.

Attachments



A CMS Energy Company

October 2, 2012

Michigan Electric Transmission Company, an ITC Company Attn: Fernando Guevara 27175 Energy Way Novi, MI 48377-3639

Attention: Executive Vice President and Chief Operating Officer

- SUBJECT: Proposed: Access Drive & Parking Area in area of METC's 138kV Transmission Line 5A – CE's Hydro Property Reference: Oscoda/Mentor/Big Creek Twp/McTaggart
- REFERENCE: Amended and Restated Easement Agreement (the "Agreement") dated April 29, 2002, between Consumers Energy Company ("Consumers") and Michigan Electric Transmission Company, now Michigan Electric Transmission Company, LLC ("METC")

Pursuant to Section 7.1 of the Agreement, Consumers hereby notifies METC that Big Creek Township is proposing to construct a gravel access drive and a gravel parking area on certain land that METC has an interest under the Agreement. The location of the land on which said work will be performed, and a further description of the intended use, are set forth on "Annex A", attached to this letter.

Under said Section 7.1 of the Agreement, METC must within 30 days of this notice notify Consumers, as "Initiating User," of whether or not METC approves the proposed use as a Compatible Use. If you do not notify us either way within 30 days of this notice, then, as provided in said Section 7.1, METC will be deemed to have approved the proposed use as being a Compatible Use. We would appreciate, however, receiving METC's express approval of the proposed use as being a Compatible Use as soon as possible so that we can start work without delay.

Page Two

Reference No: Oscoda/Mentor/Big Creek Twp/McTaggart

This letter is being sent to you in duplicate. If METC agrees that the proposed use is a Compatible Use, please indicate that by signing and returning a copy of this letter to us as soon as possible, so that we can immediately proceed with construction. The other copy is for your records.

Sincerely,

Marcia 9-Losert

Marcia A Losert, EP7-455 Real Estate Technical Analyst Consumers Energy Company One Energy Plaza Jackson, MI 49201



DEPARTMENT	REVIEWED	DATE
Asset Management		
Engineering		
Real Estate	1. Mar 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 - 1997 -	
Legal		
Planning		

MICHIGAN ELECTRIC TRANSMISSION COMPANY, LLC, a Michigan limited liability company

By: ITC Holdings Corp., its manager

By: ____

Christine Mason Soneral Vice President and General Counsel-Utility Operations of ITC Holdings Corp.

<u>ANNEX A</u>

Reference No: Oscoda/Mentor/Big Creek Twp/McTaggart

LAND TO BE IMPACTED:

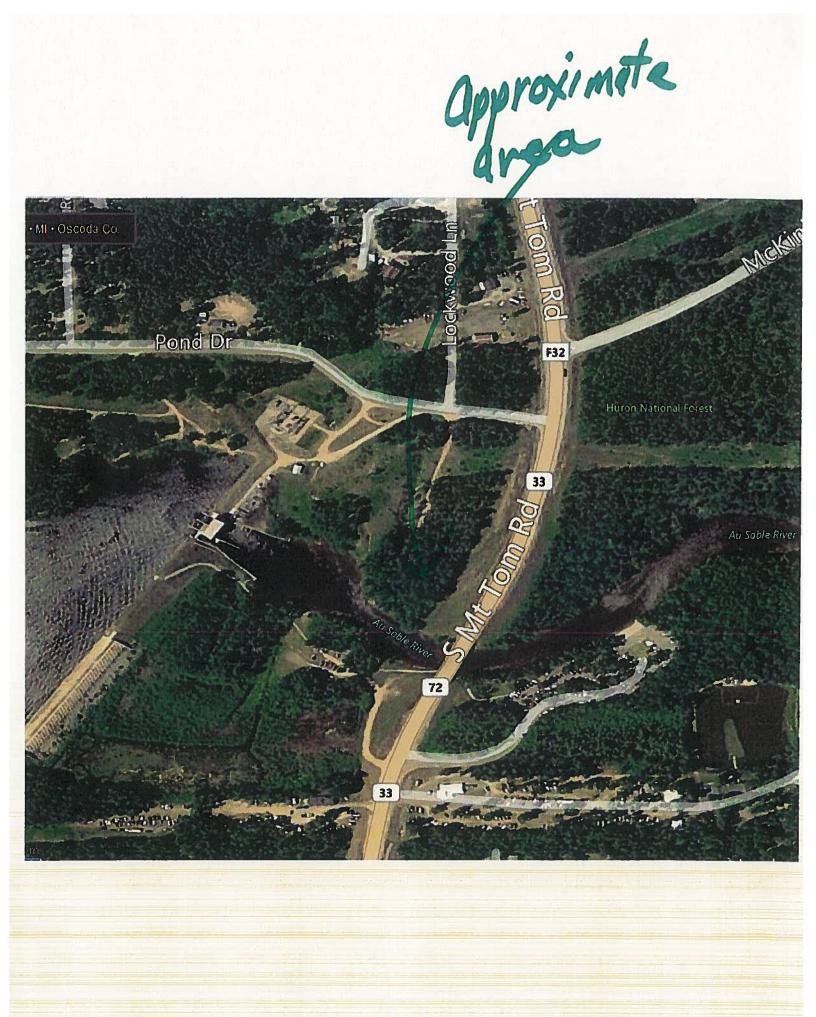
That certain parcel of land in the State of Michigan, described as follows:

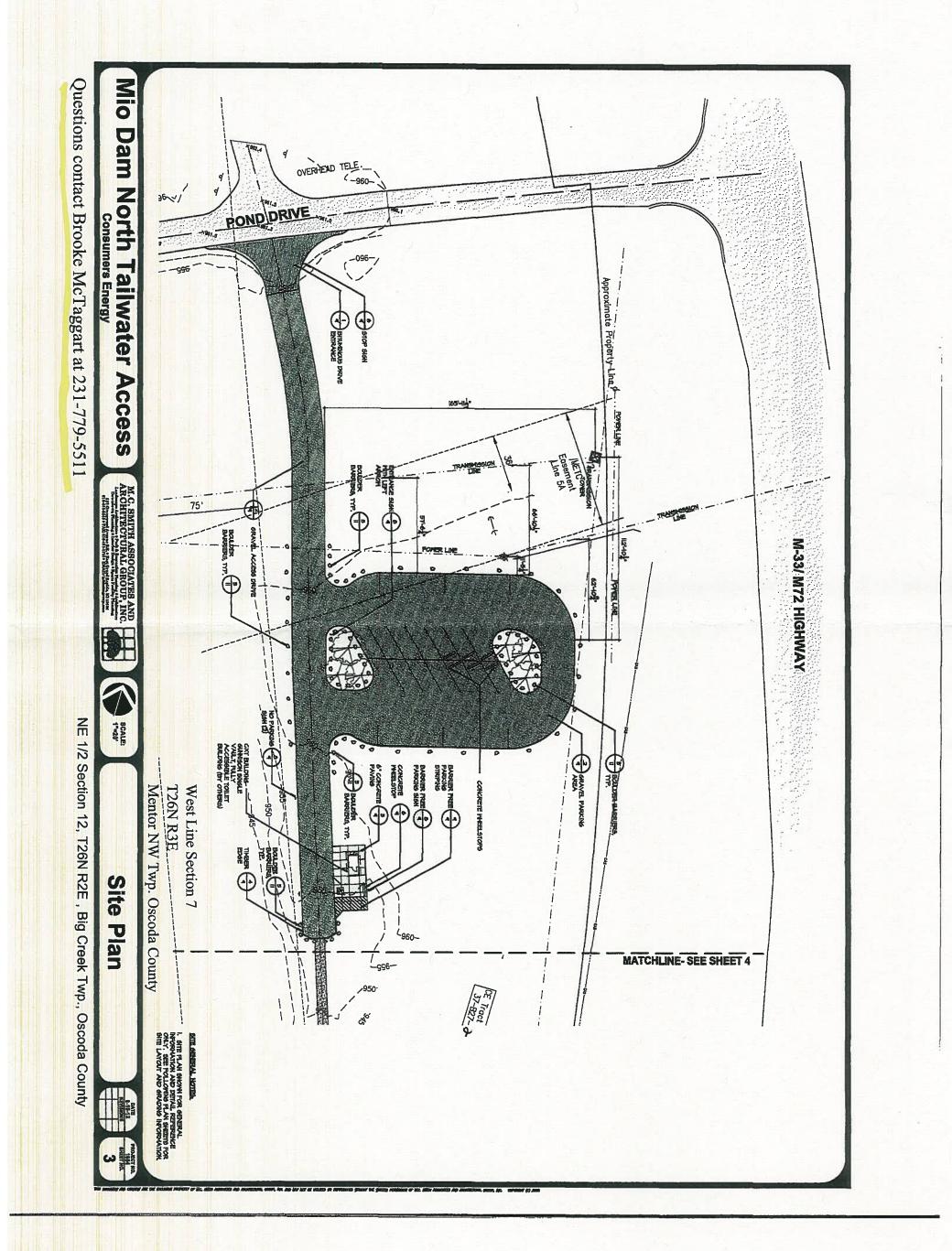
A parcel of land located in the SW ¼ of the NW ¼ Section 7, T26N, R3E of Mentor Township, Oscoda County, Michigan.

PROPOSED USE:

A Gravel Access Drive and a gravel Parking Lot to access a day park providing barrier free fishing on the Au Sable River. The Day Park will be maintained by Big Creek Township. The gravel access drive will cross under the Mio-Alcona Line (5A) and the gravel parking lot is within the 72 foot wide easement area.

Tract: 37-B27-2





SF-1925I SURVEY S-E 14896 LAYDUT S-F 18420 DRAWNG NO. REFERENCE DRAMINGS	138LV Vood Pole Transvision Lee 103A Essenent Description Essenent Description A strip of land 72 feet in width being 36 feet on each side of the centerline of an existing electric transvision line located in the Northeast 1/4 of Section 12, T264 REF Mentor Tohnship, Discoid, County, Michigan, and the Northeast 1/4 of Section 7, T264 REF Mentor Tohnship, Discoid, County, Michigan, and the Northeast 1/4 of Section 7, T264 REF Mentor Tohnship, Discoid, County, Michigan, and the Northeast 1/4 of Section 7, T264 REF Mentor Tohnship, Discoid, County, Michigan, and the Northeast 1/4 of Section 7, T264 Ref Mentor Tohnship, Discoid, County, Michigan, and the Northeast 1/4 of Section 7, T264 Northeast corner to Section 12 T264, REF, theree South 002'10', East and the Kortheast 1/4 of Section 7, theree South 29707 East along the North 1/8th line of said Section 7, theree North 8971707 East along the North 1/8th line of said Section 7, theree South 2974070 East along the North 1/8th line of said Section 7, theree South 2974070 East 45,90 feet to the Pont of Beginning of this centerline description thence foot wide strip of land use to be extended or shorthered to met at angle ponts, said salelines to begin of the North 1/8th line of said Section 7 and to terminate at the perineter of the Africa 1/68th line of said Section 7 and to terminate at the Field Book 1669	the centerline of an existing an 12, T26K, R2E, Big strip being more p concerner at the p concerner at the p concerner at the p concerner at the p concerner at the terline of an existing centerline of an existing centerline of an existing terline description thence bestation The stelenes of said 72 The stelenes of said 72 eff at angle points, said if to terminate at the	of the centerline of an existing cetton II, T26N, R2E, and the IIscoal County. described as follows To to Sections I. 2, II & I2 soid Section II, a distance materline the following four out? 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For a Point of the South 31542V Sector 315440 Sector 315440 Sector 31542V Sector 315440 Sector 315440 Sector 315440 Sector 3	No Substation Easement Description An area of land lying 500 feet parallel with and on the exterior Vest. North, East and South sides of an existing fence surrounding an existing electrical substation and located in the Northeast 1/4 of Section 12. Tom 26 North, Range 2 East. Big Oreet Tompin Desceda County , Wichigan Further described as Convencing at the Northeast conver of sold Section 12.1 there, south 002(107) East along the East line of said Section 12. thence distance of 1317.22 feet to the North 1/8th line of sold Section 12. thence South 002(107) Vest Jange sold North 1/8th line of sold Section 12. thence South a Point of Beginning there is Surrower south and a distance of 182.90 feet for a Point of Beginning the East line of sold Section 16. addition the Eloiobing 6 courses South 937202' East 13802' feet thence North 31/2701' East 15/13 Feet thence North 374/272' Vest 13082' feet thence North 31/2701' East 15/13 Feet thence North 374/272' Vest 1709 Feet thence North 31/2701' East 15/13 Feet thence North 374/272' Vest 1709 Feet thence North 31/2701' East 15/13 Feet thence North 58/4/27' Vest 1709 Feet thence North 31/2701' East 17/12 Feet thence North 58/4/27' Vest 1709 Feet thence North 31/2701' East 17/12 Feet thence North 57/4/27' Vest 1709 Feet thence North 31/2701' East 17/12 Feet thence North 57/4/27' Vest 1709 Feet thence North 31/2701' East 17/12 Feet thence North 57/4/27' Vest 1709 Feet thence North 31/2701' East 17/12 Feet thence North 57/4/27' Vest 1709 Feet thence North 31/2701' East 17/28 Feet to the Point of Beginning. Contabing 0.55 acres nore on tess.	345KV Steel Structure Transmission Line 318A Easement Description A strip of lund ISD feet in with being 75 feet on each side of the centerline of an existing electric transmission line located in the Southwest 1/4 of Section 3, 126K, REC, 38 Creek Transmission line located in the Southwest 1/4 of Section 3, 126K, REC, 38 Creek Transmission line located in the Southwest 1/4 of Section 3, 126K, REC, 38 Creek Transmission line located in the South of Beginning, commence at the Southwest corner of said Section 3, theree South 8954/48 feast along the South line of southwest corner of said Section 3, theree South 8954/48 feast along the South line of southwest corner of said Section 3, theree South 8954/48 feast along the South line of southwest corner of said Section 3, theree South 8954/48 feast along the South line of southwest corner of said Section 3, theree South 8954/48 feast along the South 100 of 27/02 feast to the conterline description the sould vest 1/4 hile of said Section 3, there in the line of an esting electric transmission line and the Point of Beginning of this centerline description. The sidelines of said Socton 3 for a Point of Ending of this centerline description. The sidelines of said Socton 3 is on a Point of south Section 3 and to terminate at the East & Vest 1/4 line
REX DATE DESCRPTION	Mo Substation Ingress Egress Easement Description A strip of land 20 feet in Width being 10 feet on either side of the centerline of an 14 while gravel road located in the Northeast 1/4 of Section 12, TSM, REZ, Jag Creat Tomship, Disoda Courty, Wichigan, the centerline of said strip being more particularly described as follows: To find the Point of Beginning, comence at the Northeast 12, a distance of ISSS, feet, thence South 00/2014. Vest 20.06 feet to the South right of way of Point Abad (Tract 32-327-22) and the Point of Beginning of this center description) thence along side centerline the following two cursess South 40/3214 west 130.30 feet, thence continuing North 53/324. Vest 74.22 feet to the south sidelines of said sidelines to begin at the boundary of Southerly right of way of Point angle points, said sidelines to begin at the boundary of Southerly right of way of Point Road and to terminate at the perimeter of the Mo Substation Easement.	A strip of land /2 feet in whith being 36 feet on each side of the centerlue of an existing electric transision line located in Sections II and 12, T26N, R2E, 18 Creek Tomship, IIscoda Caurty, Michigan, the centerlue of said strip being more particularly described as follows: To Find the Plant of Baghning, comence at the South like of sub Section 12 T26N, R2E, thence South 89:44/35' Vest along the South like of sub Section 11, a distance 1220 feet to the centerlue of an existing electric transmission like and the Point of Beghning of this centerlue description thence along sub centerlue the following five courses: North 00?2003' Vest SU7 feet, thence continuing North 41:04/32' Vest 36:57 feet to the perineter of the MSUB feet. For a Point of Eading of the centerlue Te Sub Substation Easenent For a Point of Eading of the soft to the perineter of the Nubertal Sub sub twois the side is to begin on the of sub Section II and to terminate at the perineter of the aforesaid Mo Substation Easement.	REE, 1384V Vood Pole Trensmission Line 85A	SEE SHEET	Rat Newton Toynambo Discost County Michaen, the conversion of suid particularly described as follows: No that we point of Beginning, co hardwast correr to Saction 12, T26M, R2, there South 00/2107 Ec ine of suid Section 12, a distance 137.32 feet to the North 00/2107 there South 09/3931 vest along suid North Visth II en a distance south 09/2107 East parallel with the East line of suid Section perimeter of the No Substation Elsement the next two courses So 158.02 feet, thence conthuling South Station F Beginning of this description thence along suid Certerline the Following Yuo courses South 6/712/45 West 316.88 feet, thence North 88/11/30 East 292.02 to the Westerly Right of Yaoy of State Highway M33 and M72 combine of Ending of this centerline description. The sidelines of suid 12 foo are to be extended on shortened to meet a angle points, suid side perimeter of the Mo Substation Easement and to terminate at the Right of Way of State Highway M33 and M72.	138kV Steel Structure Transmission Line SA Easement Description A strip of land 72 feet in width being 36 feet on each side of the centerline of an existing Greek Transmission line located in the Northeast 1/4 of Section 7. Table
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