Michigan Electric Transmission Company, LLC Attn: Executive Vice President and Chief Operating Officer C/O NSI Consulting & Development, Inc. 26657 Woodward Avenue, Suite 100 Huntington Woods, MI 48070

SUBJECT:

REFERENCE:

Amended and Restate 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")

We, the Otsego County Road Commission has acquired or is seeking to acquire rights from Consumers on certain land in which METC has an interest in under the Agreement. The location of said land is set forth on "Annex A", attached to this letter.

Pursuant to Section 7.1 of the Agreement, we hereby notify METC that we intend to construct a **thirty (30') foot wide (road surface) access road**On said land. A further description of the intended use is also set forth on Exhibit A to this letter.

Under said Section 7.1 of the Agreement, METC must within 30 days of this notice notify us, as "Initiating User", of whether or not METC approves the proposed use as a Compatible Use. If METC does 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 be a Compatible Use as soon as possible.

This letter is being sent to you in triplicate. If METC agrees that the proposed use is a Compatible Use, pleas indicate that by signing and returning one copy of this letter to us as soon as possible. As called for in Section 7.1 of the Agreement, please also send one signed copy of this letter to Consumers Energy Company, at One Energy Plaza, Jackson, MI 49201. The last copy should be retained by METC for its records.

Otsego County Road Commission P.O. Box 537

Gaylord, MI 49734-0537

Thomas Deans, P.E.

APPROVED:

MICHIGAN ELECTRIC TRANSMISSION COMPANY, LLC

By: Phily to Mann Date: 6/10/04

ANNEX A

LAND TO BE IMPACTED: PID: 010-009-200-100-00, This property is located in

the NW 1/4 of Section 9, T30N-R3W, Bagley Township,

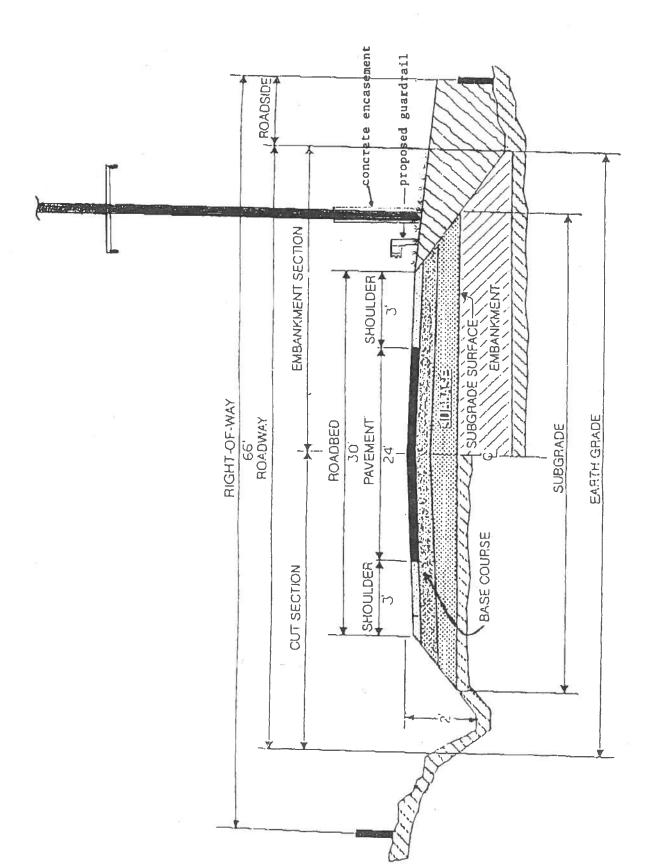
Otsego County, Michigan

Owner: County of Otsego

PROPOSED USE:

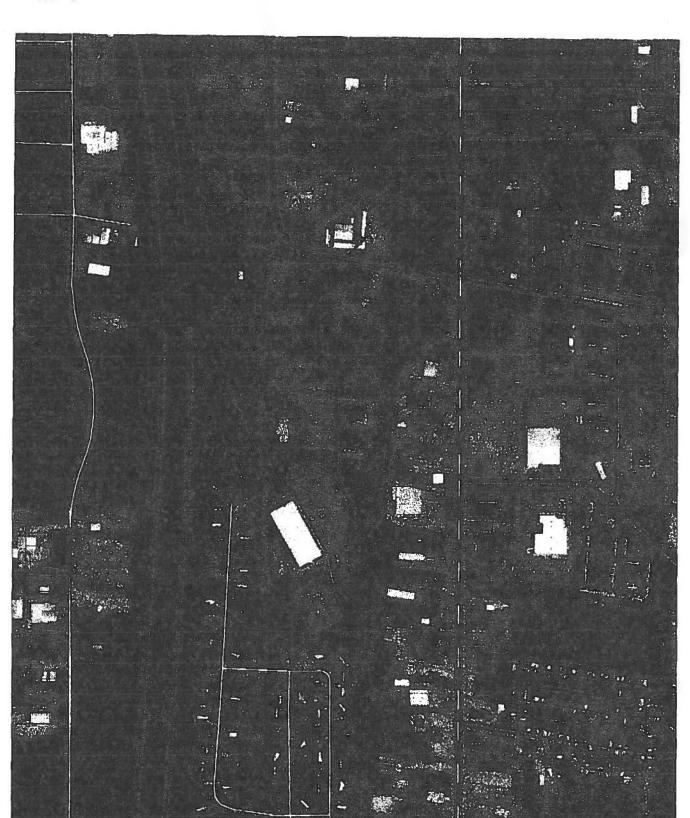
We propose to construct a 30' to 34' foot wide (roadway surface), county public road from Springwood Ave (Maple Grove Estates) to Gornick Avenue. The proposed access road will be hard surfaced and some ditching may be performed for surface runoff. We intend to install guardrail at various locations along the project including the Paxton well head building and the power pole located just east (66') of the Paxton building. Our proposed improvements will be performed within a sixty-six (66') foot right-of-way by O.C.R.C. representatives. Construction is scheduled for mid-summer. We plan to center the road between the Paxton building and the power pole to the east and a small portion of the road will be constructed under the power lines leading south from this power pole. Our grade change will be minimal from existing conditions. Vegetative cover will be reestablished along all areas disturbed by our earthwork. This road will be maintained by the O.C.R.C. upon completion of the proposed project.

REDUCED SCALE (" toeg" OTSEGO CQ T.3DN. R.3W. /0 -91 BAGLEY TWE TOOK HOW



Road Section Nomenclature

Typical Cross Section At The MRIC Pole Location



TO: Fernando

-OCRC

EUGENE S. FLEMING, CHAIRMAN JACK DEMING, VICE CHAIRMAN DONALD R. HUPF, MEMBER MICHAEL A. ROPER, MANAGING DIRECTOR ROBERTA M. THOLL, OFFICE MANAGER

FACSIMILE TRANSMISSION

METC
(Company)
FROM: Tom Deans
DATE:6/2
NUMBER OF PAGES (INCLUDING COVER SHEET): 3
SPECIAL INSTRUCTIONS:
I checked our records and we do not have record of traffic
counts for Gornick Ave or the Maple Grove subdivision. There
are ten commercially developed properties north of the Sportsplex
that access Gornick Ave to Wisconsin Ave and we would expect
this traffic to continue to access to Wisconsin Ave. We also
do not plan to utilize this access road except in emergency
situations so we invision the % commercial traffic to be low.
As mentioned, the Sportsplex traffic will utilize this access
road, especially during events(hockey,swimming events) along
with the subdivision residents. As noted on the cross section
drawing, the existing pole is encased with concrete and we plan
to install a guardrail barrier around this pole. We expect the
edge of pavement to be min. 12' to a max. 21' from the existing
METC pole. The overhead line is approx. 35' above the existing
ground elevation. Hope this information is of use and please fee
Consumers Power has recently related to the first the first terms of
Consumers Power has recently visited the site. Your other pole is located 610' south of the above mentioned pole and 67' from the proposed road contablish
ene proposed foad centerline.
FAXFORM.RMT FROM OUR FAX #989:732-6775

NTY ROAD COMMISSION • P.O. Box 537 • Gaylord, MI 49734-0537 • Phone (989) 732-5202 • Fax (989) 732-6775

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RIGHT OF WAY

Easement

1-10-51 | 5-23-51 | J

2021

Parcel No.

105.

ACCOUNT NO. 100, 110-340,000 240104

A. D. 19 AC PAGE Page Register of Deeds a, clock BALANCE Michigen STATE 168 10 MUNICIPALITY LAT OR AREA SECTION 9 T30N -NWOT RANGE R3W

Saylord Manufacturing Company, a corproration.

Service Manufacturing Company, a corproration authorized to do business in Michiga, second party, and of the Company of the

Ail that part of the Northeast one-quarter $(\frac{1}{5})$ of the Northwest one-quarter $(\frac{1}{5})$ of Section vice (9), Township thirty (30) North, Range three (3) West, lying Westerly of the Michigan Central Railroad right of vay.

TRANSFERS

The court to be taken by said lines of Exemptes, poles, wires, cables and conduits across, over and under said INTER-INTER

Note: Second party may locate said route Westerly of and along and not more than sixty (60) feat from the Westerly line of the Michigan Gentral Railroad right of way. In the event of future construction, second party agrees to elevate or relocate accommodate said constuction.

AMOUNT

168 10

Eth full right and authority to the second party, its successors, licenseen, leaseen or assigns, and its and their repetits, reporting, and reporting, and reporting and authorities and transference, and attributing such achies, conductors of reporting therefore lines of sires, cables or other conductors for the transmission of electrical neutrophording therefore lines of sires, cables or other conductors for the transmission of electrical neutrophorized the antiference of such lines. It is expressly understood that and pullings or other structures will be placed under much wires analyse over year such cables without the elicit on common of main accord party. It is suppossly understood that non-sure or a limited use of the essenti by second party shall not prevent accord sector party to pay at the rate of Eighty Dollars (\$50.00) per mile of length of the line of poles and wires across said above described premises, the same to be paid before any work is done on the land, and show to pay for any damage to crops in erecting and maintaining said line of poles and wires said above between the first part has caused these premains to be althoughts, the same to be paid before sup work is provided, and also to pay for any damage to crops in erecting and maintaining said line of poles and wires said under the beremute affixed and attached by its

4

GAYLORD MANUFACTURING COMMANY

Pets (BENT

OF

Working

COST

Papers)

IRL, Exhibit A5a

SECURIANY

ITEMS

Original Cost (See Vol

(1.. 5.) _(11.31.)

Stated, Stated and Delivered in presence of Jacob Veen 2

Otsego William J. Region / hotting.

Notice of Marie Marie.

L. E. Houltone

County of

STATE OF MICHIGAN

on this 10th, day of January before se, a Notary Public of Shawasaee, remaining the second of the second of the Shawasaee, personnly appeared being by see day seem, did say that he is the Yeek President of the Say that he has been at affixed to the forestable and that the seal affixed that the seal affixed to the forestable and that the seal affixed that the forestable that the seal affixed th

JOURNAL ENTRY

Mothry Public. Donald F. McDonald
Hy conmission emires Shiavassee April 13, 1953. Co., Mich. DATE 1951 1952 Dec

MAPPED AND CHECKE



GENERAL ENGINEERING MAP REFERENCES.

Line Map No. 14896. Shed 7 of 8
Plan & Provile No. 124896. Shed 3.2 of
Survey Map No. Shed of 5. Tree Voucher Yes DECUMENTS FILED WITH ORIGINAL INSTRUMENTS 3. Title Starch __ 2. Opinions of Title __ 1. Aistract 4. Mortgage Release Sheets

Sheets

TITLE HISTORY

- Gaylord Manufacturing Co., a Corp. 1-10-51 5-23-51 J-202 Esmt
- 2. Consumers Power Company

