



OTSEGO COUNTY MICHIGAN  
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06/18/2012 1:02:39 PM

**EASEMENT**

On May 30, 2012, for good and valuable consideration, the receipt of which is hereby acknowledged, Grantor conveys and warrants to Grantee, its successors and assigns, a permanent, perpetual easement over, under, across and through a part of Grantor's Land called the Easement Area, as herein described.

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**Grantor is:** Norma Gapinski, survivor of herself and her deceased husband, John Gapinski, whose death certificate is recorded in Liber 464, Page 121, Otsego County Records, of 3434 Morgan Road, Gaylord, Michigan 49735.

**Grantee is:** Michigan Electric Transmission Company, LLC, a Michigan limited liability company, of 27175 Energy Way, Novi, Michigan 48377.

**Grantor's Land** is in Section 16, Town 31 North, Range 3 West, Township of Livingston, County of Otsego and State of Michigan, and is more completely described in Exhibit A attached hereto.

**The Easement Area** is within Grantor's Land, and is more completely described under the heading "Easement Description" in Exhibit A attached hereto.

**1. Purpose:** The purpose of this Easement is to allow Grantee the right to enter at any time upon the Easement Area to (1) construct, operate, maintain, repair, inspect, replace, improve, enlarge 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, (2) cross the Easement Area to construct, operate, maintain, repair, inspect, replace, improve, enlarge or remove overhead electric equipment located on other land, and (3) temporarily improve the surface of the Easement Area, as reasonably necessary, in Grantee's discretion, to place and operate Grantee's construction vehicles and equipment; provided Grantee shall remove such temporary surface improvements, and repair pavement and reseed lawn areas it disturbs.

**2. Buildings or other Permanent Structures:** No buildings or other above-ground structures shall be installed, constructed or permitted in the Easement Area, with the exception of any such structures existing at the time of execution of this Easement. Grantee may remove prohibited structures from the Easement Area without prior notice and without responsibility for any damage that occurs as a result of such removal.

**3. Vegetation Management:** Grantee shall have the right 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 Area. The complete exercise of this right may be gradual and not fully completed for some time in the future.

[LV-13 Gapinski]

Handwritten initials and a red stamp.

Land Matters  
49534

23/4



4. **Access:** Grantor also grants to Grantee the right of access, ingress and egress to the Easement Area on, over and across lands now owned by the Grantor.

5. **Limited Use; Nonuse:** Nonuse or limited use of the rights herein granted shall not prevent later use to the full extent herein conveyed.

6. **Successors:** This easement runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.

7. **Crop Damage:** Grantee shall pay for actual damage to crops located within the Easement Area, arising out of Grantee's maintenance of the transmission line within the Easement Area.

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:**

Norma Gapinski  
Norma Gapinski

Acknowledged before me in Otsego County, State of Michigan, on this 30<sup>th</sup> day of May, 2012 by Norma Gapinski, survivor of herself and her deceased husband, John Gapinski.

KELLY JACOBSEN  
Notary Public, State of Michigan  
County of Ottawa  
My Commission Expires: 6/21/2017  
Acting in the County of Otsego

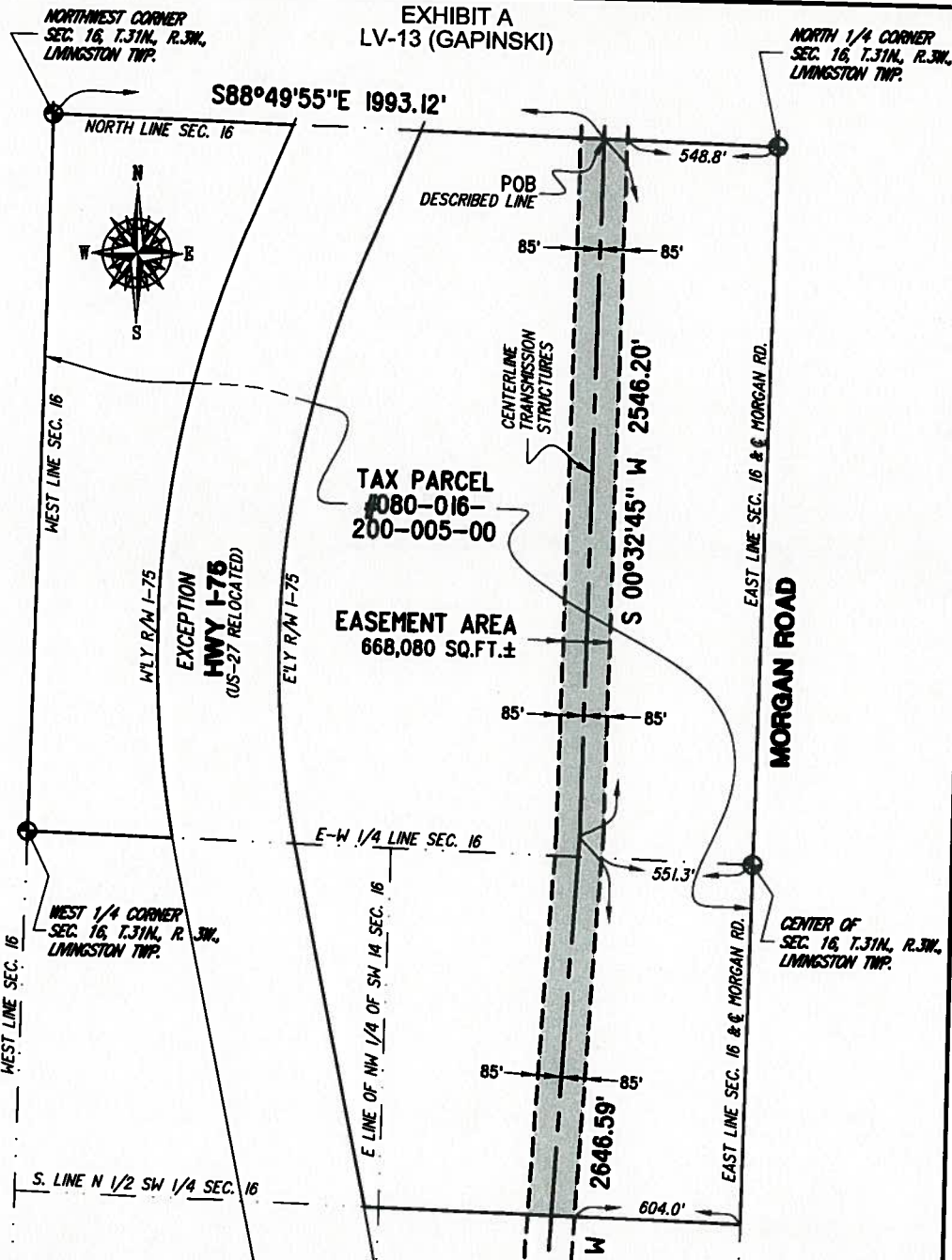
Kelly Jacobsen  
Kelly Jacobsen, Notary Public  
Ottawa County, Michigan  
Acting in Otsego County, Michigan  
My Commission Expires 6/21/2017

Prepared by:  
William L. Logan (P54771)  
Law Office of William L. Logan, PLLC  
313 Droste Circle  
East Lansing, MI 48823

When recorded return to:  
Elaine Clifford  
ITC Holdings Corp.  
27175 Energy Way  
Novi, MI 48377



EXHIBIT A  
LV-13 (GAPINSKI)



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

REVISED 5/23/12  
Sheet 1 of 2

8042.233 Livingston-Vanderbilt 2012 CONST BASE.dwg  
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**MCNEELY & LINCOLN**  
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37741 PEMBROKE, LIVONIA, MICHIGAN, 48152  
WWW.MNLINC.COM

For I.T.C. Date 04/16/12  
Scale 1"=500' Drawn By DW/SA  
Job No. 8042.233 Checked By MB





EXHIBIT A  
LV-13 (GAPINSKI)

**GRANTOR'S LAND**

A parcel of land situated in the County of Otsego, Township of Livingston, State of Michigan, described as follows:

The Northwest 1/4 of Section 16, Town 31 North, Range 3 West, Livingston Township, Otsego County, Michigan.

**EXCEPT**

All that part which lies between a line 315 feet Westerly of and a line 115 feet Easterly of, both lines measured at right angles and parallel to the survey line of Highway US-27. The survey line of Highway US-27 is described as: **Beginning** at a point on the North line of Section 9 which is North 88 degrees 54 minutes 17 seconds West, 876.6 feet from the North 1/4 corner of said Section 9; thence South 02 degrees 50 minutes 13 seconds East, 2135.01 feet to the point of curve of a 01 degree 00 minute curve to the right; thence Southerly along the arc of said curve, 2457.78 feet to the point of tangent of said curve; thence South 21 degrees 44 minutes 27 seconds West, 741.57 feet to a point on the South line of said Section 9 which is South 89 degrees 00 minutes 22 seconds East, 1206.70 feet from the Southwest corner of said Section 9; thence continuing South 21 degrees 44 minutes 27 seconds West, 478.03 feet to the point of curve of a 01 degree 30 minute curve to the left; thence Southerly along the arc of said curve, 2277.78 feet to the point of tangent of said curve; thence South 12 degrees 25 minutes 33 seconds East, 200 feet to a **Point of Ending**.

**ALSO**

The Northeast 1/4 of the Southwest 1/4 of Section 16, Town 31 North, Range 3 West, Livingston Township, Otsego County, Michigan.

**AND ALSO**

All that part of the Northwest 1/4 of the Southwest 1/4 of Section 16, Town 31 North, Range 3 West, Livingston Township, Otsego County, Michigan, lying East of U.S. Highway I-75.

Tax Item No. 080-016-200-005-00

**EASEMENT DESCRIPTION**

Part of Section 16, Town 31 North, Range 3 West, Livingston Township, Otsego County, Michigan, described as all that part of the above described Grantor's Land which lies within 85.00 feet on each side of the following described line:

Commencing at the Northwest corner of Section 16, Town 31 North, Range 3 West; thence South 88 degrees 49 minutes 55 seconds East, along the North line of said Section 16, 1993.12 feet to the **Point of Beginning** of said described line; thence South 00 degrees 32 minutes 45 seconds West 2546.20 feet; thence South 02 degrees 51 minutes 39 seconds West 2646.59 feet; thence South 02 degrees 29 minutes 13 seconds East 47.54 feet to the **Point of Ending** of said described line, said point of ending lying distant South 88 degrees 44 minutes 40 seconds East, along the South line of Section 16, 1888.88 feet from the Southwest corner of Section 16. The side lines of herein described easement are to be prolonged or shortened to meet at angle points and to terminate at the boundaries of the above described Grantor's Land.

REVISED 5/23/12

Sheet 2 of 2

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For I.T.C. Date 4/16/12  
Scale NONE Drawn By DW/SA  
Job No. 8042.233 Checked By MB