



OTSEGO COUNTY MICHIGAN
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07/16/2012 10:50:33 AM

RCVD JUL 16 '12 AM 10:42

RCVD JUL 9 '12 AM 10:31

EASEMENT

On July 28, 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.

Grantor is: The Switalski Self-Trusteed Living Revocable Trust, of 2518 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 21, 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: With the exception of any buildings or above-ground structures existing at the time of execution of this Easement, no buildings or other above-ground structures shall be installed, constructed or permitted in the Easement Area without Grantee's prior written consent. 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-6 Switalski]

FILE
2012

Land Matters

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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.

8. **Due Authorization:** The undersigned warrants that he or she is duly authorized and empowered to execute this easement on behalf of the Grantor and that the Grantor has taken all necessary action to approve the grant of this easement to Grantee.

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:

SWITALSKI SELF-TRUSTEED LIVING REVOCABLE TRUST

By: Susie Switalski
Name: *Susie A Switalski
Its: Trustee * aka Susie Switalski

Acknowledged before me in Otsego County, State of Michigan, on this 28th day of June, 2012 by Susie A Switalski, the Trustee of the Switalski Self-Trusteed Living Revocable Trust on behalf of the trust.

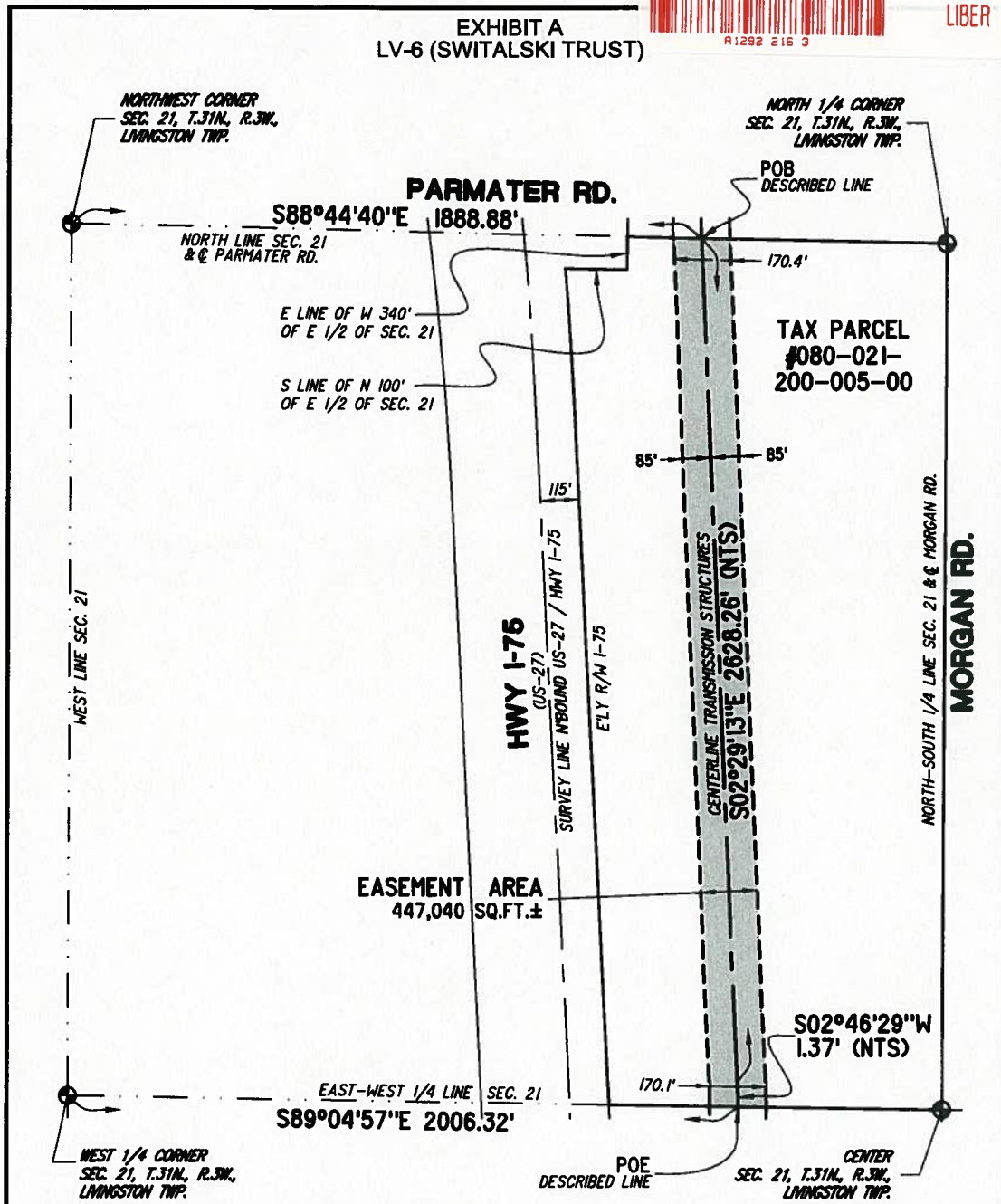
CLARENCE J COLE JR
Notary Public, State of Michigan
County of Ottawa
My Commission Expires May 20, 2013
Acting in the County of Otsego

Clarence J Cole Jr
Clarence J Cole Jr, Notary Public
Ottawa County, Michigan
Acting in Otsego County, Michigan
My Commission Expires 5/20/2013

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-6 (SWITALSKI TRUST)



LEGEND

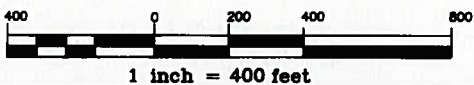
N 88° E = DESCRIBED LINE DIMENSIONS (BEARINGS BASED ON MICHIGAN STATE PLANE COORDINATES, NAD83(CORS96))

N 88° E = PARCEL DIMENSIONS (BEARINGS BASED ON DESCRIPTION OF GRANTOR'S LAND)

POB = POINT OF BEGINNING

POE = POINT OF ENDING

(NTS) = NOT TO SCALE



REVISED 5/23/12
Sheet 1 of 2
8042.233 Livingston-Vanderbilt 2012 CONST BASE.dwg
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MCNEELY & LINCOLN Associates, Inc.
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WWW.MNLINC.COM

For I.T.C. Date 4/16/12
Scale 1"=400' Drawn By SA
Job No. 8042.233 Checked By DW

EXHIBIT A
LV-6 (SWITALSKI TRUST)

GRANTOR'S LAND

Land in the Township of Livingston, Otsego County, Michigan described as:

The East 1/2 of the Northwest 1/4 of Section 21, Town 31 North, Range 3 West, Livingston Township, Otsego County, Michigan. EXCEPT, all that part which lies Westerly of a line 115 feet Easterly of, measured at right angle and parallel to the survey line of Highway US-27. ALSO EXCEPT, that part of the North 100 feet of the West 340 feet of the East 1/2 of the Northwest 1/4, of said Section 21, lying Easterly of a line 115 feet Easterly of, measured at right angles and parallel to the survey line of Highways US-27.

The survey line of Highway US-27 is described as:

Beginning at a point on the South line of said Section 21 which is North 89 degrees 13 minutes 26 seconds West, 973.30 feet from the South 1/4 corner of said Section 21; thence North 03 degrees 05 minutes 18 seconds West, 4791.57 feet to the point of curve of 00 degrees 30 minutes curve to the left; thence Northerly along the arc of said curve 1867.50 feet to the point of tangent of said curve; thence North 12 degrees 25 minutes 33 West, 200 feet to a point of ending.

Per First American Title Insurance Company Commitment No. 576251 (2207 David Klein) printed April 5, 2012 with an effective date of March 21, 2012 @ 8:00 AM

Tax Item No. 080-021-200-005-00



LIBER 1292

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EASEMENT DESCRIPTION

Part of the Northwest 1/4 of Section 21, 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 21, Town 31 North, Range 3 West; thence South 88 degrees 44 minutes 40 seconds East, along the North line of Section 21, 1888.88 feet to the **Point of Beginning** of said described line; thence South 02 degrees 29 minutes 13 seconds East 2628.26 feet; thence South 02 degrees 46 minutes 29 seconds West 1.37 feet to the **Point of Ending** of said described line, said point of ending lying South 89 degrees 04 minutes 57 seconds East, along the East-West 1/4 line of Section 21, 2006.32 feet from the West 1/4 corner of Section 21. 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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Scale NONE Drawn By SA

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