



OTSEGO COUNTY MICHIGAN
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EASEMENT

On August 16th, 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: Velma Gapinski, survivor of herself and her deceased husband, Blase Gapinski, whose death certificate is recorded in Liber 700, Page 815, Otsego County Records, of 1940 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 29, 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-19 Gapinski]

Land Matters 0-11230 Tailmade woods dr
GR MI 49534

FILE
20853

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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.

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:

Velma Gapinski
Velma Gapinski

Acknowledged before me in Otsego County, State of Michigan, on this 16th day of August, 2012 by Velma Gapinski, survivor of herself and her deceased husband, Blase 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-19 (GAPINSKI)

GRANTOR'S LAND

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

The Northeast 1/4 of the Southeast 1/4 of Section 29, Town 31 North, Range 3 West, Livingston Township, Otsego County, Michigan.

Per First American Title Insurance Company Commitment No. 591294 (2207 David Klein) printed July 26, 2012 with an effective date of July 12, 2012 @ 8:00 AM

Tax Item No. 080-029-400-005-00

EASEMENT DESCRIPTION

Part of the Southwest 1/4 of Section 28, and part of the Southeast 1/4 of Section 29, 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 East 1/4 corner of Section 29, also the West 1/4 corner of Section 28, Town 31 North, Range 3 West;
thence South 89 degrees 13 minutes 16 seconds East, along the East-West 1/4 line of Section 28, 73.19 feet to the **Point of Beginning** of said described line;
thence South 06 degrees 35 minutes 17 seconds East 6.57 feet;
thence South 00 degrees 21 minutes 00 seconds West 2302.64 feet;
thence South 25 degrees 28 minutes 26 seconds West 171.09 feet to the **Point of Ending** of said described line, said point of ending lying North 00 degrees 19 minutes 08 seconds East, along the East line of Section 29, also the West line of Section 28, 185.32 feet from the Southeast corner of Section 29 and the Southwest corner of Section 28. 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.



LIBER 1300

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8042.233 Livingston-Vanderbilt 2012 CONST BASE.dwg
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For I.T.C. Date 7/31/12
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