

## Appendix A. Easement – Batch Plant



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6/7/2017 9:53:00 AM

**MEMORANDUM OF STANDARD UTILITY EASEMENT  
FOR WIND ENERGY DEVELOPMENT**

**THIS MEMORANDUM OF STANDARD UTILITY EASEMENT FOR WIND ENERGY DEVELOPMENT (this "Memorandum")** is made and entered into as of May 25, 2017, by and between **Ruth A. Coppens and Kenneth R. Coppens Sr., Trustees of the Ruth A. Coppens Inter-Vivos Trust under agreement dated March 22, 2000** ("Grantor"), whose address is 4685 N. Fenmore Road Merrill, Michigan 48637, and DTE Electric Company, a Michigan corporation ("Grantee"), whose address is One Energy Plaza, Detroit, Michigan 48226. (Grantor and Grantee are referred to collectively herein as the "Parties".)

**WITNESSETH:**

A. On the date hereof, the Parties have entered into a Standard Utility Easement for Wind Energy Development (the "Agreement") which by its terms grants to Grantee the easements set forth below for wind energy development and related rights, transmission lines and facilities, wind and weather monitoring and access on, over, under and across that certain land described in Exhibit A attached hereto and incorporated herein by this reference (the "Easement Area").

1. An exclusive easement for (i) evaluating the suitability of the Easement Area for wind energy production, including, but not limited to, constructing, installing and operating weather monitoring facilities (including meteorological towers or mobile wind measuring devices used primarily to gather and transmit meteorological data relating to a wind power project, conducting environmental studies and planning activities, together with any and all activities ancillary thereto, including pedestrian and vehicular traffic (the "Evaluation Phase") and (ii) wind energy development design, site plan, site preparation, construction, the generation, transmission, distribution, and sale of electricity derived from wind energy devices constructed, installed and operated by DTE on the Easement Area, including, but not limited to, towers equipped with wind turbine units, collection lines, electrical transmission lines, interconnection facilities and support buildings, together with any and all activities ancillary thereto, including pedestrian and vehicular traffic. The easement may also be made to allow Grantee to comply with local ordinances with regard to the operation of a wind energy development, including setback and noise level requirements.

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IN WITNESS WHEREOF, Grantor and Grantee have executed this Memorandum as of the day and year first above written

GRANTOR

Ruth A. Coppens and Kenneth R. Coppens Sr., Trustees of the Ruth A. Coppens Inter-Vivos Trust under agreement dated March 22, 2000

Ruth A. Coppens

Ruth A. Coppens, Trustee of the Ruth A. Coppens Inter-Vivos Trust under agreement dated March 22, 2000

Kenneth R. Coppens Sr.

Kenneth R. Coppens Sr., Trustee of the Ruth A. Coppens Inter-Vivos Trust under agreement dated March 22, 2000

STATE OF MICHIGAN )  
 ) SS  
COUNTY OF SAGINAW )

Acknowledged before me in SAGINAW County, MICHIGAN, this 14<sup>th</sup> day of MAY, 2017, by **Ruth A. Coppens and Kenneth R. Coppens Sr.**, as Trustees of the Ruth A. Coppens Inter-Vivos Trust under agreement dated March 22, 2000, to me known to be the persons described and who executed the foregoing instrument as their free act and deed.

Notary's Seal

CHARLES ERNEST SCHRAM  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF WASHTENAW  
My Commission Expires December 18, 2022  
Acting in the County of SAGINAW

CHARLES ERNEST SCHRAM  
Charles Ernest Schram, Notary Public  
WASHTENAW County, MICHIGAN  
My Commission Expires: 12/18/2022  
Acting in SAGINAW County

EXHIBIT A

Easement Area

**Legal Description:**

Parcel 1:

The following described premises situated in the Township of Jonesfield, County of Saginaw, State of Michigan, to-wit:

**the West 1/2 of the West 1/2 of the North 80 acres of the Northwest fractional 1/4, Section 3, Township 12 North, Range 1 East, Except the East 418 feet of the North 209 feet of the West 1/2 of the West 1/2 of the North 80 acres of the Northwest fractional 1/4 of Section 3, Township 12 North, Range 1 East,**

**Tax Identification Number: 17-12-1-03-2004-00**

Parcel 2:

following described premises situated in the Township of Porter, County of Midland, and State of Michigan, to-wit:

*"The Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) and the South 60 acres of the West half (W 1/2) of the Southeast Quarter (SE 1/4) of Section 33, Township 13 North, Range 1 West, Michigan, EXCEPT Beginning on the South line of Section 33, T13N, R1W, Porter Township, Midland County, Michigan at a point located 1321.00 feet West of the Southeast corner of said Section 33; thence West 335 feet along the South line of said Section 33; thence North 195 feet at right angles to the South line of said Sec. 33; thence East 335 feet; thence South 195 feet to the Place of beginning. Being 1.5 acres, more or less, subject to South County line road Right of Way and any other easements of record."*

**Tax Identification Number: 150-033-400-300-00**

Parcel 3:

following described premises situated in the Township of Porter, County of Midland, and State of Michigan, to-wit:

*"East half (E 1/2) of Southeast quarter (SE 1/4) of Section 25, Town 13 North, Range 1 West, Michigan, EXCEPT comm. 1254 feet North of the SE corner thereof, thence North 188.84 feet, West 346 feet, South 188.84 feet, East 346 feet to the place of beginning."*

**Tax Identification Number: 150-025-400-100-00**

## Appendix B. Batch Plant Site Plan

