

EASEMENT AGREEMENT

THIS IS AN AGREEMENT dated July 18, 1973, between WOLVERINE PIPE LINE COMPANY, a Delaware corporation ("Wolverine") with offices at Two Shell Plaza (P. O. Box 2648) in Houston, Texas 77001, and THE DETROIT EDISON COMPANY, ~~a New York corporation~~ ^{a corporation organized and existing concurrently under the laws of Michigan and New York,} ("Detroit Edison") with offices at 2000 Second Avenue, Detroit, Michigan 48226.

WOLVERINE, for good and valuable consideration received, hereby grants to Detroit Edison easements to construct, reconstruct, maintain, operate and remove:

A. An electric transmission and/or distribution line (including necessary poles, guys, anchors, wires and other appurtenant equipment), on and across the land of Wolverine in the West Half of the Northwest Quarter of Section 16, T. 3 S., R. 4 E., in Freedom Township, Washtenaw County, Michigan, within the strips thereof, twenty feet in width, lying ten feet on either side of the following-described line ("Line Area"):

Beginning at a point on the North line of Section 16 (Ellsworth Road), South 89° 22' East 636.3 feet from the Northwest corner of said Section 16;

Thence South 01° 36' West 415.0 feet to a point;

Thence North 88° 20' West 478.1 feet to a point;

Thence North 01° 40' West 4.7 feet to a point of ending, said point being South 00° 53' West 407.30 feet and South 88° 20' East 156.55 feet from the Northwest corner of said Section 16.

B. An electric substation (including all necessary facilities appurtenant thereto) within the following-described 50-foot by 75-foot rectangular portion of that same land of Wolverine, containing 0.086 acre, more or less ("Substation Area"):

Beginning at the point which is South 00° 53' West along the West line of Section 16 (Fletcher Road) 407.30 feet and South 88° 20' East 156.55 feet from the Northwest corner of said Section 16;

Thence continuing South 88° 20' East 50.00 feet to a point for a corner;

Thence North 01° 40' East 75.00 feet to a point for a corner;

Thence North 88° 20' West 50.00 feet to a point for a corner; and

Thence South 01° 40' West 75.00 feet to the point of beginning;

together with the rights: (a) to remove trees or parts thereof which, in Detroit Edison's judgment, do or may interfere with its facilities in the Line Area or the Substation Area; and (b) of ingress and egress to and from the Line Area and the Substation Area for any purposes necessary or convenient

RECORDED RIGHT OF WAY NO. 28802

to Detroit Edison's exercise of the easements and rights hereby granted; provided that if, now or ever and so long as, there are established ways on Wolverine's land giving access to the Line Area and the Substation Area, such rights of ingress and egress shall be limited to those ways;

TO HAVE AND TO HOLD such easements and rights unto Detroit Edison and its successors and assigns, so long as the same are continuously exercised; subject always, however, to the following conditions and covenants:

1. This grant is subject to all easements and encumbrances of record, and without any warranties of title to the land; and Wolverine reserves the right to use and enjoy its land in all ways that do not unreasonably interfere with Detroit Edison's exercise of the easements and rights hereby granted.

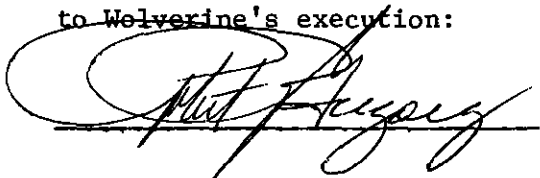
2. All facilities and other property ever placed by Detroit Edison on the Line Area or the Substation Area shall be and remain Detroit Edison's property, notwithstanding any attachment thereof to the land; and Detroit Edison shall pay all, or reimburse Wolverine for its payment of any, taxes, assessments or other governmental charges ever imposed on that property.

3. Detroit Edison shall defend and indemnify Wolverine against all claims, suits, liabilities, losses and expenses on account of injury or death of persons or damage to property (including Wolverine's), and liens on Wolverine's land, caused by or arising out of any exercise of the easements and rights hereby granted, and not solely by or out of any negligence of its officers, agents, employes or representatives Wolverine; provided that Detroit Edison's liability under this indemnity shall never include any indirect or consequential damages, nor any liability which it may not incur without violating governmental laws, regulations, or orders applicable to it as a public utility; nor shall this indemnity ever give any third party any claim to which such party would not otherwise be lawfully entitled.

4. This Agreement may not be assigned by Detroit Edison without Wolverine's prior written consent (which shall never be unreasonably withheld); but subject thereto shall bind and benefit the successors and assigns of Wolverine and Detroit Edison, respectively.

EXECUTED as of the date first herein specified.

WITNESSES
to Wolverine's execution:





WOLVERINE PIPE LINE COMPANY

By 
R. M. Armstrong, Vice President..

ATTEST:


C. M. Wright, Secretary

RECORDED RIGHT OF WAY NO. 28802

EASEMENT DESCRIPTION

Across the Northwest 1/4 of Section 16; Town 3 North, Range 4 East; Freedom Township, Washtenaw County; Michigan.

Described by its centerline as: Beginning at a point on the North Line of Section 16, (Ellsworth Road), South 89°22'00" East, 636.3 feet from the Northwest Corner of said Section 16; thence South 01°36'00" West, 415.0 feet to a point; thence North 88°20'00" West, 478.1 feet to a point; thence North 01°40'00" West, 4.7 feet to a point of ending, said point being South 00°53'00" West, 407.30 feet and South 88°20'00" East, 156.55 feet from the Northwest Corner of said Section 16.

And Also . . .

Two (2) guy line easements, described as, beginning at a point distant South 89°22'00" East, 636.3 feet and South 01°36'00" West, 415.00 feet from the Northwest Corner of Section 16; thence South 01°36'30" West; 50.0 feet to a point of ending for the first guy line easement and South 88°20'00" West, 100 feet from said point of beginning to a point of ending for the second guy line easement.

RECORDED RIGHT OF WAY NO. 28802

SHEET NO. 2 OF 2

LOCATION PROPERTY DESCRIPTION: PART OF THE NORTHWEST 1/4 OF SECTION 16; TOWN 3 NORTH, RANGE 4 EAST; FREEDOM TOWNSHIP, WASHTENAW COUNTY; MICHIGAN.	
EASEMENT DESCRIPTION (REVISED)	
SURVEY BY ARBOC. ENG. 10-21-72	CHECKED BY <i>[Signature]</i> 4/1/73
DRAWN BY	ERROR IN CLOSURE / SCALE
THE DETROIT EDISON COMPANY SYSTEM ENGINEERING DIV.	DRAWING NO. SE 100-1

20/2

INTERDEPARTMENT CORRESPONDENCE

Industrial Marketing Division

September 11, 1972

MEMORANDUM TO:

Mr. R. R. Tewksbury
Real Estate Division
302 General Offices

Enclosed is the original and copy of the legal instrument documenting the easement agreement for transmission lines and the property for the Wolverine Pipe Line's - Fletcher Substation.

In part "B" of the agreement, it appears somewhat unusual to have an easement rather than a lease agreement for the substation site, however, if everything appears satisfactory to you, please proceed to have the documents signed by our management. Also, please notify all field personnel that these documents have been secured.



Robert L. Veenstra 2868
Industrial Engineer

RLV/cpc
Encs.

RECORDED RIGHT OF WAY NO. 28802

WOLVERINE PIPE LINE COMPANY

8500 NORTH MICHIGAN ROAD
INDIANAPOLIS, INDIANA 46268

January 5, 1973

Subject: Washtenaw County, Michigan
16-Inch Wolverine Pipe Line
R/W W-891 Freedom Junction
Easement to Detroit Edison
for Substation & Electric Line

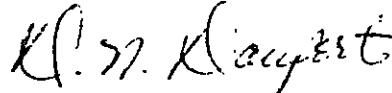
Mr. Robert L. Veenstra
Industrial Engineer
The Detroit Edison Company
2000 Second Avenue
Detroit, Michigan 48226

Dear Mr. Veenstra:

By cover letter dated September 6, 1972, this office transmitted duplicate copies of an Easement Agreement pursuant to an electric transmission line and substation in Freedom Township, Washtenaw County, Michigan, to your office for execution by Detroit Edison. These documents were executed by Wolverine and the fully executed original was to be returned to this office for our placing of record. As of this date we have not received the fully executed original.

Your assistance in expediting the progress of this matter would be appreciated.

Very truly yours,



DND:cdo

For: L. C. Sparkman

RECORDED RIGHT OF WAY NO. 28802

WOLVERINE PIPE LINE COMPANY

TWO SHELL PLAZA
P. O. BOX 2648
HOUSTON, TEXAS 77001

TELEPHONE AREA CODE 713
220-6161

July 23, 1973

Subject: Washtenaw County, Michigan
Wolverine Pipe Line Company
R/W 891 - Freedom Junction
Detroit Edison Substation

Detroit Edison Company
2000 Second Avenue
Detroit, Michigan 48226

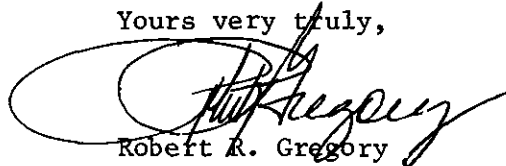
Attention Mr. Robert L. Veenstra
Industrial Engineer

Gentlemen:

In accordance with the request of your Mr. Robert L. Veenstra, we transmit herewith duplicate originals of Easement Agreement dated July 18, 1973, which have been executed on behalf of Wolverine Pipe Line Company granting Detroit Edison an easement to construct and maintain an electrical substation and service line on property owned by Wolverine in Freedom Township, Washtenaw County, Michigan.

Please have the instrument executed by the appropriate officers of Detroit Edison and return one fully executed original to this office for recording. Upon return of the recorded instrument from the offices of the Washtenaw County Recorder, we will furnish you with its applicable recording data.

Yours very truly,



Robert R. Gregory
Land and Insurance Department

Attachments

cc - Shell Oil Company
Manager Products Pipe Lines
8500 N. Michigan Road
Indianapolis, Indiana 46268

RECORDED RIGHT OF WAY NO. 29802

INDUSTRIAL MARKETING SERVICES

July 30, 1973

RECEIVED

8-2-73

R/E & R/W DEPT.

MEMORANDUM TO:

Robert Teksbury
Project Manager
Real Estates and Rights of Way

Enclosed is the easement agreement covering our transmission lines and substation serving Wolverine Pipe Line Company in Washtenaw County, Michigan.

Please process the agreement and upon its execution, please send a copy to me which I will forward to the customer.



Robert L. Veenstra
Industrial Engineer

RLV/fyj

Enclosure

BEING ROUTED FOR APPROVAL

8-2-73

JMB

RECORDED RIGHT OF WAY NO. 28802

Date: January 2, 1974
To: Lucille Hebestreit
From: Thomas H. Beagan *THB*
Real Estate and Rights of Way

Subject: An easement to The Detroit Edison Company for the Fletcher Industrial Substation in Freedom Township, Washtenaw County, Michigan. Survey Sketch No. SE 1190-1

Attached for the Records Center are all papers in connection with the acquisition of the above easement.

The easement was acquired from the Wolverine Pipeline Company by Agreement dated July 18, 1973. This easement contains .086 acres for the Industrial Substation plus an additional adjacent easement.

This easement was negotiated by Robert L. Veenstra, Industrial Engineer.

AAR:dmd

Attachments

cc: E. T. Colling
R. Q. Duke
J. Donnelly
K. P. Locke
F. Warmbier
G. R. Keast
R. L. Schulz
J. Siergiej
J. C. Wetzell
J. S. Wenger

REFERRED TO

RECORDS CENTER	
RECEIVED	JUL 25 1974
TICKET NO. 4486	
CLASSIFIED	

RECORDED RIGHT OF WAY NO. 28802

APPLICATION FOR RIGHT OF WAY

DE FORM MS 80 6-58

PLEASE SECURE RIGHT OF WAY AS FOLLOWS

DATE May 22, 1972

LOCATION Private Property S. of Ellsworth Road

APPLICATION NO. AE-66

and E. of Fletcher Road

DEPT ORDER NO _____

CITY OR VILLAGE _____

O F W NO 2GC1B9/J01

TOWNSHIP Freedom COUNTY Washtenaw

BUDGET ITEM NO 2GC1B-KIJ

DATE BY WHICH RIGHT OF WAY IS WANTED 7/7/72

INQUIRY NO. _____

THIS R/W IS 40 % OF TOTAL PROJECT NO _____ ACCUM 60 %

JOINT RIGHT OF WAY REQUIRED YES NO

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED Subtransmission

R/W for poles, wire overhang and anchor guys. Permission to drive trucks in to location of poles and anchors.

PURPOSE OF RIGHT OF WAY Serve new Fletcher Substation, for Wolverine Pipe Line Company Primary customer.

SIGNED [Signature]
Project Design Supervisor
Service Planning -Ann Arbor
OFFICE DEPARTMENT

RECORDED RIGHT OF WAY NO. 28902

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

Right-of-way secured as described in attached agreement. The attached agreement also covers substation lease.

Real Estate and Rights of Way Department representative was L.S. McCabe.

PERMITS IN GENERAL FILES 1 R/W DEPT FILE _____ GRANTOR Wolverine Pipe Line Co.

NO. OF PERMITS 1 NO OF STRUCTURES _____ NO OF MILES _____ PERMITS TO MBT _____

DATE November 6, 1973 SIGNED [Signature]

*Freedom Twp
Sec. 16, NW 1/4, W 1/2 of*

Richard J. Ort
West District Supervisor
Ann Arbor

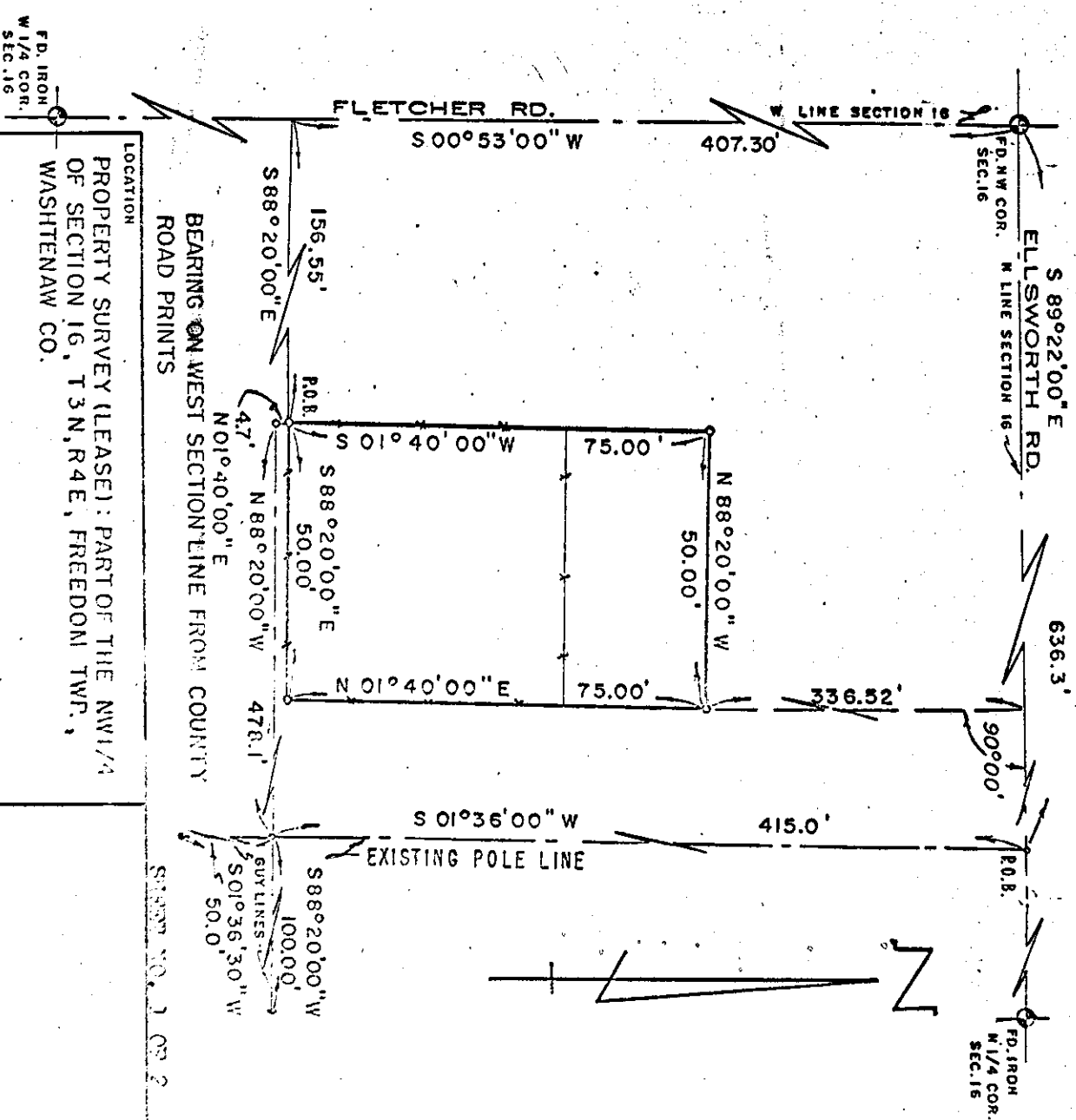
RECORDED RIGHT OF WAY NO. 28802 SE 1190-1 1042

DESCRIPTION

A parcel of land in the Northwest 1/4 of Section 16; Town 3 North, Range 4 East; Freedom Township, Washtenaw County; Michigan.

Described as:

Beginning at a point that is distant South 00°53'00" West along the West Line of Section 16, (Fletcher Road), 407.30 feet and South 88°20'00" East, 156.55 feet from the Northwest Corner of said Section 16; thence continuing South 88°20'00" East, 50.00 feet to a point; thence North 01°40'00" East, 75.00 feet to a point; thence North 88°20'00" West, 50.00 feet to a point; thence South 01°40'00" West, 75.00 feet to the Point of Beginning.



BY	J. H. H.	DATE	10-21-72	SCALE	1" = 30'
ADDED	POLE LINE - PER J. ROSS	DATE	2-1-73		
REVISIONS					
A					

LOCATION
PROPERTY SURVEY (LEASE): PART OF THE NW 1/4 OF SECTION 16, T 3 N, R 4 E, FREEDOM TWP., WASHTENAW CO.

FLETCHER SUBSTATION (LEASED)

SURVEY BY
ASSOC. ENG. 10-21-72

DRAWN BY
J. HENGESBACH 10-26-72

CHECKED BY
[Signature]

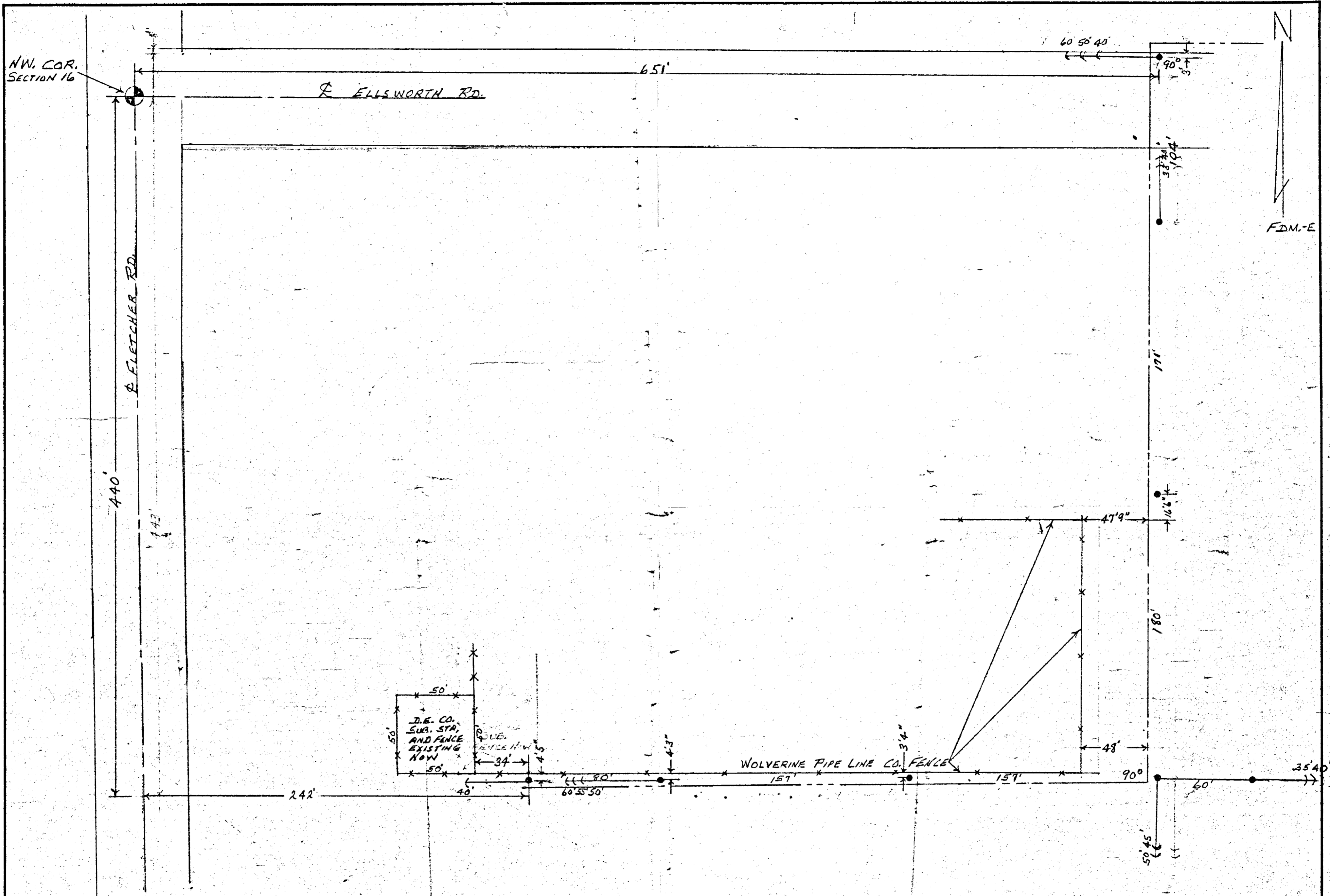
ERROR IN CLOSURE
LESS THAN 1"

SCALE
1" = 30'

THE DETROIT EDISON COMPANY
SYSTEM ENGINEERING DEPT.

DRAWING NO.
SE 1190-1

STATION NO. 1 05 2



THE DETROIT EDISON COMPANY SERVICE PLANNING DEPARTMENT			
OFFICE TOWNSHIP	COUNTY	TWR SECT. NO.	DEPT. ORDER NO.
FREEDOM	WASHTENAW	16	
MAP SECT.	TOWN	RANGE	JOINT R/W REQUIRED
FDM.-E.	35	4E	YES <input type="checkbox"/> NO <input type="checkbox"/>
TELEPHONE ENGINEER	TELEPHONE DISTRICT		O.F.W. S.O. OR P.E. NO.
CIRCUIT	PROJECT NAME		BUDGET ITEM NO.
TIE 4512-70KV	REASON LOCATION OF D.E. CO. POLES AND ANCHORS ON WOLVERINE PIPELINE		SCALE
	LAYOUT BY		DATE
	DRAWN BY - RALPH NOLL		1-26-72

RECORDED RIGHT OF WAY NO. 28802