

**Detroit
Edison**

REAL ESTATE AND RIGHTS OF WAY DEPARTMENT

Date: July 28, 1981
To: Elaine Ryan
Records Center
130 G.O.
From: L. G. Sundstrom *LGS*
406 G.O.
Subject: Easement Purchase - The Detroit Edison Company
Parcel No. 329 Yukon Saratoga Corridor being a
Part of the SE¼, of Section 25, T5N, R13E
Township of Armada County of Macomb.
Michigan Work Order #350 A 582 Survey Sketch
SE1296-5

RECORDS CENTER	
RECORDED	
TITLE	
CLASSIFIED	
RECORDED R/W NO.	33830 P-1

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

The easement was purchased on March 17, 1981 from Consumers Power Company of 212 West Michigan Avenue Jackson, Michigan by the execution of 280 foot easement agreement.

The parcel consisted of 17.475 Acres of Vacant land. The purchase was negotiated on the basis of \$1300 P/A or a total of \$11,400 (50% of fee) for the easement.

Special conditions: Farm leases to Roy Jacobs and Stanley Card which must be contacted for their consent and permit.

The purchase was negotiated by L. G. Sundstrom, Public Agency Coordinator, and processed for closing by L. G. Sundstrom.

Please make this a part of the Record Center File on the Yukon Saratoga Corridor.

LGS/dmc

Attachments

cc:	D. Barkley	A. L. Heitsch
	J. A. Bladurn	E. D. Henschell
	T. E. Blondell	J. A. Kubani
	R. W. Burk	R. M. Susan
	J. P. Cooper	F. Warmbier
	R. D. Cowie	R. S. Watson
	R. R. Cunningham	J. S. Wenger
	C. L. DeFauw	
	G. W. Flowerday	
	R. A. Gloger	

RECORDED RIGHT OF WAY NO.

33830
P-1

A712256

THIS INDENTURE, made this 17th day of March, 1981, between CONSUMERS POWER COMPANY, a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan 49201 (successor by merger to Consumers Power Company, a Maine corporation), as first party, and THE DETROIT EDISON COMPANY, a New York and Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226, as second party,

WITNESSETH:

That first party for and in consideration of the sum of Eleven Thousand Four Hundred and No/100 Dollars (\$11,400.00) to it in hand paid by second party, the receipt whereof is hereby confessed and acknowledged, does by these presents release and QUITCLAIM unto the second party and to its successors and assigns, the easement and right to construct, reconstruct, operate and maintain its overhead and underground lines for the transmission and distribution of electricity and second party's communication facilities including the necessary towers, poles, H-frames, conduits, cables, manholes, fixtures, wires and equipment upon, over, along, under and across the following described strip of land in the Township of Armada, County of Macomb and State of Michigan:

The North 280 feet of the SE 1/4 of Section 25, T5N, R13E.

The right of way hereby conveyed and released is for the sole and only purpose of locating and establishing upon, over, along, under and across said above-described strip of land overhead and underground electric lines and communication facilities, together with necessary towers, poles, H-frames, conduits, cables, manholes, fixtures, wires and equipment on a route described as follows:

In an E'ly and W'ly direction upon, over, along, under and across said above-described strip of land.

This release is executed by first party and accepted by second party subject to the following conditions:

1. It is understood and agreed that second party, its successors and assigns, shall have the right to clear and keep clear of trees the land within said easement herein granted and no buildings or structures shall be erected on or placed within the easement herein granted without the written consent of second party, its successors and assigns.
2. Second party shall have the right to keep such land as is owned by first party thirty (30) feet on each side of the easement herein granted clear of those trees which in its judgment are or may become hazardous to the operation of the electric lines and communication facilities constructed in said easement.
3. Second party accepts the premises herein referred to in their present condition and subject at all times to such uses as first party may make of said premises for its own business or purposes, and second party by the acceptance of this instrument, agrees to relocate or remove its electric lines and communication facilities at its own expense at any time upon ninety (90) days' written notice from first party when believed by first party to be necessary to accommodate the use of said premises by first party in its business.
4. Second party agrees that it will at all times during the exercise of the rights and the privileges hereby granted, assume all liability for and protect, indemnify and save first party, its successors and assigns, harmless from and against all actions, claims, demands, judgments, losses, expenses of suits or actions and attorney fees, for injury to or death of any person or persons and loss or damage to the property of any person or persons whomsoever, including the parties hereto and their agents, contractors, subcontractors and employees, arising in connection with or as a direct or indirect result of the use and occupancy of the said premises or the exercise of the rights and privileges hereby granted. The provisions of this paragraph shall apply to each

RECORDED RIGHT OF WAY NO. 33830 p2-1

5

and every such injury, death, loss and damage, however caused, whether due, or claimed to be due, to the negligence of second party, the negligence of first party, the negligence of first party and the negligence of second party, the negligence of any other person, or otherwise; provided, however, said second party shall not be required to indemnify first party for such injury, death, loss or damage caused by first party's sole negligence.

5. This instrument is entered into and granted by first party subject to those certain leases for general farming purposes described as follows:

<u>Lessee and Address</u>	<u>Date of Lease</u>	<u>Description of Land Leased</u>
Roy Jacobs Armada, Michigan 48005	5/18/67	A portion of the above-described land, together with other land as more specifically described in said lease.
Stanley Card 72247 Omo Road Armada, Michigan 48005	3/24/69	A portion of the above-described land, together with other land as more specifically described in said lease.

and to any other leases, easements or other interests in land heretofore granted by first party or its predecessors in title on the above-described premises and to any such interest reserved to other parties in instruments granted to first party or its predecessors in title. Second party agrees to secure all necessary consents and permits from such lessees and owners of such outstanding interests prior to construction of its electric lines and communication facilities on the above-described premises.

6. In case said easement and rights herein conveyed shall cease to be used by second party, its successors or assigns, for one (1) year, then in such case all rights and title hereby conveyed shall revert to said first party, its successors or assigns.

7. It is further agreed that the benefits hereof shall accrue to and the obligations shall bind the successors or assigns of the respective parties.

IN WITNESS WHEREOF, first party has caused these presents to be executed in its corporate name and by its duly authorized officer as of the day and year first above written.

Signed and Delivered
in the Presence of

Carol J. Kielar
Carol J. Kielar
Karen S. Elkins
Karen S. Elkins

APPROVED AS TO FORM
DRR
CONSUMERS POWER COMPANY
By G. L. Heins
G L Heins
Vice President

RECORDED IN MACOMB COUNTY
RECORDS AT: 9:11 A.M.
JUL 10 1981

STATE OF MICHIGAN)
) SS.
COUNTY OF JACKSON)

Edna
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

The foregoing instrument was acknowledged before me this 17th day of March, 1981, by G L Heins, Vice President of CONSUMERS POWER COMPANY, a Michigan corporation, on behalf of the corporation.

Judy M. Breedon
Judy M. Breedon
Notary Public, Jackson County, Michigan
My Commission expires July 21, 1984

PREPARED BY DAVID R. ROOD
CONSUMERS POWER COMPANY
212 WEST MICHIGAN AVENUE
JACKSON, MICHIGAN

When recorded
return to: Thomas P. Beagen
2000 2nd Ave
Detroit, Mi 48226

APPROVED AS TO FORM 5-1-81 DATE
LEGAL DEPARTMENT Beagen

RECORDED RIGHT OF WAY NO. 33830

DESCRIPTION

The North 280.0 feet of the Southeast $\frac{1}{4}$ of Section 25, Town 5 North, Range 13 East, Armada Township, Macomb County, Michigan.

More particularly described as: Beginning at the East $\frac{1}{4}$ corner of said Section 25; thence South $00^{\circ}03'03''$ East, 280.01 feet along the East line of said Section 25 (Omo Road); thence South $89^{\circ}32'44''$ West, 2716.80 feet to the North and South $\frac{1}{4}$ line of said Section 25; thence North $00^{\circ}48'02''$ West, 280.01 feet along said North and South $\frac{1}{4}$ line to the center of said Section 25; thence North $89^{\circ}32'44''$ East, 2720.46 feet along the East and West $\frac{1}{4}$ line to the Point of Beginning.

Containing 17.475 acres of land.

Subject to the rights of the public in and to that part known as Omo Road.

RECORDED RIGHT OF WAY NO.

33830
p/1

LOCATION PROPERTY SURVEY Part of the Southeast $\frac{1}{4}$ of Section 25, Town 5 North, Range 13 East, Armada Township, Macomb County, Michigan.	Detroit Edison SYSTEM ENGINEERING DEPT.		
	SURVEY BY	DRAWN BY RT:bk 4/16/81	APPROVED BY RUT 4-16-81
	SCALE	ERROR IN CLOSURE LESS THAN	DRAWING NO. SE 1296-5

Detroit
Edison

REAL ESTATE & RIGHTS OF WAY DEPARTMENT

Date: June 18, 1981

To: Thomas P. Beagan
Legal Department
688 W.C.B.

From: L. G. Sundstrom *LGS*
Public Agency Coordinator
406 G.O.

Subject: Record An Easement Located in SE $\frac{1}{4}$ Section 25,
T5N, R13E, Armada Township, Macomb County.
Work Order 350 A 582.

Attached for recording is the following document:

An easement grant from Consumers Power Company to
The Detroit Edison Company. Purchase Price \$11,400.

When the above document has been returned from the Register
of Deeds Office, kindly forward it to this office.

LGS:ss

Attachment

Received Above Document for Recording On: 6-23-81

Per: G. Washburn

RECORDED RIGHT OF WAY NO.

38830

421

**Detroit
Edison**

2000 Second Avenue
Detroit Michigan 48226
(313) 237-8000

June 16, 1981

Mr. G. Martin
Coordination Supervisor
Land and Right of Way Department
Consumers Power Company
212 West Michigan Avenue
Jackson, Michigan 49201

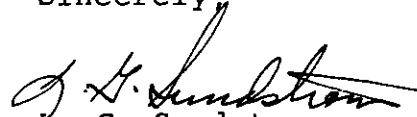
Dear Mr. Martin:

As per your request, we have received and accepted the easement for certain rights in Section 25, T5N, R13E, Armada Township, Macomb County, Michigan.

Enclosed also is check #N8314, dated 6-1-81 in the amount of \$11,400.00.

I should like to take this opportunity to thank you for the cooperation extended in this matter. Should you need our service at any time, please feel free to call.

Sincerely,



L. G. Sundstrom
Public Agency Coordinator
Real Estate & R/W Department
406 G. O.

LGS:ss

Enc.

RECORDED RIGHT OF WAY NO.

33830
p/1

REQUEST FOR CHECK

DE FORM TR 5 12-76

THE DETROIT EDISON COMPANY

VOICE NO **N^o 18210**

PAY TO (NAME AND ADDRESS INCL ZIP CODE) CONSUMERS POWER COMPANY 212 WEST MICHIGAN AVENUE JACKSON, MICHIGAN 49201	DATE OF REQUEST 5-18-1981
	REQUESTED CHECK DATE 5-20-1981
	CONTRACT NO

STATE WHAT PAYMENT IS FOR (ATTACH COPY IF REQUIRED BY PAYEE)

Purchase of an Easement in Section 25 ARMADA
 TOWNSHIP MARION COUNTY - Parcel # 329 of
 THE YUKON SARATOGA CORRIDOR

Price \$ 11,400.⁰⁰

VENDOR CODE 25625	
TAX CODE	USE/SALES TAX OR F/A
DISC CODE	CASH DISCOUNT AMT.
FREIGHT	ADD'L CHG
ADDITIONAL CHARGE AMT AUDITED RC	

ACCOUNT NAME	ITEM	WORK ORDER	AMOUNT
	01	1350 @ 58.2	\$ 11,400. ⁰⁰
	02		
	03		
	04		
TOTAL AMOUNT			\$ 11,400. ⁰⁰
PREPARED BY <i>[Signature]</i>	APPROVED <i>[Signature]</i>		
APPROVED FOR PAYMENT	AUDITED <i>[Signature]</i>		

SEND CHECK TO **J. C. Sundstrom 406 G.O.**
EX 1 78314

05-18 8684 18210

11400.00

.00

1.00

11400.00

FOR CHECK DELIVERY

SEND CHECK TO F. S. Sunstrom

ADDRESS _____

CALL EXTENSION 78314

HOLD FOR VENDOR PICK-UP _____ JMB

REMITTANCE FROM THE DETROIT EDISON CO. PLEASE DETACH CHECK BEFORE DEPOSITING

2000 Second Avenue
Detroit, Michigan 48226

General Account

DATE 06/01/81

CHECK NUMBER N 8314

783409
NATIONAL BANK OF DETROIT
DETROIT, MICHIGAN

RECORDED RIGHT OF MAY 1981

\$11400.00

*****11400*DOLLARS*00*CENTS*****

Pay to the order of
CONSUMERS POWER CO
212 WEST MICHIGAN AVE
JACKSON, MI 49201

AUTHORIZED SIGNATURE

AUTHORIZED COUNTER SIGNATURE

1102823

1102823

110720003261



**Consumers
Power
Company**

General Offices: 212 West Michigan Avenue, Jackson, Michigan 49201 • (517) 788-0550

March 17, 1981

File # DE-66

Thomas H Beagan, SR/WA
Administrator, Real Estate Projects
Detroit Edison
2000 Second Avenue
Detroit, MI 48226

In accordance with your request of August 13, 1980, attached is a copy of a fully executed Easement for certain rights in Section 25, T5N, R13E, Armada Township, Macomb County, Michigan.

This instrument has been executed on behalf of Consumers Power Company by Mr G L Heins, Vice President. Consideration required is \$ 11,400.00.

Please review the attached and if acceptable, indicate your receipt and acceptance by signing in the space provided on the attached duplicate of this letter and returning it to us along with a check in the appropriate amount to cover the consideration.

If you should have any questions or desire any additional information, please do not hesitate to contact this office.

CONSUMERS POWER COMPANY

G. Martin

G Martin
Coordination Supervisor
Land and Right of Way Department

GGM: slm

Received and Accepted for:

THE DETROIT EDISON COMPANY

BY *[Signature]*

TITLE R. R. Tewksbury, Director Real Estate and Rights of Way Dept.

DATE June 1, 1981

RECORDED RIGHT OF WAY NO. 33830
p. 1

PURCHASE PRICE DATA

DF 963-1722 9 / /CS (RH 41)

DESCRIPTION OF PROPERTY		MARKET VALUE OF EASEMENT	22,722.70
Yukon - Saratoga Corridor		MARKET VALUE OF EASEMENT	-----
Consumers Power Company		PREMIUM ADJUST	-----
Parcel #329		Easement Adj. PURCHASE PRICE 50%	11,400.00
VALUE BASIS			
APPRAISAL			
Robert R. Sfire's appraisal of June 10, 1980			
@ \$1,300.00 per acre			
17.479 acres @ \$1,300.00 per acre = \$22,722.70			
22,722.70 X 50% Easement Adjustment = \$11,361.35			
\$11,361.35			
Total Purchase Price			
LISTING INFORMATION			
Rounded to - \$11,400.00			
COMPARABLES			
OTHER			
Consumers Power Company appraisal by James Childs February 12, 1981			
@ \$1,300.00 per acre			
RECOMMENDATION TO PURCHASE			
DIVISION SUPERVISOR		DATE	RECORDED RIGHT OF WAY NO. 33830 P.1
Thomas H. Beagan <i>Thomas H. Beagan</i>		3/20/81	
RATIONALE			
This easement purchase was negotiated @ the appraised price of \$1,300.00 per acre x 50% for the easement adjustment.			
REQUIRING DEPARTMENT REPRESENTATIVE		DATE	RECORDED RIGHT OF WAY NO. 33830 P.1
Bruce F. Conrad <i>Bruce F. Conrad</i> System Engineering		3-20-81	
RATIONALE			
We concur that an easement is acceptable			
REAL ESTATE & RIGHTS OF WAY		DATE	RECORDED RIGHT OF WAY NO. 33830 P.1
<i>Steve L...</i>		3-20-81	
RATIONALE			
This easement acquisition is acceptable to the Co. and it is at a fair price + formula.			



2000 Second Avenue
Detroit, Michigan 48226
(313) 237-8000

CORRIDOR ACQUISITION TRANSACTION
INFORMATION SHEET

Date: 3/20/81
To: R.G. DuPont
From: T.H. BEAGAN
Subject: Parcel No. 329 Yukon-Saratoga Corridor
Name of Sellers CONSUMERS POWER COMPANY

Address 212 - W. MICHIGAN - JACKSON, MICH. 49201
Location of Property: SE 1/4 of Section 25,
ARMADA Township, MACOMB
County.

Approximate No. of Acres for Corridor 17.479 Excess NONE

TERMS

LAND CONTRACT/CASH (CIRCLE ONE) - EASEMENT PURCHASE

Option Expires _____ Renewable for _____

Purchase Price \$ 11,400.00

Term of Land Contract _____

Option Fee/Deposit \$ _____

Initial Payment \$ _____; Balance in _____ Payments
of _____ monthly/annual

Interest Rate _____%

Method of Tax Proration _____

Special Conditions IF RIGHTS HEREIN CONVEYED
SHALL LEASE FOR (11) YEAR - THEN ALL RIGHTS SHALL
REVERT BACK TO OWNER.

RECORDED RIGHT OF WAY NO. 33830
201

**Detroit
Edison**

2000 Second Avenue
Detroit, Michigan 48226
(313) 237-8000

March 6, 1981

R. E. Nelson
Coordination Assistant
Land and Right of Way Department
Consumers Power Company
212 West Michigan Avenue
Jackson, Michigan 49201

Re: Transmission Easement - Armada
Township, Macomb County - D.E. Co. #66

Dear Mr. Nelson:

In reply to your letter dated February 27, 1981 whereby you requested our approval on your appraised value of the above-mentioned transmission easement, please consider this letter as our acceptance of your appraisal of \$11,400 for said easement.

For your final approval, I am attaching two copies of said transmission permit document along with the payment agreements covering this easement in Section 25, Armada Township, Macomb County.

If at all possible, I would like to have the documents approved by March 19, 1981.

Thanks for your effort in processing this easement request.

Sincerely,


Thomas H. Beagan, SR/WA
Administrator
Real Estate Projects

THB:mak

Enclosures

File

RECORDED RIGHT OF WAY NO.

33830

2/1



**Consumers
Power
Company**

General Offices: 212 West Michigan Avenue, Jackson, Michigan 49201 • (517) 788-0550

February 27, 1981

Detroit Edison #66

To: J. J. A. - 3-3-81
JHB.

Thomas H Beagan
Real Estate and Rights
of Way Department
Detroit Edison
2000 Second Avenue
Detroit, MI 48226

Your request of August 13 and the follow up calls by Les Sundstrom of your Department have been processed with our document and engineering sections. Before we can process further for final approvals of your request, I am required to inform you of our appraisal of the subject 17.479 acres and will require your approval of this value as the asking price of \$11,400.

Your prompt response to this letter will insure continuous processing for final approvals of your easement request.

CONSUMERS POWER COMPANY

R E Nelson
Coordination Assistant
Land and Right of Way Department

REN/slm
Attach

RECORDED RIGHT OF WAY NO. 33830
p.1

MBreedon

C-373
Macomb County #7

RAY GAS STORAGE FIELD
EVALUATION OF ELECTRIC LINE EASEMENT
DETROIT EDISON #66

Description: Part of the Southeast 1/4 of Section 25, T5N R13E, Armada Township, Macomb County, Michigan, described as: Beginning at a point on the East line of Section 25 (OMO Road), distant South 00° 03' 03" East, 129.56 feet from the East 1/4 corner of said Section 25; thence continuing South 00° 03' 03" East, 280.12 feet along said East line of Section 25; thence North 88° 23' 53" West, 2717.44 feet to a point on the North and South 1/4 line of Section 25; thence North 00° 48' 02" West, 280.25 feet along said North and South 1/4 line, said point being South 00° 48' 02" East, 31.92 feet from the center of said Section 25; thence South 88° 23' 53" East, 2721.12 feet to the point of beginning, containing 17.479 acres.

Estimated Market Value of Land: \$1,300/Ac (Fee Rate)

Subject Right of Way: 280' wide x 2719.28' 17.479 Ac
17.479 Ac @ \$1,300/Ac = \$22,722.70 Fee Value
Easement Adjustment 50%
\$22,722.70 x 50% = \$11,361.35

This is an office opinion of value without the benefit of a field inspection. Therefore, I am unable to determine if there is any damage to the remainder. This report will assume no damage to the remainder.

Estimated Value of Easement \$11,400

Appraiser: James H Childs *JHC*

Date: February 12, 1981

Reference: Record Map #13 and Detroit Edison Survey Drawing SE 1296-5

RECORDED
33830
P1

PROJECT: Yukon-Saratoga 765KV Line PARCEL NO. 329
 OWNER: Consumers Power Company ADDRESS: 212 W. Michigan
Jackson, Michigan 49201

TOTAL ACRES OWNED: 168.00 UNIT PRICE PER ACRE: \$1,300
 TOTAL ACRES TAKEN: 17.19 UNIT PRICE PER ACRE: \$1,300
 IMPROVEMENTS IN TAKING AREA: None

VALUE OF IMPROVEMENTS TAKEN: Not applicable

TOTAL ESTIMATED COMPENSATION: _____

ZONING: Residential/Agricultural HIGHEST AND BEST USE: Agricultural

TAX ITEM NO: 02-25-400-001

STATE EQUALIZED VALUE-LAND ONLY: \$97,468

POSSIBLE ADDITIONAL ACRES NEEDED: 2.7893 acres

UNIT PRICE PER ACRE: Same - \$1,300

EXPLANATION FOR POSSIBLE ADDITIONAL TAKING: Long, narrow strip with 115'
frontage on Omo Road.

SUPPORTING DATA:

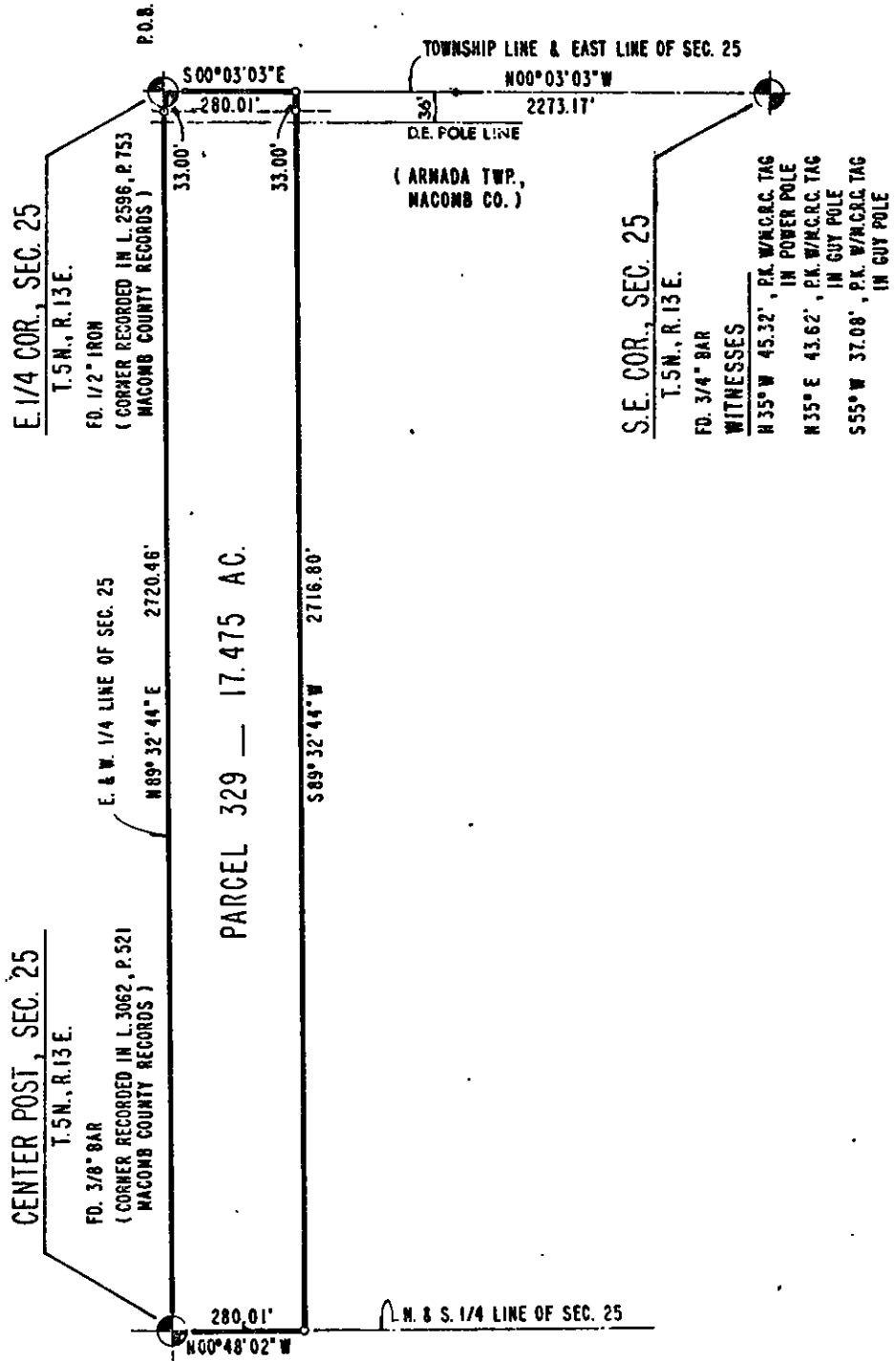
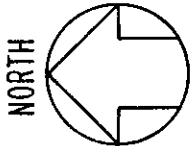
COMPARABLE NO.	DATE SOLD	TOTAL ACRES	SALE PRICE PER ACRE	PHOTOGRAPHS (Subject)
A-26	1979	160.0	\$937	
A-25	1977	29.63	\$1,350	
A-17	7/75	123.0	\$1,530	
A-15	4/77	29.29	\$1,536	
A-14	1/79	37.66	\$1,314	
A-12	2/77	40.0	\$1,000	
A-11	3/74	94.1	\$1,500	

RECORDED RIGHT OF WAY NO. 33830
pl

REMARKS: Taking is along the northerly portion of site and includes Omo Road frontage. Site is a large corner parcel with extensive frontage.

OMO ROAD — 66 FT. WD.

(RICHMOND TWP., ST. CLAIR CO.)



B	BY G. GORDON	DATE 3-19-81	APP. R.J.T 4-14-81
	REVISED & REDRAWN		
A	BY G. GORDON	DATE 10-14-80	APP. <i>[Signature]</i> 10/14/80
	CHG. BRG. ON E. & W. 1/4 LINE OF SEC. 25		
REVISIONS			

BEARING USED FROM RECORDED DEED IN L. 2480, P. 462 — MACOMB COUNTY RECORDS

SHEET 1 OF 2

LOCATION

PROPERTY SURVEY
PART OF THE SE. 1/4 OF SECTION 25, T.5N., R.13E.,
ARMADA TOWNSHIP, MACOMB COUNTY, MICHIGAN

YUKON - SARATOGA CORRIDOR

Detroit Edison SYSTEM ENGINEERING DEPT.

SURVEY BY R. TERRY J. MACAY	9-30-80	DRAWN BY G. GORDON	10-1-80	APPROVED BY <i>[Signature]</i> 10/9/80
SCALE 1 INCH = 400 FEET		ERROR IN CLOSURE LESS THAN 1:10,000		DRAWING NO. SE 1296-5