

THE DETROIT EDISON COMPANY

Description of an Easement to be Purchased for the
Wayne - Pontiac Corridor (Parcel #130)

Dated: April 21, 1965

Land in the City of Wixom, Oakland County, Michigan
described as:

That part of the Northwest 1/4 of Section 5, Town 1
North, Range 8 East described as:

Beginning at an iron at the Center of said Section;
thence westerly along the East & West 1/4 Line of said
Section, 200.0 feet to an iron; thence northerly along
a line making a northeasterly angle of 91°38' with the
said 1/4 Line, 1420.5 feet to a point; thence south-
easterly along a line making a southeasterly angle of
49°23' with the last described line, 304.8 feet to a
point in the North & South 1/4 Line of said Section;
thence southerly along the said North & South 1/4 Line,
deflecting to the right 50°51' from the last described
line, 1228.1 feet to the point of beginning.

3 Copies: L. Hedden
1 Copy: L. Jewell

(Abstract not available)

2262499

f

PLANT ACCOUNTING DEPARTMENT

THE DETROIT EDISON COMPANY

APPROVED

E. Smith

PR 95 7-56 CS

REQUEST FOR CHECK
DE FORM TR 3 2-54

THE DETROIT EDISON COMPANY

PAY TO (NAME AND ADDRESS) THE CHESAPEAKE AND OHIO RAILWAY COMPANY 6-214 General Motors Building Detroit, Michigan 48202			DATE REQUESTED August 4, 1965 DATE DUE August 4, 1965 AMOUNT \$8,000.00
STATE WHAT PAYMENT IS FOR Easement grant for Wayne-Pontiac EHV Corridor in Section 5, Town 1 North, Range 8 East, City of Wixom, Oakland County, Michigan.			
RECORDED RIGHT OF WAY NO. <u>2268708</u>			
DISTRIBUTION			
ACCOUNT NAME	ACCOUNT NO. OR WORK ORDER	AMOUNT	
	350 A 400	\$8,000.00	
		PREPARED BY L. G. Hedden APPROVED <i>[Signature]</i> APPROVED FOR PAYMENT <i>[Signature]</i> RECORDED AUDITED	

CHECK TO BE MAILED SEND CHECK TO Lamar E. Smith - 310 G.O.

LIB 4763 THE 846

GRANT OF EASEMENT

65 52316

1-8/5

THIS INDENTURE, made this 3rd day of August, A. D. 1965, between THE CHESAPEAKE AND OHIO RAILWAY COMPANY, a Virginia corporation, whose post office address is General Motors Building, 3044 West Grand Boulevard, Detroit, Michigan 48202, party of the first part, and THE DETROIT EDISON COMPANY, a New York corporation, whose post office address is 2000 Second Avenue, Detroit, Michigan 48226, party of the second part.

WITNESSETH:

That the party of the first part, for itself and its successors and assigns, for and in consideration of the sum of Eight Thousand Dollars (\$8,000) to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by these presents grant and convey unto the said party of the second part, its successors and assigns, Forever, the right and easement to enter upon and use, solely for steel tower high-voltage transmission line purposes, the following-described parcel of land situate and being in the City of Wixom, County of Oakland, and State of Michigan:

Part of the northwest 1/4 of Section 5, Township 1 North, Range 8 East: Beginning at an iron at the center of said Section 5; thence westerly, on and along the east-and-west 1/4 line of said section, a distance of 200.0 feet to an iron; thence northerly, on and along a line making a northeasterly angle of 91° 38' with the said 1/4 line, a distance of 1,420.5 feet to a point; thence southeasterly, on and along a line making a southeasterly angle of 49° 23' with the last-described line, a distance of 304.8 feet to a point in the north-and-south 1/4 line of said section; thence southerly, on and along the said north-and-south 1/4 line, deflecting to the right 50° 51' from the last-described line, a distance of 1,228.1 feet to the place of beginning; containing an area of 6.594 acres, more or less.

RESERVING to the party of the first part, its successors and assigns, the right to operate, maintain, use, repair, replace, renew, and remove the existing railroad track, appurtenances, driveway, and any other facilities of the party of the first part as now located in, upon, over, or across the above-described parcel of land; and

ALSO RESERVING to the party of the first part, its successors and assigns, the right at any time hereafter to locate, construct, operate, maintain, use, repair, replace, renew, or remove additional railroad track or tracks and/or other facilities, devices, appliances, and appurtenances incident to the conduct of its business in, upon, over, or across the above-described parcel of land, so long as the use of the above-described parcel of land by the party of the second part, its successors or assigns, for the purposes for which this easement is granted shall not be unreasonably interfered with or impaired; and

ALSO RESERVING to the agents, servants, employees, lessees, licensees, and invitees of, and persons, firms, and corporations transacting business with, the party of the first part, its successors or assigns, the right to use the above-described parcel of land, so long as the use of the above-described parcel of land by the party of the second part, its successors or assigns, for the purpose for which this easement is granted shall not be unreasonably interfered with or impaired; provided, however, that no building or structure shall be erected upon or placed within the above-described parcel of land without obtaining the prior written consent of the party of the second part, its successors or assigns.

TO HAVE AND TO HOLD the said right of way and easement over and across said parcel of land as herein described unto the said party of the second part, its



RECORDED RIGHT OF WAY NO. 2262409

Part of NW 1/4, E 1/2 of (6.594A)

400 Guide Rev on

successors and assigns, Forever, subject to the foregoing reservations and upon the following terms and conditions:

1. This grant of easement is given upon the express condition that the above-described parcel of land shall be used for the purposes herein set forth and for no other purpose and that if, after the construction of a steel tower high-voltage transmission line upon, over, and across the above-described parcel of land, such use of said parcel of land shall ever be discontinued and the same abandoned for the purposes herein set forth, then said parcel of land and all the rights therein, thereon, or thereover herein granted shall immediately revert to the party of the first part, its successors and assigns, and then and thereafter the party of the first part, its successors and assigns, shall peaceably hold and enjoy the same as if these presents had not been made. This conveyance is given upon the further express condition that, in the event of such reversion, the party of the second part, its successors or assigns, shall, at the request of and without cost or expense to the party of the first part, its successors or assigns, execute and deliver to the party of the first part, its successors or assigns, a proper instrument, in form suitable for recording and approved by the party of the first part, its successors or assigns, releasing said parcel of land from the easement interest therein herein conveyed.
2. This grant of easement is given upon the further express condition that said party of the second part, its successors and assigns, shall indemnify and hold harmless said party of the first part, its successors and assigns, from and against any liability for any and all loss or destruction of, or damage to, all property whatsoever, and any and all injury to, or death of, all persons whomsoever, caused in whole or in part by, resulting in any manner from, arising out of, or in any way connected with, the use and occupancy of the above-described parcel of land by the party of the second part, its successors and assigns, including, but not by way of limitation, the construction, installation, maintenance, existence, use, repair, renewal, or removal of high-voltage transmission lines and supporting steel towers, or failure to maintain, repair, or renew the same.

IN WITNESS WHEREOF, the said The Chesapeake and Ohio Railway Company, party of the first part, has caused these presents to be signed in its name by its Vice-President, attested by its Assistant Secretary, and sealed with its corporate seal, the day and year first above written.

Signed, sealed, and delivered in the presence of:

THE CHESAPEAKE AND OHIO RAILWAY COMPANY

[Signature]
E. S. Marshall

By, *[Signature]*
C. V. Cowan, Its Vice-President

[Signature]
E. C. Jesse

ATTEST: *[Signature]*
R. D. Griebling, Its Assistant Secretary

APPROVED
BY
[Signature]
SECRET

State of Ohio)
County of Cuyahoga) ss.

On this 3rd day of August, A. D. 1965, before me, a Notary Public in and for said County, appeared C. V. Cowan and R. D. Griebling, to me personally known, who, being by me duly sworn, did each for himself say

RECORDED FROM OF MAY NO. 82624 89

4763 848

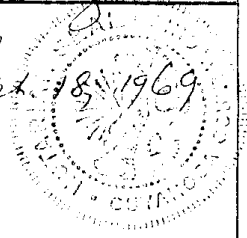
that they are, respectively, Vice-President and Assistant Secretary of The Chesapeake and Ohio Railway Company, the corporation named in and which executed the within instrument, that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors; and said C. V. Cowan acknowledged said instrument to be the free act and deed of said corporation.

ARTHUR M. SPENGLER, Notary Public
for Cuyahoga County, Ohio
My commission expires Sept. 18, 1969

Arthur M. Spengler

Notary Public,

My commission expires *Sept. 18, 1969*



RECORDED
INDEXED
MICHIGAN
REGISTER OF DEEDS RECORDS
1965 AUG 13 PM 12 25
John D. Murphy
CLERK-REGISTER OF DEEDS

Drafted by:
Edward H. Goodman
Attorney at Law
Business address:
6-103 General Motors Building
Detroit, Michigan 48202

JSM
8-9-65
HT

Witnessed: Harold J. Pincus
2000 Second Ave.
Detroit 26, Michigan

22624 p9

August 4, 1965


Mr. H. R. Harms
General Real Estate Agent
The Chesapeake and Ohio Railway Co.
6-214 General Motors Building
Detroit, Michigan 48202

Dear Mr. Harms:

Subject: Grant of Easement to The
Detroit Edison Company in
the Northwest 1/4 of Section
5, City of Wixom.

In connection with the grant of the above easement, we agree that there will be only two steel towers set by our Company in the easement as shown on our Engineering Department Drawing No. SMS 787-102 which has been submitted to your Company by letter of June 10, 1965 and approved by your District Engineer.

Very truly yours,


J. W. Drummond
Manager of Engineering

LOH/gd

RECORDED RIGHT OF WAY NO. 22624 09

Abstract and Title Guaranty Company

PS-26632-2
Pontiac, Michigan
October 27, 1959

The Detroit Edison Company
2000 Second Boulevard
Detroit 26, Michigan

Gentlemen:

From an examination only of the records of the Register of Deeds Office, Oakland County, Michigan, covering property described as follows, to-wit: All that part of the W. 852.5 feet of the N.E. fractional $\frac{1}{4}$ of Section 5, Town 1 North, Range 8 East, lying S. of The Chesapeake and Ohio Railway Company's right of way, containing an area of 20 acres, more or less. Also, [part of the N.W. fractional $\frac{1}{4}$ of Section 5, Town 1 North, Range 8 East, beginning at the center of said Section 5; thence W. on and along the E. and W. $\frac{1}{4}$ line of Section 5 a distance of 1352.5 feet, more or less, to the N. and S. $\frac{1}{8}$ line of said Section 5; thence N. on and along said $\frac{1}{8}$ line 1322.5 feet, more or less, to the $\frac{1}{8}$ corner; thence E. 455.7 feet to a point; thence N. 766.0 feet, more or less, to the S'ly right of way line of The Chesapeake and Ohio Railway Company; thence S.E'ly on and along said right of way line 1197.0 feet, more or less, to the N. and S. $\frac{1}{4}$ line of said Section 5; thence S. on and along said $\frac{1}{4}$ line 1335.0 feet, more or less, to the place of beginning; containing an area of 49 acres, more or less.] Subject to easement granted to The Detroit Edison Company, recorded in Liber 5 of Miscellaneous Records on Page 96, Oakland County Records.

It appears that the name of the last deed holder in the regular chain of title is as follows:

The Chesapeake and Ohio Railway Company, a Virginia Corporation, General Motors Building, Detroit 2, Michigan, by Warranty Deed, dated March 9, 1956, recorded April 20, 1956, Liber 3516, Page 283.

No undischarged Mortgage.


Under this form of search, this Company is not an insurer of above title nor does it guarantee the title or any evidence of title thereto.

Search made to October 22, 1959 at 7 A.M.

Yours respectfully,

ABSTRACT AND TITLE GUARANTY COMPANY

BY


Authorized Official

RECORDED BY 6042499

6042499

THE DETROIT EDISON COMPANY

INTERDEPARTMENT CORRESPONDENCE

Properties and Rights of Way Department

September 1, 1965

hr
9-2-65

MEMORANDUM TO:

MR. ELDRED H. SCOTT
Senior Vice President and Controller
520 General Offices

Subject: Right of Way Easement Purchase - The Detroit Edison Company Work Order 350 A 400. Parcel #130 for part of the Wayne-Pontiac EHV Corridor, City of Wixom, Oakland County, Michigan. Survey Sketch #787-102

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

The easement was purchased from The Chesapeake and Ohio Railway Company by agreement dated August 3, 1965. The total purchase price was \$8,000.00.

The purchase was negotiated by L. G. Hedden.

Lamar R. Smith
Lamar R. Smith
Supervisor of Real Estate

LGH/gd
Attachs.

cc. C. W. Dreier
L. V. Jewell
L. Kasameyer
H. J. Finales
R. O. Wagner
J. S. Wenger

REFERRED TO
<i>AK</i>
<i>WJ</i>
<i>Card</i>

RECORDS CENTER	
RECEIVED	SEP 29 1965
TICKLER MADE	
CLASSIFIED	

RECORDED RIGHT OF WAY NO. 52634 pg

