

**DETROIT EDISON
CORPORATE REAL ESTATE SERVICES**

AT TIME OF SCANNING, RIGHT OF WAY DOCUMENT(S) WERE NOT AVAILABLE

RECORDED RIGHT OF WAY NO. 19258

OAKLAND COUNTY DRAIN COMMISSIONER

COURT HOUSE OFFICE BUILDING

N. SAGINAW AT LAFAYETTE ST.

PONTIAC 15, MICHIGAN

FEDERAL 3-7151

RALPH A. MAIN
COMMISSIONER
REGISTERED CIVIL ENGINEER

STANLEY J. FILKINS
DEPUTY COMMISSIONER

~~HA~~ *ST*
March 11, 1955

Detroit Edison Company
Room 300
2000 Second Avenue
Detroit 26, Michigan

Attention: Richard H. Taylor

Gentlemen:

Attached hereto is a certified copy of action taken by the Red Run Drainage Board at their meeting of November 10, 1954 with respect to a request from your company to construct a power line along the Red Run Right Of Way.

Very truly yours,

Ralph A. Main

Ralph A. Main, Secretary
Red Run Drainage Board

RAM/ha
Encl.

RIGHT OF WAY FILE NO. 19258

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March 11, 1955

The Secretary read a letter from Ralph A. Main to Detroit Edison Company, dated 10/7/54.

Moved by Main, supported by Lohr, that this Board approve the request of the Detroit Edison Company to construct a power line along the Red Run Right-of-Way line, providing the structures are kept at a minimum height of sixty feet from the ground level, and provided further, that permission is obtained from all other interested parties.


Yeas: Hudson, Lohr, Main

Nays: None

Carried

Ralph A. Main, Secretary
Red Run Drainage Board

I hereby certify that the above and foregoing is a true copy of a motion made at the meeting of the Red Run Drainage Board held on November 10, 1954, the original of which is on file in the office of the Oakland County Drain Commissioner.


Ralph A. Main, Secretary
Red Run Drainage Board

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FISCHER, SPRAGUE, FRANKLIN & FORD

DIME BUILDING
DETROIT 26, MICHIGAN

HARVEY A. FISCHER
LAURENCE H. SPRAGUE
LEO I. FRANKLIN
RICHARD FORD
LEON R. JONES
JUSTIN C. WEAVER
DAVID G. BARNETT
JOHN R. MANN
EDWARD S. HARRISON
JAMES W. WRIGHT
KENNETH B. MCCONNELL
HAROLD W. HANLON
OF COUNSEL

JAMES V. OXTOBY
1872 - 1940
OSCAR C. HULL
1883 - 1944
LAWRENCE E. BROWN
1896 - 1963

WOODWARD 2-5210

March 18th,
1955

Mr. Chester F. Ogden, Manager
Purchases and Real Estate,
The Detroit Edison Company,
2000 Second Avenue,
Detroit 26, Michigan

Re: - RED RUN DRAINAGE BOARD

Dear Mr. Ogden:

We have your request for our opinion as to the power of the Red Run Drainage Board to give your Company a right-of-way over lands to which that Board holds title or lesser rights in lands for a 120 KW transmission line.

On examining the statute under which the Red Run Drainage Board is organized, we are of the opinion that that Board has no authority to grant or convey to your Company a right-of-way over the drain in question. The Red Run Drainage Board is a state agency for the construction of this drain with limited powers. We do not find among the powers granted to it the power to sell any of its property or to grant a right-of-way.

We understand that technically the title to the drain right-of-way is now in the Government of the United States but is about to be conveyed to the Red Run Drainage Board, and that the Red Run Drainage Board has been in actual possession and control of the drain for some time. We further understand that you have received a consent from the Red Run Drainage Board

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#2.

March 18, 1955

Mr. Chester F. Ogden, Manager
Purchases and Real Estate,
The Detroit Edison Company

for the construction of your line, and that you will also procure from the United States Government a statement that they do not object to your entering upon and occupying part of the right-of-way for the line in question.

It is our opinion that under the foregoing circumstances the only right which you would acquire in the property of the Red Run Drainage district would be a license which could be revoked at the whim or caprice of the Red Run Drainage Board. Under these circumstances, it is our opinion that it is a question for management as to whether they wish to erect the line in question over a right-of-way of that character.

Very truly yours,

/s/ Fischer, Sprague, Franklin & Ford

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3/21/55
W. Fischer, Sprague, Franklin & Ford

OAKLAND COUNTY DRAIN COMMISSIONER

COURT HOUSE OFFICE BUILDING

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PONTIAC 15, MICHIGAN

FEDERAL 3-7151

STANLEY J. FILKINS
DEPUTY COMMISSIONER

RALPH A. MAIN
COMMISSIONER
REGISTERED CIVIL ENGINEER

October 7, 1954

H COLE
OCT 8 1954

[Handwritten signature]

Detroit Edison Company
2000 Second St.
Detroit, Michigan

Attention: Mr. Wagner

Gentlemen:

Please be advised that we have inspected your plans for the power line along the Red Run right of way line and can find no serious objections to the same, providing the structures are kept over fifty feet away from the top of the bank and that the lines be kept at a minimum height of sixty feet from the ground level.

Official action of the Board will have to be taken confirming this at the next meeting which at the present time has not been scheduled. However, I have contacted Mr. Stahl, Acting Chairman of the Board from the Michigan Department of Agriculture and the Macomb County Drain Commissioner's office and they both have signified their willingness to approve such a request.

Very truly yours,

[Signature: Ralph A. Main]
Ralph A. Main, Secretary
Red Run Drainage Board

RAM/ha

cc: Mr. Charles A. Stahl
Mr. Frank Lohr

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