

June 18, 1948

IN CONSIDERATION of the sum of One (\$1.00) Dollar and other valuable considerations, receipt of which is hereby acknowledged, KALTZ FUEL AND SUPPLY, INC. (hereinafter referred to as "KALTZ") hereby grants to THE DETROIT EDISON COMPANY (hereinafter referred to as "EDISON"), its successors and assigns, the right to construct, operate and maintain its overhead lines for the transmission and distribution of electricity and Edison communication facilities, including one (1) tower having a base of approximately twenty (20) <sup>feet square</sup> ~~square feet~~, fixtures, wires and equipment, and including also the right to trim or cut down any trees along said lines, which could fall into the lines or interfere in any way with their operation upon, over and across that portion of the below-described property as per drawing attached hereto and made a part hereof, located in the City of Ferndale, County of Oakland, State of Michigan, and described as follows:

Lots 280, 282 and 283 of Little Farms Subdivision of part of the North Half of Section 34, T 1 N, R 11 E, according to the plat thereof as recorded in Liber 7 of Plats, Page 27, Oakland County Records.

The route of the overhead lines shall be as follows:

Along Easterly of and adjacent to the right-of-way of the Grand Trunk Western Railroad at West side of said lots.

Edison, its successors and assigns, covenants and agrees that it will reimburse Kaltz for all damage caused by its agents, servants and employes, teams, trucks and other vehicles and equipment in entering said property for the purposes set forth herein.

Edison, its successors and assigns, covenants and agrees to save and keep Kaltz, its successors and assigns, harmless from and indemnify it against any penalty, damage or charges imposed for any violation of any laws or ordinances, and at all times to protect, indemnify and save Kaltz harmless of and from any loss, cost, damage or expense, including attorneys' fees, arising out of or from any accident or other occurrence on or about the premises above described, causing injury to any person or property whomsoever or whatsoever, arising by reason of the construction, operation and maintenance of said tower, fixtures, wires and equipment on the premises described above. Edison further covenants and agrees to protect, indemnify and save Kaltz harmless of and from any and all claims, and against and from any and all loss, cost, damage or

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expense, including attorneys' fees, arising out of any failure of Edison in any respect to comply with and perform all of the terms and provisions contained herein.

Edison, for itself, its successors and assigns, covenants and agrees to relocate its tower, fixtures, wires and equipment upon a six months' notice from Kaltz, its successors or assigns, so to do, should the future use of the property by Kaltz, its successors or assigns, be such as to require relocation. In the event Edison abandons or discontinues the use of said overhead lines for the purposes stated above, it shall, at its own cost and expense, remove said tower, base, fixtures, wires and equipment, and restore the premises to the same condition as they were on the date hereof.

In addition to the above consideration, Edison, or its successors and assigns, shall pay Kaltz the sum of One Hundred (\$100.00) Dollars for the above right-of-way on the premises described above before the tower is erected.

IN WITNESS WHEREOF, the parties hereto have executed this agreement, the day and year first above written.

Witness:  
Edith M. Hansen  
Edith M Hansen

Lyman G Hedden  
Lyman G Hedden

Signed: KALTZ FUEL AND SUPPLY, INC.  
S J Kaltz  
S. J. Kaltz Pres.  
Richard M. Kaltz Vice Pres.  
Richard M Kaltz

EERDALE NATIONAL BANK  
F. E. Steele  
Accepted: THE DETROIT EDISON COMPANY

By Richard H Taylor  
Richard H Taylor Right-of-Way Agent

STATE OF MICHIGAN )  
County of Oakland ) ss.

On this 18th day of June, A.D. 1948, before me appeared S. J. Kaltz and Richard M. Kaltz to me personally known, who being by me severally duly sworn, did say that they are Vice President respectively President and Vice President of KALTZ FUEL AND SUPPLY, INC., a corporation created and existing under the laws of State of Michigan, and that the seal affixed to the foregoing instrument is the corporate seal of the said corporation, and that the said instrument was signed and sealed in the behalf of said corporation by authority of its Board of Directors; and the said S. J. Kaltz and Richard M. Kaltz acknowledged the said instrument to be the free act and deed of the said KALTZ FUEL AND SUPPLY, INC.

Lyman G Hedden  
Lyman G Hedden  
Notary Public Wayne

My Commission expires 12/8/50 (Acting in Oakland County, Michigan)

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STATE OF MICHIGAN)  
COUNTY OF OAKLAND) <sup>SS.</sup>

On this 30<sup>th</sup> day of June, 1948, before me appeared F. E. STEELE, to me personally known, who being by me duly sworn, did say that he is VICE PRESIDENT of FERNDAL NATIONAL BANK, a National Banking Association, created and existing under the laws of the United States of America, and that the said instrument was signed in the behalf of said association by authority of its Board of Directors and the said F. E. STEELE acknowledged the said instrument to be the free act and deed of the said FERNDAL NATIONAL BANK.

Lyman G. Hedden  
Lyman G Hedden  
Notary Public, Wayne  
Acting in Oakland County County, Michigan

My Commission expires 12-8-50

REGISTER OF DEEDS } JUL 8 1949  
Oakland County, Mich. }  
Received for record \_\_\_\_\_  
at 11:30 o'clock AM and recorded in  
Liber 2433 Page 323-6 of Oakland  
County Register of Deeds Records.

Orrin McQuaid  
ORRIN McQUAID, Registry of Deeds

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# CROSS REFERENCE

NAME OR SUBJECT RECORDED RIGHT OF WAY NO. 12436

FILE NO.

REGARDING Permit for relocation of an industrial  
railway siding

DATE

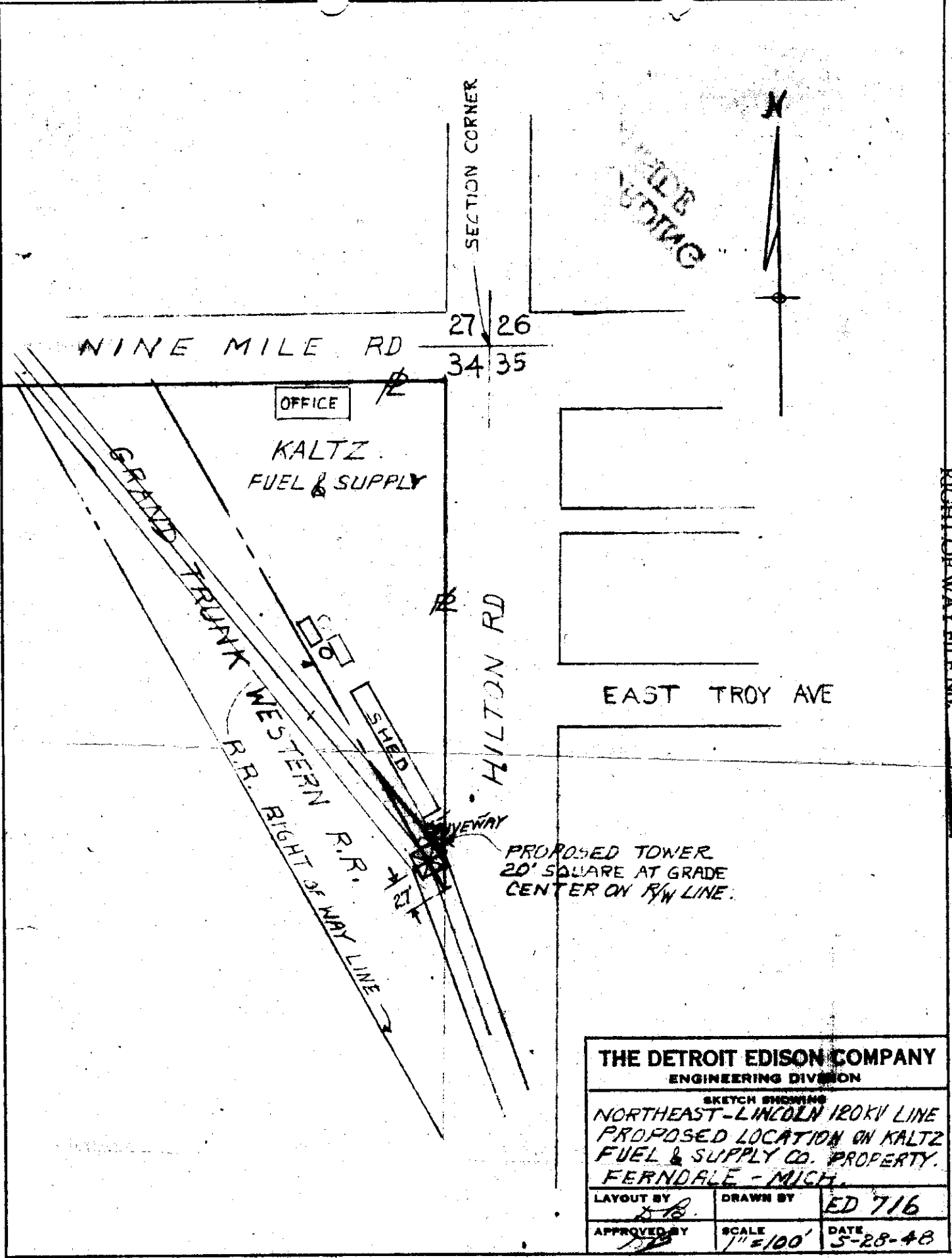
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## SEE

NAME OR SUBJECT REAL ESTATE FILES

FILE NO.

Ferndale, City of - 527-3



RIGHT OF WAY FILE NO.

12756

<b>THE DETROIT EDISON COMPANY</b> ENGINEERING DIVISION		
SKETCH SHOWING NORTHEAST-LINCOLN 120KV LINE PROPOSED LOCATION ON KALTZ FUEL & SUPPLY CO. PROPERTY. FERNDALE - MICH.		
LAYOUT BY <i>H.B.</i>	DRAWN BY <i>H.B.</i>	ED 716
APPROVED BY <i>H.B.</i>	SCALE 1" = 100'	DATE 5-28-48