

TOWER LINE PERMIT

LIBER 2433 PAGE 444

Date July 30<sup>th</sup> 1948

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, we hereby grant permission to THE DETROIT EDISON COMPANY, and its successors and assigns, to construct, operate and maintain during the life of its franchise in the City of Ferndale, or any renewals thereof, lines for electric light and power, including the necessary towers, fixtures, wires and equipment hereinafter referred to as tower line, 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 our property located in the CITY OF FERNDALE, County of Oakland, State of Michigan, and described as follows:

*OK*

Part of Blocks 19, 20 and 21 of Urbanrest Subdivision and part of Lot 608 Woodward Heights Subdivision No. 2 being further described as: Beginning at the intersection of the West line of Grand Trunk Western Railroad right-of-way and the North line of Cambourne Avenue as shown on said plat; thence Westerly along North line of Cambourne to the East line of Paxton Avenue; thence along the East line of Paxton Avenue to an intersection with the East line of Gainsboro Avenue; thence along the East line of Gainsboro Avenue to a point located 210.63 ft. Northwesterly from the Southwesterly corner of Lot 608 of Woodward Heights Subdivision No. 2; thence Northeasterly to a point on the Easterly line of said Lot 608, said point being located South 1°31' East along said East lot line 34 ft. from the Easterly angle point of said lot; thence South 40°16' East to an intersection with the Westerly Grand Trunk Western Railroad right-of-way line; thence Southeasterly along said Westerly right-of-way line to the point of beginning.

The route of the lines shall be as follows:

As shown in red on the drawing attached hereto which is hereby made a part of this agreement.

The Company shall erect said tower line in such manner so as to provide at all times at least fifty foot (50') allowance of lines above ground level of said premises.

The Company, its successors and assigns, shall reimburse us for all damages to buildings, fences, trees, water mains, gas mains, sewers, roads, streets, ways, and any and all property of whatsoever kind or nature caused by its men and equipment in entering said property for the purpose of installation or maintenance of said tower line or caused by the existence of said tower line from any cause whatsoever during all of the time said tower line shall remain underneath, on, or above the above-described property, and the Company, its successors and assigns, shall save the City harmless from any judgment or damages that may be recovered against the City by reason of the existence of said tower line on said property or by reason of any acts or wrongdoing or negligence of the Company in the erection and maintenance of said tower line.

In addition to the above consideration, the Company, or its successors and assigns, shall pay us the sum of One Hundred and no/100 Dollars for each tower on said land, the same to be paid before any towers are erected.

IN WITNESS WHEREOF, the said parties hereto have executed this easement in duplicate, said City of Ferndale, by its Mayor and City Clerk, under the seal of said City, and the said party of the second part by its Vice President and Secretary, and under its seal this 30<sup>th</sup> day of July, 1948.

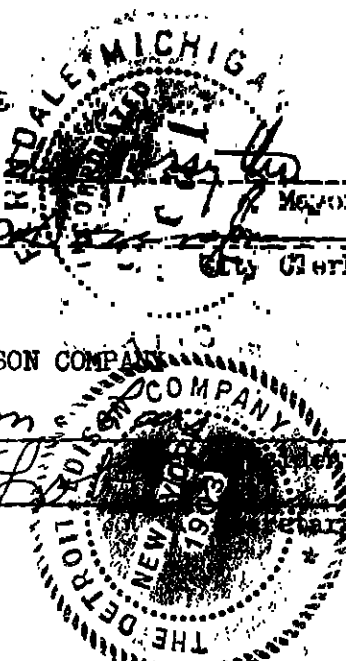
RIGHT OF WAY FILE NO. 12443

WITNESSES:

CITY OF FERNDALE

Edith F. Currie  
Edith F Currie  
Lillian Hewlett  
Lillian Hewlett

By: Carl W Forsythe  
Carl W Forsythe Mayor  
T H O'Donoghue  
T H O'Donoghue City Clerk



Jack E. Menig  
Jack E. Menig  
Richard H. Taylor  
Richard H Taylor

THE DETROIT EDISON COMPANY  
By: A D McLay  
A D McLay  
J H Lobban  
J H Lobban Secretary

STATE OF MICHIGAN }  
COUNTY OF Oakland } ss.

On this 20<sup>th</sup> day of July, 1948, before me, a Notary Public in and for Oakland County, Michigan, appeared Carl W. Forsythe and T. H. O'Donoghue to me personally known who being by me each duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Ferndale, Oakland County, Michigan, a municipal corporation created and existing under the laws of the State of Michigan, and the seal affixed to the foregoing instrument is the corporate seal of said corporation; and that the said instrument was signed and sealed on behalf of said municipal corporation by authority of its Commission and in conformity of its resolution of July 12, 1948.

Edith F. Currie  
Edith F Currie  
Notary Public, Oakland  
County, Michigan

My Commission expires April 25-1950

STATE OF MICHIGAN }  
COUNTY OF Wayne } ss

On this 20<sup>th</sup> day of July, 1948, before me appeared A. D. McLAY and J. H. LOBBAN, to me personally known, who being by me severally duly sworn, did say that they are respectively Vice President and Secretary of THE DETROIT EDISON COMPANY, a corporation created and existing under the laws of the State of New York, 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 A. D. McLAY and J. H. LOBBAN acknowledged the said instrument to be the free act and deed of the said THE DETROIT EDISON COMPANY.

Lyman G. Hedden  
Lyman G Hedden  
Notary Public Wayne  
County, Michigan

My Commission expires Dec. 9, 1950

RIGHT OF WAY FILE NO. 12443

Ferndale, Michigan

July 12, 1948

Commissioner  
Motion by Murray A. Scott, supported by  
Commissioner Sidney G. Hill, that the Mayor and Clerk be  
authorized and instructed to sign an agreement granting permission to  
THE DETROIT EDISON COMPANY to construct, operate and maintain lines for  
electric light and power, including the necessary towers, fixtures, wires  
and equipment hereinafter referred to as tower line, upon, over and across  
the following-described property located in the City of Ferndale:

Part of Blocks 19, 20 and 21 of Urbanrest Subdivision and  
part of Lot 608 Woodward Heights Subdivision No. 2 being  
further described as: Beginning at the intersection of the  
West line of Grand Trunk Western Railroad right-of-way and  
the North line of Cambourne Avenue as shown on said plat;  
thence Westerly along North line of Cambourne to the East  
line of Paxton Avenue; thence along the East line of Paxton  
Avenue to an intersection with the East line of Gainsboro  
Avenue; thence along the East line of Gainsboro Avenue to  
a point located 210.63 ft. Northwesterly from the Southwester-  
ly corner of Lot 608 of Woodward Heights Subdivision No. 2;  
thence Northeasterly to a point on the Easterly line of said  
Lot 608, said point being located South 1°31' East along said  
East lot line 34 ft. from the Easterly angle point of said  
lot; thence South 40°16' East to an intersection with the  
Westerly Grand Trunk Western Railroad right-of-way line;  
thence Southeasterly along said Westerly right-of-way line  
to the point of beginning.

All in accordance with the wording of the attached agreement.

AYES: Commissioners Garbutt, Hill, Scott, Mayor Forsythe.

NAYS: None. Commissioner Capstraw absent. The Mayor thereupon  
declared said resolution carried.

CERTIFICATION

I, T. H. O'Donoghue, Clerk of the City of Ferndale, do  
hereby certify that the foregoing is a true and compared copy of a  
motion duly made and passed by the Ferndale City Commission at a regular  
meeting held on July 12, 1948.

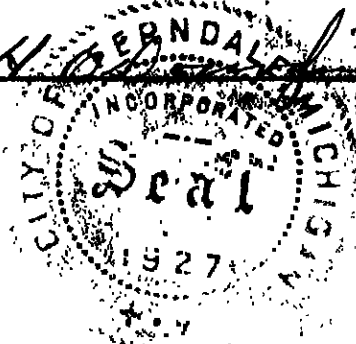
IN WITNESS WHEREOF, I have hereunto set  
my hand and affixed the seal of the said  
City of Ferndale this 20th day of  
July, A.D. 1948.

REGISTER OF DEEDS } JUL 8 1948  
Oakland County, Mich.

Received for record  
at 11:30 o'clock A.M. and recorded in  
Liber 2433 Page 442-6 of Oakland  
County Register of Deeds Records.

Orrin McQuaid  
ORRIN McQUAID, Register of Deeds

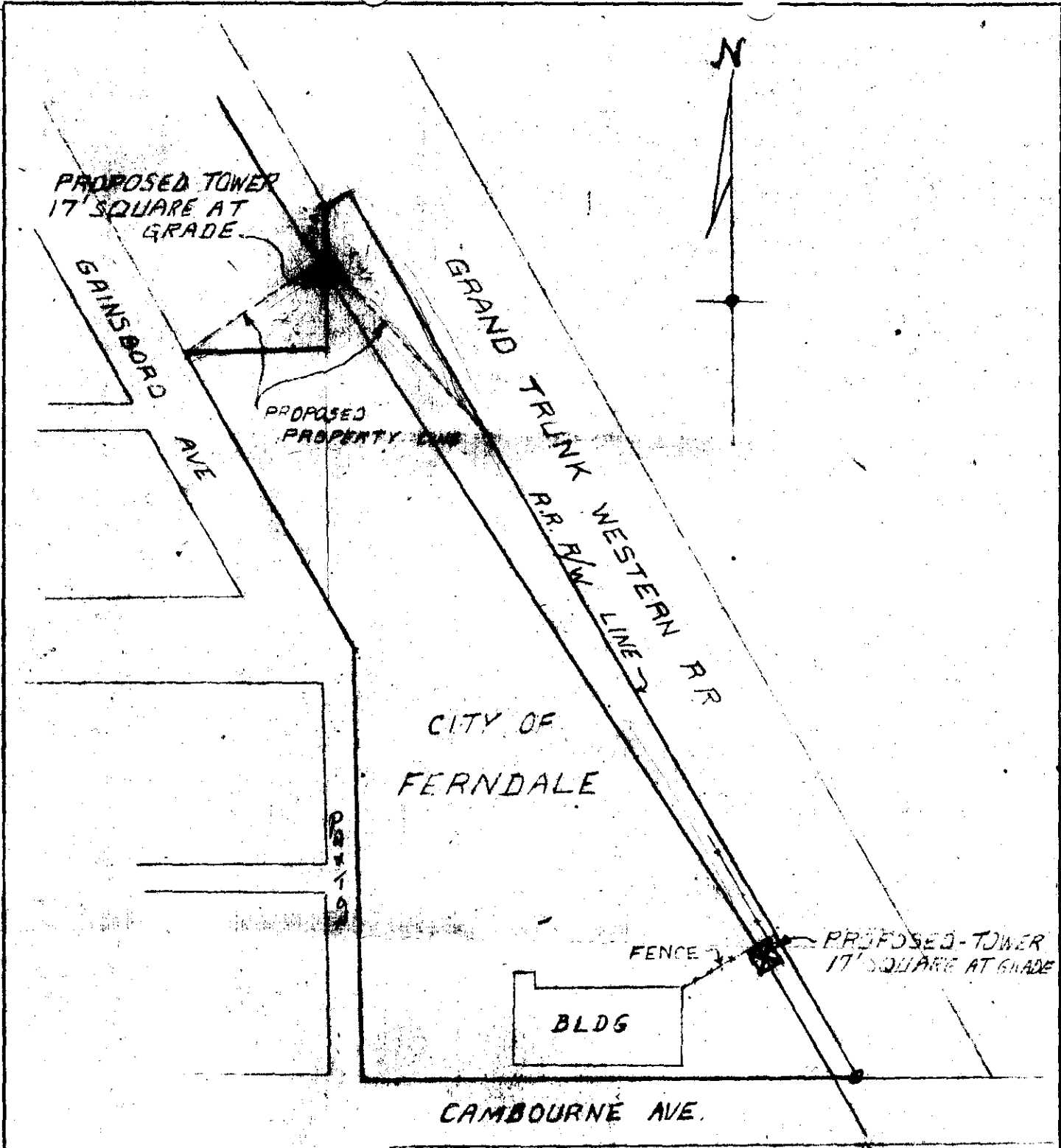
T. H. O'Donoghue  
City Clerk



RIGHT OF WAY FILE NO. 12443

11/27/28  
21880

25052



RIGHT OF WAY FILE NO. 12443

<b>THE DETROIT EDISON COMPANY</b> ENGINEERING DIVISION		
SKETCH SHOWING		
PROPOSED 120 KV TRANSMISSION LINE ON PROPERTY OF CITY OF FERNDALE AT CAMBOURNE AVE AND GRAND TRUNK WESTERN R.R.		
LAYOUT BY <i>D. Burn</i>	DRAWN BY	ED 567-6
APPROVED BY <i>W. Cole</i>	SCALE 1" = 100'	DATE 6-10-48