

LIBER 3154 PAGE 301
AGREEMENT AND GRANT OF RIGHT OF WAY

WHEREAS, THE DETROIT EDISON COMPANY, a New York corporation, having its principal office at 2000 Second Avenue, Detroit 26, Michigan, hereinafter referred to as "EDISON," has emplaced certain poles, fixtures, guys and guy stubs, wires and equipment in and upon certain public streets situated in the City of Royal Oak, Oakland County, Michigan, and more particularly described as follows:

That portion of Edgeland Avenue located between the northeasterly line of the Grand Trunk Western Railroad Right of Way and the south line of Nakota Road.

That portion of Edgeland Avenue located between the north line of Samoset Road and the south line of Fourteen Mile Road.

That portion of Nakota Road located between the west line of Edgeland Avenue and the northeasterly line of the Grand Trunk Western Railroad Right of Way.

That portion of Samoset Road located between the west line of Edgeland Avenue and the northeasterly line of the Grand Trunk Western Railroad Right of Way.

All of the above described portions of Samoset Road, Nakota Road and Edgeland Avenue lie in Nordwood Estates Subdivision as recorded in Liber 13, Plats, page 31, Oakland County Records; and

WHEREAS, the PINTEN PRODUCTS COMPANY, a Michigan corporation, having its principal office at 2717 W. Fourteen Mile Road, Royal Oak, Michigan, hereinafter referred to as "PINTEN," desires to petition the Common Council of the City of Royal Oak to vacate the above described portions of Samoset Road, Nakota Road and Edgeland Avenue; and

WHEREAS, PINTEN has requested that EDISON file no objection to the vacation of the aforementioned portions of Samoset Road, Nakota Road and Edgeland Avenue by reason of its having its equipment for the transmission and distribution of electricity located therein.

NOW, THEREFORE, in consideration of EDISON'S consent to the vacation of the aforementioned streets, and in consideration of the sum of One (\$1.00) Dollar and other valuable considerations, receipt of which is hereby acknowledged, PINTEN does by these presents grant to EDISON, its successors and assigns, the right to construct, operate and maintain its lines for the transmission and distribution of electricity and Company communication facilities, including the necessary poles, fixtures, guys and guy stubs, 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

S. OF 14 MILE RD.
W. OF FERN LEE

RECORDED IN
MICHIGAN
WAY FILE NO. 16516
OAKLAND COUNTY
REGISTER OF DEEDS-RECORDS
1954 JUN 15 AM 9 24
OPEN RECORDS
JUN 15 1954

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ready

interfere in any way with their operation upon, over and across certain property located in the City of Royal Oak. County of Oakland and State of Michigan, described as follows:

That portion of Edgeland Avenue located between the north line of Samoset Road and the south line of Fourteen Mile Road, being in Nordwood Estates Subdivision, as recorded in Liber 13 of Plats, page 31, Oakland County Records.

EDISON, upon ninety (90) days written notice thereof and payment by PINTEN of the cost therefor in advance, shall completely remove its lines, equipment and facilities from the land over which this easement is hereby granted. PINTEN, however, covenants and agrees that the advance payment for the cost of the removal of the lines, equipment and facilities shall be made before such removal is effected and shall be in such amount as is computed by EDISON, which sum shall include all of EDISON'S costs and expenses attributable directly or indirectly to such removal.

Provided, however, that EDISON shall not remove two poles now situated respectively in said Edgeland Avenue approximately on the south line of Fourteen Mile Road and approximately one hundred twenty (120) feet south of the south line of the Fourteen Mile Road, together with three (3) sections of primary lines which are connected to said poles. It is understood that said poles and lines provide direct electric service to the plant of PINTEN and, therefore, upon the removal by EDISON of other equipment situated in said Edgeland Avenue, PINTEN covenants and agrees to purchase said poles and lines from EDISON for the sum of Two hundred sixty and no/100 (\$260.00) Dollars.

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The parties hereto covenant and agree that these presents shall be and become of full force and effect immediately upon the vacation by the common council of the City of Royal Oak of the streets herein described, and shall bind and inure to the benefit of the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands this 13th day of November, A.D. 1953.

In the Presence of:
Harold J. Pinales
HAROLD J. PINALES
L. G. Hedden
L. G. HEDDEN
Betty Rae Sherman
BETTY RAE SHERMAN
Irving Grayson
IRVING GRAYSON

THE DETROIT EDISON COMPANY
By _____
By Richard H. Taylor
RICHARD H. TAYLOR - DIRECTOR,
PINTEN PRODUCTS COMPANY RIGHTS OF WAY DEPARTMENT
By E. Barc Secy
E. BARC - SECRETARY
By A. J. Strode
A. J. STRODE - VICE PRESIDENT

STATE OF MICHIGAN)
COUNTY OF WAYNE) SS.

On this 23rd day of November, A.D. 1953, before me, the sub-
scriber, a Notary Public in and for said County, appeared Richard H Taylor
~~and~~ Richard H Taylor to me personally known, who being by me duly
sworn did say that ~~they are~~ ^{he is} the Director, Rights of Way Department
of THE DETROIT EDISON COMPANY, a New York corporation, and that the seal affixed
to ~~said instrument is the corporate seal of said corporation~~, and that said in-
strument was signed and sealed in behalf of said corporation by authority of its
board of directors, and Richard H Taylor and ~~and~~
acknowledged said instrument to be the free act and deed of said corporation.

Lyman G. Hoorn
LYMAN G. HOORN
Notary Public, Wayne County, Michigan

My commission expires: 11-20-54

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STATE OF MICHIGAN)
COUNTY OF Wayne) SS.

On this 12th day of November, A.D. 1953, before me, the sub-
scriber, a Notary Public in and for said County, appeared E. Bane
and Arthur J. Strode to me personally known, who being by me duly
sworn did say that they are the Secretary and Vice President
of PINTEN PRODUCTS COMPANY, a Michigan corporation, and 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 E. Bane and A. J. Strode
acknowledged said instrument to be the free act and deed of said corporation.

Betty Rae Sherman
BETTY RAE SHERMAN
Notary Public, Wayne County, Michigan

My commission expires: 3-4-55

IRVING GRAYSON
LEONARD H. WEINER

LAW OFFICES
WEINER AND GRAYSON
2080 PENOBSCOT BUILDING
DETROIT 26, MICHIGAN

WOODWARD 2-8728

RECEIVED
REFERRED TO
1954 JUN 10 AM 9 17

June 9, 1954

The Detroit Edison Company
2000 Second Avenue
Detroit 26, Michigan

Attention: Mr. Harold J. Pinales, Legal Dept.

Gentlemen:

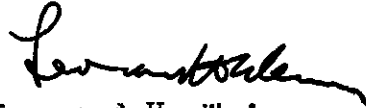
We note from our files that you requested to be advised if the Petition of Pinten Products Company for the vacation of portions of Edgeland, Nakota and Samoset Avenues was granted by the City of Royal Oak.

We are now advised that the Council has adopted a resolution vacating the streets and we are writing you to complete the record.

Thank you for your cooperation in this matter.

Very truly yours,

WEINER AND GRAYSON



Leonard H. Weiner

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LHW:ebm

6-22-54

Confirmed by Jack Thompson, Birmingham Planning
+ Pinales

LAW OFFICES
WEINER AND GRAYSON

2080 PENOBSCOT BUILDING

DETROIT 26, MICHIGAN

WOODWARD 2-8728

IRVING GRAYSON
LEONARD H. WEINER

November 20, 1953


Mr. Harold Pinales
The Detroit Edison Company
Room 230
2000 Second Avenue
Detroit, Michigan

Dear Sir:

On behalf of client, Pinten Products Company, please be advised that E. Barc, who signed the Easement Agreement, has authority to execute the same on behalf of the Company.

Very truly yours,

WEINER AND GRAYSON


Leonard H. Weiner

LHW:ebm

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RECEIVED
JUL 31 1953
LEONARD H. WEINER
H. J. HALL

LAW OFFICES
WEINER AND GRAYSON
2080 PENOBSCOT BUILDING
DETROIT 26, MICHIGAN
WOODWARD 2-8728

Referred to H. Keely

July 30, 1953

Detroit Edison Company
220 East Merrill
Birmingham, Michigan

Attn: Mr. H. J. Hall

Gentlemen:

Enclosed herewith is a section map of the NW¹/₄ of Sec. 5, which sets forth thereon certain contemplated vacations of streets, namely Edgeland Avenue between 14 Mile Road and Samoset and between Nakota and the Grand Trunk Railroad, and that part of Samoset and Nakota Avenues between Edgeland and the Grand Trunk Railroad.

We represent Pinten Products Company, which together with the Grand Trunk Railroad owns all of the parcels of property abutting upon the portions of the streets to be vacated.

We should appreciate your examining the plat and if you have no objection to the vacation of the portions of the streets as set forth above, please sign the enclosed copy of this letter attached to the enclosed plat in the space provided therefor and return it to us together with the plat so that we may attach the same to the petitions to vacate.

If you have any comments or questions, please communicate with the writer. We appreciate your cooperation in this matter.

The undersigned company hereby indicates that it has no objection to the vacation of the portions of the streets described in the above letter.

Very truly yours,
WEINER AND GRAYSON

Leonard H. Weiner

DETROIT EDISON COMPANY

By _____, 1953.

Handwritten signatures and initials

Called H. Keely - 7-30-53

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August 19, 1953

Mr. R. H. Taylor
Rights-of-Way Department

Attn: Mr. J. E. Menigs

Proposed Street Vacation
Portions of Edgeland, Samoset, and Nakota
Norwood Estates Subdivision
L. 13 - P. 31
City of Royal Oak
Royal Oak Township
Oakland County

Attached is a letter from the law firm of Weiner and Grayson, representing Pinton Products Co., 2717 E. Fourteen Mile Road, informing The Detroit Edison Company of the proposed vacation of portions of Edgeland, Samoset, and Nakota to permit the expansion of their clients building.

The Detroit Edison Company has distribution located in that portion of Edgeland that would have to be relocated as indicated on attached Planning Division Sketch B-228. The "Accounts Receivable" estimate for this relocation is as follows:

OVERHEAD LINES ESTIMATE

Direct Labor		<u>1117.05</u>
Priced Material	<u>2026.97</u>	
Misc. Material	<u>405.40</u>	
Total Material	<u>2432.37</u>	
Less Material Removed	<u>812.51</u>	
Net Material		<u>1619.86</u>
Digger Expense		<u>10.00</u>
Miscellaneous Expense		<u>899.64</u>
Grand Total		<u>3640.55</u>
Less Deductions		
Net Total		<u>3641.00</u>

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Please advise the Birmingham Planning Division as to what disposition is taken of this request.



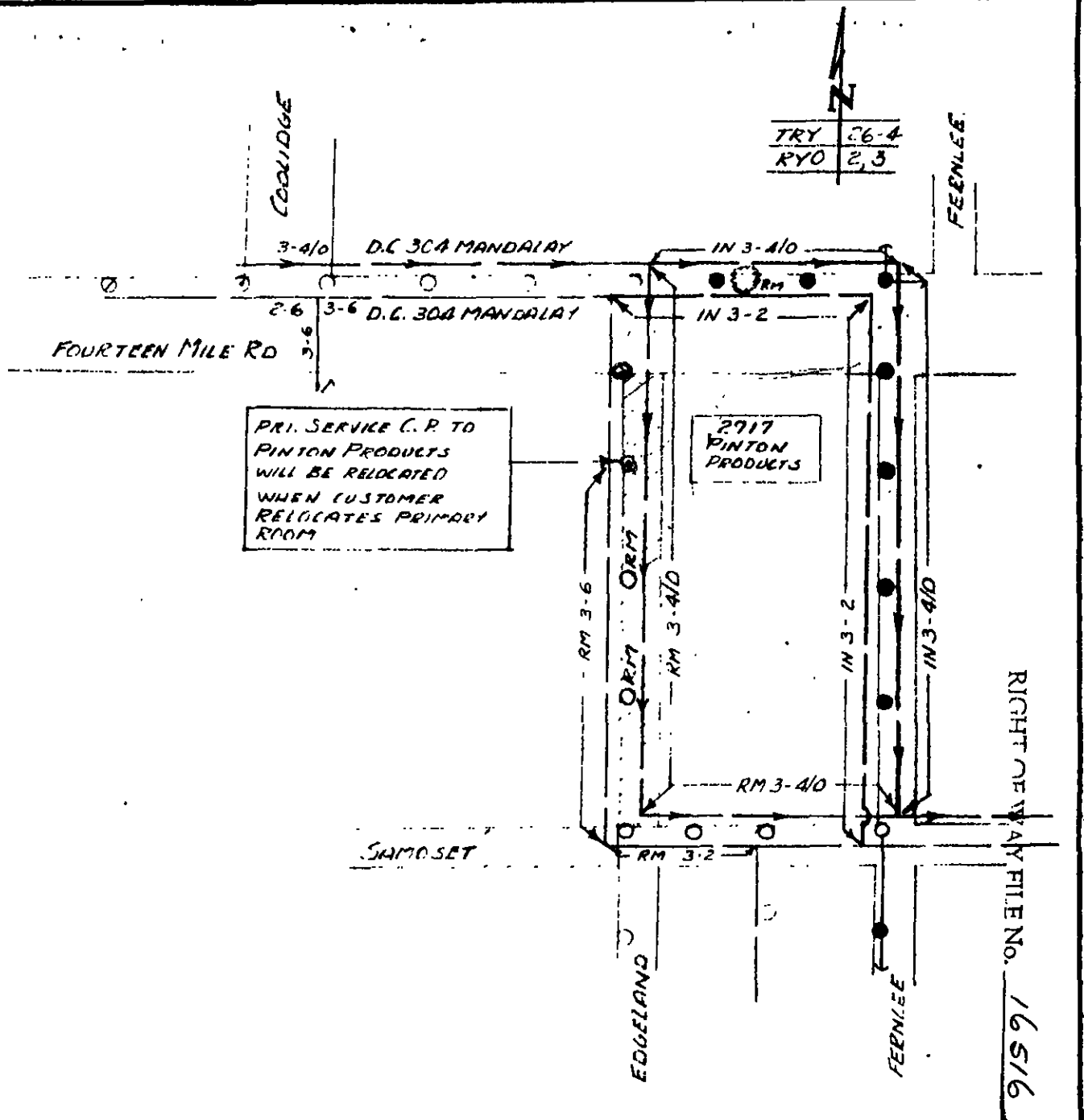
Harold C. Seeley
District Planning Engineer

cc; Mr. H. J. Hall

KIS:jg

RIGHT OF WAY FILE NO.

16516



PRI. SERVICE C. P. TO
PINTON PRODUCTS
WILL BE RELOCATED
WHEN CUSTOMER
RELOCATES PRIMARY
ROOM

2717
PINTON
PRODUCTS

OKLAND COUNTY
ROYAL OAK & TROY TOWNSHIPS
CITY OF ROYAL OAK

RELOCATE DISTRIBUTION TO
PROVIDE FOR VACATION OF
EDGELAND AVE. AT REQUEST OF
PINTON PRODUCTS.

THE DETROIT EDISON COMPANY		
ENGINEERING DEPARTMENT		
PLANNING DIVISION		
LAYOUT BY <i>K.I. SEWELL</i>	DRAWN BY <i>KIS</i>	DRAWING NO. <i>8-228</i>
CHECKED BY	APPROVED BY	SCALE <i>1"=200'</i>
ISSUED TO		DATE <i>8-7-53</i>