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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", and MICHIGAN BELL TELEPHONE COMPANY, a Michigan corporation, having its principal office at 1365 Cass Avenue, Detroit, Michigan, hereinafter referred to as "BELL", have emplaced certain poles, fixtures, guys and guy stubs, wires, cables and equipment in and upon a certain public alley situated in the City of Royal Oak, County of Oakland, State of Michigan, more particularly described as follows:

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The north and south 20 foot public alley west of Coolidge Highway running north from Albert Avenue to the dead end and abutting Lots 127 through 132 and Lot 166 all in Judson Bradway's Woodward-Monnier Subdivision of part of Section 7, Town 1 North, Range 11 East, Royal Oak Township, Oakland County according to the plat thereof recorded in Liber 40, page 37 Oakland County Register of Deeds Records.

WHEREAS, NORTH COOLIDGE CORPORATION NO. 2, a Michigan corporation, hereinafter referred to as "COOLIDGE" is the owner of Lot 166 of Judson Bradway's Woodward-Monnier Subdivision of part of Section 7, Town 1 north, Range 11 east, Royal Oak Township, Oakland County, Michigan; and

RIGHT OF WAY FILE NO. 17550

WHEREAS, COOLIDGE has petitioned the Commission of the City of Royal Oak to vacate the above described alley and said petition is in the records of the office of the City Clerk of the City of Royal Oak which petition is hereby referred to and made a part hereof; and

WHEREAS, COOLIDGE has requested that EDISON and BELL file no objections to the vacation of the above described alley by reason of their having equipment for the transmission and distribution of electricity and communications located therein.

NOW THEREFORE, in consideration of the consent of EDISON and BELL to the vacation of the aforementioned alley and in consideration of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, COOLIDGE does by these presents grant to EDISON and BELL, their successors, assigns, lessees, associated and allied companies, the right to construct, reconstruct, operate and maintain their lines for the transmission and distribution of electricity

W. of Coolidge  
N of Albert Lots 127-132, 166

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The Detroit Edison Company  
2000 SECOND AVENUE  
DETROIT 26, MICHIGAN

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L. H. TAYLOR

and for telephone and telegraph communication facilities, including the necessary poles, fixtures, guys and guy stubs, wires, cable and equipment and including 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 the following described premises:

The westerly 10 feet of the above described public alley (being vacated) and the easterly 3 feet of Lot 166 of Judson Bradway's Woodward-Monnier Subdivision described above.

EDISON and BELL upon ninety (90) days written notice thereof and payment by COOLIDGE or its assigns and grantees, of the cost thereof in advance shall completely remove their lines, equipment and facilities from the land over which this easement is hereby granted and relocate same to a new satisfactory right of way to be provided for without expense to EDISON and BELL by COOLIDGE or its assigns and grantees.

COOLIDGE covenants and agrees that the advance payment for the cost and removal and relocation of the lines, equipment and facilities shall be made before such removal and relocation is effected and shall be in such an amount as is computed by EDISON and BELL, which sum shall also include EDISON'S and BELL'S cost and expenses attributable directly or indirectly to such removal and relocation.

The parties hereto covenant and agree that these presents shall be and become of full force and effect immediately upon the vacation by the Commission of the City of Royal Oak of the above described alley and shall bind and inure to the benefits of the successors, assigns, lessees, associated and allied companies and grantees of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 28th day of October A.D. 1955.

In the Presence of:

Eileen O'Keefe  
Eileen O'Keefe  
E. S. Lonczyk  
E. S. Lonczyk

NORTH COOLIDGE CORPORATION NO. 2

By Bert L. Smoller  
Bert L. Smoller, President  
Charles B. O'Neil  
Charles B. O'Neil, Vice President

RECORD DEPARTMENT FILE NO. 17550

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On this 28th day of October in the year One Thousand Nine Hundred Fifty-Five before me, the subscriber, a Notary Public in and for said County, personally appeared BERT L. SMOKLER and CHARLES B. O'NEIL, to me personally known, who being by me duly sworn did say that they are the President and Vice President of the North Coolidge Corporation No. 2, 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 BERT L. SMOKLER and CHARLES B. O'NEIL acknowledged said instrument to be the free act and deed of said corporation.

*Eileen O'Keeffe*  
Eileen O'Keeffe  
Notary Public, Wayne County, Michigan

My commission expires June 5, 1959

*YBH*

ACCEPTED BY: THE DETROIT EDISON COMPANY  
By *Richard H. Taylor*  
Richard H. Taylor, Director  
Real Estate and Rights of Way Department

ACCEPTED BY: MICHIGAN BELL TELEPHONE COMPANY  
By *David P. Stuart*  
David P. Stuart, Supervisor  
of Right of Way

RECEIVED  
REGISTERED  
MICHIGAN  
COUNTY CLERK  
1955 DEC 6 11 17

RIGHT OF WAY FILE NO. 17559

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