

EASEMENT

An Easement is hereby imposed on certain property in the City of Oak Park, Oakland County, Michigan, as hereinafter described.

Said Easement is for the purpose of installing, maintaining and servicing public utilities to benefit adjacent properties. The property upon which the easement is imposed by this instrument is described as follows:

CM 77-A

The N 5 Ft. of the E 1/2 of the SW 1/4 of the SW 1/4 of the SW fractional 1/4 excluding the S 151 Ft. thereof, Sec 31, T1N, R11E.

CM 77-A

The W 5 Ft. of the N 262.61 Ft. of the E 1/2 of the SW 1/4 of the SW 1/4 of the SW fractional 1/4 excluding the S 151 Ft. thereof Sec 31, T1N, R11E.

In witness whereof, we have caused this instrument to be executed this 27th day of April A. D., 1956

DEVON-HILL CORPORATION

WITNESSES:

Dorothy Helen Taylor
Edna M. Adams

By John W. Galbreath (L.S.)
John W. Galbreath, its President
By Ben L. Pfefferle (L.S.)
Ben L. Pfefferle, its Secretary

STATE OF OHIO)
COUNTY OF FRANKLIN) SS

On this 27th day of April 1956, before me a Notary Public, in and for said County and State, personally appeared. Devon-Hill Corporation, By John W. Galbreath, its President and Ben L. Pfefferle, its Assistant Secretary, who being duly sworn state that they have interests, whether evidenced by Legal Title or Land Contract vendees interest to the above described property and they acknowledge further that the execution of the said instrument was their free act and deed, and the voluntary act and deed of said corporation.

Dorothy Helen Taylor

Eight Mile, N. of; E. of Greenfield

RIGHT OF WAY FILE NO. 18845

RIGHT OF WAY FILE NO. 18845

The State of Ohio
Franklin County, ss.

I, Roy King, Clerk of the Court of Common Pleas, which is a court of record, within and for said County and State aforesaid, do hereby certify that

Dorothy Peter Taylor

whose name is subscribed to the certificate of proof or acknowledgement of the annexed instrument and thereupon written, was at the time of taking such proof or acknowledgement a duly commissioned and qualified Notary Public in and for said County, residing in said County, and as such officer was duly authorized to take acknowledgements of deeds, mortgages, liens, powers of attorney and other instruments of writing; that I am well acquainted with handwriting of said Notary Public and verily believe that the signature to said certificate of proof or acknowledgement is genuine and that said instrument is executed and acknowledged according to the laws of said State.

The laws of Ohio do not require a Notary Public to file a copy of Real Instruments.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Columbus, this 1st day of May A. D. 1956

Roy King Clerk

INTERDEPARTMENT CORRESPONDENCE

Legal Department

March 1, 1957

1957 MAR 1 11 18 11
RECEIVED LEGAL DEPT.
JCS

RIGHT OF WAY FILE NO. 18845

MEMORANDUM TO:

Mr. Ivan W. Gamble, Supervisor
Rights of Way
300 General Offices

Re: CM 77-2 - The North 5 feet of the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southwest fractional 1/4 excluding the South 151 feet thereof, Section 31, Town 1 North, Range 11 East.

CM 77-A - The West 5 feet of the North 262.61 feet of the East 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southwest fractional 1/4 excluding the South 151 feet thereof, Section 31, Town 1 North, Range 11 East.

Relative to the Right of Way received from the City of Oak Park conveying the above described easements, please be advised as follows:

We understand that a primary ring is under construction in these easements at the present time in order to maintain proper voltage and improve reliability of Distribution Circuit 1431 Northland, which serves the area between Eight Mile Road and Nine Mile Road from Greenfield to Church Street.

However, the Easement Grant dated April 27, 1956 contains the following language "said easement is for the purpose of installing, maintaining and servicing public utilities to benefit adjacent properties."

In view of this language, it is our opinion that this easement is limited for use to serve the adjoining property owner only, and the installation of the primary ring in said easements, since not exclusively for the benefit of the adjoining property owners, would constitute a use not intended by the grantors and they could, if they so desired, challenge the right of The Detroit Edison Company to use the easements for this purpose.

Under the circumstances, it is our recommendation that a new right of way be obtained from the owners of the property to avoid such a possibility arising in the future.

James C. Wetzel
James C. Wetzel
Attorney

JCW:mn

telephone contact discloses that present owners consider this an easement for our use. they recommend we use it as we need.

Wagner. 6-18-57

INTERDEPARTMENT CORRESPONDENCE

Planning Division
Oakland District

RECEIVED
FEB 20 1957
J. W. M.

February 19, 1957

Mr. I. W. Gamble ✓

Re: CM 77-A - The North 5 feet of the East 1/2
of the Southwest 1/4 of the Southwest 1/4
of the Southwest fractional 1/4 excluding the
South 151 feet thereof, Section 31, T1N, R11E.

CM 77-A - The West 5 feet of the North 262.61
feet of the East 1/2 of the Southwest 1/4 of
the Southwest 1/4 of the Southwest fractional
1/4 excluding the South 151 feet thereof, Sec-
tion 31, T1N, R11E.

RIGHT OF WAY FILE NO. 18845

This memo is a reply to your memo dated February 4, 1957,
requesting information about equipment or uses for the easements
in the City of Oak Park described above.

At this time a primary ring is under construction in these
easements. The primary ring is necessary to maintain proper
voltage and improve reliability of Distribution Circuit 1431
Northland.

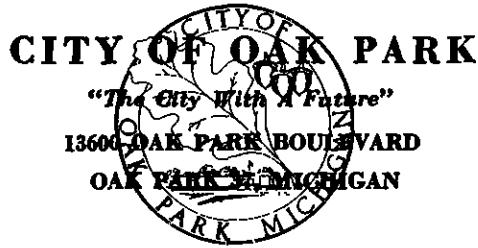
It may also be noted that the Michigan Bell Telephone
Company owns the poles and has equipment in these easements.

Harold C. Seeley
Harold C. Seeley,
District Planning Engineer

EB/er

MAYOR
RICHARD W. MARSHALL

COUNCILMEN
R. J. ALEXANDER
R. HUGH DUNDAS
PAUL W. MCGOVERN
JOSEPH M. SUITER



CITY MANAGER
HAROLD K. SCHONE

CITY CLERK
LOUISE SHAW

PHONE:
LINCOLN 7-1331

RIGHT OF WAY FILE NO. 18845

January 23, 1957

Mr. R. H. Taylor
Right of Way Division
2000 Second Avenue
Detroit, Michigan

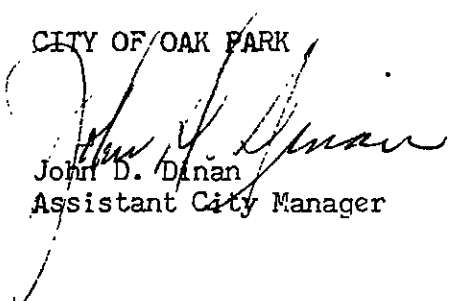
Re: Easement for Owen Corning
Fiberglass Company Property

Dear Mr. Taylor:

We are enclosing herewith a photostatic copy of easement right of way for the north 5 feet of the east $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW fractional $\frac{1}{4}$ excluding the south 151 feet thereof, Section 31, T1N, R11E. This easement is for the purpose of installing, maintaining and servicing public utilities to benefit adjacent properties and I believe it can be used by your company for this purpose.

Very truly yours,

CITY OF OAK PARK


John D. Dinan
Assistant City Manager

JDD/gk1

Enclosure