

**Detroit
Edison**

Date: September 27, 1973
To: Ruth M. Rush ✓
From: John A. Haddow *JAH*
Public Agency Coordinator
Real Estate and Rights of Way

RE: Easement from the City of Madison Heights to The Detroit Edison Company, Lot 31, part of the Southeast 1/4 of Section 11, City of Madison Heights, Oakland County, Michigan.

Attached for the Records Center are all papers in connection with the granting of an easement to The Detroit Edison Company dated April 19, 1971.

The grant by the City of Madison Heights was given for no consideration.

The easement was not recorded because of the relocation clause in Paragraph 5.

Please incorporate this easement grant in the proper file covering the Chestnut/Troy Right of Way within the Red Run Drain.

JAH:dmd

Attachments

cc: R. Q. Duke
G. R. Keast
R. L. Schulz
J. S. Wenger
J. C. Wetzel

| |
|-----------------|
| RECEIVED TO |
| <i>RJS</i> |
| <i>7/8</i> |
| <i>JACK MGB</i> |
| <i>J</i> |
| |
| |

| | |
|-----------------------|----------|
| RECORDS CENTER | |
| RECEIVED | FEB 4 74 |
| | |
| | |
| Recorded R/W 29040 P1 | |

RECORDED RIGHT OF WAY NO. 39040 P1

9-8-72

Reviewed this file again with R. Cunningham. Continue to retain file (easement) as easement with relocation clause perhaps should not be placed on public record.

If new easement cannot be obtained from Oakland County, file should be placed in Records Center. But not recorded.

John A. Haddow

RECORDED RIGHT OF WAY NO. 29040 P1

MEMO TO: Mr. Daniel W. Barry, Secretary
Red Run Inter-County Drainage Board

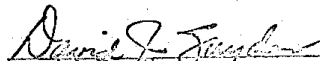
Page 2

DATE: January 13, 1971

7. That the Red Run Inter-County Drainage Board be saved harmless in every respect from any liabilities which arise out of the proposed construction.

It is noted that this proposal has been reviewed by the U.S. Army Corps of Engineers who indicate that these crossings "will not adversely affect the functioning of the protective facilities". Reference is made to their letter dated November 20, 1970, a copy of which is attached.

Respectfully submitted,


David J. Snyder

DJS:fy

Attachments

RECORDED RIGHT OF WAY NO. 29040 P1

535
HIGH VOLTAGE TRANSMISSION PERMIT (2)

Date April 19, 1971

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged we hereby grant to the DETROIT EDISON COMPANY its successors and assigns, the right to construct, reconstruct, operate and maintain its overhead and underground lines for the transmission and distribution of electricity and Company communication facilities, including the necessary towers, poles, H-frames, conduits, cables, manholes, fixtures, wires and equipment upon, over, along and under a strip of land 90 feet in width and being a part of lands situated in City of Madison Heights, County of Oakland, State of Michigan and described as follows:

All that part of Lot 31 of "Supervisor's Plat of Royal Acres Subdivision" City of Madison Heights, Oakland County, Michigan as recorded in Liber 55 of Plats, Page 39, Oakland County Records, and a parcel in the Southeast 1/4 of Section 11, Town 1 North, Range 11 East, City of Madison Heights, Oakland County, Michigan, described as: Beginning at a point on the North and South 1/4 line of said Section 11 which is North 00°41'20" West a distance of 649.46 feet from the South 1/4 corner of said Section 11; thence continuing North along the North and South 1/4 line of said Section 11, a distance of 2287.54 feet to the center 1/4 corner of said Section 11; thence South 88°30' East along the East and West 1/4 line of said Section 11, a distance of 870.54 feet to a post; thence southerly to a point which is North 00°30'30" West a distance of 1091.34 feet from a point on the South line of said Section 11, which is North 88°32'10" East a distance of 889.02 feet from the South 1/4 corner of said Section 11; thence South 81°43' West a distance of 546.67 feet; thence South 34°55'10" West a distance of 406.44 feet; thence South 65°05'30" West a distance of 124.84 feet to the point of beginning, which lies easterly of a line described as: Beginning at a point on the North line of said Lot 31 which is South 87°20'10" West a distance of 31.38 feet from the Northeast corner of said Lot 31; thence South 01°59'56" East a distance of 3000 feet to a point of ending. Subject to existing easements granted for Red Run Drain.

The centerline of said easement is described as:

Commencing at a point on the South line of Section 11, (Twelve Mile Road) West 1199.01 feet from the Southeast corner of Section 11, thence North 0°41'15" East, 1635.21 feet to a point, thence North 76°04'30" West 95.33 feet to a point, thence South 56°45'30" West 439.9 feet to the point of beginning; said point being also the center of Tower #5944A, thence South 34°05'30" West 685.3 feet to the point of ending, said point being the center of existing Detroit Edison Tower #5945.

The exact location and description of said easement shall be determined to be 45 feet on each side of a centerline to be established by a survey of said land to be made by the grantee. The location and route of the lines, conduits, and related facilities as herein stated shall be within the width of the easement as finally determined, except for the right of ingress and egress and the right granted under Paragraph 3, the rights hereby granted shall apply only to that portion of the land herein described over which the easement as finally determined extends. The right to enter upon said lands for the purpose of making such surveys is hereby granted.

1. It is further understood and agreed that the Company, its successors and assigns, shall also have the right to clear and keep clear of trees, the land within said easement, and no buildings or structures shall be erected on or placed within the easement without the written consent of the Company, its successors and assigns.

2. The Company, and its successors and assigns, shall have the right of ingress and egress to and from said easement over City lands adjoining said easement for the purpose of exercising the right hereby granted.

3. The Company shall have the further right to keep the land thirty feet on each side of the easement as finally determined clear of those trees which in its judgment are or may become hazardous to the operation of the line constructed in the easement.

4. The Company, or its successors and assigns, shall reimburse the undersigned, or its successors and assigns, for all damage to growing crops, buildings or fences caused by its men, trucks and other vehicles and equipment in entering said property for the purposes herein set forth.

RECORDED RIGHT OF WAY NO. 29040 PL

5. It is a condition of this agreement that The Detroit Edison Company, at its own expense, remove all lines, towers, conduits, equipment and property of any nature whatsoever belonging to The Detroit Edison Company from the above described easement upon notification sent by the City of Madison Heights at least 6 months prior to the date that the aforesaid property is to be removed.

Witness:

Jerry H. Hammond
Jerry H. Hammond

Sarah B. Gable
Sarah B. Gable

(Signed) Monte R. Gerald
Monte R. Gerald, Mayor

Dorothy McGuire Lents
Dorothy McGuire Lents, City Clerk

(Accepted) THE DETROIT EDISON COMPANY

By M. C. Arnold

STATE OF MICHIGAN)
County of Oakland) SS

On this 17th day of June, A.D. 1971, before me, the undersigned, a notary public in and for said county, personally appeared Monte R. Gerald
And Dorothy McGuire Lents

known to me to be the person S who executed the foregoing instrument, and acknowledge the same to be their free act and deed.

Clarice Welsh
Clarice Welsh
Notary Public, Oakland County, Michigan

My commission expires February 16, 1973

Prepared by: City of Madison Heights

Approved J. H. Hammond, 6-17-71

RECORDED RIGHT OF WAY NO. 29040 P 1

Lawyers Title Insurance Corporation

Record Search furnished to:

The Detroit Edison Company
2000 Second Avenue, Room 310, G.O.
Detroit, Michigan 48226

Order No. PS-899319-1

Reference No. _____

Pontiac, Michigan

1. Beginning Date: **Oct. 30, 1967 at 7 A.M.**

*
Covering land described as: All that part of Lot 31 of "Supervisor's Plat of Royal Acres Subdivision" City of Madison Heights, Oakland County, Michigan as recorded in Liber 55 of Plats, Page 39, Oakland County Records, and a parcel in the S.E. $\frac{1}{4}$ of Section 11, Town 1 North, Range 11 East, City of Madison Heights, Oakland County, Michigan, described as: "Beginning at a point on the N. and S. $\frac{1}{4}$ line of said Section 11 which is N. $00^{\circ} 41' 20''$ W. a distance of 649.46 feet from the S. $\frac{1}{4}$ corner of said Section 11; thence continuing N. along the N. and S. $\frac{1}{4}$ line of said Section 11, a distance of 2287.54 feet to the center $\frac{1}{4}$ corner of said Section 11; thence S. (Over)

2. We have searched the records in the office of the Register of Deeds for **Oakland** County, Michigan and find no conveyances, liens, lis pendens, levies or attachments describing the said land in said office from said beginning date to **September 22, 1970** at **7:00 A.M.** except the following:

Deed, Consideration \$79,750.00, dated Oct. 10, 1967, recorded Oct. 30, 1967, Liber 5110, Page 76 From Michigan State Highway Commission, Stevens T. Mason Building, Lansing, Michigan To City of Madison Heights, a Municipal Corporation of the County of Oakland, State of Michigan.

*This deed is a City property of Detroit, et al. 10/15
of the City of Detroit, Michigan.*

We find no United States Internal Revenue Liens recorded in the office of the Register of Deeds of **Oakland** County, Michigan, against **City of Madison Heights, a Municipal Corporation.**

NO SEARCH has been made for any instrument, however designated, which has been filed as a financing statement pursuant to the Uniform Commercial Code.

NO SEARCH of the records of the Circuit, Probate or other Courts, or of any records other than those in the office of the Register of Deeds, has been made.

NO SEARCH of tax records has been made.

Under this form of search, this Company is not an insurer of above title nor does it guarantee the title or any evidence of title thereto.

NOTE: In consideration of the fact that the above information is to be used for reference purposes only and not relied upon as evidence of title, it is furnished at a reduced rate and this Company's liability is limited to the amount paid for this information.

Lawyers Title Insurance Corporation

By Maxwell Isaac
Authorized Signature

RECORDED RIGHT OF MAY MO. 298490 P1

Balance of Description:

88° 30' E. along the E. and W. $\frac{1}{4}$ line of said Section 11, a distance of 870.54 feet to a post; thence S'ly to a point which is N. 00° 30' 30" W. a distance of 1091.34 feet from a point on the S. line of said Section 11, which is N. 88° 32' 10" E. a distance of 889.02 feet from the S. $\frac{1}{4}$ corner of said Section 11; thence S. 81° 43' W. a distance of 546.67 feet; thence S. 34° 55' 10" W. a distance of 406.44 feet; thence S. 65° 05' 30" W. a distance of 124.84 feet to the point of beginning," which lies E'ly of a line described as: Beginning at a point on the N. line of said Lot 31 which is S. 87° 20' 10" W. a distance of 31.38 feet from the N.E. corner of said Lot 31; thence S. 01° 59' 56" E. a distance of 3000 feet to a point of ending.

Subject to existing Easements granted for Red Run Drain.

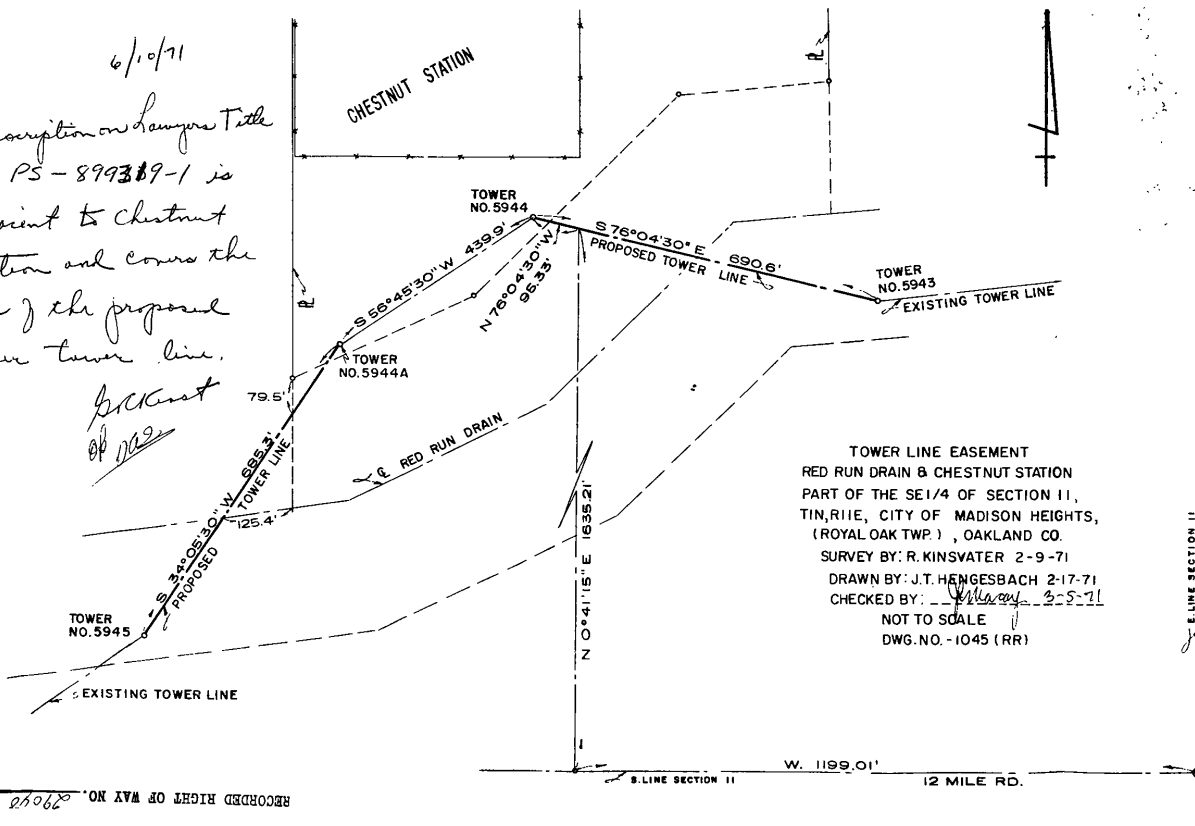
Lawyers Title Insurance Corporation

RECORDED RIGHT OF WAY NO. 27040 P

6/10/71

Description on Lampyrs Title
No. PS-899389-1 is
adjacent to Chestnut
Station and covers the
area of the proposed
tower tower line.

*Backrest
of RR*



TOWER LINE EASEMENT
 RED RUN DRAIN & CHESTNUT STATION
 PART OF THE SE 1/4 OF SECTION 11,
 T11N, R11E, CITY OF MADISON HEIGHTS,
 (ROYAL OAK TWP.), OAKLAND CO.
 SURVEY BY: R. KINSVATER 2-9-71
 DRAWN BY: J.T. HENGESBACH 2-17-71
 CHECKED BY: *John R. King* 3-5-71
 NOT TO SCALE
 DWG. NO. -1045 (RR)

RECORDED RIGHT OF WAY NO. 10 27068

RECORDED RIGHT OF WAY

CITY OF MADISON HEIGHTS

CHESTNUT STATION SITE

TOWER 5944A
TYPE AD+20

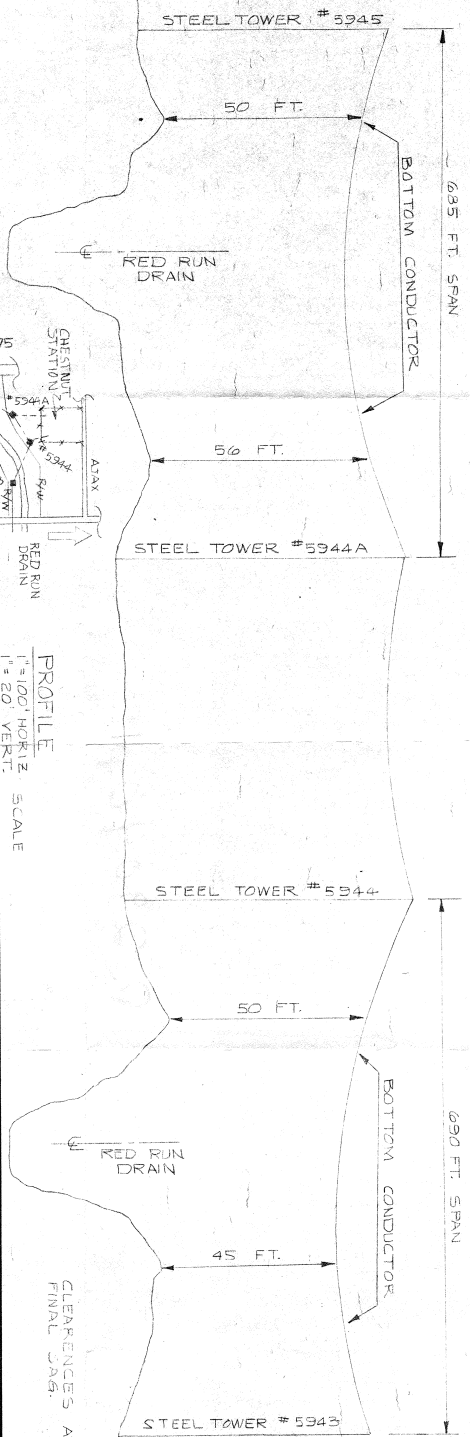
TOWER 5944
TYPE AD+20

IN SIX 795 MCM ACSR
CONDUCTORS AND ONE
7/16" STEEL GRD. WIRE
12,500 HLT.

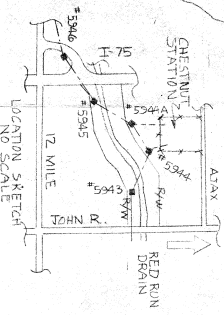
TOWER 5945
TYPE ACHO
EXISTING

TOWER 5943
TYPE ACHO
EXISTING

PLAN
1"=100' SCALE



PROFILE
1"=100' HORIZ
1"=20' VERT.
SCALE



RED RUN DRAIN PERMIT DRAWING
INSTALLATION OF 120 KV FEEDS
TO CHESTNUT STATION
CITY OF MADISON HEIGHTS
OAKLAND COUNTY

| | | |
|--|----------------|-------------|
| APPROVED | DATE | BY |
| <i>[Signature]</i> | 9-26-70 | J. HOWE |
| THE DETROIT EDISON COMPANY GENERAL ENGINEERING DEPARTMENT | DRAWN BY | C. VAN BAKS |
| | DRAWING NUMBER | FD 4-7275 |
| | SCALE | AS SHOWN |

August 23, 1971

Mr. Jerry H. Hammond
City Engineer
City of Madison Heights
300 West Thirteen Mile Road
Madison Heights, Michigan

Dear Mr. Hammond:

Re: Transmission line permit over
portion of City of Madison Heights
Department of Public Works' Yard

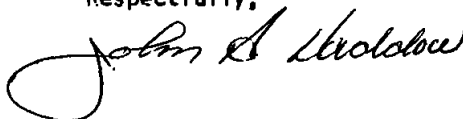
Enclosed is your copy of the above described
permit dated April 19, 1971.

I am sorry for the delay in returning this to you
and hope that it has not been an inconvenience.

When recording date is available, I shall forward
it to you.

Thanks again.

Respectfully,



John A. Haddow
Real Estate and Rights of Way Dept.

JAH/mld

Enclosure

*+Haddow
Recording
AS 2371*

RECORDED RIGHT OF WAY NO. _____



CITY OF MADISON HEIGHTS

300 W. THIRTEEN MILE RD. MADISON HEIGHTS, MICH. 48071 588-1200

CITY MANAGER

Estol L. Swem, P.E.

June 4, 1971

*6-8-71
TO City DEPT
S. M. SWANICE JH*

Mr. John Haddow
Detroit Edison Company
Room 310 General Office
2000 Second
Detroit, Michigan 48226

Dear Sir:

Enclosed are three copies of the Proposed Easement to the Detroit Edison Company over a portion of the Department of Public Works Property, City of Madison Heights. All three copies have been signed by the Mayor and City Clerk.

Upon acceptance by the Detroit Edison Company, please return one copy for our files.

Thank you.

Yours very truly,

CITY OF MADISON HEIGHTS

Estol L. Swem, P.E.
City Manager

ELS:hp

RECORDED RIGHT OF WAY NO. 29040 P1

588-1200

March 29, 1971

Mr. Estol M. Swen, City Manager
City of Madison Heights
300 West Thirteen Mile Road
Madison Heights, Michigan

Dear Mr. Swen:

Re: Proposed Easement to the Detroit Edison Company over a portion of the Department of Public Works Property, City of Madison Heights.

On March 18, 1971 we reviewed the proposed crossing of the Red Run Drain and the procedure to follow when the formal request was submitted.

The requested easement is over that portion of the Department of Public Works yard, which is located within the Red Run Drain. The easement request is to provide 120 KV service to the newly constructed Chestnut Station.

Accordingly, I request the City of Madison Heights grant The Detroit Edison Company a 90 foot easement whose centerline is described as follows:

The centerline of an easement in that part of the Southeast $\frac{1}{4}$ of Section 11, Town 1 North, Range 11 East, Royal Oak Township, City of Madison Heights, Oakland County, is described as commencing at a point on the South line of Section 11, (Twelve Mile Road) West 1199.01 feet from the Southeast corner of Section 11, thence North $0^{\circ}-41'-15''$ East, 1635.21 feet to a point, thence North $76^{\circ}-04'-30''$ West 95.33 feet to a point, thence South $56^{\circ}-45'-30''$ West 439.9 feet to the point of beginning; said point being also the center of Tower #5944A, thence South $34^{\circ}-05'-30''$ West 685.3 feet to the point of ending, said point being the center of existing Detroit Edison Tower #5945.

I am enclosing a copy of the Approval from The Red Run Drain Authority and The Corps of Engineers.

The Detroit Edison Company Sketch #1045 shows the proposed route of line over the subject property.

Please have the City of Madison Heights execute the enclosed easement and return one copy to me for recording.

Should you have any question on this request, please do not hesitate to call.

John R. Haddow
J. A. Haddow
Real Estate and Rights of Way Dept.

JAH/em

RECORDED RIGHT OF WAY NO. 29040 P1

MINUTES OF THE MEETING OF THE DRAINAGE BOARD
FOR THE RED RUN DRAIN

January 26, 1971

A meeting of the Drainage Board for the Red Run Drain (An Inter-County Drain) was held in the office of the Macomb County Drain Commissioner, 115 Groesbeck Highway in the City of Mt. Clemens, Michigan on the 26th day of January, 1971 at 11:20 o'clock A.M., Eastern Standard Time.

The meeting was called to order by the Chairman.

PRESENT: Stanley R. Quackenbush, Chairman
Michigan Department of Agriculture

Thomas S. Welsh, Member &
Macomb County Drain Commissioner

James E. Pemberton, Acting Secretary &
Deputy Drain Commissioner-Oakland County

ABSENT: Daniel W. Barry, Secretary &
Oakland County Drain Commissioner

ALSO
PRESENT: Richard Doherty - Macomb County Drain Office
James R. Nichols - Oakland County Drain Office
David J. Snyder - Oakland County Drain Office

RECORDED RIGHT OF WAY NO. 29040 P1

Mr. Pemberton presented the following memorandum from David J. Snyder, Assistant Chief Engineer directed to the Secretary of the Drainage Board.

After discussion it was moved by Welsh and supported Pemberton that the Detroit Edison Company be granted permission to cross the Red Run Drain with overhead lines 1350' more or less east of Maple Lane Road subject to conditions outlined in Mr. Snyder's memorandum.

ADOPTED: Yeas - All
 Nays - None

RECORDED RIGHT OF WAY NO. 29240 P1

After discussion it was moved by Welsh and supported by Pemberton that the Detroit Edison Company be granted permission to cross the Red Run Drain with overhead lines 1000' and 2000' west of John R subject to conditions outlined in Mr. Snyder's memorandum.

ADOPTED: Yeas - All

Nays - None

Mr. Pemberton presented the following memorandum directed to Mr. Barry dated January 25, 1971 from David J. Snyder, Ass't. Chief Engineer.

RECORDED RIGHT OF WAY NO. 29840 P1

COPY TO K. ROSEN FOR LEARN

MEMO TO: Mr. Daniel W. Barry, Secretary
Red Run Inter-County Drainage Board

FROM: David J. Snyder, Assistant Chief Engineer

DATE: January 25, 1971

REFERENCE: Proposed Detroit Edison Company Overhead Lines
Crossing of Red Run Drain, City of Sterling Heights

The Detroit Edison Company is proposing construction of overhead power lines across the Red Run Drain in the Jewell-Stephens Corridor 1350' more or less east of Maple Lane in Section 35, City of Sterling Heights. Attached is their drawing numbered ED 2-7200 and related correspondence.

A review of the proposal indicates that no problems in operating and maintaining the Red Run Drain will be encountered should these power lines be installed. Approval of the subject request is herewith recommended subject to the following conditions:

1. That installation of the lines be subject to the paramount rights of the Inter-County Drainage Board; should these lines interfere with the operation, maintenance or improvement of the drain, then upon 90 day notice to the applicant or its assigns, said lines shall be removed or altered as may be necessary without expense to the United States or Inter-County Drainage Board.
2. That a permit costing \$50.00 be taken out from this office prior to starting construction of the lines.
3. That notice of 24 hours be given this office prior to starting construction so that we may have time to arrange for inspection.
4. That flow in the Red Run Drain be maintained at all times during construction.
5. That any areas of Red Run Drain right of way disturbed in construction shall be properly restored to original conditions.
6. That this approval be also subject to the approval of the U. S. Army Corps of Engineers and any other agency, municipality or private property owner which may be required.
7. And that the Red Run Inter-County Drainage Board be saved harmless in every respect from any liabilities which arise out of the proposed construction.

Respectfully submitted,

David J. Snyder
David J. Snyder

DJS:fy
Attachments

RECORDED RIGHT OF WAY NO. 29040 P1