

Date November 11, 1954

(12)

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, operate and maintain its lines for the transmission and distribution of electricity and Company communication facilities, including the necessary towers, fixtures, 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 interfere in any way with their operation upon, over and across Our property located in

Pontiac Township

STREET AND VILLAGE, OR SECTION AND TOWNSHIP

County of Oakland, State of Michigan, and described as follows:

The Southwest fractional 1/4 of the Northwest fractional 1/4 of Section 3, T 3 N, R 10 E, and the South fractional 1/2 of the Northeast fractional 1/4 of Section 4, T 3 N, R 10 E.

The route of the lines shall be as follows: In an easterly and westerly direction across the northerly portion of said land.

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

In addition to the above consideration, the Company, or its successors and assigns, shall pay the sum of One hundred and no/100 (\$100.00) - - Dollars for each tower on said land, the same to be paid before any towers are erected.

OAKLAND COUNTY MICHIGAN
REGISTER OF DEEDS RECORDS
1954 DEC 8 AM 05

Frances H. Westcott
Frances H. Westcott
Edith Bone
Edith Bone

(Signed) Plinn F. Morse
Plinn F. Morse
Margaret M. Morse
Margaret M. Morse

RIGHT OF WAY FILE NO. 17409

RETURN TO
RICHARD H. TAYLOR
The Detroit Edison Company
2000 SECOND AVENUE
DETROIT 26, MICHIGAN

THE DETROIT EDISON COMPANY
By Richard H. Taylor
Richard H. Taylor, Director
Rights-of-Way Department

STATE OF MICHIGAN
County of WAYNE s.s.

On this 11 TH day of NOVEMBER A. D. 1954, before me, the undersigned, a notary public in and for said county, personally appeared PLINN F. MORSE, A MARRIED MAN.

known to me to be the person who executed the foregoing instrument, and acknowledged the same to be HIS free act and deed.

John Ruppe
John Ruppe
Notary Public Wayne County, Michigan.

My Commission expires October 28, 1955

STATE OF MICHIGAN
County of OAKLAND s.s.

On this 11 TH day of NOVEMBER A. D. 1954, before me, the undersigned, a notary public in and for said county, personally appeared MARGARET M. MORSE

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

John Ruppe
John Ruppe
Notary Public Wayne County, Michigan
Acting in Oakland County

My Commission expires October 28, 1955

67927

3.00 FRG 4 OF 11. FRG 1/2 OF SEC 3 AND 3. FRG 1/2 OF N.E. FRG 1/2 OF SEC 4

Detroit
Edison

REAL ESTATE AND RIGHTS OF WAY
Project No. NØ 3744

Date: June 19, 1984
To: Gwin Ellis
Records Center
From: Barbara A. Mention *fam*
Subject: Encroachment Permit - Section 4, Pontiac
Township, Oakland County, Michigan

Attached for the Records Center are papers related to the above-mentioned permit dated June 5, 1984 from Detroit Edison to Oakland County Department of Public Works.

The permit was granted for the purpose of installing a sanitary sewer across our towerline easement.

Please incorporate these papers in Right of Way File No. 17409.

BAM:mak

Attachments

cc: D. Barkley
J. Howe
J. A. Robertson

RECORDED RIGHT OF WAY

17409



2000 Second Avenue
 Detroit, Michigan 48226
 (313) 237-8000

June 5, 1984

Oakland County Department
 of Public Works
 Division of Sewer Water and Solid Waste
 1200 No. Telegraph Road
 Pontiac, Michigan 48054

Gentlemen:

Pursuant to your request, The Detroit Edison Company, a Michigan corporation, being the owner of an easement dated November 11, 1954, and recorded in Liber 3247, Page 50, in the County of Oakland, does hereby grant you a permit for the purpose of a sanitary sewer on a portion of said property as indicated in red on the attached drawing marked Exhibit "A", upon the following terms and conditions:

1. It is understood and agreed that this permit is personal unto you and is not to be construed as giving any general rights to the public. This permit is being granted voluntarily by Edison and gives no rights which may be considered adverse.
2. The right to use the above lands for the aforesaid purposes shall be subject to the paramount rights of The Detroit Edison Company to construct, operate and maintain lines for the transmission and distribution of electricity and Company communication facilities.
3. The Superintendent of the Overhead Transmission Division, Construction Department (Emzie Williams, 897-0714), must be notified 48 hours prior to commencing construction.
4. The Detroit Edison Company shall not be liable to you for any damage whatsoever in the event that your use of said premises is impaired or terminated, and this permit is granted on condition that your presence on said land shall be at your sole risk.
5. You shall covenant and agree that you shall indemnify and hold Edison, and all of its officers, agents and employes, harmless for any claim, loss, damage, cost, charge, expense, lien, settlement or judgment, including interest thereon, whether to any person, or property or both, arising directly or indirectly out of or in connection with you or any of your Contractors use of the premises under this permit, to which Edison or any of its officers, agents or employes may be subject or put by reason of any act, action, negligence or omission on the part of you, your Contractors or any of your officers, agents and employes.

RECORDED RIGHT OF WAY

17409

In the event any suit or other proceedings, for any claim, loss, damage, cost, charge, or expense covered by your foregoing indemnity should be brought against Edison or any of its officers, agents, or employes, you covenant and agree to assume the defense thereof and defend the same at your own expense and to pay any and all costs, charges, attorney's fees, and other expenses, and any and all judgments that may be incurred by, or obtained against Edison or any of its officers, agents, or employes in such suits or other proceedings. In the event of any judgment or other lien being placed upon the property of Edison in such suits or other proceedings, you shall at once cause the same to be dissolved and discharged by giving bond or otherwise.

6. A further condition of this permit is that you will not place any permanent structures other than a sanitary sewer, on the premises described above.
7. It is understood and agreed that you, your agents, employes and/or contractors shall maintain a clearance of fifteen (15) feet from all conductors and ten (10) feet from tower.
8. No mounding of dirt or change in elevation is permitted which would decrease the clearance of the existing transmission lines. The soil within 20 feet of Detroit Edison tower is not to be disturbed; moreover, the existing grade of the premises is not to be altered.
9. It is understood and agreed that this permit is granted to you on the condition that you use the above described premises in accordance with any rules and ordinances of any governmental agency having jurisdiction thereof.
10. No warranty of title is made with regard to the land which is the subject of this permit.

If you are willing to accept this permit upon the above terms, please sign below the word "accepted" and return the original and one (1) copy for signature by The Detroit Edison Company, and we will return the fully executed original to you.

Sincerely,



ROBERT R. TEWKSBURY, DIRECTOR
Real Estate and Rights of Way Dept.

ACCEPTED

By: 

Date: 6/7/84

Enclosures

RECORDED RIGHT OF WAY

17409

Detroit
Edison

Real Estate Rights of Way & Claims

DATE: May 15, 1984
TO: B. A. Mention
FROM: E. J. Jansen *EJJ*
SUBJECT: Permit for Sanitary Sewer Southwest fractional 1/4
of Northwest fractional 1/4, Section 3, City of
Auburn Hills (Formerly Pontiac Township).
Project No.: N03744

Please be advised that Oakland Division has no objections to the request of the Oakland County Department of Public Works to cross the Detroit Edison easement as captioned above. Proper clearances should be maintained during construction.

EJJ:tdp

cc: File

RECORDED RIGHT OF WAY

17409

Detroit
Edison

Date: May 7, 1984

To: S. L. Selonke
Real Estate Coordination Specialist

From: R. E. Reynolds, Supervising Engineer *REER*
Equipment and Methods Section

Subject: Permit for a Sanitary Sewer
to Cross a Detroit Edison Easement
Pontiac Township, Section 3, Oakland County

The attached inquiry from Alan K. McComb, P.E., Consulting Engineer for the Oakland County Department of Public Works, requesting to encroach onto a Detroit Edison easement in the area shown on Exhibit "A", has been reviewed.

The Planning, Construction, and System Engineering Departments have no objections to granting this request providing the following stipulations are maintained:

1. The Detroit Edison Company is not to be held liable for any damages that may arise out of or in connection with the granting of this permit.
2. The right to use the above land for the aforesaid purposes shall be subject to the paramount rights of The Detroit Edison Company to construct, operate, and maintain lines for the transmission and distribution of electricity and communication.
3. The Superintendent of the Overhead Transmission Division, Construction Department, must be notified 48 hours prior to commencing construction.
4. It is understood and agreed that the grantee, grantee's agents, employes and/or contractors, equipment and vehicles shall maintain a clearance of 15 feet from conductors and 10 feet from towers.
5. The soil within 20 feet of Detroit Edison tower is not to be disturbed; moreover, the existing grade of the premises is not to be altered.

RECORDED RIGHT OF WAY
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S. L. Selonke
May 7, 1984
Page 2

The Oakland Division should be contacted for their comments and recommendations regarding this request.

Approved:



I. E. Olivier, Assistant Director
Stations Engineering Division

Approved:



R. L. Nugent, Assistant Vice President and Manager
Engineering and Construction

DB/
Attachments

cc: File NO3744

RECORDED RIGHT OF WAY

17709