

Date July 22, 1954

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

County of Oakland, State of Michigan, and described as follows:
Part of the E 1/2 of the NE 1/4 of Section 8, T 3 N, R 10 E, described as follows: Beginning at the E 1/4 corner of said Section 8 and running thence N 89°32'30"W 1299.1 feet to a point on the E Right-of-Way line of the Grand Trunk Railroad; thence N 00°22'30"W 1569.54 feet along said Right-of-Way line to a point in the center line of the Highway known as Stanley Rd.; th. S 51°42'14" 78 ft. along said road center line to a point; th. S 56°10'30"E 265.00 ft. along said road center line to a point; th. S 64°08'30"E 840.05 ft. along said rd. center line to a point at its intersection with the E. line of said Sec. 8; th. S 00°25'30"E 807.96 ft. along said E. Sec. line to point of beginning

The route of the lines shall be as follows: In a Northerly and Southerly direction across said land along East of and adjacent to the East Right-of-Way line of the Railroad Right-of-Way across said land.

The Company, its successors and assigns, shall reimburse us for all damage to 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 us 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.

Witness:
Patricia A. Dowd
Patricia A. Dowd
Edwin P. Dowd
Edwin P. Dowd

(Signed) SAAR INVESTMENT COMPANY,
A Michigan Corporation
By: Arthur J. Rooks, President
By: Alex Kachinko, Vice-President
(Accepted)
THE DETROIT EDISON COMPANY
By: Richard H. Taylor
Richard H. Taylor, Director
Rights-of-Way Department

STATE OF MICHIGAN)
COUNTY OF OAKLAND) S.S.

On this 22nd day of July, 1954, before me appeared Arthur J. Rooks and Alex Kachinko to me personally known, who being by me severally duly sworn, did say that they are respectively President and Vice-President of Saar Investment Company a corporation created and existing under the laws of the State of Michigan, and that the said instrument was signed in the behalf of said corporation by authority of its Board of Directors, and the said President Arthur J. Rooks and Vice-President Alex Kachinko acknowledged the said instrument to be the free act and deed of the said Saar Investment Company.

Edwin P. Dowd
Edwin P. Dowd Notary Public,
Oakland County, Michigan

My Commission expires September 17, 1955

RETURN TO
RICHARD H. TAYLOR
The Detroit Edison Company
1200 SECOND AVENUE
DETROIT 26, MICHIGAN

1954 DEC 8 AM 10 06
OAKLAND COUNTY REGISTER OF DEEDS
RECORDS
MICHIGAN
STATE OF MICHIGAN
CLERK OF COURTS
FILE NO. 17416

3-10/8

2018

1-50-25

17416
PARTIAL RELEASE OF RIGHT OF WAY

THIS INDENTURE, made this 20 day of MARCH A. D., 1966, between THE DETROIT EDISON COMPANY, a New York corporation, of 2000 Second Avenue, Detroit, Michigan, 48226, hereinafter referred to as "EDISON", and the CITY OF PONTIAC, a municipal corporation with offices at 450 Wide Track Drive East, Pontiac, Michigan, 48058, hereinafter referred to as "OWNER".

W I T N E S S E T H :

WHEREAS, on July 22, 1954, Saar Investment Company, a Michigan corporation, granted to EDISON a Right of Way for the purpose of constructing, operating and maintaining its lines for the transmission and distribution of electricity and company communication facilities upon, over and across property located in the Township of Pontiac, Oakland County, Michigan, described as:

Part of the East 1/2 of the Northeast 1/4 of Section 8, Town 3 North, Range 10 East, described as follows: Beginning at the East 1/4 corner of said Section 8 and running thence North 89°32'30" West 1299.1 feet to a point on the East Right-of-Way line of the Grand Trunk Railroad; thence North 00°22'30" West 1569.54 feet along said Right-of-Way line to a point in the center line of the Highway known as Stanley Road; thence South 51°42' East 416.98 feet along said road center line to a point; thence South 56° 10'30" East 265.00 feet along said road center line to a point; thence South 64°08'30" East 840.05 feet along said road, center line to a point at its intersection with the East line of said Section 8; thence South 00°23'30" East, 807.96 feet along said East Section line to point of beginning.

which Right of Way is recorded in Liber 3247 Page 49, Oakland County Records, and

WHEREAS, OWNER purports to have succeeded to the title to the above described property and,

WHEREAS, OWNER has requested that EDISON release a portion of the above described property from the encumbrance of the aforementioned Right of Way, and EDISON is willing to do so.

NOW THEREFORE, in consideration of the sum of One (\$1.00) Dollar and other valuable considerations, receipt of which is hereby acknowledged, EDISON does, by these presents and subject to the conditions hereinafter stated, release, quit claim, and abandon onto OWNER, its successors and assigns, all of the rights acquired by it except as stated below under the aforementioned Right of Way Grant as they may pertain to the lands last described. Excepting however, from said Partial Release

17416
RECORDED 4-19-67
BOOK 5016
PAGE 290

of Right of Way the westerly 61.5 feet of the above described property.

(1) Notwithstanding the terms and conditions contained in the aforementioned Right of Way Grant, this Partial Release of Right of Way is granted to and receipt thereof is acknowledged by OWNER upon the express condition that no buildings or structures shall be placed within the premises which are excepted from this Partial Release of Right of Way, being the westerly 61.5 feet of the above described property. Furthermore, EDISON shall have the right to trim or cut down any trees within that portion of the above described property, excepted from this Partial Release of Right of Way, which it deems can fall into its lines or interfere with the operation and maintenance thereof.

(2) EDISON shall also have the right to trim or cut down any trees situated within a strip of land 30 feet wide, east of, contiguous to, and parallel to the 61.5 foot strip of land, excepted from this Partial Release of Right of Way which in its opinion, may interfere with, or grow to the point of interfering with the maintenance and operation of its lines and towers constructed, or to be constructed within that portion of the above described premises, excepted from this Partial Release of Right of Way.

(3) Subject to the conditions herein contained, in all respects, except to the extent hereby released, the aforementioned Right of Way Grant dated July 22, 1954 shall and does remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year first above written.

In the Presence of:

Joseph V. Strouse
Joseph V. Strouse

Irene C. Kala
IRENE C. KALA

John N. Bartel

John E. Neplear

THE DETROIT EDISON COMPANY

By: M. Pease

M. PEASE
VICE PRESIDENT
By: Lillian J. H. Carroll
LILLIAN J. H. CARROLL ASST. SECRETARY
CITY OF PONTIAC

By: William N. Taylor

By: Alvin Parkley

RECORDED & INDEXED
9/18/67

RECORDED	4-19-67
INDEX	5016
PAGE	291
ROW	

STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

On this 11th day of April A. D., 1968, before me the
subscriber, a Notary Public in and for said County, appeared M. Pease
and Lillian J. H. Carroll, to me personally known, who being by me duly
sworn did say they are the a Vice President and an Assistant Secretary
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 instrument
was signed in behalf of said corporation, by authority of its Board of Directors,
and M. Pease and Lillian J. H. Carroll acknowledged
said instrument to be the free act and deed of said corporation.

Irene C. Katar
IRENE C. KATAR
Notary Public, Wayne County, Michigan

My Commission Expires: July 9, 1968

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

On this 9th day of February A. D., 1968, before me, a
Notary Public in and for Oakland County, appeared William H. Taylor, Jr. and
Olga Barkeley, to me personally known and being by me duly sworn
did say that they are the Mayor and City Clerk
of the CITY OF PONTIAC, a Michigan municipal corporation the corporation named herein
and which executed the within instrument 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 City Commission
and William H. Taylor, Jr. and Olga Barkeley acknowledged
said instrument to be the free act and deed of said corporation.

Mary R. Good
Mary R. Good
Notary Public, Oakland County, Michigan

My Commission expires: January 9, 1971

APPROVED	DATE
<u>Ed Barachi</u>	<u>11-1-68</u>
<u>[Signature]</u>	<u>11/3/68</u>
<u>[Signature]</u>	<u>11/2/68</u>
<u>[Signature]</u>	<u>11-4-68</u>

4-19-67
5016
292

RECORDED IN RIGHT OF WAY NO. 114116

REAL ESTATE AND RIGHTS OF WAY DEPARTMENT

Date: May 23, 1983

To: Elaine Ryan
Records Center
130 G.O.

From: Diane Francisco *df*
RE & R/W Coordination
448 G.O.

Subject: Building Encroachment Permit, NE $\frac{1}{4}$ of
Section 8, Pontiac Township, Oakland
County, Michigan - Pontiac-Walton 120KV
Transmission Line, Project No. 2972

Attached for the Records Center are papers in connection with the above-mentioned subject.

A permit was granted on May 12, 1983 to Sam Allen & Sons, Inc. for the purpose of placing a 100' x 25' wood and metal frame building on a Detroit Edison easement.

The building will be used for processing old tires in a method to produce "lamp black" and "oil". This is a government patent.

There was no document preparation fee involved.

Please add these papers to R/W File No. 17416.

Approved: Barbara A. Mention
Barbara A. Mention
Supervisor - Real Estate
Services

DLF:mak

Attachments

cc: D. Barkley
J. A. Blagdurn
T. E. Blondell
R. W. Burk
J. P. Cooper
C. L. DeFauw
J. A. Ewald
G. W. Flowerday

E. D. Henschell
J. Howe
N. L. Jakuszewski
J. A. Robertson
M. E. Urban
F. Warmbier
G. Williams

RECORDED & INDEXED
MAY 25 1983
17416



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

Sam Allen & Son, Inc.
500 Collier Road
Pontiac, Michigan 48055

May 12, 1983

Gentlemen:

Pursuant to your request, The Detroit Edison Company, a Michigan corporation, being the owner of an easement dated January 28, 1966 and recorded in Litter #247, Page 807, does hereby grant you a permit for the purpose of construction on the Northeast 1/4 of Section 8, Township of Pontiac, Oakland County, Michigan [as indicated] 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 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.
4. 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.

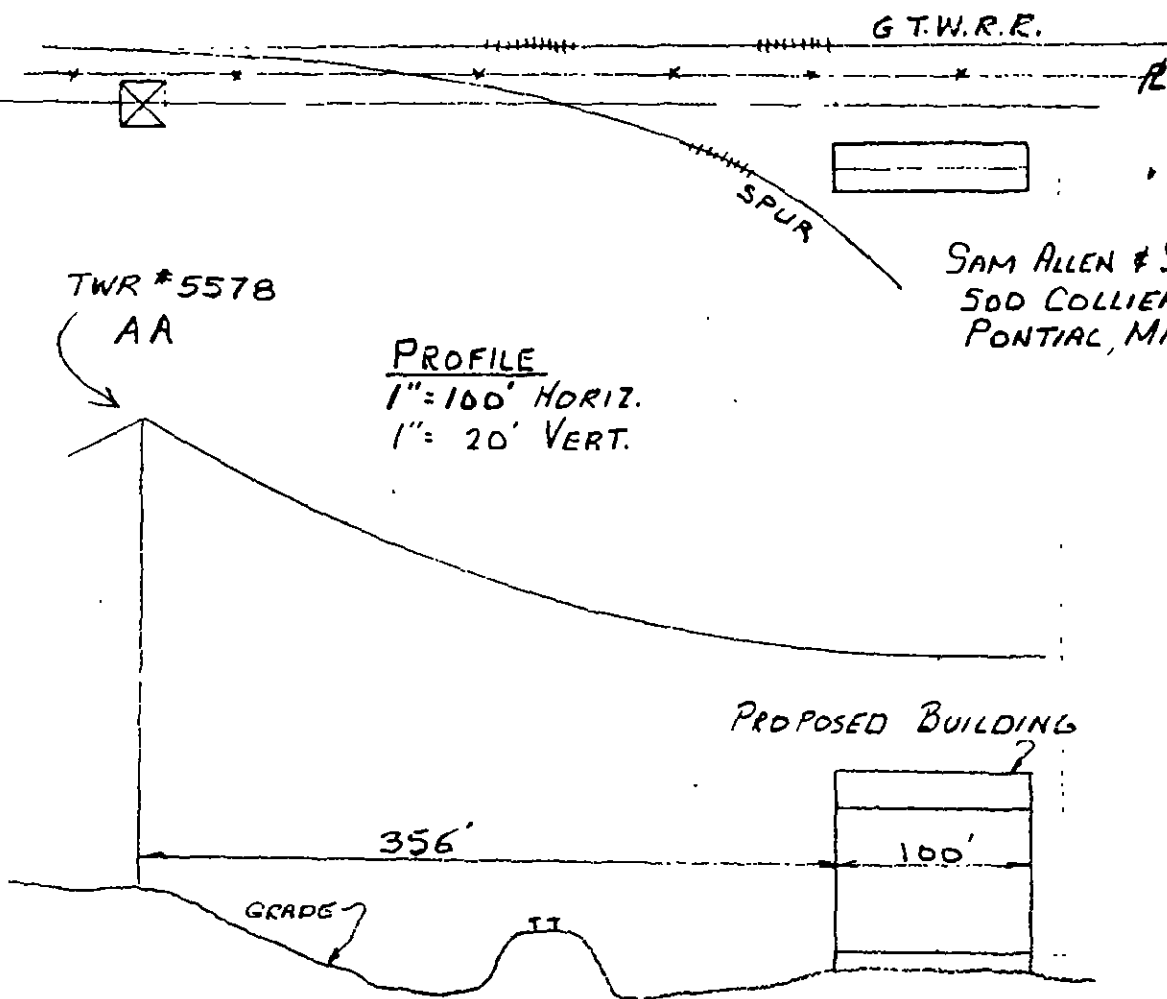
In the event any suit or other proceedings, for any claim, loss, damage, cost, charge, or expense covered by your foregoing indemnity should be brought against Edison or any of its officers, agents, or employes, you covenant and agree to assume the defense thereof and defend the same at your own expense 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

Permit No. 14416

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.

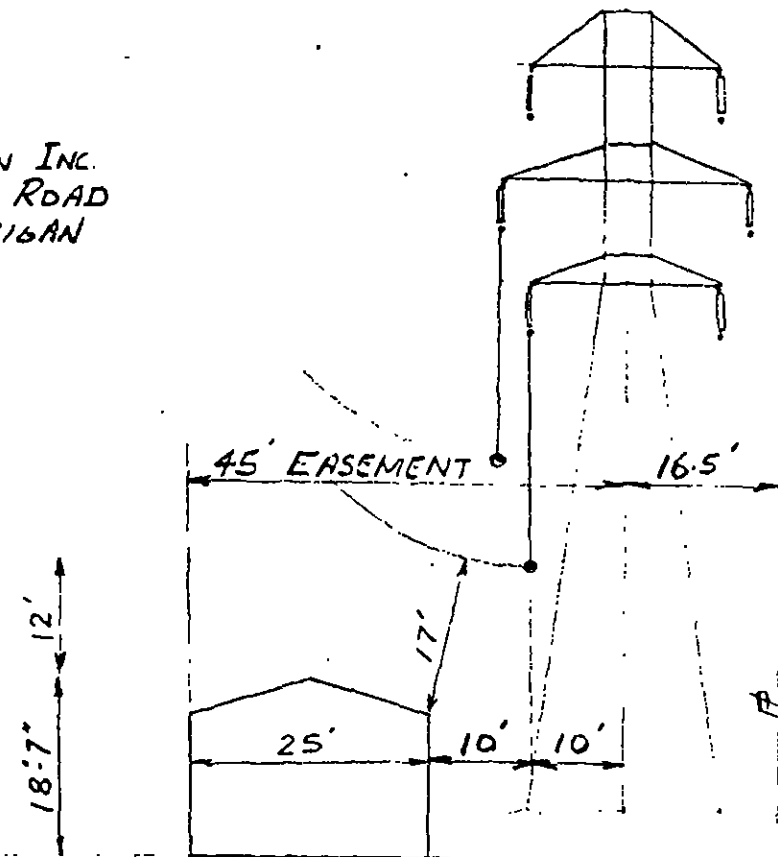
5. It is understood and agreed that you, your agents, employes and/or contractors shall maintain a clearance of fifteen (15) feet from all conductors and equipment. No mounding of dirt or change in elevation is permitted which would decrease the clearance of the existing transmission lines to ground. Moreover, any necessary change in the presently existing grade of the subject premises must first be approved by Detroit Edison. It is understood and agreed that the natural drainage of the property is not to be disturbed.
6. 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.
7. No warranty of title is made with regard to the land which is the subject of this permit.
8. It is understood and agreed that the cost of any modification or repairs of existing Detroit Edison facilities as it relates to this building or process must be entirely at the property owner's expense.
9. It is understood and agreed that the proposed process must not pollute the air to the point of contaminating Detroit Edison lines or insulators. Periodic inspection of their insulators and conductors for contamination will be conducted.
10. It is understood and agreed that to minimize the danger of fire as much as possible, the building will be of metal construction.
11. It is understood and agreed that any metal parts of the structure (e.g., roof, gutters, siding, etc.) must be grounded in compliance with the National Electric Safety Code. See attached specifications for grounding details.
12. It is understood and agreed that there is to be no loading, unloading or temporary storage under the conductors or any activity closer to the line than the proposed west edge of the building.
13. It is understood and agreed that any appurtenances to the proposed structure, within the Detroit Edison easement, must first be approved by Detroit Edison.

PROCESSED BY THE DETROIT EDISON COMPANY
17416



SAM ALLEN & SON INC.
500 COLLIER ROAD
PONTIAC, MICHIGAN

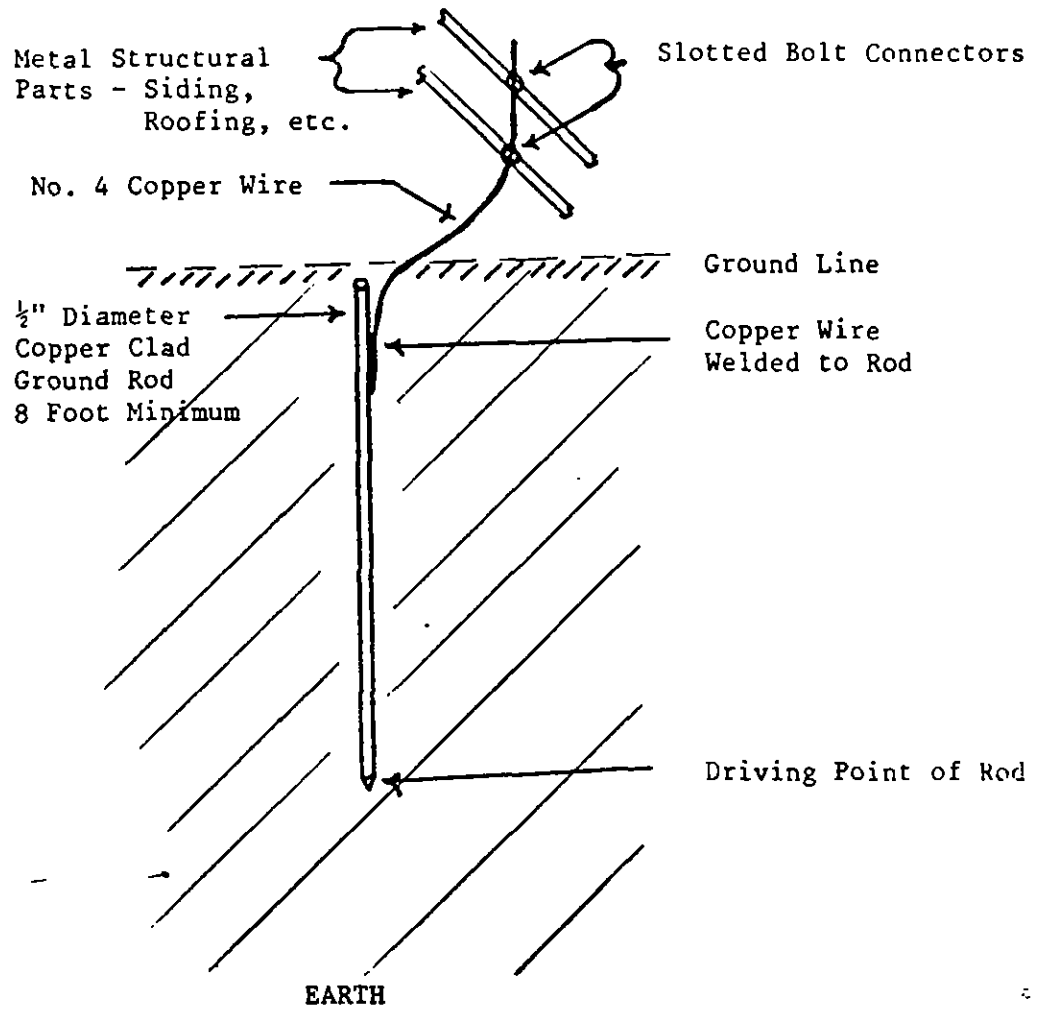
TWR #5578
LOOKING SOUTH



SCALE 1"=20'0

PROPOSED BUILDING FOR SAM ALLEN UNDER PONTIAC-WALTON 120 KV LINE		APPROVED	THE DETROIT EDISON COMPANY SYSTEM ENGINEERING DEPARTMENT	
			LAYOUT BY W.J.T	DRAWN BY W.J.T.
		DATE 12-15-82	DRAWING NUMBER	
		SCALE AS NOTED	EDI-9361	

Grounding Detail Specification



17416

**Detroit
Edison**

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

RECEIVED

FEB 9 1983

SAM ALLEN & SON, INC.

February 4, 1983

Sam Allen & Son, Inc.
500 Collier Road
Pontiac, Michigan 48056

Re: Building Encroachment, Section 8,
Pontiac Township, Oakland County, Michigan

Dear Mr. Allen:

We have reviewed your request to encroach on a portion of our Pontiac-Walton transmission line.

The Detroit Edison Company has serious reservations about construction under or near a towerline.

Detroit Edison is very concerned about the danger of fire and possible damage to the towerline.

To reduce such a risk and increase the possibility of a safe operation, we recommend the following:

- The cost of any modification or repairs of existing Detroit Edison facilities as it relates to this building or process must be entirely at the property owner's expense.
- The proposed process must not pollute the air to the point of contaminating Detroit Edison lines or insulators. Periodic inspection of their insulators and conductors for contamination will be conducted.
- To minimize the danger of fire as much as possible, the building will be of metal construction.
- Any metal parts of the structure (e.g., roof, gutters, siding, etc.) must be grounded in compliance with the National Electric Safety Code. See attached specifications for grounding details.

1746

Sam Allen & Son, Inc.
February 3, 1983
Page Two

- There is to be no loading, unloading or temporary storage under the conductors or any activity closer to the line than the proposed west edge of the building.
- It is understood and agreed that the natural drainage of the property is not to be disturbed.
- This permit would be granted on condition that you shall and will at all times, hereafter indemnify and save harmless The Detroit Edison Company against any damages, losses, costs or other expenses which The Detroit Edison Company may suffer resulting from your use within the aforesaid easement.
- It is understood and agreed that the grantee, grantee's agents, employes and/or contractors, equipment and vehicles shall maintain a vertical and horizontal clearance of 15 feet from all conductors.
- No mounding of dirt or change in elevation is permitted which would decrease the clearance of any existing transmission lines to ground. Moreover, any necessary change in the presently existing grade of the subject premises must first be approved by Detroit Edison.
- Any appurtenances to the proposed structure, within the Detroit Edison easement, must first be approved by Detroit Edison.
- No flammable materials of any kind are to be stored in the proposed building nor within the boundaries of The Detroit Edison easment.
- Install at least two rapid rate of rise heat sensors in the proposed building and have them annunciate back in their operating control building.

17416

Sam Allen & Son, Inc.
February 3, 1983
Page Three

- Provide a fire hose mounted on a reel with appropriate connections next to the doorway and the water service entrance.
- Provide at least two dry chemical fire extinguishers, positioned and mounted just inside the doorways at each end of the building.

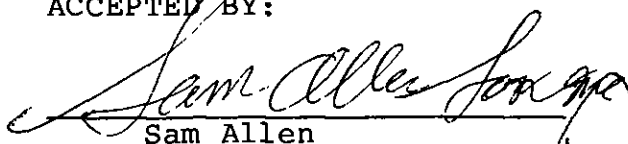
If you are willing to comply with the before mentioned suggestions, please sign below and return a copy. A permit will then be prepared.

Sincerely,



R. R. Tewksbury,
Director, Real Estate
and Rights of Way Dept.

ACCEPTED BY:

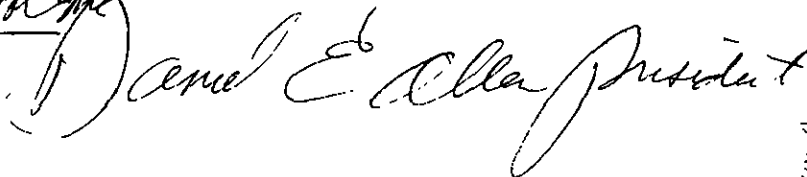


Sam Allen

DLF:mak

Enclosures

cc: Al Mclellan



Daniel E. Allen President

174/16

**Detroit
Edison**

DATE: January 14, 1983
TO: B. A. Mention
FROM: J. A. Robertson *J*
SUBJECT: Building Encroachment on Edison Easement
Section 8, Pontiac Township, Oakland County
Project #NØ 2972

We have no objections to the request of Mr. Joseph E. Heipling, who represents Sam Allen & Son, Inc., regarding the above mentioned subject.

The following restrictions and conditions must be complied with:

1. Normal clearances as specified by our Line Construction Standards Manual, Section 11 (Page 1-11-14). The minimum clearance must be maintained.
2. The cost of any modification or repairs of our existing facilities as it relates to this building or process must be entirely at the property owner's expense.
3. The proposed process must not pollute the air to the point of contaminating our lines or insulators. Periodic inspection of our insulators and conductors for contamination is recommended.
4. Any agreement with the property owner must include a hold harmless clause and an insurance policy against damage to our equipment.
5. We are requesting a copy of the property owner's permit from the Department of Natural Resources and also the Environmental Protection Agency.

JAR:klm

CC: File

RECORDED LISTING OF FILE NO. 17416

(D) Clearances of Wires (ft.) from Buildings and other Obstructions to which the Wires are not Attached

(1) Line conductors, trainers, services, and guys shall be so arranged that they do not come nearer to a building, balcony, or fire escape, horizontally or vertically than shown in the following tables and in details on pg. 1-11-17. See page 1-11-18.1 for vertical clearances from antennae.

	Derricks & Booms (Note d)	Chimneys, Signs & Hoist Arms		Buildings (Note E)	
		Hori- zontal	Verti- cal	Hori- zontal	Vertical (Note a)
120kV subtransmission 24/40kV conductors and trainers	12	12	12	12	17b
13kV primary and trainers	10	8	8	8	17b
4.8kV primary, street circuit line and trainers	10	5	8	5	15b
Secondary line conductors and trainers	10	5	5	5	15b
System communication- openwire	10	5	5	5	15b
System communication-cable	10	3	3	3	8b
Secondary service triplex	10	3	3	3	8b
Strand	10	3	3	3	8b
Street lighting drop- (low voltage)	10	3	3	3	15b

Notes:

- (a) Clearances apply above or below roofs or projections. This includes balconies and fire escapes.
- (b) Where not accessible to pedestrians (note c), 17-foot clearances may be reduced to 12 feet, 15-foot clearances may be reduced to 10 feet, 8-foot clearances may be reduced to 3 feet.
- (c) A roof is considered accessible to pedestrians if a means of access is through a doorway, ramp, stairway, or permanently mounted ladder.
- (d) A derrick is an apparatus consisting of a mast or equivalent member held at the head by guys or braces, with or without a boom, for use with a hoisting mechanism and operating ropes.
- (e) Horizontal clearances for buildings are applicable to horizontal clearance of antennae.

(2) Refer to details 1117A-F for application of (D1) clearances.

SED/OH11/2.1

THE DETROIT EDISON COMPANY
SYSTEM ENGINEERING DEPARTMENT
DETROIT, MICHIGAN

PREPARED BY:

Nick A. [Signature]

APPROVED BY:

RC Reynolds

1-11-14 17416

**Detroit
Edison**

Date: January 10, 1983

To: R. Reynolds, Supervising Engineer
Equipment and Methods

From: J. Keller, Public Safety Coordinator *JK*
Safety and Medical Services

Subject: Sam Allen and Sons Scrapyard, City of Pontiac,
Evaluation of Fire Potential on Building
Encroachment

R. E. REYNOLDS
JAN 12 1983

The recent development of a building beneath our tower lines by the Sam Allen Scrapyard Company has brought about numerous appraisals as to the safety of our line conductors and to the scrapyard personnel and equipment.

At the request of R. R. Tewksbury, Real Estate and Rights of Way, I visited the scrapyard on January 6, 1983 with Mr. Bobby Cone, Fire Marshall of the City of Pontiac. Together we met and inspected the building site with Mr. Dan Allen, son of the owner in which he disclosed the following conditions:

1. The wood framed structure would be reduced in width from 50 feet to 25 feet. The facing or covering would be fiberglass panels (we believe the covering should be metal sheathing).
2. The building will serve as a weather shed, protecting personnel who will be maneuvering large metal baskets containing halved rubber tires. These baskets will be positioned and advanced into adjacent furnaces. After processing, the basket will be retrieved and held temporarily in the shed. This operation will be performed 24 hours a day, 7 days a week.
3. The tire cutting or separating will be performed in a nearby building approximately 50 yards away. (The Fire Marshall stated that because this activity is removed, it greatly reduces fire probability.)
4. A fire truck owned by the scrapyard is available and manned by their personnel for any emergency in their facilities.

17416

R. Reynolds
January 10, 1983
Page 2

We asked Mr. D. Allen if he could provide some means of fire control if a fire condition did develop and he agreed to install the following type of equipment:

1. Install at least two rapid rate of rise heat sensors in the building which is in question and have them annunciate back in their operating control building.
2. Provide a fire hose mounted on a reel with appropriate connections next to the doorway and the water service entrance.
3. Provide at least two dry chemical fire extinguishers, positioned and mounted just inside the doorways at each end of the building.

The Fire Marshall stated that if the building is constructed, he will inspect the structure in a month and every month or two thereafter to see if these provisions have been implemented and for a continual surveillance.

It should be noted that the Pontiac Fire Department - Station No. 6 is three to five minutes away in response time.

All in All, the probability of fire does exist based upon house-keeping, workmen attention or the measure of their job training. If a fire developed, there is a chance it may reach the conductors if not caught and brought under control in time. However, if the above items are instituted, it should minimize that condition.

JGK/dan

19416

**Detroit
Edison**

Date: January 5, 1983

To: D. Francisco
Real Estate Coordination Specialist

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

Subject: Building Encroachment
Pontiac-Walton 120 kV Transmission Lines Easement
NE $\frac{1}{4}$ of Section 8
Pontiac Township, Oakland County

The attached inquiry from Joseph E. Neipling, requesting a building encroachment on the Pontiac-Walton easement as shown on the attached Exhibit "A", has been reviewed.

The proposed building does not violate the M.P.S.C. Code regarding clearances, however, the Planning, Construction, and System Engineering Departments have reservations in approving this permit. The greatest concern is whether this building and the associated work related activities will constitute a fire hazard to the transmission line in this area. Per the attached memorandums from E. Williams and W. Thrasher, we recommend that a qualified Detroit Edison representative evaluate any possible fire hazards. Please contact John Keller, Public Safety Coordinator, Personnel Services Department, he will coordinate the safety inspection necessary for this encroachment. If the Personnel Services Department has no objections from a safety standpoint, then this permit can be granted providing the following stipulations are maintained:

1. This permit is granted on condition that grantee shall and will at all times, hereafter indemnify and save harmless The Detroit Edison Company against any and all detriment, damages, losses, demands, claims, suits, costs or other expenses which The Detroit Edison Company may suffer, sustain or be subject to, caused either wholly or in part, directly or indirectly, by reasons of grantee's use of the aforesaid property under this permit.
2. It is understood and agreed that the grantee, grantee's agents, employes and/or contractors, equipment and vehicles shall maintain a vertical and horizontal clearance of 15 feet from all conductors.

17416

D. Francisco
January 5, 1983
Page 2

3. No mounding of dirt or change in elevation is permitted which would decrease the clearance of any existing transmission lines to ground. Moreover, any necessary change in the presently existing grade of the subject premises must first be approved by The Detroit Edison Company.
4. It is understood and agreed that the natural drainage of the property is not to be disturbed.
5. To minimize the possibility of fire, as much as possible, the building shell and roof must be of metal construction.
6. Loading and unloading of storage material under conductors or any activity closer to the transmission line than the proposed west edge of the building is prohibited.
7. Any appurtenances to the proposed structure, within The Detroit Edison Company easement, must first be approved by The Detroit Edison Company.
8. Any metal parts of the structure (e.g., roof, gutters, siding, etc.) must be grounded in compliance with the National Electric Safety Code. See attached specification for grounding details.
9. No flammable materials of any kind are to be stored in the proposed building nor within the boundaries of the Detroit Edison Company easement.


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/sal
Attachments
cc: File NO2972

1446

Detroit
Edison

Date: December 17, 1982

To: R. E. Reynolds
Supervising Engineer
Equipment and Methods
System Engineering Department

From: E. Williams *EW*
Superintendent
Overhead Transmission Division
Construction Department

Subject: Transmission Easement Building Encroachment
Project No. 2972, Sam Allen Scrap Yard

I have serious reservations concerning the approval of this building in the easement so close to our lines. My greatest concern is the proposed use of the building and associated process will constitute a fire hazard to the Pontiac-Walton #1 transmission line.

I, therefore, propose that the Company take into consideration the following recommendations before the request is approved:

1. Determine from a qualified person the degree of the fire hazard caused by tires being move thru this building prior to the processing through a furnace in the attached building on the easement edge. We were told by Mr. Neipling that the temperature in the furnace would reach 800^oF.
2. To minimize the danger of fire as much as possible, the building shell and roof should be of metal construction.
3. A stipulation should be added to prohibit loading, unloading or temporary storage under the conductors or any activity closer to the line than the proposed west edge of the building.
4. Our calculations show the closest clearance from the building to the lowest conductor to be approximately 17 feet instead of the 20 feet proposed in the request.

However, since the proposed new location and height of the structure do not violate the code, I will reluctantly approve the request providing these points are satisfactorily addressed.

EW:dg

cc: W. Wiljanen
J. Miller
W. Thrasher
D. Francisco

RECORDED NEXT OF FILE NO. 17446



To: DLF 12-7-82
Proj. # NQ 2972

JOSEPH E. NEIPLING, P.E.
CONSULTANT

ENVIRONMENTAL SERVICES — MUNICIPAL SERVICES — MANAGEMENT SERVICES — LAND DEVELOPMENT

Business
500 Collier Road, Box 2
Pontiac, MI 48056
313-335-8141

Residence
201 Starr Avenue
Pontiac, MI 48053
313-681-6639

RECEIVED

DEC 7 1982

REAL ESTATE &
RIGHTS OF WAY
DEPARTMENT

December 3, 1982

Mr. Robert Tewksbury
Detroit Edison Company
Real Estate & Right of Way Department
2000 Second Avenue
Detroit, Michigan 48225

Dear Mr. Tewksbury:

My client has proposed to construct a building, which at the time of a final field review would have encroached on your easement with a resulting penetration into the safety limits as to proximity to a 120,000 volt transmission cable. This was determined after a contract for the building had been executed and partial erection carried out. Construction has now been halted pending your review of this request for authorization to occupy the Detroit Edison easement.

With this request for permit to occupy is a revised proposal as to the structure's location and dimensions originally it was proposed to erect a build 100' by 50' with a ridge line 28' above grade. This structure would have resulted in placing a building under your most easterly cable with the ridge of the building being as close as 10' from your cable.

The alternate proposed building for which a permit is requested is 100' by 25' with a ridge line only 18'-7" above grade. This alternate building would be clear of your cable with minimum distance of 20' from your cable.

Your Mr. Wm. Thrasher, E. Williams and A. McLellan made a site inspection on November 30, 1982. If you are unfamiliar with the operations of Sam Allen & Son, Inc., I am sure your Mr. Allan J. McLellan of "Customer and Marketing Services" could fill you in.

1982/12/7

JN

JOSEPH E. NEIPLING, P.E. CONSULTANT

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December 3, 1982
Page 2

The purpose of proposed building is for personnel weather protection as they service an outdoor waste tire conversion unit. The process will convert waste tires into one (1) gallon #6 heating oil and carbon black. Current market analysis indicates that these products will make to venture a sound economic one.

I am available at your convience for further consultation.

Sincerely,



Joseph E. Neipling, P. E.
Consultant

Enclosure: Owner Revisions to Detroit Edison Drug EDI-72ZZ dated
August 10, 1970

1746

RECEIVED

Date: December 1, 1982

To: R. R. Tewksbury, Director
Real Estate and Rights of Way Department

From: W. J. Thrasher *M.J.P.*
Transmission Projects Section
System Engineering Department

Subject: Sam Allen and Sons Scrapyard
City of Pontiac
Building Encroachment

DEC 1 1982

REAL ESTATE &
RIGHTS OF WAY
DEPARTMENT

On Tuesday morning November 30, 1982, A. J. McLellan, Customer and Marketing Services, Oakland Division, J. R. Preston and E. Williams of Construction and W. J. Thrasher attended a meeting at Sam Allen's scrap yard. We met with D. Allen and his Engineering Consultant J. E. Neipling. The meeting was arranged when it was discovered that a frame building was being erected on an Edison easement under the tower line.

It was pointed out to Mr. Neipling that the partial release agreement specifically states that no buildings or structures shall be placed within the premises retained by Edison. Furthermore, it was pointed out that a frame building presented a fire hazard to the transmission line.

The building construction to date consists of the wall framing. Even without the peaked trusses the walls are approaching the minimum clearance to the conductors allowed by the M.P.S.C.

Apparently, they have a patent covering the United States which is a new method for separating lamp black and oil from used tires. The building, which lies entirely within our easement is 100 feet long by 50 feet wide and will be used to shred the tires. Adjacent to the building and lying mostly outside our easement, furnaces will be installed to melt down the shredded tires. They indicated that they have already invested well in excess of \$50,000 in construction alone up to this time.

It was suggested that before doing any more work they should make a formal request to you for approval. In this request they were told to include detailed information regarding the building, the location, the materials and the activities so that a proper evaluation can be made. It was also suggested that a new building made of concrete block construction and a metal roof might be acceptable providing that the clearance from the conductors was a minimum of 15 feet.

174116

R. R. Tewksbury, Director
Real Estate and Rights of Way Department
December 1, 1982
Page 2

There is also a 40-kV line at the edge of our easement. The effluent from the furnaces may contaminate the insulators on this line.

Since we did stop the construction of this building it is expected that their request will come in very quickly. It is suggested that besides Engineering and Construction, the Oakland Division and Engineering Research should also be involved in the review of the plans; the Oakland Division because of the 40 kV and the Engineering Research because of the possibility of the building being a fire hazard.

In 1970 we did approve the construction a 14' high concrete block building with a flat roof under the line in the span just north of the span in question.

WJT/saf

cc: A. J. McLellan
E. Williams

RECORDED RECORD OF DEED NO. 17416

CROSS REFERENCE

NAME OR SUBJECT RECORDED RIGHT OF WAY NO. 17416

FILE NO.

REGARDING Indenture of Release (5021/480), Bankers Trust Company to The Detroit Edison Company, covering right-of-way in Pontiac Township. DATE April 21, 1967

SEE

NAME OR SUBJECT

MORTGAGE - GENERAL AND REFUNDING

FILE NO.

Release from Lien of Mortgage

Release No. 219