

5622 DEC 64

EASEMENT FOR ELECTRIC LINE

71 11025

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THIS INDENTURE, made this 18th day of December, 1969, between CONSUMERS POWER COMPANY, a Michigan corporation, 212 West Michigan Avenue, Jackson, Michigan, (successor by merger to Consumers Power Company, a Maine corporation), as First Party, and THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of the State of Michigan and New York, with its office in Michigan located at 2000 Second Avenue, Detroit, Michigan 48226, as Second Party;

W I T N E S S E T H:

That the said First Party, for and in consideration of the sum of Two Thousand Eight Hundred Dollars (\$2,800.00) to it in hand paid by Second Party, the receipt whereof is hereby confessed and acknowledged, does by these presents, subject to the terms and conditions hereinafter set forth, convey and quitclaim to Second Party the easement, right and privilege to construct and maintain a 120,000 volt double circuit tower line consisting of one line of steel towers, together with the necessary guys, anchors, cables and other fixtures and appurtenances, on, over and across lands situated in the City of Pontiac and Township of Pontiac, County of Oakland and State of Michigan, known and described as follows:

A strip of land 56 feet wide lying West of and adjoining the Pontiac Oxford & Northern (G.T.W.) Railroad right of way extending from the North line of Colgate Avenue in the Plat of DuPont Heights Subdivision, N'ly across the Plat of DuPont Heights Subdivision to the North line of said plat being the North line of the SW 1/4 of the SE 1/4 of Section 8, T13N, R10E; thence continuing N'ly across the NW 1/4 of the SE 1/4, entire W 1/2 of the NE 1/4 of Section 8, and part of the SW 1/4 of the SE 1/4 of Section 5 to a point of terminus on the East 1/8 line of Section 5, at a point approximately 660 feet North of the South line of Section 5.

The center line of said double circuit tower line shall be on a line parallel with and not more than 36 feet West of the East line of the above-described land.

The easements and rights herein granted are made on the following terms and conditions:

1. Said electric tower line shall be so constructed that the underground concrete base of said towers and the excavation for such

RECORDED RIGHT OF WAY NO. 21047

G. A. O.

bases shall not be closer than ten (10) feet to the present existing 20-inch gas line of Consumers Power Company now located on the lands above described, and all equipment used in making such excavations shall work from the Easterly side of the center line of towers as herein described, and not on or over said existing gas line.

2. All coordination of Second Party's facilities with any railroad, telephone, telegraph lines or other utility facilities located within the area shall be the sole responsibility of Second Party, and all costs and expenses which may arise out of such coordination shall be assumed by and paid by Second Party.
3. The grant of this easement is expressly made subject to the right of Consumers Power Company to operate and maintain any gas line facilities which are now located on said premises, and subject to any electric or gas line facilities hereafter constructed on said premises, so long as such future electric or gas lines do not materially interfere with the location, operation and maintenance of the electric transmission lines of Second Party as herein provided for.
4. Second party shall provide at its sole cost and expense all cathodic protection which may, in the opinion of First Party, be required to protect its existing 20-inch gas line, or any other gas line owned by First Party, now or hereafter constructed on the land first above described.
5. Second Party shall have the right to trim or remove all trees or brush now or hereafter standing or growing on the lands herein described, subject to the condition, however, that no trees or brush so cut, trimmed or removed shall be burned on the lands of First Party, all such cuttings shall be removed from said premises.
6. Second Party further agrees that in the exercise of the rights and privileges hereby granted it will comply with all rules, regulations and ordinances of all governmental authorities having jurisdiction in the premises.

RECORDED RIGHT OF WAY NO. 2667

December 26, 1969

Mr. W. L. Reid, Manager
Land and Right of Way
Consumers Power Company
212 W. Michigan Avenue
Jackson, Michigan 49201

Dear Mr. Reid:

Enclosed is an executed copy of an easement across Consumers Power Company's property in the City of Pontiac, Oakland County, Michigan. Also enclosed is our check No. D 1057 covering the consideration for the easement granted.

We wish to thank you for your cooperation in this matter.

Very truly yours,



Robert R. Cunningham
Supervisor of Real Estate
Properties and Rights of Way Dept.

RRC/mld

Enclosures

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

RECORDED RIGHT OF WAY NO. 10667

REQUEST FOR CHECK
DE FORM TR 3 3-69

THE DETROIT EDISON COMPANY

INVOICE NO **N^o 1757**

PAY TO (NAME AND ADDRESS INCL ZIP CODE) CONSUMERS POWER COMPANY 212 West Michigan Avenue Jackson, Michigan 49201	DATE OF REQUEST December 16, 1969
	REQUESTED CHECK DATE December 19, 1969
	CONTRACT NO

STATE WHAT PAYMENT IS FOR (ATTACH COPY IF REQUIRED BY PAYEE)

Easement for Pontiac-Walton 120 KV transmission line

VENDOR CODE	
TAX CODE	USE/SALES TAX OR F/A
DISC CODE	CASH DISCOUNT AMT.
FREIGHT	ADD'L CHG
ADDITIONAL CHARGE AMT	AUDITED

ACCOUNT NAME	ITEM	WORK ORDER	AMOUNT	RECORDED RIGHT OF WAY NO
	01	350 F 670	\$2,800.00	
	02			
	03			
	04			
		TOTAL AMOUNT	\$2,800.00	
PREPARED BY Robert R. Cunningham/sld	APPROVED <i>[Signature]</i>			
APPROVED FOR PAYMENT	AUDITED			

CHECK TO BE MAILED SEND CHECK TO **Robert R. Cunningham - 310 General Offices**

THE DETROIT EDISON COMPANY

INTERDEPARTMENT CORRESPONDENCE

Properties and Rights of Way Department

November 14, 1969

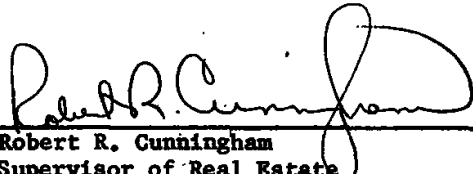
MEMORANDUM TO:

MR. JOHN S. WENGER
Transmission Engineer
General Engineering Department
747 General Offices

Re: Consumers Power Easement Agreement at Walton Station, Pontiac,
Michigan

Attached is an original and one copy of the agreement for your approval.

Will you please secure the necessary approvals on the back of the agreement and return to me for processing.


Robert R. Cunningham
Supervisor of Real Estate

RRC/mld

Attachment

RECORDED RIGHT OF WAY NO. 26667



**Consumers
Power
Company**

General Offices: 212 West Michigan Avenue, Jackson, Michigan 49201 • Area Code 517 788-0550

DE-18
T-6860

October 28, 1969

Robert R. Cunningham
Supervisor of Real Estate
Properties and Rights of Way
The Detroit Edison Company
2000 Second Avenue
Detroit, Michigan 48226

Dear Mr. Cunningham:

In accordance with your previous correspondence, attached are two copies of an easement across Consumers Power Company property in the City of Pontiac, Oakland County, being more specifically described on the attached easement.

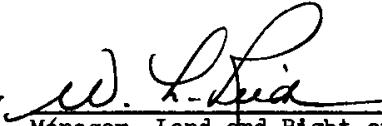
Consideration for this easement is \$2,800. This easement has been executed on behalf of Consumers Power Company by Messrs. R. C. Youngdahl, Vice-President, and P. A. Perry, Secretary.

Please review the attached and if acceptable, arrange for the acceptance and execution of this document on behalf of The Detroit Edison Company and return one copy of the fully executed easement along with the required consideration to us.

If you should have any further questions or desire any additional information, please do not hesitate to contact us.

Yours very truly,

CONSUMERS POWER COMPANY

By 
Manager, Land and Right of Way

ENH:cap
Attach.

RECORDED RIGHT OF WAY NO. 36667

October 1, 1969

Mr. W. L. Ried
Manager of Land and Right of Way
Consumers Power Company
212 West Michigan Avenue
Jackson, Michigan 49201

Dear Bill:

Confirming your letter of August 27, 1969, relative to the easement for a transmission line on your fee strip north of Walton Boulevard in the City of Pontiac, we are in agreement with the lump sum consideration of \$2,800.00

Would you please prepare the easement grant which you previously had submitted for Edison's consideration.

Thank you for your attention in this matter.

Yours very truly,

RRC

Robert R. Cunningham
Supervisor of Real Estate
Properties and Rights of Way Dept.

RRC/mld

RECORDED RIGHT OF WAY NO. 16667



**Consumers
Power
Company**

General Offices: 212 West Michigan Avenue, Jackson, Michigan 49201 • Area Code 617 788-0550

August 27, 1969

Mr. R. R. Cunningham
The Detroit Edison Company
2000 Second Avenue
Detroit, Michigan 48226

Dear Bob:

Confirming our telephone conversation of last Friday relative to easement for electric line on our fee strip North of Walton Boulevard in the City of Pontiac, please be advised that I am recommending a lump sum consideration of \$2800 for this easement.

You recognize, of course, that this is a very valuable piece of property not only to Consumers Power Company but in its own right and we feel obligated to ask a reasonable compensation for it. As soon as you advise me as to whether or not this consideration is acceptable, I will have the Legal Department prepare the easement and deliver it to you.

Yours very truly

W. L. Reid
Manager of Land and Right of Way

WLR/wrs

RECORDED RIGHT OF WAY NO. 2667

May 15, 1969

Mr. William Reid
Consumers Power Company
212 W. Michigan Avenue
Jackson, Michigan

Dear Bill:

Attached are three copies of Edison Drawing ED 6487 showing surveyed location of proposed tower line on Consumers property north of Walton Station at Pontiac.

In accordance with our phone conversation yesterday, would you please prepare the easement grant which you previously had submitted for Edison's consideration.

Yours very truly,



Lamar R. Smith
Supervisor of Real Estate
Properties and Rights of Way Dept.

LES/mld
Attachment

cc: John S. Wenger

RECORDED RIGHT OF WAY NO. SR 6667

Properties and Rights of Way Department

April 16, 1969

MEMORANDUM TO:

MR. JOHN S. WENGER
Transmission Engineer
General Engineering Department
747 General Offices

Re: Consumers Power Company land - West side of Grand Trunk Railroad
at Walton Station, Pontiac, Michigan

Confirming our conversation of last week, Mr. Bill Reid of Consumers
has asked a number of times when we might finalize this arrangement.

My recollection is that you were to survey the tower locations and that
you have already approved a form of easement as submitted by Consumers.

They are anxious that we do this to clear a matter which has been
pending for many months.



Lamar R. Smith
Supervisor of Real Estate

LRS/mld

RECORDED RIGHT OF WAY NO. 36667

THE DETROIT EDISON COMPANY

INTERDEPARTMENT CORRESPONDENCE

GENERAL ENGINEERING DEPARTMENT

November 14, 1968

Memorandum to: Mr. M. F. Wider
A-420 W.S.C.

Pontiac-Walton 120 KV Line

The route for this proposed tower line is shown in red on the attached map. Right-of-way is not complete, but the agreement covering occupancy of the Consumers Power Company corridor from Walton Station to a point north of Collier Road is now being negotiated.

Means of getting 40 KV lines north out of Walton have been under investigation since 1965 with no success. A wood pole 40 KV line would have been built in the portion of the Consumers corridor had the route not been selected for 120 KV.

As a result, underbuild of one 40 KV circuit on this tower line has been recommended. A print of study drawing ED-5434 is attached to show the proposed arrangement on the tower. Construction sequence to be followed would be to install both 120 KV circuits initially, utilizing the east circuit at 40 KV until 1973 or later when the additional 120 KV circuit is required. At that time the 40 KV underbuilt circuit would be installed.

In order to assess the additional cost resulting from the added circuit, it appears that we should assume an increase of 10 feet in tower height and one additional tower per mile, in addition to the cost of the 40 KV circuit itself.

The initial 120 KV circuit is scheduled for completion in December of 1970. The 40 KV circuit will be needed in June of 1970.

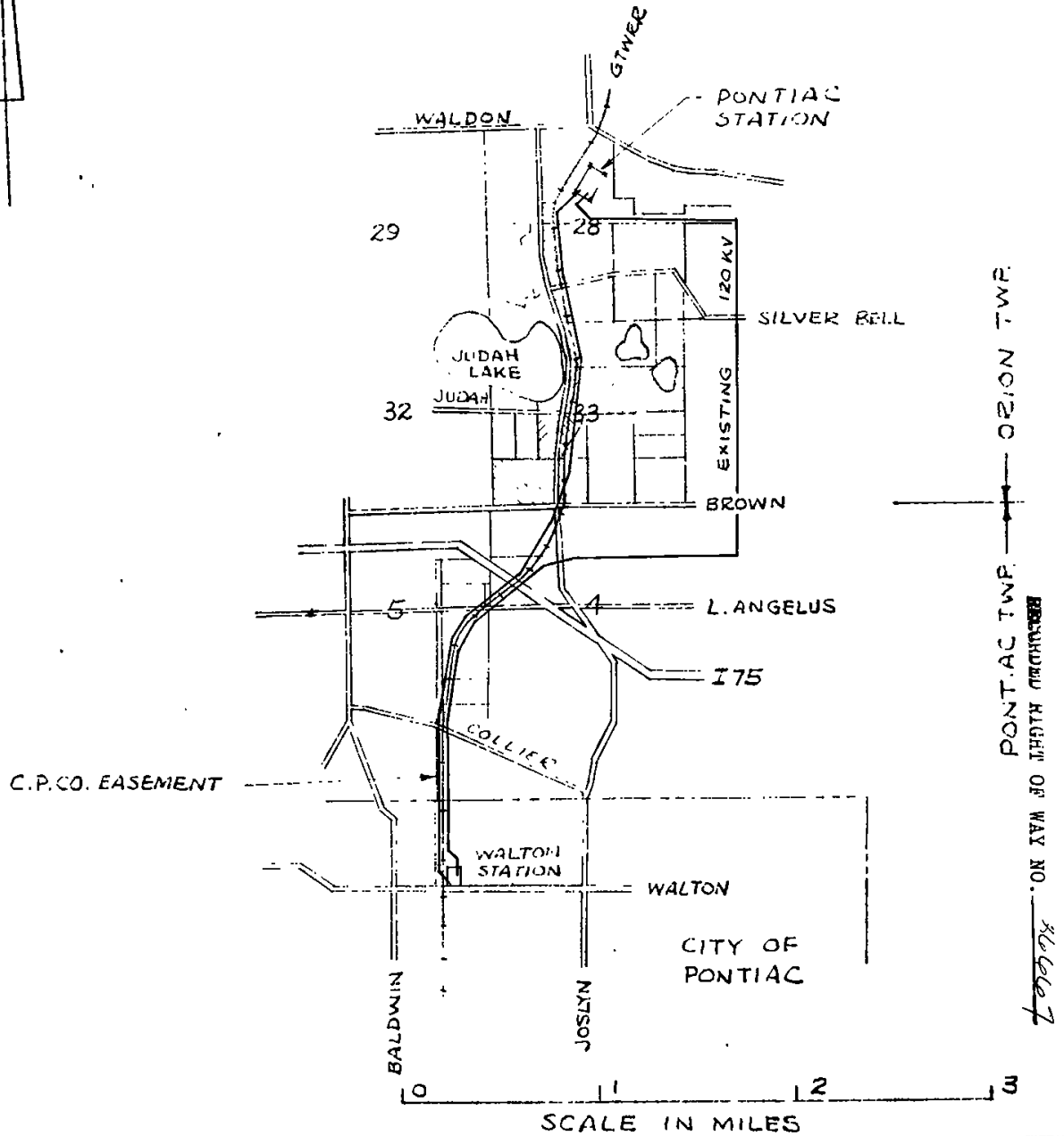
May we have your comments on this proposal in regard to feasibility, cost and timing?

JH:esm

cc: C. H. Piethe
L. R. Smith

John S. Wenger/gst
J. S. Wenger
Transmission Engineer

REPRODUCTION OF COPY NO. 286667



PONTIAC - WALTON #3
120 KV LINE

APPROVED	THE DETROIT EDISON COMPANY GENERAL ENGINEERING DEPARTMENT	
	LAYOUT BY	DRAWN BY
	DATE	DRAWING NUMBER
	SCALE	

7. If and whenever Second Party shall abandon the use of said premises for transmission line purposes, it shall execute and deliver to First Party, its successors or assigns, a recordable instrument releasing to First Party all rights hereby conveyed. In the event only a portion of said rights are retained, the provisions of this paragraph shall be applicable to all those portions so abandoned.
8. Second Party shall be responsible for and shall pay to First Party all damages, losses or injury occasioned to it by Second Party, its agents, employees, servants, or by any contractors employed by Second Party in the construction, reconstruction, maintaining, repairing, operating, substituting for or removing of said electric line or any portion thereof; or any damages that may result to First Party or to said premises from any reason or cause in consequence of the granting by First Party to Second Party of the aforesaid rights.
9. Second Party shall indemnify and save First Party harmless from loss or damage to person or property sustained by any third person or persons, including employees of First Party, arising from Second Party's electric lines or equipment, unless it be proven that such loss or damage was caused by the gross or sole negligence of First Party, its agents, servants or employees.

In the event that the use of said land by First Party is (a) in the sole opinion of First Party necessary to satisfy or meet the requirements of First Party in carrying on its electric utility service in the City of Pontiac, or (b) in the event of notice that the present existing Power Contract dated April 5, 1943 and having an effective date beginning August 1, 1942 between First Party and Second Party for the supply of electric power to First Party by Second Party for service to First Party's customers in the City of Pontiac shall be terminated and not be superceded by another Power Contract agreeable to First Party, the easements and rights herein conveyed may be terminated upon First Party giving to Second Party one (1) year's written notice (directed to Second Party at 2000 Second Avenue, Detroit, Michigan 48226) of the termination of same based upon either of the above conditions or events. Second Party agrees that it will within said 1-year period remove all of its facilities and

RECORDED RIGHT OF WAY NO. 51647

Properties and Rights of Way Department

November 11, 1968


MEMORANDUM TO:

MR. JOHN S. WENGER
Transmission Engineer
General Engineering Department
747 General Offices

Re: Easement from Consumers Power on their Lands adjacent
to Walton Station.

Bill Reid of Consumers called me on Friday, November 8, 1968,
to ask if we now have tower locations, etc., so that the
easement grant can be consummated.

Would you let me know.



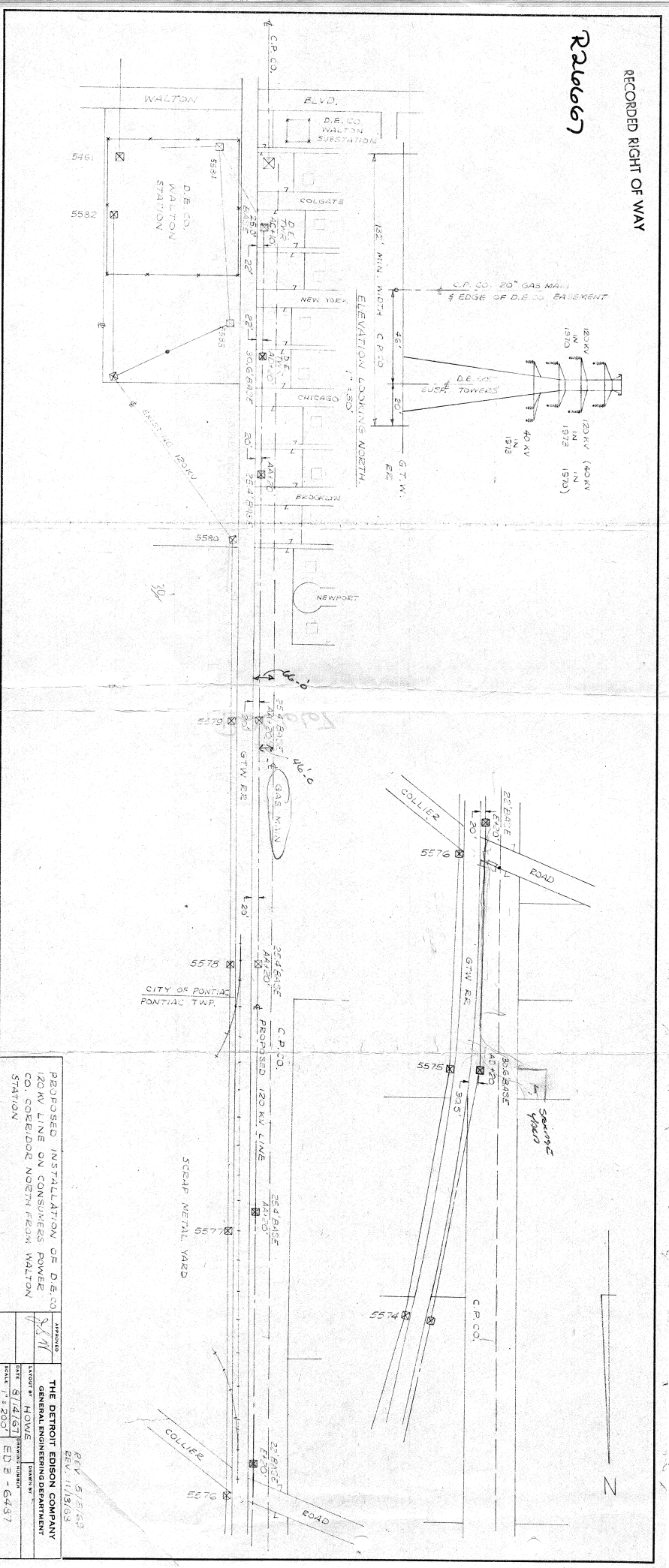
Lamar R. Smith
Supervisor of Real Estate

LRS/nk

RECORDED RIGHT OF WAY NO. 26667

RECORDED RIGHT OF WAY

22667



PROPOSED INSTALLATION OF D.E. CO. 120 KV LINE ON CONSUMERS POWER CO. CORRIDOR NORTH FROM WALTON STATION

APPROVED BY: [Signature]

DATE: 5/12/57

PROJECT: 71-200

ED 5-6437


REV. 5/15/59
REV. 11/9/59

THE DETROIT EDISON COMPANY
GENERAL ENGINEERING DEPARTMENT

DE FORM 91 9 1-55

Date: April 28, 2005

To: Records Center

From: Barbara Mention 
Real Estate

Subject: Easement(s) in the City of Pontiac, Oakland County, Michigan.

This is a note to file for all the easements in the City of Pontiac, acquired from Consumers Power Company by Detroit Edison and assigned to ITC, December 2000.

All hard copies negotiated by Ray Sturdy, DTE, is housed in the Records Center File room, under Oakland County, Pontiac, City of.

Please add this memo to Right of Way File No. 26667.

/bam

equipment installed on the lands of First Party pursuant to this grant and shall leave said premises in as good a condition as they were before Second Party entered thereon and constructed said electric transmission line facilities.

The covenants and conditions herein contained shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

Signed, Sealed and Delivered in the Presence of:

Lois Barnes
Lois Barnes

Elvera Baker
Elvera Baker

Robert R. Cunningham
Robert R. Cunningham

Ruth Ann Schilk
Ruth Ann Schilk

CONSUMERS POWER COMPANY

By R. C. Youngdahl
R. C. Youngdahl
Vice President

Attest P. A. Perry
P. A. Perry
Secretary

THE DETROIT EDISON COMPANY

By R. W. Lundgren
R. W. LUNDGREN
VICE PRESIDENT

Attest Lillian J. H. Carroll
LILLIAN J. H. CARROLL ASST. SECRETARY

1971 FEB 22
CLEVELAND, OHIO
RECORDED

APPROVED AS TO FORM
11/16/69
CONSUMERS POWER COMPANY

STATE OF MICHIGAN)
) SS.
COUNTY OF JACKSON)

On this 27th day of October, 1969, before me personally appeared R. C. Youngdahl, to me personally known, who, being by me first duly sworn, did depose and say that he is Vice President of CONSUMERS POWER COMPANY, the corporation named in 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 Board of Directors, and said R. C. Youngdahl acknowledged said instrument to be the free act and deed of said corporation.

Willowen R. Smith
Willowen R. Smith
Notary Public, Jackson County, Michigan

My Commission Expires Sept. 7, 1970

RECORDED RIGHT OF WAY NO. 26667

5622 68

STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

On this 18th day of December, 1969, before me, the subscriber,
a Notary Public in and for said County, appeared R. W. Lundgren
and Lillian J. H. Carroll, to me personally known, who being by me duly
sworn, did say that they are Vice President and Assistant Secretary
of THE DETROIT EDISON COMPANY, a corporation, and that the seal affixed to said in-
strument 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
R. W. Lundgren and Lillian J. H. Carroll
acknowledged said instrument to be the free act and deed of said corporation.

Leslie G. Sundstrom
Leslie G. Sundstrom
Notary Public Wayne County, Michigan
My Commission Expires March 20, 1973

RECORDED RIGHT OF WAY NO. 34667

RETURN TO: James C. Wetzel
2000 Second Avenue - Rm. 226
Detroit, Michigan 48226

THE DETROIT EDISON COMPANY

INTERDEPARTMENT CORRESPONDENCE

Real Estate and Rights of Way Department

March 26, 1971

MEMORANDUM TO:

MR. HARRIS R. SYMES
Secretary
510 General Offices

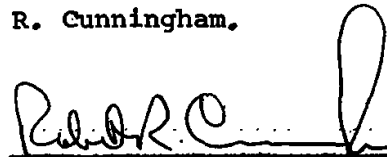
Re: Easement to the Detroit Edison Company for the construction of a 120 KV Tower Line over the Consumers Power Company property located in Section 8, Town 3T, Range 10 East, Pontiac Township, Oakland County, Michigan. Edison Drawing No. ED6487. Work Order No. 350 F 670.

Attached for the Records Center are all papers in connection with the acquisition of the above easement.

The easement was acquired from The Consumers Power Company for their lands adjacent to The Detroit Edison Company Walton Station, by an agreement dated December 18, 1969.

The total purchase price was \$2,800.00.

This easement was negotiated by Robert R. Cunningham.


Robert R. Cunningham
Supervisor of Real Estate

RRC/gld
Attachment

cc: Messrs. G.R. Keast
B.H. Schneider
R.L. Schulz
J. Siergiej
F. Smith
F. Warmbier
J.S. Wenger
J.C. Wetzl

RECORDS CENTER
RECEIVED APR 20 71
TICKLER MADE
CLASSIFIED

PONTIAC TWP
SEC 8
E 1/2 OF

RECORDED RIGHT OF WAY NO. 26667

C. F. Brown
Division Manager



Consumers
Power
Company

Pontiac Division: 1030 Featherstone Road, Pontiac, Michigan 48056 • Area Code 313 333-7812

March 13, 1970

noted
3-16-70
RK

Mr. Robert R. Cunningham
Supervisor of Real Estate Properties
and Right of Way
Detroit Edison Company
2000 Second Avenue
Detroit, Michigan 48226

Dear Mr. Cunningham:

On Friday, March 6, 1970, a meeting between representatives of Detroit Edison Company and Consumers Power Company was held in the Consumers Power Company's Pontiac Division Service Center. The purpose was to discuss the Detroit Edison Company's Job No. DE-18. Those present were:

R. Cunningham - Detroit Edison Company
J. Miller - Detroit Edison Company
E. N. Hunt - Consumers Power Company
C. W. Davis - Consumers Power Company
W. G. Edwards - Consumers Power Company
R. E. Johnson - Consumers Power Company

DE-18 is a proposed electric tower line to the Detroit Edison Company's Walton Substation located in the City of Pontiac.

Consumers Power Company granted Detroit Edison Company an easement for the construction of the tower line over Consumers Power Company property located in Section 8, T3N, R10E, Pontiac Township, Oakland County, Michigan. Located on this property is a 20-inch high-pressure gas line.

North of Collier Road at the Grand Trunk Western Railroad tracks, Detroit Edison has a storage site. The site is located west of the gas line and the construction area is located east of the gas line. Consumers Power Company has agreed to allow Detroit Edison Company to cross their gas line at the construction site only (and all other normal road crossings). Detroit Edison Company has agreed to lay over the gas

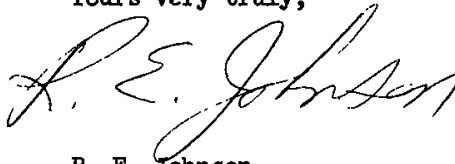
RIGHT OF WAY NO. 36667

Mr. Robert R. Cunningham
Meeting of March 6, 1970
March 13, 1970

2

line oak skids or slabs. These oak skids are 5 inches thick, 4 feet wide and 12 to 15 feet long. The ends of the skids are to be built up with sand, gravel, slag, etc., to keep them from moving. NO CINDERS ARE TO BE SPREAD ON ANY CONSUMERS POWER COMPANY PROPERTY.

Yours very truly,



R. E. Johnson
Division Right of Way Supervisor

REJ:lh

CC: ENHunt, Jackson
CWDavis
WGEDwards

RECORDING UNIT OF WAX NO. 26667

Real Estate and Rights of Way Department

February 10, 1971

MEMORANDUM TO:

MR. J. C. WETZEL, Director
Law Department
226 General Offices


Attention: Mr. Stephen A. McNamee

Re: Easement for Pontiac-Walton Corridor, City and Township
of Pontiac, Oakland County, Michigan. Work Order
350 F 670

Attached for recording is the following document:

Easement dated December 18, 1969, between
Consumers Power Company and The Detroit
Edison Company

When the above document has been returned from the Register of
Deeds Office, kindly forward the instrument to this office.


L. G. Sundstrom
Real Estate Coordinator

LGS/mld

RECEIVED ABOVE DOCUMENT FOR RECORDING ON February 12, 1971

PER: L. Sundstrom
Law Department

RECORDED RIGHT OF WAY NO. 24667

TRANSMISSION AND DISTRIBUTION DEPARTMENT

FEBRUARY 9, 1970

MEMORANDUM TO: Mr. John Wenger

Re: Easement Granted by Consumers Power Company For The
Construction of the Pontiac-Walton #3 120 KV Line.

Recently we received a copy of an agreement granting the Detroit Edison Company a 56 foot easement for constructing a 120 KV tower line on Consumer Power Company right-of-way. This agreement is subject to several terms and conditions. One of which states that Consumers Power Company has a 20 inch gas line in this easement and that our equipment cannot operate on or over this existing gas line. Prior to receiving a copy of this agreement we entered a contract for rental of a steel yard which borders the west side of the Consumer's right-of-way approximately 490' north of Collier Road. Delivery of the steel to be used in constructing this line has been completed and is stored on the rental property. The only access to this storage site is a road which parallels the Grand Trunk Western Railroad. Consequently, it is imperative that we cross the 20 inch gas main with equipment when distributing our steel.

We request that Consumer's be consulted regarding a method in which we could reinforce the existing terrain and eliminate any hazard to their 20 inch line and our personnel.

On future projects when agreements contain terms and conditions which may affect standard construction procedures, this office should be notified as soon as possible. Then, situations such as this one can be avoided.

1JLM
WMM:det

W. M. Wiljanen
W. M. Wiljanen

cc: Mr. R. Cunningham ✓

RECORDED FILED OF MAY NO.

36667