

Date Aug 23 1950

IN CONSIDERATION of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, 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 poles, fixtures, guys and guy stubs, wires and equipment, and including also the right to trim or out down any trees along said lines, which could fall into the lines or interfere in any way with their operation upon, over and across my property located in Township of Highland County of Oakland State of Michigan, and described as follows:

A parcel of land described as: Part of S 1/2 of NW 1/4 of Sec 27, T 3 N, R 7 E, beginning at Center line of Highway at N 1/2 line, thence S along centerline of highway 132 ft thence E to P M RR (now the C O R R) Right of Way thence N along ^{Right of Way} said Right of Way 132 ft, thence N to point of beginning.

The route of the lines shall be as follows:
across above described property in a northerly and southerly direction and 5 ft ± width of and parallel to the P M RR (now the C O R R) Right of Way.

The Company shall reimburse me 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 purpose set forth herein.

In addition to the above consideration, the Company shall pay me the sum of Five ^{no/100 (\$5.00)} Dollars for each pole on said land, the same to be paid before any poles are erected.

Witness:
Verma S. Glans
Robert A. Bellman
Edward J. German

(Signed) Bessie L. Savory
Bessie L. Savory

*Do Not Record
1/2/51*

(Accepted)
THE DETROIT EDISON COMPANY
By: Richard H. Taylor
RIGHT-OF-WAY AGENT
Richard H. Taylor

STATE OF MICHIGAN }
County of Oakland } s.s.

On this 23rd day of August A. D. 1950, before me, the undersigned a notary public in and for said county, personally appeared Bessie L. Savory, a married woman

known to me to be the person S who executed the foregoing instrument, and acknowledged the same to be their free act and deed.
Edward J. German
Edward J. German
Notary Public Wayne County, Michigan
Acting in Oakland County.

My Commission expires 9/13/53

Sec. 27; NW 1/4, S 1/2 of

RECORDED RIGHT OF WAY NO. 19493

THE DETROIT EDISON COMPANY

INTERDEPARTMENT CORRESPONDENCE
Legal Department

December 11, 1951

RIGHTS OF WAY
DEPARTMENT
1951 DEC 11 PM 3 47
JH (2)
RSH

MEMORANDUM TO:

Mr. Lyman G. Hedden
300 General Offices

Re: Savory Right of Way

The following is submitted pursuant to a request made by Mr. Gamble on December 10, 1951. On April 9, 1951, Mr. Wagner and I visited Milford, Michigan in regard to the above captioned right of way.

We discussed the matter with Bartlett B. Smith, Esq., Attorney of Milford, with whom Mr. Wagner had had prior conversations.

Thereafter we three repaired to the home of the Savorys and discussed the matter further with them. Both of the latter are elderly and not in good health. They declared themselves generally unable to recall the details of their entry in 1931 upon the property now occupied by them.

Mr. Savory investigated a small metal box wherein papers of importance to the family are kept, and this yielded several "rent" receipts for small amounts, the latest dated 1934. These were signed by L. Harvey Lodge as "Attorney for Highfield." There also appeared a summons dated October, 1934 wherein Fred S. Highfield, as guardian for Sherman Robinson, sued George Savory under Sections 14975 and 14976 of Chapter 266 of Compiled Laws of 1929.

Such evidence as there is, therefore, indicates that the parties were dealing on a rental basis as late as 1934, but the Savorys insist that they entered the property as purchasers about April of 1931. Mrs. Savory asserts that her father, Jerome Robbins, had a lien against the property in the amount of \$500.00; that he assigned his rights thereunder to the Savorys; and that the latter then made an additional payment of \$125.00 to the guardian of the estate of Sherman Robinson, and thereby completed the payment which had been agreed upon with said guardian.

The Savorys further state that about 1936 they visited Marthena Highfield intending to confer with Sherman Robinson to assure that it was understood that their obligation of payment had been discharged. They assert that Marthena Highfield expressed a lack of interest as to whether or not they retained use and occupancy of the premises.

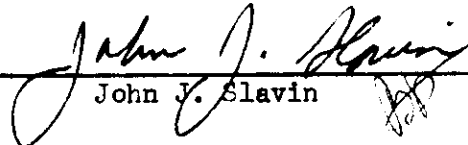
Mr. Smith undertook to inquire of the magistrate before whom the summons of October, 1934, referred to above, was returnable, to ascertain the

RECORDED RIGHTS OF WAY NO. 19692

nature of that litigation. I am advised that he has not been able to discover any additional facts. Mr. Savory recalls a court hearing on the matter but he says that the judge hearing the complaint took it under advisement and that nothing further was done. It does appear, however, that the action was one for eviction for non-payment of rent.

Conversations were had between Messrs. Hedden, Wagner, Heimbuch and the undersigned in regard to the above captioned matter subsequent to the above described meeting with the Savorys. It was concluded that the problem was whether or not simply to procure a right of way executed by the Savorys, and to rest upon such slim rights as they seem to have, or to approach persons representing the title of record and perhaps thereby occasion an ouster of the Savorys. An action to quiet title in the Savorys was considered but it was concluded that they would be unlikely to prevail on the basis of the present evidence.

It therefore appears that any right of way granted by the Savorys is virtually valueless on the basis of such evidence of ownership as they are able to present at this time. The decision to be made by the Right of Way Agent, therefore, is whether or not that is preferable to stirring up litigation which may result in rendering this elderly couple homeless. It is my understanding that Mr. Hedden concluded that it was preferable to accept a right of way from the Savorys, at least for the time being.



John J. Slavin

JJS*bf

CC: Mr. Gamble

RECORDED RIGHT OF WAY NO. 19697
19697

INTERDEPARTMENT CORRESPONDENCE

Real Estate and Rights of Way Department

April 8, 1958

WR
4-2-58

MEMORANDUM TO:

MR. E. H. SCOTT
520 General Offices

Attached for the General Files is a pole line permit for our right of way over property in Highland Township, Oakland County, Michigan.

Also attached as a part of the file is a memorandum from the Legal Department explaining the reason for not recording this permit.

At the present time our Milford-White Lake 40 KV subtransmission line crosses this property and, therefore, we feel this permit signed by Bessie L. Savory should be given a recorded number.

I. W. Gamble

I. W. Gamble
Supervisor of Rights of Way

IWG/lsc/gd

REF
<i>Encls.</i>
<i>4-10-58</i>

GENERAL FILES
RECEIVED APR 10 1958
CLASSIFICATION:

RECORDED RIGHT OF WAY NO. 126947
19697