

AARON BURR, REGISTER OF DEEDS 100222

MACOMB COUNTY, MICHIGAN

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 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 my property located in Township of Shelby County of Macomb State of Michigan, and described as follows:

The N.E. 1/4 of S.E. 1/4 of Sec. 24, T. 3 N., R. 12 E.

The route of the lines shall be as follows: In a northwesterly and southeasterly direction across the northerly part of the above described property.

Only one pole to be set on the above described property.

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 and no/100 (\$5.00) Dollars for each pole on said land, the same to be paid before any poles are erected.

Witness:
Frances Kucharzski
FRANCES KUCHARZSKI
Raymond Desner
RAYMOND DESNER
E. R. Conner
E. R. Conner

(Signed) Anthony Kasa
ANTHONY KASA
Sam Soncoff
Sam Soncoff
Virginia Soncoff
Virginia Soncoff

19201 GABLE DETROIT 12 MICH.

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

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

On this 19th day of November A. D. 1951, before me, the undersigned,

a notary public in and for said county, personally appeared ANTHONY KASA a single man

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

Raymond Desner
Raymond Desner
Notary Public Wayne County, Michigan.
acting in Macomb County

My Commission expires March 13, 1955

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

On this 2nd day of January A. D. 1952, before me, the undersigned,

a notary public in and for said county, personally appeared SAM SONCOFF and VIRGINIA SONCOFF, his wife

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

Raymond Desner
Raymond Desner
Notary Public Wayne County, Michigan.

My Commission expires March 13, 1955

24 SE 1/4, NE 1/4

OK 1/19/52

RIGHT OF WAY FILE NO. 14198

100222

4/20
1/4/52

de-2

FEB 6 9 46 AM '52

CLERK'S OFFICE }
County of Mason } ss

Received for Record this.....day

of **FEB 6 1952** A. D. 19.....at

9:46 o'clock *A*. and Recorded:

in Liber *854* of *deeds*

on Page *429*

Arnon T. Burr Registrar

RECEIVED
The Board of Health
2000 Woodward Avenue
DETROIT 26, MICHIGAN


1.00

Detroit Edison



SYNDECO REALTY CORPORATION

Project No. TMA9900488
ROW File #: 14198

Date: April 3, 2000
To: Records Center
From: Anjanette Spence, Ext. 57127 
Subject: Partial Release of Right of Way

Attached are papers related to a Partial Release, dated April 3, 2000, releasing an easement.

The easement is located in the Southeast 1/4 of Section 24, Shelby Township, Macomb County, Michigan.

Please incorporate these papers into Right of Way file No. 14198.

Attachments

cc: C. Groncki
R. Bednarz
F. VADERNA
Ann Smithmier - Shelby Service Center

PARTIAL RELEASE OF RIGHT OF WAY
(Edison equipment on Owner's land)

On April 3, 2000 for one dollar and other valuable consideration, Edison releases to Owner some, but not all, of the rights that an Existing Right of Way gives to Edison concerning Owner's Land.

"Edison" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, MI 48226

"Owner" is:

Rizzo Brothers Trenching, Inc., 14120 23 Mile Road, Shelby Township, MI 48315

The "Existing Right of Way":

- a) Will remain in full effect except for the rights that are released in this partial release.
- b) Was granted to Edison by Anthony Kasa on November 19, 1951.
- c) Is recorded in Liber 854, Page 429 of Macomb County Records.
- d) Concerns land in the SE 1/4 of Section 24 in Shelby Township, Macomb County.

"Owner's Land" is described as:


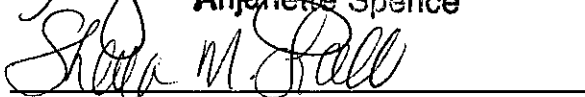
See Attachment No. 1

Rights Released by Edison Edison releases to Owner all of the easement rights that the existing Right of Way gives to Edison concerning Owner's land except for the easement rights described below.

Rights Retained or Obtained by Edison Notwithstanding the terms of the Existing Right of Way, Owner agrees that Edison shall have (either retained from the Existing Right of Way or obtained from this partial release agreement) the following easement rights concerning Owner's Land:

See Attachment No. 2 and 3.

Witnessed by: (type or print name under signature)


Anjanette Spence

Sharon M. Lollo

The Detroit Edison Company

Paul W. Potter, Director
Corporate Real Estate Services

Richard A. Wright

RICHARD A. WRIGHT
William E. Mosher
WILLIAM E. MOSHER

PRESIDENT
Rizzo Brothers Trenching, Inc.
Simone Rizzo
SIMONE RIZZO

Acknowledged before me in Wayne County, Michigan, on April 3, 2000, by Paul W. Potter, Director of Corporate Real Estate Services of The Detroit Edison Company, a Michigan corporation, for the corporation.
SHARON LOLLO
Notary Public, Wayne County
Acting in Macomb Co., MI
My Commission Expires Dec, 5, 2003
Notary's Stamp _____ Notary's Signature Sharon Lollo
(Notary's name, county, and date commission expires)

Acknowledged before me in Macomb County, Michigan, on 3-27-, 2000.
by SIMONE RIZZO the PRESIDENT
of Rizzo Brothers Trenching, Inc.
JUDY D. HERNDEN
Notary Public, Macomb County, MI
Commission Expires October 18, 2002
Notary's Stamp _____ Notary's Signature Judy D. Hernden
(Notary's name, county, and date commission expires)

Prepared by and Return to:
George Hathaway, Detroit Edison, 2000 Second Avenue, Detroit, MI 48226

APPROVED AS TO FORM 3/9/2000 DATE
LEGAL DEPARTMENT [Signature]

Attachment 1

Property Description

A parcel of land in the S.E. 1/4 Section 24, T.3N., R.12E., Shelby Township, Macomb County, Michigan described as: Commencing at the East 1/4 Corner of Section 24; thence S.00°58'27"W., 135.00 feet along the East line of Section 24 and the centerline of Hayes Road to the Point of Beginning; thence continuing along said line S.00°58'27"W., 680.41 feet; thence N.89°08'29"W., 400.00 feet; thence S.00°58'02"W., 261.22 feet; thence N.88°46'52"E., 400.26 feet to a point on the East line of Section 24 and the centerline of Hayes Road; thence along said line S.00°58'27"W., 216.16 feet; thence S.88°37'13"W., 379.04 feet; thence S.00°58'27"W., 115.00 feet; thence S.88°37'13"W., 936.38 feet (937.06 feet record); thence N.0°51'21"E., 1377.34 feet (1362.25 feet record) to a point on the E.-W. 1/4 line of Section 24; thence along said line N.87°56'00"E., 1103.62 feet (1103.43 feet record); thence S.00°55'53"W., 122.12 feet; thence S.88°38'19"E., 215.00 feet to the Point of Beginning. Containing 37.879 acres.

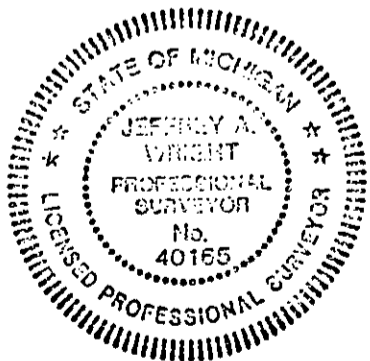
Subject to the rights of the public for highway purposes along the East line for Hayes Road and an easement along the N. line for the Longstaff Drain and all other easements of record.

WITNESSES:

SE CORNER SECTION 24, T.3N., R.12E.
 E. REMONUMENTATION MARKER #17632 IN MONUMENT BOX
 72.90' ENE To \downarrow TOP HYDRANT
 39.37' NE To $\#$ W/MCWT SE SIDE U. POLE
 74.54' SE To MAG NAIL NE SIDE U. POLE
 197.78' SW To NE COR. BLDG #48945
 130.14' NW To \downarrow TOP HYDRANT
 57.66' NN To $\#$ W/MCWT NE SIDE U. POLE

E. 1/4 CORNER SECTION 24, T.3N., R.12E.
 E. REMONUMENTATION MARKER #17632 IN MONUMENT BOX
 62.79' SW To "+" IN E. RIM GAS MH
 50.00' SE To $\#$ W/MCWT SW SIDE 24" MAPLE
 71.53' NW To \downarrow TOP HYDRANT
 55.55' NE To $\#$ W/MCWT NE SIDE 10" ELM
 23.64' W To $\#$ W/MCWT S. SIDE U. POLE

CENTER POST. SECTION 24, T.3N., R.12E.
 S. CONCRETE MONUMENT
 25.23' NNW To 1/2" BAR W/"TRAVERSE POINT" CAP
 29.19' SW To "+" N. RIM GAS M.H.
 33.76' ESE To "+" N. RIM GAS M.H.
 114.13' SW To \downarrow TOP HYDRANT
 5'± S. To SW FENCE CORNER



9/16/99 POLELINE ESMT ADDED

URBAN LAND CONSULTANTS
 CIVIL ENGINEERS • PLANNERS • LAND SURVEYORS
 23 MILE ROAD SHELBY TWP., MI 48316-4516
 PHONE 810 731-8030
 FAX 810 731-2805

LEGEND
 FIB - Found Iron Bar
 FIP - Found Iron Pipe
 SIB - Set Iron Bar/Cap
 R - Record Distance
 M - Measured Distance
 C - Calculated

Jeffrey A. Wright
 Jeffrey A. Wright
 Licensed Land Surveyor
 No. 40165

Date 20 DEC. 1996
 Drawn JW
 Check
 Sheet 2/3
 Fld. Bk. 199
 Job No. 400567-1568

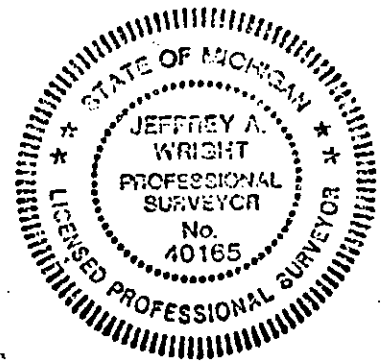
Pole Line Easement

A pole line easement on, over, under and across a 30 foot wide strip of land, being part of the S.E. 1/4 of Section 24, T.3N., R.12E., Shelby Township, Macomb County, Michigan. Described by its centerline as: Commencing at the East 1/4 Corner of Section 24; thence S.00°58'27"W., 299.80 feet along the East line of Section 24 which is the centerline of Hayes Road to the Point of Beginning; thence N.46°10'56"W., 244.13 feet to the Point of Ending on the North line of proposed Lot 1 of proposed "Hayes Tech Industrial Subdivision"; thence continuing N.46°10'56"W., 49.13 feet to a Point of Beginning on the East line of proposed Lot 2 of proposed "Hayes Tech Industrial Subdivision"; thence continuing N.46°10'56"W., 123.73 feet to a Point of Ending on the North line of proposed Lot 2 of proposed "Hayes Tech Industrial Subdivision", said point being on the E.-W. 1/4 line of Section 24 and also being S.87°56'00"W., 306.17 feet from the East 1/4 Corner of Section 24.

Said easement is to construct, reconstruct, operate and maintain overhead and underground electric lines including poles, wires, manholes, conduits, cables and equipment. Edison may trim or cut down any trees, bushes, or branches in the easement that Edison believes could interfere with the operation and maintenance of its facilities. No buildings, structures or flammable material of any kind shall be placed or stored in the easement without Edison's prior written consent.

Also two 15 foot wide tree trimming easements, lying adjacent to and parallel with each side of the pole line easement, for the right to trim or cut down any trees, bushes, or branches that Edison believes could interfere with or grow to the point of interfering with the operation and maintenance of existing or future Edison facilities in the pole line easement.

attachment 2



REV. 2/9/00



URBAN
LAND
CONSULTANTS®

PHONE 810 731-8030
FAX 810 731-2805

CIVIL ENGINEERS • PLANNERS • LAND SURVEYORS
8800 23 MILE ROAD SHELBY TWP., MI 48316-4518

LEGEND

FIB - Found Iron Bar
FIP - Found Iron Pipe
SIB - Set Iron Bar/Cap
R - Record Distance
M - Measured Distance
C - Calculated

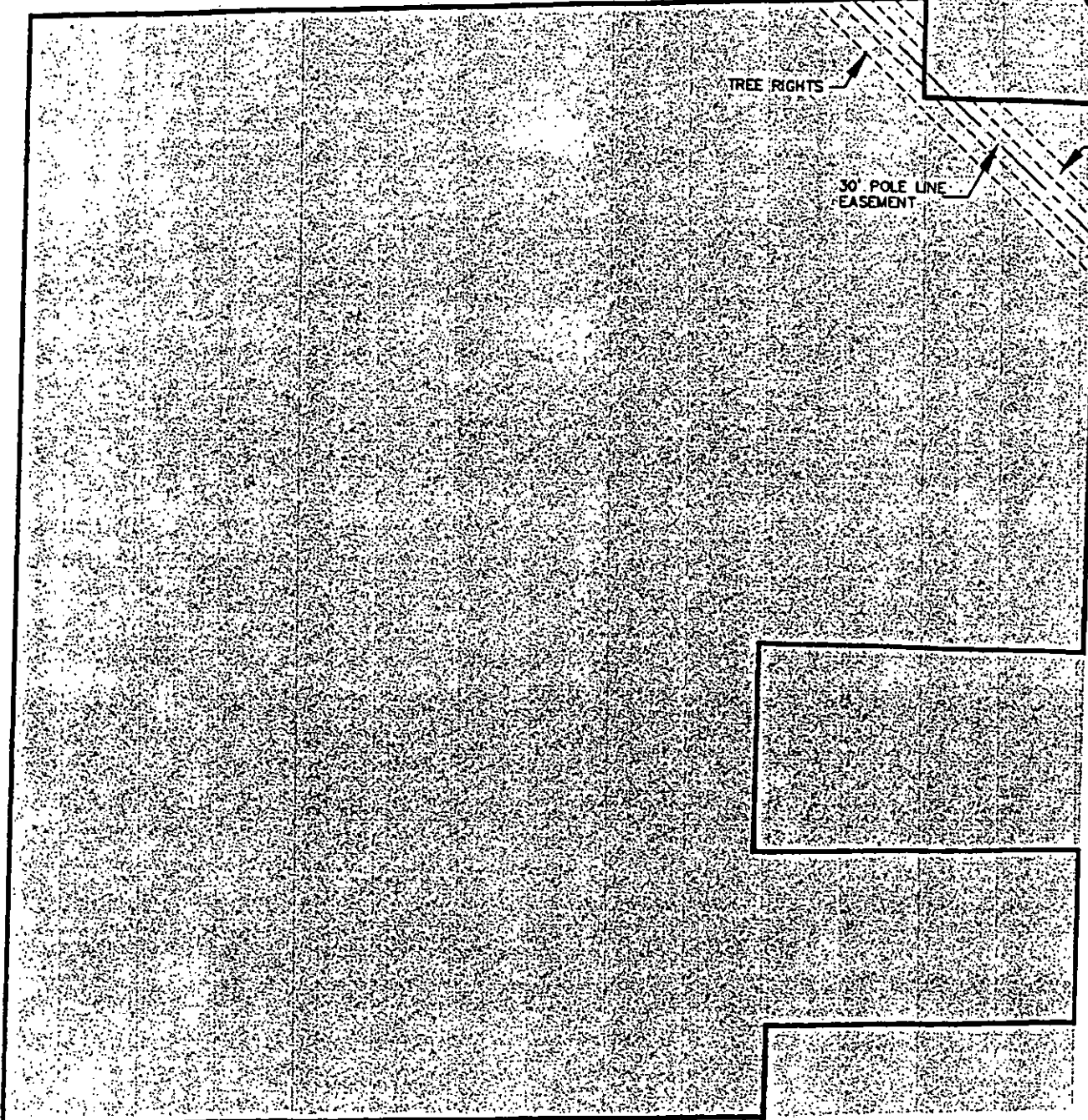
Jeffrey A. Wright
Jeffrey A. Wright
Licensed Land Surveyor
No. 40165

Date 9/16/99
Drawn HGA
Check
Sheet 3/3
Fld. Bk. 199
Job No.
960567-1568

Attachment 3

E.1/4 COR.
SEC.24

E. & W. 1/4 LINE SEC. 24



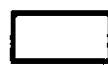

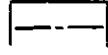
EAST LINE SEC. 24

HAYES ROAD



SCALE: 1" = 200'
JOB No. 9910289

REVISION DATE: 2/29/00

-  = OWNED LAND
-  = AREA OF R/W #14198
-  = DECO POLE LINE

VERIFICATION FOR PARTIAL RELEASE OF RIGHT/WAY
SECTION 24 T3N, R12E SHELBY TWP. MACOMB CO. MI.

Detroit Edison



April 3, 2000

Herbert G. Avey, P.S.
Urban Land Consultants
8800 Twenty Three Mile Road
Shelby Township, MI 48316-4516

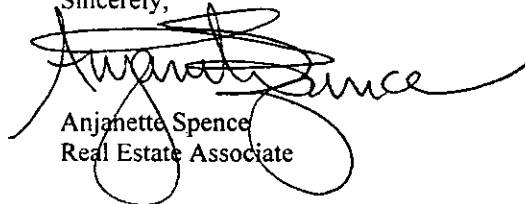
Subject: Partial Release in the Southeast 1/4 of Section 24, Shelby Township, Macomb County, Michigan
Project Number: TMA9900488

Dear Mr. Avey:

Please find enclosed a fully executed copy of the above referenced Partial Release. Detroit Edison does not handle the recording of documents of this type. Rizzo Brothers Trenching, Inc. is responsible for recording the release.

Contact me directly at (313) 235-7127 should you require any further information.

Sincerely,



Anjanette Spence
Real Estate Associate

enclosures

Detroit Edison



A DTE Energy Company

Date: January 21, 2000
To: Anjanette Spence
From: Cheryl Groncki *CJ*
Administrative Associate
Project Management
Subject: **Partial Release of Type Easement Proj. No. TMA9900488**

Request submitted by Herbert G. Avey on behalf of Urban Land Consultants is approved with the following conditions to be included in the contract agreement.

Transmission Planning Comments are listed below:

- The limit and define on Trunk 2313, a 40-kV Subtransmission wood pole line to 30' wide. The easement consists of 15' on each side of the centerline of the 40-kV wood pole line with an additional 10' on each side of the permanent easement for rights to trim and cut trees that may interfere with the wires.

Northwest Distribution Planning Region Comments are listed below:

In this request is asking Detroit Edison for a partial release and specified easement width for a section of 40-kV (Trk 2313 Macomb) with 13.2-kV (DC 8517 Grayling) underbuild overhead lines.

The request is to limit Detroit Edison's easement to 12-foot wide pole line easement along with a 15-foot tree trimming easement on both side of the requested pole line easement.

From Section 1-11-4 of the Detroit Edison's Overhead Line Construction Standards book, a future building must be a minimum of 10 feet (horizontal distance) from any 40-kV subtransmission overhead line (this is referring to the edge of the crossarm used -- typically 120 inch arm). Based on this requirement, a 30-foot wide pole line easement is required along with a 15-foot tree clearance easement on both sides of pole line easement. The 30-foot easement is made up of the following parts:

- 5 feet from center of pole on either side of pole -- for crossarm length (10 feet)
- 10 feet beyond edge of crossarm on either side (20 feet)

Upon acceptance, by Herbert G. Avey, of the Detroit Edison's standards set forth in the Overhead Line Construction Standards book, the change in easement is approved.

This property is located in the Northwest Region, in the SE ¼ of Section 24, Shelby Township, Macomb County, Michigan.

/cag

Approved:

Steven M. Topolewski/cag

Steven M. Topolewski
Principal Engineer
Project Management

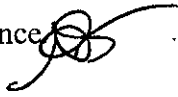
File: TMA9900488

**Syndeco Realty
Corporation**



SYNDECO REALTY COPORATION

Project No: TMA9900488

Date: October 25, 1999
To: Michael J. Chriss - Regional Manager
From: Anjanette Spence 
2310 WCB
5-7127
Subject: Partial Release of Easement

A request was submitted by Herbert G. Avey on behalf of Urban Land Consultants, to obtain a partial release of an Edison easement on property located in the Southeast 1/4 of Section 24, Shelby Township, Macomb County, Michigan.

Edison acquired a blanket easement over the property on November 19, 1951. Urban Land Consultants would like to have the easement limited and defined in order to to proceed with their industrial subdivision development project. See attached letter and drawings for details.

Please review your requirements for the partial release of this property and send your response to me at 2310 WCB. Your response is requested by November 10, 1999.

Thank you!

Attachment (s)

Package also sent to: T & TS
Ann Smithmeier - Shelby Service Center
Joe Welch

I am aware of nothing negative that would result from this - provided Engineering and others approve.
M. Chriss

Detroit Edison



Project No. TMA9900488

Date: December 1, 1999

To: Anjanette Spence
2310 WCB

From: Ann Smithmier *as*
Shelby S.C.

RE: Partial Release of Easement

Pursuant to your request of October 25, 1999, Shelby Service Center has investigated the request from Herbert Avey on behalf of Urban Land Consultants to obtain a partial release of an Edison easement on property located in the Southeast ¼ of Section 24, Shelby Township, Macomb County, Michigan.

Shelby Service Center has reviewed your request. Edison currently has a wood pole lead crossing the northeast corner of property; this pole lead has a 40 kv and a 13.2 kv circuit on it along with contacts by communication companies.

Detroit Edison need to maintain electric distribution facilities in the above area.

Approved:

A handwritten signature in black ink, appearing to read "Raza Babar".

Raza Babar
Director, Shelby Service Center

Remitted By Rizzo Brothers Trenching **General Ledger Coupon**
 DE 963-0409 1-98

- Type Agents Recittance Energy Drafts Legal Returned Checks
 Cash Group Gift Certificate Overages/Shortages Savings Plan
 Change Orders Insurance Refrigerator Replacement State of Michigan
 Commissions Land Contracts/Rentals Refunds Subsidiaries
 Deferred Credit

Prepared By Amanda Sance 07127 Date 10/26/99 Check No. 21689

Management Information Key (MIK) Distribution (Bus. Unit is Mandatory) Amount

MIK - Bus Unit	MIK - Act	Rsrc Type	Src Dept	Var Dept	Sub Proj	Amount	
<u>DESS</u>	<u>002150</u>	<u>700</u>	<u>E0563</u>	<u>E0563</u>		500.00	
<u>MA9900488</u> Subtotal from Back Here →							
For your convenience Additional MIK fields on reverse side						Grand Total	500.00

5588 5588

Security enhanced document. See back for details.

21689

RIZZO BROTHERS TRENCHING, INC.
 14120 - 23 MILE RD.
 SHELBY TOWNSHIP, MI 48315

DATE 10/13/99 9-9/720
67

PAY TO THE ORDER OF Detroit Edison \$ 500.00

THE SUM 500 DOLLARS DOLLARS

Comerica
Comerica Bank
Detroit, Michigan

FOR _____

[Signature]

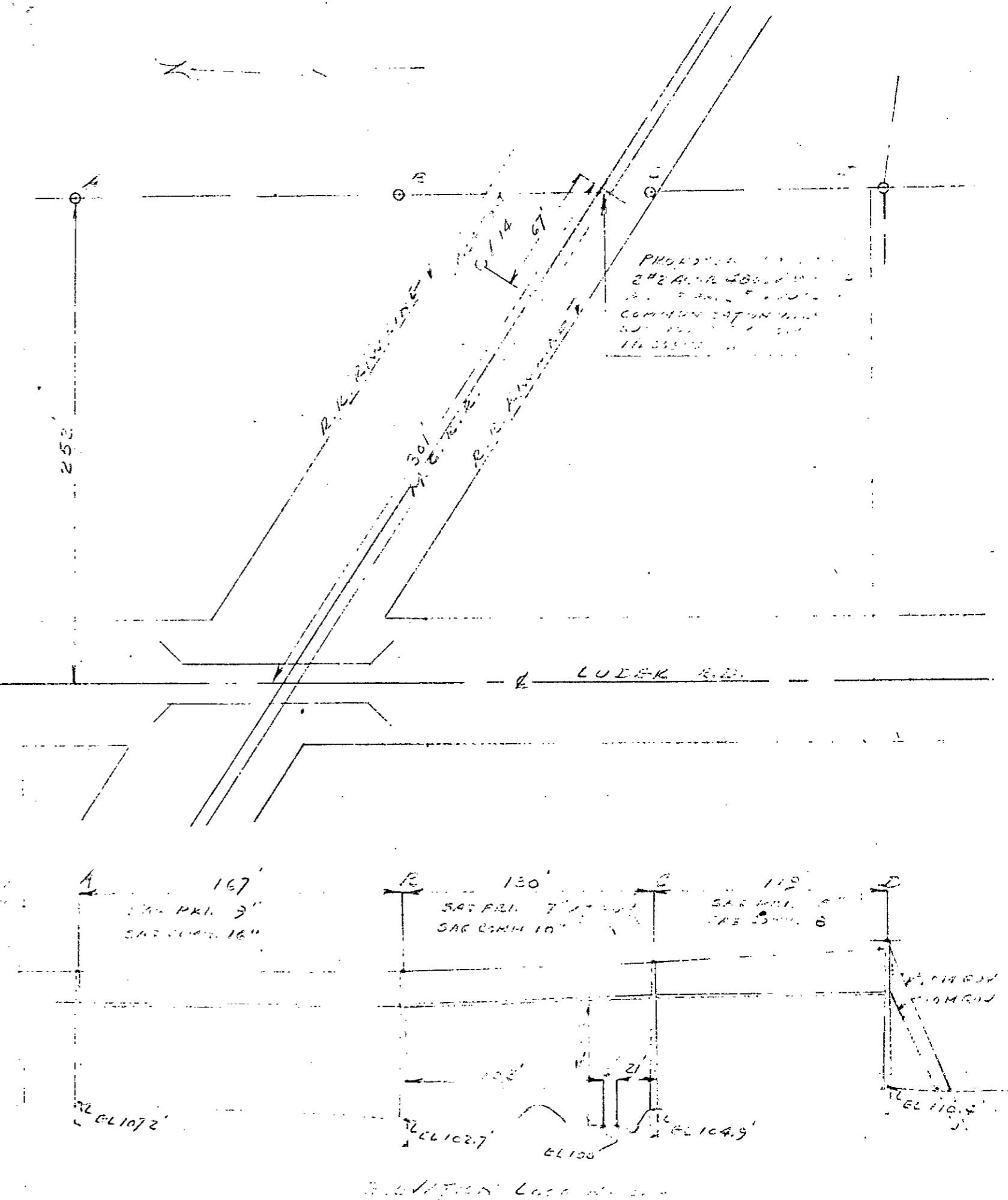
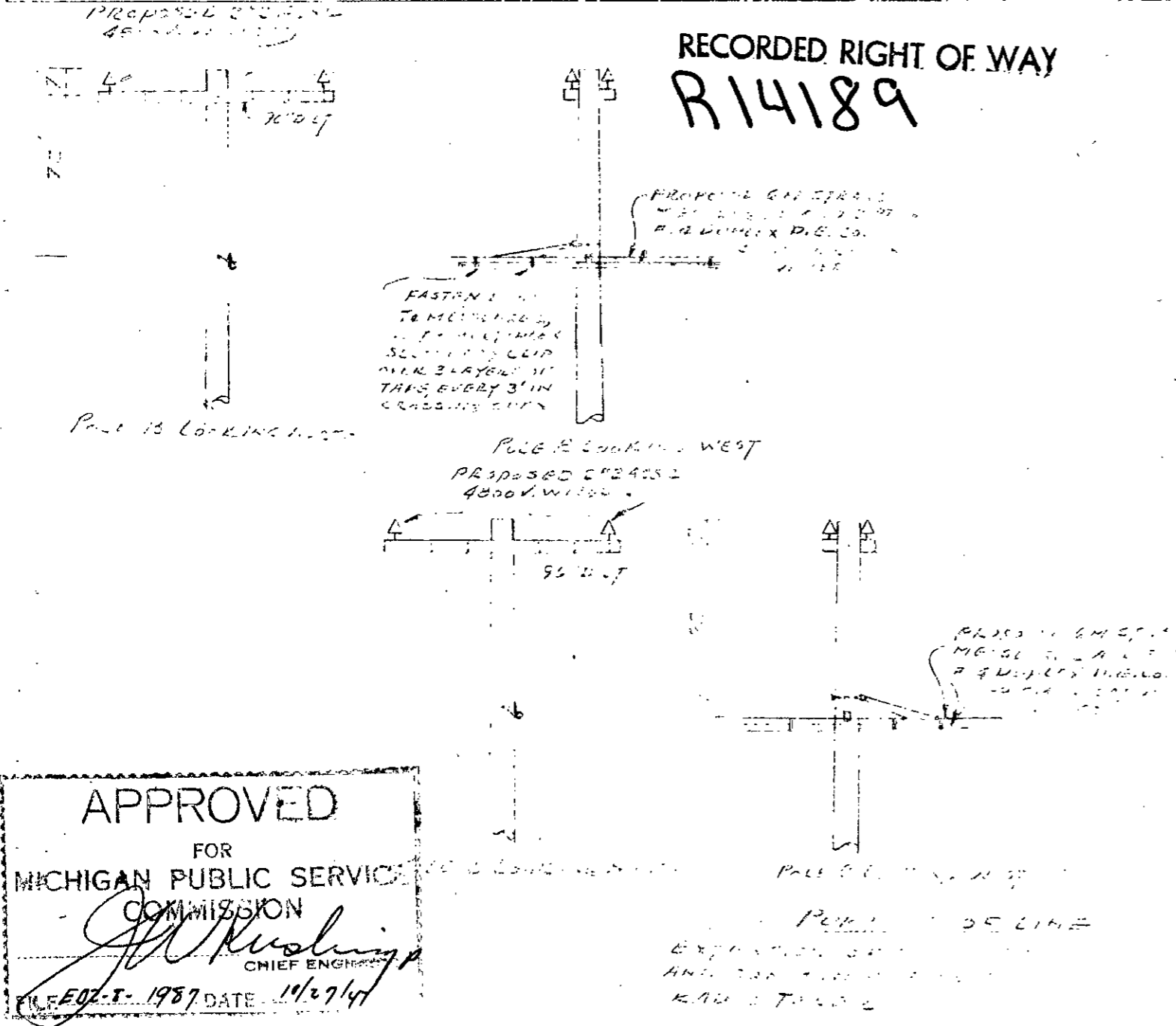
⑈021689⑈ ⑆072000096⑆ 1840209355⑈

XA
 ©Comerica Bank
 GUARDIAN • SAFETY

PROPOSED LINE CROSSING OVER THE DETROIT EDISON COMPANY EXISTING PERMIT NUMBER 11111
 IN PROPERTY OWNED BY LUDER ROAD, 2500 W. 14th CITY OF DETROIT
 SECTION 34 S.E. 14 TOWNSHIP 42 N. 24 E. T. 24 N. R. 11 W. COUNTY WARREN

NOTES		CONDUCTORS				POLES			
MATERIALS SHALL BE AS NOTED IN THE DETROIT EDISON COMPANY'S STANDARD SPECIFICATIONS FOR OVERHEAD LINE CONSTRUCTION AT RAILROAD CROSSINGS DATED MARCH 1947.		NUMBER	SIZE	KIND	VOLTAGE	LOCATION	LENGTH	CLASS	TYPE
ACTUAL FIELD DIMENSIONS MAY VARY SOMEWHAT FROM THOSE SHOWN BUT THE REQUIREMENTS OF ORDER NO. 1679 OF MICHIGAN PUBLIC SERVICE COMMISSION, AS REVISED JAN. 1, 1944, WILL BE COMPLIED WITH.		2	24	ALUMINUM	4500	A	40	4	SPAN
MINIMUM CLEARANCES									
NEAREST POLE TO RAIL	SIDING	7 FT.							
	MAIN LINE	12 FT.							
WIRES OVER TRACKS	0 - 500 VOLTS	27 FT.							
	500 - 7500 VOLTS	28 FT.							
	24000 VOLTS	30 FT.							
WIRES OVER R. R. SIGNAL	0 - 500 VOLTS	2 FT.							
	500 - 7500 VOLTS	4 FT.							
	24000 VOLTS	6 FT.							
DRAWN BY <u>W. J. ...</u> ENGINEERING DIVISION DATE <u>2-11-47</u>									
ESTIMATOR <u>...</u> OVERHEAD LINES DEPT. <u>...</u>									

RECORDED RIGHT OF WAY
 R14189



APPROVED
 FOR
 MICHIGAN PUBLIC SERVICE
 COMMISSION
W. J. ...
 CHIEF ENGINEER
 FILE NO. 1-1987 DATE 11/27/47

POLE B LOCATION WEST
 PROPOSED SPAN 2
 4800 V. WIRE
 93 FT.
 Poles C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z
 Poles A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z

RECORDED R/W FILE NO. 14189

R 14189