



RECORDED R/W FILE NO. 26984

Date: June 21, 2000
To: Elaine Clifford
From: George H. Hathaway *GHH*
Subject: Memorandum for Record
New Boston Woods LLC v Detroit Edison

On Wednesday, June 21, 2000 at 12:00 Noon in 688 WCB a meeting was held with Sam Yaldo, a member of New Boston Woods, L.L.C. Attending for Edison were Willie Pewitt and Terry Schumaier of Western Wayne Service Center and George Hathaway of Legal.

Edison gave Mr. Yaldo an original of the attached Attachment 1 - Partial Release of Right of Way. Edison also faxed a copy of the release to Lanny Thompson of the Subdivision Control Unit in Lansing. The parties then called Mr. Thompson and were told by Mr. Thompson that he had received the faxed copy and that he would now approve the proposed new plat for New Boston Woods Subdivision.

In return for the release, Mr. Yaldo signed a new right of way that Mr. Pewitt had prepared for Edison's relocated equipment and new equipment, Attachment 2 - Detroit Edison Overhead and Underground Equipment (Right of Way) No. 168828.

GHH:jt
Attachments

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PARTIAL RELEASE OF RIGHT OF WAY

On June 27, 2000, for one dollar and other valuable consideration, Edison releases to Owner all 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:

New Boston Woods, L.L.C., a Michigan limited liability company, 26699 West Twelve Mile Road, Suite 200, Southfield, Michigan 48034

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 Najib Karmo on November 17, 1969
- c) Is recorded in Liber 17762 Page 871 of Wayne County Records.
- d) Concerns land in the Southwest 1/4 of Section 5 in Huron Township, Wayne County, Michigan.

"Owner's Land" is described as:

See Attachments 1 and 2

Witnessed by:(type or print name under signature)

Elaine Clifford
 ELAINE CLIFFORD

George H. Hathaway
 GEORGE H. HATHAWAY

The Detroit Edison Company

Paul W. Potter
 Paul W. Potter, Director
 Corporate Real Estate Services

Acknowledged before me in Wayne County, Michigan, on June 21, 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 Wayne Co., MI

Notary's Stamp My Commission Expires Dec, 5, 2003
(Notary's name, county, and date commission expires)

Notary's Signature Sharon Lollo

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

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Attachment 1

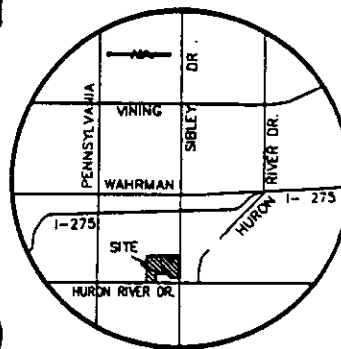
COMMENCING AT THE SOUTHWEST SECTION CORNER OF SECTION 5, T. 4 S., R. 9 E., HURON TWP., WAYNE COUNTY, MICHIGAN; THENCE N 00° 07' 00" W 993.19' ALONG THE WEST LINE OF SAID SECTION 5; THENCE N 89° 53' 00" E 60.00 TO THE POINT OF BEGINNING; THENCE N 00° 07' 00" W 320.00'; THENCE N 89° 25' 45" E 595.50'; THENCE N 89° 24' 20" E 329.75'; THENCE S 00° 11' 25" E 933.46'; THENCE N 89° 33' 40" W 165.49'; THENCE S 00° 08' 25" E 336.80' TO A POINT OF THE NORTHERLY 60' R. O. W. LINE OF SIBLEY ROAD; THENCE N 89° 33' 50" N 165.01' ALONG SAID R.O.W. LINE; THENCE N 00° 09' 15" W 104.64' ALONG THE EAST LINE OF SUPERVISOR'S HURON PLAT NO. 2 AS RECORDED IN L. 68, P. 20 OF WAYN COUNTY RECORDS; THENCE N 89° 58' 00" W 360.00' ALONG THE NORTH LOT LINE OF LOTS 41, 42 AND PART OF 43 OF SAID SUPERVISOR'S HURON PLAT NO. 2, THENCE N 05° 04" W, 379.74' (380.00' AS RECORDED), PARALLEL WITH THE WEST LINE OF SAID SECTION 5 AND ALONG THE EAST LINE OF LOT 47 OF SUPERVISOR'S HURON PLAT NO. 2 AS RECORDED IN L. 60, P. 26 OF WAYNE COUNTY RECORDS; THENCE N 40° 42' 56" E 130.00'; THENCE N 00° 07' 00" W 355.88'; THENCE S 89° 53' 00" W 325.00'; TO THE POINT OF BEGINNING, CONTAINING 821,855 SQ. OR 18.867 ACRES.

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L.17762, P.871

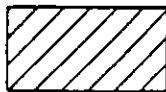
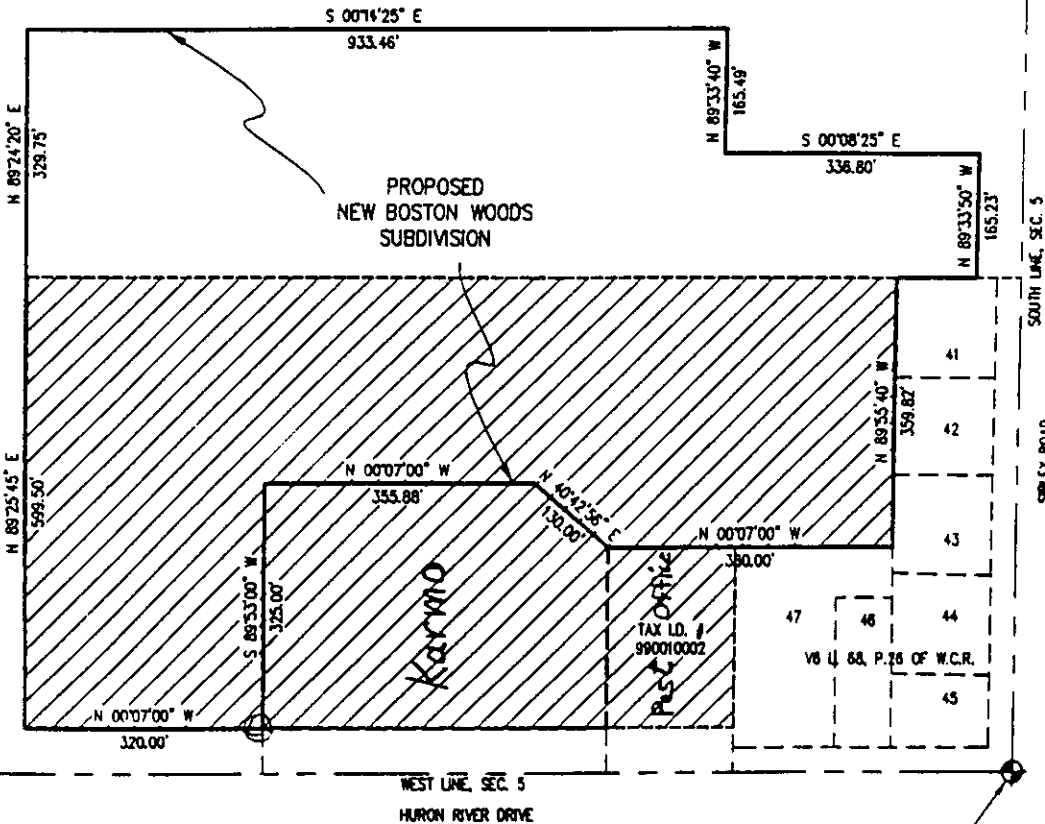


SCALE: 1" = 200'



VICINITY MAP

Attachment 2



HATCHED AREA REPRESENTS
PARCEL DESCRIBED FOR DETROIT
EDISON EASEMENT, L.17762, Pg.871
DATED: NOV. 11, 1969

NOTE:
FOR REFERENCE PURPOSES ONLY

ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:
ISSUED FOR:	REV'D BY:	ISSUED FOR:	REV'D BY:



MICKALICH and ASSOCIATES, INC.
CIVIL ENGINEERING SURVEYING PLANNING

20 WEST HURON ST. PONTIAC, MICHIGAN 48342
INTERNET: WWW.MICKALICH.COM PHONE: (248) 263-0655 FAX: (248) 263-0650

DRAWN BY DSK JOB No. 95062

DESCRIPTION
NEW BOSTON WOODS
HURON TOWNSHIP, MI

DATE 9-14-98 SHEET No. 1 OF 1 SCALE 1"=200'

RECORDED R/W FILE NO. 26,984

RECORDED R/W FILE NO. 26984

Detroit Edison Overhead and Underground Easement (Right of Way) No.168828

On 6-21-00, Year, for the consideration of system betterment, Grantor grants to Grantee a permanent overhead and underground easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area."

"Grantor" is:

New Boston Woods, L. L. C., a Michigan Limited Liability Company, 26699 West 12 mile rd. Suite 200, Southfield Michigan 48034.

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226. Ameritech Allen Park suite 101, Allen Park, Michigan 48101. River Raisin Cablevision Inc., 1145 S. Telegraph Rd. Monroe, Michigan 48161.

"Grantor's Land" is in Huron Township, Wayne County, Michigan described as:

SEE PAGE 2 AND 3.

The "Right of Way Area" is a part of Grantor's Land and is described as:

Shown on appendix, "A" which is attached to and made apart hereof. The width of right of way is 10' (ten feet underground) 40' (forty feet for overhead).

1. Purpose: The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. Access: Grantee has the right of access to and from the Right of Way Area.
3. Buildings or other Permanent Structures: No buildings or other permanent structures are allowed in the Right of Way Area without Grantee's prior written consent, not to be unreasonably withheld.
4. Excavation: Under 1974 Public Act 53, you must call MISS DIG (1-800-482-7171) before excavating in the Right of Way Area.
5. Trees, Bushes, Branches, Roots, Structures and Fences: Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in The Right of Way Area that Grantee reasonably believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. Grantee will not be responsible to Grantor for damages to trees and plant life and removal of structures and fences placed in front of transformer doors. Notwithstanding the foregoing, Grantee agrees to allow Grantor to keep dumpsters within the right - of - way area specific to underground installations.
6. Restoration: If Grantee's employees, contractors, vehicles or equipment damage Grantor's Land while entering Grantor's Land then Grantee will promptly restore Grantor's land, the Right of Way area, as nearly as can be to its original condition.
7. Successors: This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors and assigns.

(2) Witnesses: (Type or print name below signature)

Grantor: (Type or print name below signature)

X *Armed S. Schmaier*
 X *George H. Hathaway*
 George H. Hathaway

Isam S. Yalbo
 Grantor's Name Isam S. Yalbo Member

Acknowledged before me in Wayne Wayne County, Michigan on 6-21-00, Year,
 for New Boston Woods, L.L.C., a Michigan Limited Liability Company ISAM S. YALBO MEMBER
 WILLIE J. PEWITT
 Notary's Notary Public, Wayne County, MI
 Stamp My Commission Expires 11/09/2003
 Notary's Signature *Willie J. Pewitt*
 (Notary's name, county, and date commission expires)

Prepared by and return to: Willie J. Pewitt wwsc room 115, 8001 Haggerty Road, Belleville Michigan 48111.

SIGN WITH BLACK INK PEN

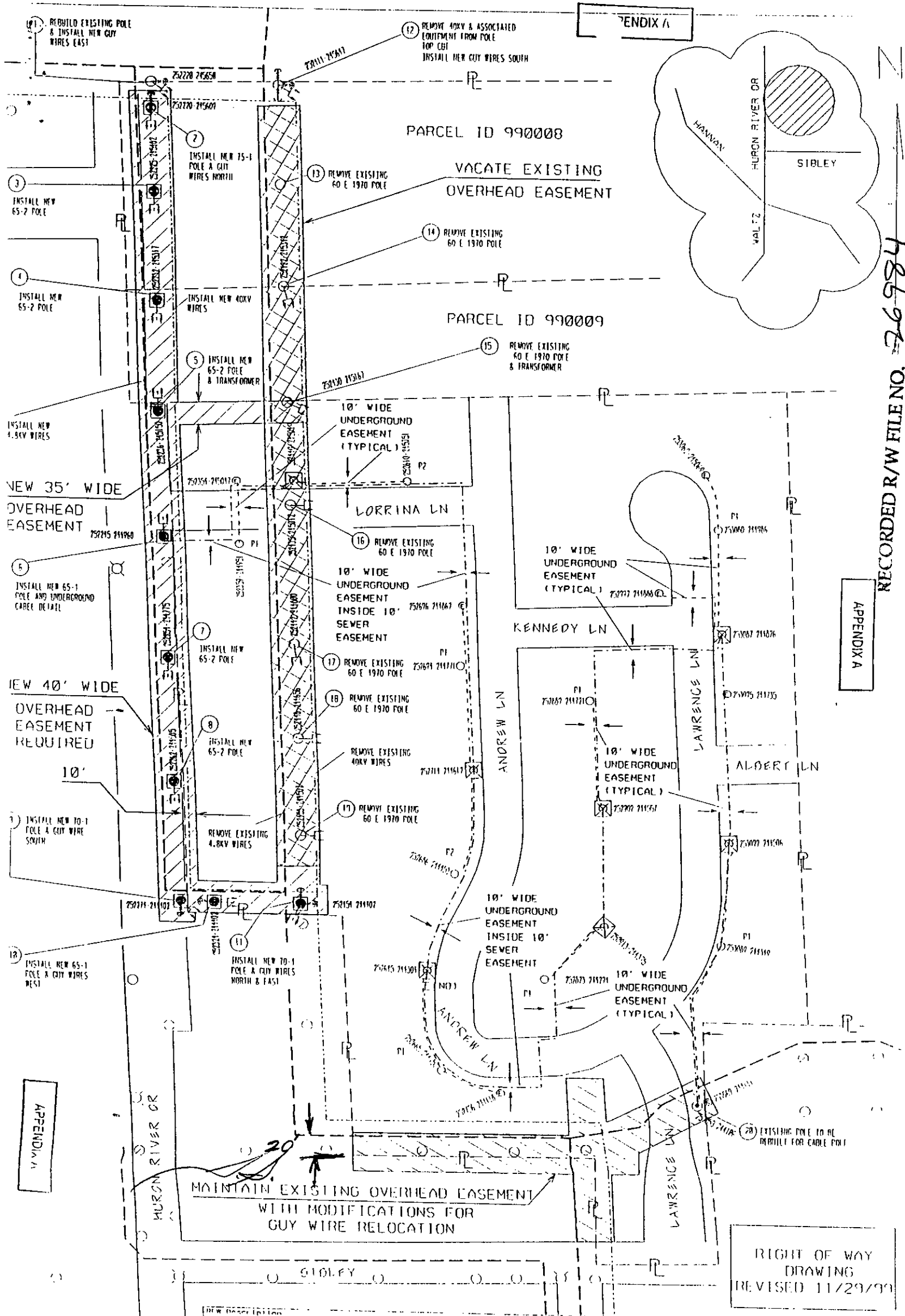
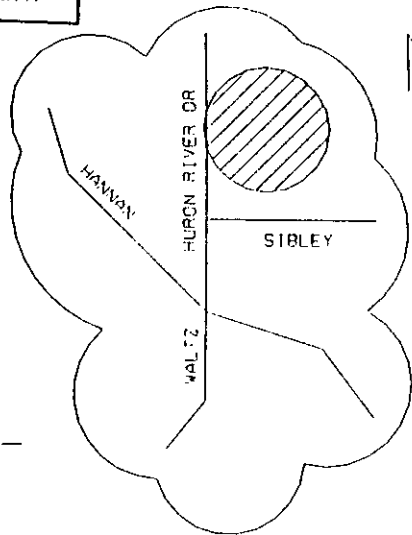
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(3)

The Detroit Edison Company agrees to release our existing North/ South overhead distribution easement which was recorded in Liber 17762 Page 871 of Wayne County Records on July 14, 1971 across a certain parcel of land now owned by Najib Karmo and located in the South 1/2 of the SW 1/4 of Section 5, Huron Township, Wayne County, Michigan, more particularly described as: Commencing at the SW corner of Section 5, T4S, R9E; thence N0° 07' 00" W 540' Along the West Line of said Section 5; thence S 89° 55' 00" E 60' to the point of beginning; thence N 07° 00' 00" W 453.40' thence N 89° 53' 00" E 325.00'; thence S 00° 07' 00" E 355.88'; thence S 40° 42' 56" W 130.00'; thence N 89° 55' 00" W 240' to the point of beginning. The easement to be released is twelve (12') foot strip of land, the centerline of which is located approximately 240' east and parallel with the West line of Section 5, Huron Township, Wayne County, Michigan

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APPENDIX A



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APPENDIX A

RIGHT OF WAY DRAWING
REVISED 11/29/99

NEW DESCRIPTION NEW BOSTON WOODS Circuit #2 9464 ROMULUS Waukegan City NEW BOSTON 145-151	SITE COMM'S. URD & OH RELOCATION Circuit #2 305 NEW BOSTON Waukegan City HURON URD - WAYNE DISTRICT 145-151	IP 4	CON 5	CON 22	CON 17	CON 11	CON 05	CON 60	CON 56	CON 65	CON 15	CON 168020
Planning Name Jerry S. Schemm	City Waukegan	Scale 1" = 125'	Project Date 08/19/1999	Sheet 17	Date 8/29/1999							

F612391

RECORDED RIGHT OF WAY NO. 26984

For good and valuable considerations, the right is hereby granted to The Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226, its successors and assigns, to construct line facilities for the purpose of providing electric service and Company communication service including the necessary poles, guys, anchors, wires and equipment upon, over and across the property described hereinafter. The rights hereby granted include the right of access to and from the said premises, the right to construct, reconstruct, modify, operate and maintain said line facilities, and to trim or cut down any trees belonging to the grantor, either within said right of way or upon the lands of the grantor adjoining said right of way, which, in the opinion of the grantee, at any time interfere with the construction and operation of said line facilities. It is expressly understood and agreed that the grantee shall, at no time, trim or cut down any trees unless, in the grantee's opinion, it is absolutely necessary to do so. Upon the written consent of the grantee, buildings or structures may be placed within said right of way. This grant shall be binding upon the successors and assigns of the grantors. Before construction is completed, the Company shall pay the sum of Five and 00/100 (\$5.00) Dollars for each pole and for each anchor, or the sum of Five and 00/100 (\$5.00) Dollars if no poles or anchors are installed. The Company shall reimburse the grantors and assigns for all damage caused by its men, vehicles and equipment in entering said property for the purposes set forth herein.

The property over which this grant is conveyed is situated in the Township of Huron,

County of Wayne, State of Michigan and further described as follows:

That part of the Southwest quarter of the Southwest quarter of Section 5, described as: Beginning at a point on the East line of Huron River Drive, distant due North 370.0 feet and South 89 degrees 48 minutes East 60.0 feet from the Southwest corner of Section 5 and proceeding thence due North along said East line 943.35 feet; thence North 89 degrees 37 minutes 56 seconds East 599.50 feet; thence South 0 degrees 01 minute 38 seconds East 1159.30 feet; thence North 89 degrees 48 minutes West 360.0 feet; thence due North 210.0 feet; thence North 89 degrees 48 minutes West 240.0 feet to the point of beginning.

Route of the Lines: In a Northerly and Southerly direction across said land, approximately 240 feet East of the West line of Section 5, Town 4 South, Range 9 East.

It is further agreed that upon 90 days written notice and at no cost to grantor the company shall make such changes and alterations in said lines as shall be necessary at any time to avoid interference with any improvements or buildings in course of erection on said property.

Witness: A. D. Falletti
A. D. Falletti

(Signed) Najib Karmo
Najib Karmo
Land Contract Purchaser

L. J. Pietrasinski
L. J. Pietrasinski

Norma Karmo
Norma Karmo
8772 Grand River, Detroit, Michigan

Prepared By:
A. D. Falletti
2000 Second Avenue
Detroit, Michigan 48226

Frederick Hay
Frederick Hay
Helen Hay
Helen Hay
Carl W. Morris
Carl W. Morris
Beulah Morris
Beulah Morris

STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

On this 17 day of November A.D. 19 69, before the under-

signed, a Notary Public in and for said County, personally appeared Najib Karmo and Norma Karmo, his wife, Frederick Hay and Helen Hay, his wife, Carl W. Morris and Beulah Morris, 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.

RETURN TO
W. C. ARNOLD
THE DETROIT EDISON COMPANY
2000 SECOND AVENUE
DETROIT, MICHIGAN 48226

Antone D. Falletti
Notary Public, Wayne County, Michigan
Antone D. Falletti

My Commission Expires: April 2, 1971

RECORDED JUL 14 1971 AT 3:44 P
BERNARD J. YOUNGBLOOD, Register of Deeds
WAYNE COUNTY, MICHIGAN 48226

ANTONE D. FALLETTI
Notary Public, Wayne County, Michigan
My Commission Expires April 2, 1971

RECEIVED
WAYNE COUNTY, MICH.

1971 JUL 14 PM 3 4A

GEN. REG. DIV. BLOOD
REGISTER OF DEEDS

JUL-14-71

00190

LST A DDS

2

RECORDS CENTER

RECEIVED AUG 31 '71
TRICKLER MADE
CLASSIFIED

RETURN TO
W. C. ARNOLD
DETROIT EDISON COMPANY
2000 SECOND AVENUE
DETROIT, MICHIGAN 48226

November 17, 1969

Najib Karmo & Norma Karmo

8772 Grand River

Detroit, Michigan 48204

Dear Mr. and Mrs. Karmo:

In event of the construction of a Detroit Edison transmission line over a right of way covered by a certain agreement dated 11/17/69 between yourself and The Detroit Edison Company, the Company hereby agrees to pay you the sum of Four Hundred and Twelve Dollars

(\$412.00) ~~(in addition to)~~ (including) the amount stipulated in the aforesaid agreement. Payment is to be made before the line is erected.

Yours very truly,

THE DETROIT EDISON COMPANY

By A. D. Falsetti

RECORDED RIGHT OF WAY NO. 26984