

DISCLAIMER OF INTEREST IN EASEMENT

THIS DISCLAIMER made this 9th day of OCTOBER, 1984, by THE DETROIT EDISON COMPANY, a Michigan corporation, of 2000 Second Avenue, Detroit, Michigan 48226;

W I T N E S S E T H :

WHEREAS, there appears in the plat recorded in Liber 75 of Plats, Page 56, Wayne County Records, an easement for public utilities over

Lots 20 and 21 of Burger Estates, a subdivision of part of the NW1/4 of Section 36, T1S, R8E, Plymouth Township, Wayne County, Michigan, as recorded in Liber 75, Page 56 of Plats.

NOW, THEREFORE, THE DETROIT EDISON COMPANY, having no equipment in the following described easement, hereby disclaims any rights in the public utilities easement described as follows:

The South 6 feet of lot 20 and the North 6 feet of lot 21 of Burger Estates, a subdivision of part of the NW1/4 of Section 36, T1S, R8E, Plymouth Township, Wayne County, Michigan. As recorded in Liber 75, Page 56 of Plats.

IN WITNESS WHEREOF, THE DETROIT EDISON COMPANY has caused these presents to be executed by its duly authorized officers on the day and year first above written.

In the Presence of:

THE DETROIT EDISON COMPANY

Onida L. King  
Onida L. King

Janet A. Scullen  
Janet A. Scullen

By: [Signature]  
ROBERT R. TEWKSBURY, DIRECTOR  
of Gas and Rights of Way

By: [Signature]  
IRENE C. KATA ASSISTANT SECRETARY

RECORDED RIGHT OF WAY NO. 35277

STATE OF MICHIGAN )  
 ) ss.  
 COUNTY OF WAYNE )

On this 11th day of October, 1984, before me the subscriber, a Notary Public in and for said County, personally appeared Robert R. Tewksbury and Irene C. Kata, to me known, and who being by me duly sworn, did say they are the Director-PE&RW and Assistant Secretary of THE DETROIT EDISON COMPANY, a Michigan corporation, and that the seal affixed to said instrument is the corporation seal of said corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors, and Robert R. Tewksbury and Irene C. Kata acknowledged same to be the free act and deed of said corporation.

Janet A. Scullion

Notary Public, Macomb County, Michigan

My Commission Expires: Sept. 10, 1985  
 Acting in Wayne County

RECORDED RIGHT OF WAY NO. 35277

PREPARED BY: **Thomas P. Beagan**  
 2000 Second Avenue  
 Detroit, Michigan 48226

DATE	DESCRIPTION	AMOUNT
10-1-84	...	...
10-21-84	...	...
11-1-84	...	...

May 23, 1955

Plymouth Township Board  
Plymouth Township Hall  
4235 Ann Arbor Road  
Plymouth, Michigan

Attention: Mr. Norman C. Miller, Township Clerk

Re: The proposed vacation of the easement  
between Lots 20 and 21 of Burger Estates  
Subdivision

Gentlemen:

We have no objection to the above proposed vacation, since we have no existing equipment in the easement.

In the event action is taken to vacate the above easement, we would appreciate copies of the procedure so that we may be kept informed and also to keep our maps and records correct.

Very truly yours,

*Donald G. Warren*

Assistant to Special Agent  
Real Estate and Rights of Way Dept.

Donald G. Warren:bar

CC - Mr. Earl J. Demel ✓

Rec'd 5/24/55

RECORDED RIGHT OF WAY NO. 35277

RECEIVED

JUN 19 1984

REAL ESTATE  
AND  
RIGHTS OF WAY  
DEPARTMENT

(313) 453-3737

(313) 453-3738

*Lowe & Lewandowski, P. C.*  
*Attorneys at Law*  
*905 W. Ann Arbor Trail*  
*Plymouth, Michigan 48170*

*Charles E. Lowe*  
*James F. Lewandowski*  
*Ronald W. Lowe*

June 14, 1984

Mr. Robert Tewksbury  
Detroit Edison  
2000 Second Avenue  
General Offices, Room 448  
Detroit, MI 48226

RE: Utility Easement - Lots 20 & 21 Burger Estates Sub.,  
Plymouth Township, Wayne County, MI

Dear Mr. Tewksbury:

I have been retained by Mr. and Mrs. Richard McKenzie regarding the above captioned matter.

My purpose in writing is as follows: In 1955, Mr. Donald Gottschalk, the predecessor in title to the McKenzies, sought a building permit to build a garage on the above property. Upon checking into the matter, he found that when the property was subdivided and platted, a utility easement was created between lots 20 and 21 (See enclosed diagram). Subsequently, he petitioned the Plymouth Township Board to have the easement vacated.

On September 7, 1955, the Plymouth Township Board with the consent of the utilities, voted to vacate the easement (See minutes of meeting and letter from your Company, enclosed). Unfortunately, a recordable resolution was never entered or recorded. However, Mr. Gottschalk was given a permit and proceeded to build a garage over the easement.

The gas and electric lines were installed on other easements and I presume your company has no intention of ever using this easement. The McKenzies are in the process of selling their home and wish to resolve this matter.

Accordingly, on behalf of the McKenzies, I request that your company execute a Quit Claim Deed or Disclaimer of Interest in said easement. I will prepare any documents you may require.

Response Card Mailed

On 6/26/84

RECORDED RIGHT OF WAY NO. 35277

June 14, 1984

In conclusion, after you have had an opportunity to review this matter, would you kindly advise as to what you will require to resolve same.

Thanking you, in advance, for giving this matter your prompt attention, I remain...

Very truly yours,



James F. Lewandowski

JFL/jml

Enclosures

cc: Mr. Donald Gottschalk  
Mr. Richard McKenzie

RECORDED RIGHT OF WAY NO. 35277

PLYMOUTH TOWNSHIP BOARD

Minutes of meeting  
held

September 7, 1955

Township Hall - Plymouth, Michigan

Board Members Present: Roy R. Lindsay, Chairman  
Elizabeth Holmes, Treasurer  
Norman C. Miller, Clerk  
Herald F. Hamill, Trustee  
Louis Norman, Trustee

A quorum being present, Chairman Lindsay called the meeting to order at 8:00 P.M.

The minutes of meeting held August 4, 1955, were read by Mr. Miller.

There being no objections or corrections, the Chairman ordered the minutes approved as submitted.

The following statement of Bills was presented by Mrs. Holmes, Treasurer, for approval of payment:

Dog Warden (Jack Miller) dog calls	\$ 39.00
W. E. Lickfeldt - stray dogs	10.00
Roberts Supply	1.00
Urban Service	18.30
H. Hamill (description of City of Charleston)	252.00
Marsh Office Supply - 2 metal office desks	324.70
Doubleday Bros. & Co.	9.75
E. & J. Resuscitator Co.	638.80
Civil Defense	28.00
B. & F. Auto Supply	2.50
Purcell's (office supplies)	11.97
Northville Laundry	4.00
Tait's Cleaners (Fire Department)	2.50
Bell Telephone Co.	1.00
O.K. Fire Equipment Co.	4.00
Fire Department - volunteer calls and drill pay	356.00
Harold Pine (Board of Appeal meeting 8/29/55)	10.00
Carl Hartwick " " " "	10.00
Mr. Buhl - water survey	788.25
All helpers paid	248.00
E. Golston - 2 meetings	20.00
Township Board Members	30.00
Zoning Board Members	40.00
Ernest Rossow - expense account	50.00

In reply to a question by Mr. Hamill, Mr. Lindsay informed the Board that Mr. Buhl had been paid the sum of \$788.25 for services in determining underground water locations which service was necessary prior to the drilling of test wells.

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Thereupon Mr. Hamill moved that the Board authorize the Treasurer to pay the bills as submitted.

Seconded by Mr. Norman.

There being no objection, the motion was carried.

Mr. Lindsay informed the Board that Mr. Howard Holmes, Fire Chief, had asked for authorization of necessary expenditures to send Mr. Paul Albright, Fireman, to the Fire Inspectors' Conference, to be held at Michigan State University, East Lansing, Michigan, September 27 through 30, 1955.

Mr. Norman moved that the Board authorize the attendance of Mr. Albright at the Fire Inspectors' Conference and approve necessary expenditures.

Supported by Mr. Hamill.

There being no objection, the motion was carried.

A communication from Mr. Donal F. Goltschalk was read by Mr. Lindsay. This communication asked the Board's authorization to abandon and discontinue a 6 ft. easement running across Lots 20 and 21 in the Berger Estates. Mr. Lindsay advised the Board that this matter had been tabled in meetings of May 4, and June 1, 1955, pending recommendations from the utility companies. Further he advised that it had been determined that neither the Board of Wayne County Road Commissioners or the utility companies objected to the vacating of these easements in the Berger Estates.

Mr. Hamill moved that the Board approve the easements referred to in Mr. Goltschald's communication by declaring them vacated.

Supported by Mrs. Holmes.

There being no objection, the motion was carried.

Mr. Hamill suggested that this matter be referred to the Township Attorney, Mr. E. Demel, for determination of necessary legal procedures and compliance thereof.

There being no objection, it was so ordered.

At 8:00 P.M. Mr. Howard Holmes, Fire Chief, asked the Board's permission to demonstrate the newly-purchased E & J Portable Resuscitator. There being no objection, Mr. Albright, Fireman, demonstrated this piece of equipment which is used both as an inhalator and aspirator.

Upon completion, the Chairman on behalf of the Board thank the Firemen for this demonstration and they left the meeting.

Upon request of the Chairman, Mr. Hamill gave a progress report of his activities in connection with the installation of sanitary sewers and the water system. Also, Mr. Hamill advised the Board that the estimated cost as shown on study maps of the sewer would be \$565,000.00. In the discussion that followed Mr. Hamill informed the Board that these proposed sewer facilities would take approximately six months to construct.

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A resolution in which it was stated that Mr. W. A. Markin would be appointed Financial Consultant for the Township of Plymouth was read by Mr. Lindsay.

Upon completion, Mrs. Holmes moved that the Board adopt this resolution.

Supported by Mr. Norman.

There being no objection, the motion was carried.

Discussion followed by members of the Board as to the system of payment for the sewage system as proposed by Mr. Hamill. Mr. Markin in his newly-appointed capacity as Financial Consultant advised the Board that it would take approximately 90 days to effect this system. Further Mr. Markin advised the Board that he would make the necessary arrangements with Canton Township in conjunction with the proposed joint authority.

There being no further business, Mr. Norman moved that the meeting adjourn.

Supported by Mr. Miller.

There being no objection, the meeting was adjourned at 9:30 P.M.

*Roy R. Lindsay*  
Roy R. Lindsay, Chairman

*Norman C. Miller*  
Norman C. Miller, Clerk

RECORDED RIGHT OF WAY NO.

35277



Detroit  
Edison

REAL ESTATE AND RIGHTS OF WAY

Project No. RW 1594

Date: October 12, 1984

To: Vicki Sullivan  
Supervisor  
Records Center

From: Oneida King *ok*

Subject: Disclaimer of Interest in Easement

RECORDS CENTER
RECEIVED COPIES MADE CLASSIFIED

Attached are papers related to the Disclaimer of Interest in Easement.

The property is located in the South 6 feet of Lot 20 and the North 6 feet of Lot 21 of Burger Estates, a subdivision of part of the NW 1/4 of Section 36, Plymouth Township, Wayne County.

Approved:

Barbara A. Mention  
Barbara A. Mention  
Supervisor, Real Estate Services

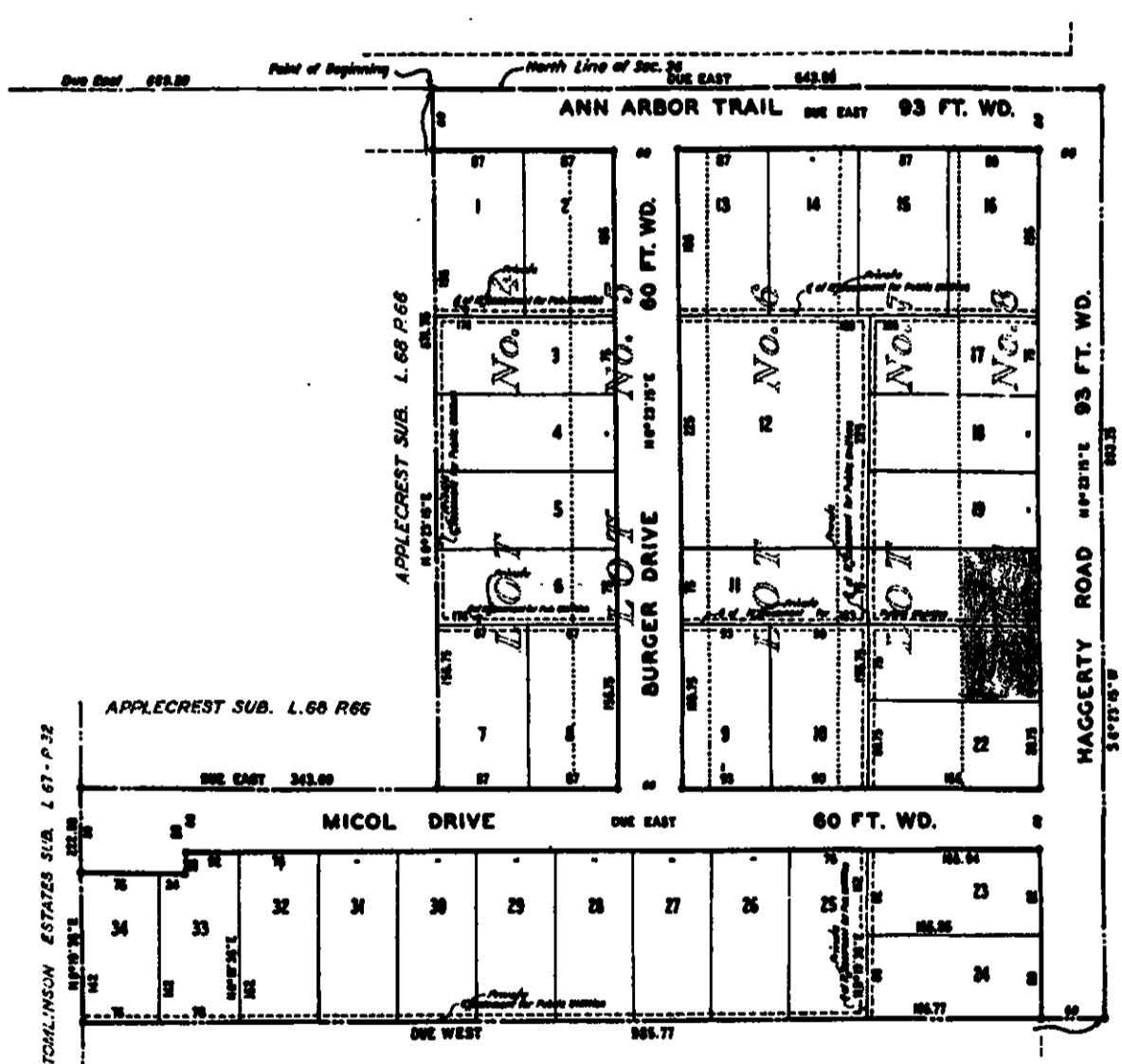
OLK/blg

attachments

cc: E. J. Garrison  
J. L. Heiser  
File

RECORDED RIGHT OF WAY NO. 35277

**BURGER ESTATES,**  
 A Subdivision of part of the N.W. 1/4 of Section 36, T. 1S., R. 8 E.,  
 Plymouth Twp., Wayne County, Mich.



RECORDED RIGHT OF WAY NO. 35277

Recorded March 8, 1954 in Liber 75, Page 56, of Plats

**BURTON ABSTRACT AND TITLE CO.**

350 EAST CONGRESS STREET  
 DETROIT 26, MICHIGAN