

Detroit Edison



CORPORATE REAL ESTATE SERVICES

Project No.: RW5448

Date: October 22, 1998
To: Brenda Golson
Records Center
From: John Erb *JER*
Subject: Release of Right of Way

Attached are papers related to a disclaimer, dated June 10, 1998, disclaiming Edison's interest in a recorded joint easement.

The easement is located in the NE 1/4 of Section 27, Canton Township, Wayne County, Michigan.

Please incorporate copies of these papers into Recorded Right of Way file 43075.

Attachments

cc: C. Groncki
R. Bednarz
F. Vaderna
C. Coleman

843075
RECORDED RECORDS OF THIS NO.

DISCLAIMER OF INTEREST IN RECORDED JOINT EASEMENT

On June 10, 1998, Edison disclaims any rights in a certain recorded joint easement ("Easement") on private property, because Edison does not have any equipment in the Easement and does not plan to install any equipment in the Easement.

"Edison" is:

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

The "Easement" is:

- a) Is a document titled "Underground Distribution Easement" granted to Edison, Michigan Bell Telephone Company and Omnicom of Michigan, Inc., by Mid-American Investment Company on February 17, 1992.
- b) Is recorded in Liber 25640, Pages 697 - 700 of Wayne County Records.
- c) Concerns land in the NE 1/4 of Section 27, Wayne, County, Michigan.

Witnessed by:(type or print name under signature)

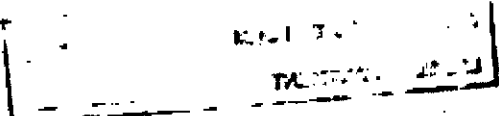
John C. Erb
John C. Erb
Karela Chalozis
Karela Chalozis

The Detroit Edison Company

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

Acknowledged before me in Wayne County, Michigan, on <u>June 10</u> , 1998, by Paul W. Potter the Director of Corporate Real Estate Services of The Detroit Edison Company, a Michigan corporation, for the corporation.	
Notary's Stamp	JOHN C. ERB Notary Public, Oakland County, MI Acting in <u>Wayne</u> Co., MI My Commission Expires Apr. 13, 2002 (Notary's name, county, and date commission expires)
Notary's Signature	<u>John C. Erb</u> John C. Erb

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



R43075
RECORDED IN LIBER OF WAYNE COUNTY


100-100000-100000

RECEIVED
FEB 10 1998
LEGAL DEPARTMENT

APPROVED AS TO FORM 5/18/98 DATE
LEGAL DEPARTMENT GKH

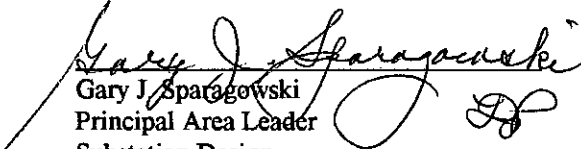
Detroit Edison



Date: May 20, 1998
To: Karyl Shakarjian
Corporate Real Estate Services
From: Linda J. Pfeiffer 
Substation Design
Subject: **REQUEST FOR RELEASE OF EASEMENT
NE 1/4 OF SECTION 27
CANTON TWP., WAYNE COUNTY**

SPE and SOP has reviewed and approved the request submitted by Hennessey Engineering for the release of the right of way inside the developer's property.

Approval:


Gary J. Spatogowski
Principal Area Leader
Substation Design

:ljp

cc: File RW5448

R43075
RECORDED STATE OF MICHIGAN

APPROVED

Date: 5-1-98
To: Karyl Shakarjian
From: Chuck Coleman, Rights-of-Way Representative
Subject: Easement Release in the
N.E. 1/4 of Section 27
Canton
Twp., Wayne
County, Michigan - Project # RW 5448

The Western Wayne Service Center does not object to the

proposed easement release

Approved:

Paul Christ

(signed)

843075
RECORDED DEPT OF WTR SR

UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. W-8943

PROJECT NAME : ██████████ OAKS CONDOS

Palmer K.S. Jim Co.

On 17 February, 1992, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

Mid-America Investment Co., a Michigan limited partnership & Roy W. Johnston, 20276 Middlebelt, Suite 1, Livonia, Michigan 48152.

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226, Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226, Omnicom of Michigan Inc., a Michigan corporation, 8465 Ronda, Canton, Michigan 48187.

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

part of the northeast 1/4 of Section 27, town 2 south, range 8 east, Canton Township, Wayne County, Michigan, described as: Beginning at a point on the north line of said Section 27, distant south 89 degrees 51 minutes 55 seconds east 1897.50 feet from the north 1/4 corner of said Section 27; thence continuing along said north line south 89 degrees 51 minutes 55 seconds east 785.00 feet to the northeast corner of said Section 27; thence along the east line of said Section 27 south 00 degrees 23 minutes 45 seconds east 550.00 feet; thence north 89 degrees 51 minutes 55 seconds west 785.00 feet; thence north 00 degrees 23 minutes 45 seconds west 550.00 feet to the point of beginning. Subject to the rights of the public over Palmer Road, Morton-Taylor Road and the Baker Drain (a county drain). Parcel Ident. # 105-99-0001-001.

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 a part hereof. The width of the right-of-way is: SIX FEET (6') *Co.*

1. Purpose: The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories. *K.S. Jim*

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 shall be placed in the Right of Way Area without Grantee's prior written consent.

4. Excavation: As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates 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 believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.

6. Ground Elevation: Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.

7. Damages: If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.

8. Successors: This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

92051788

92 MAR 19 PM 2:03

RECORDED RIGHT OF WAY NO. 43075

Witnesses: Grantor: (type name)

Kirk W. Johnston
Kirk W. Johnston

or print name below signature)

Roy W. Johnston
Roy W. Johnston
Individually and as General Partner of
Mid-America Investment Co.

Acknowledged before me in WAYNE County, Michigan, on FEBRUARY 17, 1992

by ROY W. JOHNSTON, GENERAL PARTNER, MID-AMERICAN INVESTMENT CO., A MICHIGAN LIMITED PARTNERSHIP

Notary's Stamp **CHARLES E. COLEMAN, JR.**
Notary Public, Wayne County, MI
My Commission Expires June 20, 1994

Notary's Signature Charles E. Coleman

Acknowledged before me in WAYNE County, Michigan on FEBRUARY 17, 1992

by ROY W. JOHNSTON (Grantor) a single man

Notary's Stamp **CHARLES E. COLEMAN, JR.**
Notary Public, Wayne County, MI
My Commission Expires June 20, 1994

Notary's Signature Charles E. Coleman

Prepared by and Return to: Chuck Coleman, Room 168, 8001 Haggerty Road South, Belleville, MI 48111.

APPROVED AS TO FORM 3/5/92 DATE
LEGAL DEPARTMENT GM/AM

03/19/92 39372 REMO FEE 2.00

03/19/92 39372 DEED 20.00