

87 Jan 23 11:47

PARTIAL RELEASE OF RIGHT OF WAY

THIS INDENTURE, made this 17th day of October, A.D. 1986, between THE DETROIT EDISON COMPANY, a Michigan corporation, of 2000 Second Avenue, Detroit, Michigan 48226, hereinafter referred to as "EDISON", and FCA Senior Housing Corporation, a Michigan Non-Profit Corporation of 35200 West Eight Mile Road, Farmington Hills, Michigan 48024, hereinafter referred to as "OWNER".

W I T N E S S E T H :

WHEREAS, on January 29, 1959, Sylvia B. Platz, survivor or herself and her deceased husband Frank A. Platz, granted to EDISON a Right of Way for the purpose of constructing, operating, and maintaining its lines for the transmission and distribution of electricity and Company communication facilities, over, upon and across premises in the Township of Farmington, Oakland County, Michigan, described as:

The South 260 feet of the East 254.45 feet of the West 1091.12 feet of the Southwest 1/4 of Section 33, T.1N., R.9E.

22-23-376-036
623

which Right of Way is recorded in Liber 3995, Page 195, Oakland County Records; and

WHEREAS, OWNER purports to have title to certain premises in the City of Farmington Hills, Oakland County, Michigan, described as:

(2) Part of the Southwest 1/4 of Section 33, Town 1 North, Range 9 East, described as commencing at the Southwest corner of said Section 33, thence East 975.00 feet along the South line of said Section for a point of beginning; thence continuing East 117.77 feet; thence North 0° 01' East 800.25 feet; thence West 117.77 feet; thence South 0° 01' West 800.25 feet to the point of beginning, except the South 60 feet thereof,

22-33-376-01-1-1-1-1-1

and

WHEREAS, OWNER has requested that EDISON partially release the above mentioned Right of Way as it applies to the above described premises,

RECORDED IN LIBER 3995 PAGE 195

11/00
Okw

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, EDISON does by these presents and subject to the conditions hereinafter stated, release, quit claim, and abandon unto OWNER, its successors, and assigns, all of the rights acquired by EDISON over land to which OWNER purports to have title, as stated under the aforementioned Right of Way Grant except as it may pertain to a strip of land, 12 feet wide, the centerline of which is described as follows:

Beginning at a point on the West line of the above described property being 180.13 feet North 00° 01' 00" East from the Southwest corner of the above described property, said corner being on the northerly 60 foot right-of-way line of 8 Mile Road, thence South 89° 49' 54" East 117.70 feet to the Point of Ending, on the East line of the above described property being 179.78 feet North 00° 01' 00" East from the Southeast corner of the above described property, said corner being on the northerly 60 foot right-of-way line of 8 Mile Road.

23-33-516-023 Report

(1) Notwithstanding the terms and conditions contained in the aforementioned Right of Way Grant, this partial release is granted to, and receipt thereof is acknowledged by, OWNER upon the express condition that EDISON shall have the right to maintain, operate, repair, relocate, reconstruct, and reconductor its lines within said excepted portion and that no buildings or structures shall be placed within the premises which are excepted from this release, being that portion of said strip of land, 12 feet wide, as described above, without the prior written consent of EDISON. Furthermore, EDISON, shall have the right to trim or cut down any trees within said strip of land, 12 feet wide, which it deems could fall into its lines or interfere with the operation and maintenance thereof.

RECORDED IN THE OFFICE OF WAY 20582

Subject to the conditions herein contained in all respects, except as to the extent hereby released, the aforementioned Right of Way Grant, dated January 29, 1959, shall and does remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year first above written.

In the Presence of:

THE DETROIT EDISON COMPANY

Diane L. Francisco
Diane L. Francisco

BY: R.R. Tewksbury

Janet A. Scullen
Janet A. Scullen

BY: Elaine M. Godfrey
Elaine M. Godfrey, Assistant Secretary
FCA Senior Citizens Housing Corporation

Rudolph V. Wantin
Rudolph V. Wantin

BY: Elmer R. Liimatta
Elmer R. Liimatta, Chairman

Helen E. Holmbo
Helen E. Holmbo

BY: Laina M. Lampi
Laina M. Lampi, Secretary

STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

On this 17th day of October, 1986, before me the subscriber, a Notary Public in and for said County, appeared R.R. Tewksbury, and Elaine M. Godfrey, to me personally known, who being by me duly sworn, did say that they are the Director-RE&RW and Asst. Secretary of THE DETROIT EDISON COMPANY, a Michigan corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed on behalf of said corporation, by authority of its Board of Directors, and R.R. Tewksbury and Elaine M. Godfrey acknowledged said instrument to be the free act and deed of said corporation.

Janet A. Scullen
Notary Public,
Macomb County, Michigan
My Commission Expires: 7-31-89
Acting in Wayne County

RECORDED
MAY 20 1986

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

On this 6th day of October, 1986, before me the subscriber, a Notary Public in and for said County, appeared Elmer R. Liimatta and Laina M. Lampi, to me known, who being by me duly sworn, did say that they are the chairman and secretary of FCA SENIOR CITIZENS HOUSING CORPORATION, a Michigan non-profit corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed on behalf of said corporation, by authority of its Board of Directors, and Elmer R. Liimatta and Laina M. Lampi acknowledge said instrument to be the free act and deed of said corporation.

Edwin C. Imonen
Notary Public, Edwin C. Imonen
Wayne County County, Michigan
My Commission Expires: June 6 - 1990

Drafted by s
Return to: Thomas P Beagan
2000 2nd Ave
Detroit, Mi 48226

Notary Public in and for the County of Wayne, Michigan
My Commission Expires: June 6, 1990

Detroit
Edison

REAL ESTATE AND RIGHTS OF WAY

Project No. TØ 0286

Survey Drawing No. SE FAR-105

Date: November 4, 1986

To: V. C. Sullivan
Records Center

From: D. L. Francisco

Subject: Partial Release of Right of Way No. 20582

Attached are papers related to the Partial Release of Right of Way granted to FCA Senior Housing Corporation, whose address is 35200 West Eight Mile Road, Farmington Hills, MI 48024, on October 17, 1986.

The property is located in the SW 1/4 of Section 33 in the City of Farmington Hills, Oakland County, Michigan.

An easement of 12 feet wide was retained.

A document preparation fee of \$200.00 was received and forwarded to Cash on November 4, 1986.

Please incorporate these papers into Records Center File No. 20582.

Approved:

Barbara Mention-Fulton

Barbara Mention-Fulton
Supervisor, Real Estate Services

DLF/blg

attachments

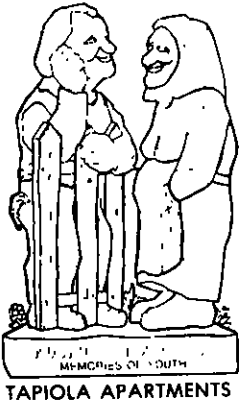
cc: D. Barkley
G. W. Flowerday

R. A. Gloger
A. L. Heitsch

J. D. McDonald

RECORDS CENTER OF 1986

20582



FCA SENIOR CITIZENS' HOUSING CORPORATION
35200 WEST EIGHT MILE ROAD
FARMINGTON HILLS, MICHIGAN 48024
PHONE (313) 478-6939

October 27, 1986

Ms. Diane L. Francisco
Real Estate & Rights of Way Coordination
Detroit Edison
2000 Second Avenue
Detroit, Michigan 48226

Dear Ms. Francisco:

In accordance with your request to remit the processing fee for the partial release of right of way on our property at 35050 West Eight Mile Road (ref. letter dated October 23, 1986), we are sending our check number 1012 in the amount of \$200.00.

We will be looking forward to the receipt of the revised easement agreement. Thank you.

Sincerely yours,
FCA Senior Citizens' Housing
Corporation

Paul C. Hendrickson
Vice Chairman

Enclosure:
Check No. 1012

RECEIVED BY THE CITY OF DETROIT

Detroit Edison

SERVICE ORDER NO.

CO.

REMITTED BY FCA Senior Citizens Housing Corp

ADDRESS 35200 W. 8 Mile Rd., Farmington Hills, MI

IN PAYMENT OF document Preparation Fee

PREPARED BY D. Francis

DATE 10-4-86

CHECK NO. 1012

WORK ORDERS	AMOUNT	TO BE USED FOR RECEIPT OF PAYMENTS FOR SERVICES NOT INVOICED THRU SUNDRY
821 AD 640	\$200.00	
		TOTAL \$200.00

GENERAL LEDGER COUPON DE FORM 163-0409 (CA-19) 2-75 95

FCA SENIOR CITIZENS HOUSING CORP.

35200 W. 8 MILE RD.
FARMINGTON HILLS, MI 48024

1012

9-33/720

Oct 27 19 86

PAY TO THE ORDER OF

Detroit Edison Co

\$200⁰⁰

Two hundred and ⁰⁰/₁₀₀

DOLLARS

EIGHT MILE - FARMINGTON OFFICE
MANUFACTURERS NATIONAL BANK
48 OF DETROIT
33452 W. EIGHT MILE ROAD
FARMINGTON, MICHIGAN 48024

FOR

Partial release Right of Way

Walter J. Gajewski
Helen E. Holmbo

⑈001012⑈ - ⑈072000339⑈ 148 018787⑈

2152

PARTIAL RELEASE OF RIGHT OF WAY

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which Right of Way is recorded in Liber 3995, Page 195, Oakland County Records; and

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and

WHEREAS, OWNER has requested that EDISON partially release the above mentioned Right of Way as it applies to the above described premises,

RECORDED BY: [illegible] OF [illegible] NO. [illegible]

26582

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, EDISON does by these presents and subject to the conditions hereinafter stated, release, quit claim, and abandon unto OWNER, its successors, and assigns, all of the rights acquired by EDISON over land to which OWNER purports to have title, as stated under the aforementioned Right of Way Grant except as it may pertain to a strip of land, 12 feet wide, the centerline of which is described as follows:

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RECORDED RIGHT OF WAY NO.

20582

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In the Presence of:

Diane L. Francisco
Diane L. Francisco

Janet A. Scullen
Janet A. Scullen

Rudolph V. Martin
Rudolph V. Martin

Helen E. Holmbo
Helen E. Holmbo

THE DETROIT EDISON COMPANY

BY: R.R. Tewksbury
R.R. Tewksbury, Director, Real Estate and Right of Way

BY: Elaine M. Godfrey
Elaine M. Godfrey, Assistant Secretary
FCA Senior Citizens Housing Corporation

BY: Elmer R. Liimatta
Elmer R. Liimatta, Chairman

BY: Laina M. Lampi
Laina M. Lampi

STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

On this 17th day of October, 1986, before me the subscriber, a Notary Public in and for said County, appeared R.R. Tewksbury, and Elaine M. Godfrey to me personally known, who being by me duly sworn, did say that they are the Director-RE&RW and Asst. Secretary of THE DETROIT EDISON COMPANY, a Michigan corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed on behalf of said corporation, by authority of its Board of Directors, and R.R. Tewksbury and Elaine M. Godfrey acknowledged said instrument to be the free act and deed of said corporation.

Janet A. Scullen
Notary Public,
Macomb County, Michigan
My Commission Expires: 7-31-89
Acting in Wayne County

RECORDED IN 20582

**Detroit
Edison**

Date: April 14, 1986

To: D. L. Francisco
Real Estate Coordination Specialist

From: B. A. Jakowenko, Principal Engineer *Bag*
Equipment and Methods Section

Subject: Release of Right-of-Way No. 20582
Southwest 1/4 of Section 33
Farmington Township, Oakland County

The attached inquiry from Paul C. Hendrickson, requesting a release of Right-of-Way No. 20582, has been reviewed.

The Planning, Construction, and System Engineering Departments have no objections to granting this request. There are no transmission facilities at this location, and the System Engineering Department has no present need for a right-of-way in this area.

The Oakland Division should be contacted for their comments and recommendations regarding this request.

Approved:



I. E. Olivier, Assistant Director
Stations Engineering Division

Approved:



R. V. Nicolson, Assistant Vice President and Manager
Engineering and Construction

DB/

Attachments

cc: File TO 0286

REC'D
20582

DESCRIPTION

Description furnished as per Property Owner's Title Commitment No. 63-238919 (ALTA Commitment-1966).

City of Farmington Hills

Part of the Southwest 1/4 of Section 33, Town 1 North, Range 9 East, Township of Farmington, Oakland County, Michigan.
Described As:

Commencing at the Southwest corner of said Section 33; thence East 975.00 feet along the South line of said Section for a Point of Beginning;

thence continuing East 117.77 feet;
thence North 0 degrees 01 minutes East, 800.25 feet;
thence West 117.77 feet;
thence South 0 degrees 01 minutes West, 800.25 feet to the Point of Beginning.
Except the South 60 feet thereof.


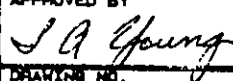
POLE LINE EASEMENT

The centerline of a 12.0 feet wide transmission line easement described as a line running in an easterly and westerly direction across the above described property.

Described As: Beginning at a point on the West line of the above described property being 180.13 feet North 00°01'00" East from the Southwest corner of the above described property, said corner being on the northerly 60 foot right-of-way line of 8 Mile Road.
thence South 89°49'54" East 117.70 feet to the Point of Ending, on the East line of the above described property being 179.78 feet North 00°01'00" East from the Southeast corner of the above described property, said corner being on the northerly 60 foot right-of-way line of 8 Mile Road.

ELECTRIC TRANSMISSION LINE

SHEET 2 OF 2

LOCATION LIMIT & DEFINE PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWN 1 NORTH, RANGE 9 EAST, TOWNSHIP OF FARMINGTON (NOW CITY OF FARMINGTON HILLS), OAKLAND COUNTY, MICHIGAN.	Detroit Edison SYSTEM ENGINEERING DEPT.		
	SCALE 1 inch = 	DRAWN BY SAY:baj	APPROVED BY 
	DATE OF SURVEY 7/24/86	DRAWING NO. SE FAR-105	

WARRANTY DEED

TUTORY FORM

63-23891

LIST 9387 PAGE 732 86 70088

KNOW ALL MEN BY THESE PRESENTS: That Rolf W. Wagner and Emma B. Wagner, his wife, and Manfred Kawaelde and Ann R. Kawaelde, his wife, whose address are 4121 Cherrywood Lane, Troy, Michigan 48084 and 38148 Connaught Drive, Northville, Michigan 48187, respectively,

Convey and Warrant to FCA Senior Citizens' Housing Corporation, a Michigan non-profit corporation,

whose street number and postoffice address is 35200 West Eight Mile Road, Farmington Hills, Michigan 48024 the following described premises situated in the city of Farmington Hills, County of Oakland and State of Michigan, to-wit:

Part of the Southwest 1/4 of Section 33, Town 1 North, Range 9 East, Township of Farmington, Oakland County, Michigan, described as commencing at the Southwest corner of said Section 33, thence East 975.00 feet along the South line of said Section for a point of beginning; thence continuing East 117.77 feet; thence North 0° 01' East 800.25 feet; thence West 117.77 feet; thence South 0° 01' West 800.25 feet to the point of beginning, except the South 60 feet thereof,

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of Seventy Five Thousand and 00/100 (\$75,000.00) Dollars

subject to building and use restrictions and easements of record in any.

Dated this twenty first day of May, 1986

Signed in the presence of:

Signed by:

Edwin C. Imonen (Signature)

Edwin C. Imonen

Rolf W. Wagner (Signature)

Rolf W. Wagner

Opal M. Imonen (Signature)

Opal M. Imonen

Emma B. Wagner (Signature)

Emma B. Wagner, his wife

Manfred Kawaelde (Signature)

Manfred Kawaelde

Ann R. Kawaelde (Signature)

Ann R. Kawaelde, his wife

STATE OF MICHIGAN } ss. COUNTY OF OAKLAND }

The foregoing instrument was acknowledged before me this twenty first day of May

19 86 by Rolf W. Wagner, Emma B. Wagner, Manfred Kawaelde and Ann R. Kawaelde

My Commission expires July 7, 1986

Edwin C. Imonen (Signature) Notary Public, Wayne County, Michigan

County Treasurer's Certificate... 100 7/27/86

City Treasurer's Certificate 013597

When Recorded Return To: FCA Senior Citizens' Housing Corporation 35200 W. Eight Mile Road Farmington Hills, MI 48024

Send Subsequent Tax Bills To: FCA Senior Citizens' Housing Corporation 35200 W. Eight Mile Road Farmington Hills, MI 48024

Drafted by: Paul C. Hendrickson Worldwide Resources, Ltd. Business Address P.O. Box 942 Warren, MI 48090

Tax Parcel #23-33-376-023 Recording Fee 5.00 Revenue Stamps 89.50

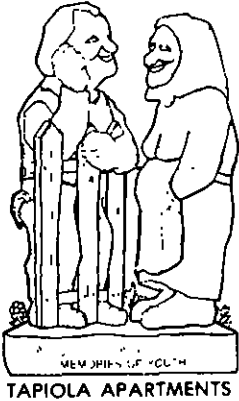
BURTON ABSTRACT AND TITLE COMPANY HAS OPERATED CONTINUOUSLY SINCE 1866

MAKE YOUR REAL ESTATE TRANSFERS SAFE BY USING BURTON TITLE INSURANCE

1-9/33

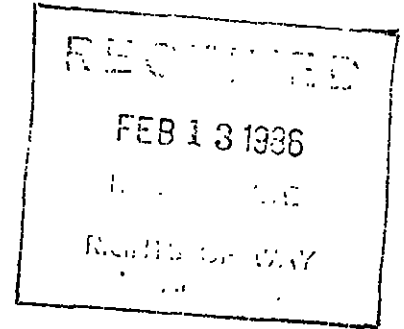
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26582



FCA SENIOR CITIZENS' HOUSING CORPORATION
35200 WEST EIGHT MILE ROAD
FARMINGTON HILLS, MICHIGAN 48024
PHONE (313) 478-6939

February 11, 1986



Mr. Robert R. Tewksbury, Director
Real Estate and Rights of Way Department
Detroit Edison Company
2000 Second Street
Detroit, Michigan 48226

Dear Mr. Tewksbury:

During my discussion this morning over the telephone with Mr. Beagan of your organization, it was suggested that I make my request for a Partial Release of Right of Way in writing to you. Our organization has an option to consummate a purchase and develop the property described in the enclosed commitment for title insurance policy. The Detroit Edison easement recorded in Liber 3995 page 195 reflects the southerly 260 feet as easement. We would like to have this reduced to a width compatible to that which was revised in Liber 7045 pages 130 through 132 on July 6, 1977 for the property west, which is now under construction.

The partial release should probably be made with the present title holders to the property, Messrs. Rolf w. Wagner and Manfred Kawaelde. Their warranty deed is recorded in Liber 9201, page 21.

Upon preparation of the Release, you could send it to me at P.O. Box 942, Warren, Michigan 48090, and I will see to it that the necessary signatures are obtained. If you have any questions regarding any of this, please contact me at 573-8630.

Thank you for your co-operation.

Sincerely yours,
FCA SENIOR CITIZENS' HOUSING CORPORATION

Paul C. Hendrickson
Paul C. Hendrickson
Vice Chairman

Enclosure

26512

1. Effective date: NOVEMBER 12, 1985 AT 8:01 AM (FIRST REVISION)

2. Policy or Policies to be issued:	Amount
ALTA Owner's Policy (Amended 10-27-70)	\$11,300.00

Proposed Insured: { FCA SENIOR CITIZENS HOUSING CORPORATION, A MICHIGAN
NON-PROFIT CORPORATION }

ALTA Loan Policy (Amended 10-17-70)	'NONE'
-------------------------------------	--------

3. The estate or interest in the land described or referred to in this Commitment and covered herein is a FEE SIMPLE.

4. Title to the FEE SIMPLE estate or interest in said land is at the effective date hereof vested in:

ROLF W. WAGNER AND MANFRED KAWAELDE

5. The land referred to in this Commitment is situated in the County of OAKLAND, State of MICHIGAN, and is described as follows:

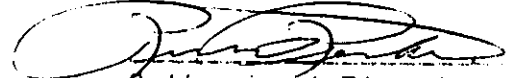
CITY OF FARMINGTON HILLS
 PART OF THE SOUTHWEST 1/4 OF SECTION 33, TOWN 1 NORTH, RANGE 9
 EAST, TOWNSHIP OF FARMINGTON, OAKLAND COUNTY, MICHIGAN DESCRIBED
 AS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 33;
 THENCE EAST 975.00 FEET ALONG THE SOUTH LINE OF SAID SECTION FOR
 A POINT OF BEGINNING; THENCE CONTINUING EAST 117.77 FEET; THENCE
 NORTH 0 DEGREES 01 MINUTE EAST, 800.25 FEET; THENCE WEST 117.77
 FEET; THENCE SOUTH 0 DEGREES 01 MINUTES WEST, 800.25 FEET TO THE
 POINT OF BEGINNING, EXCEPT THE SOUTH 60 FEET THEREOF.

RECORDED RIGHT OF WAY NO.

20582

Partial Release

COUNTERSIGNED:



Authorized Signatory

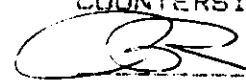
Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereof covered by this Commitment.
2. (A) Any discrepancies or conflicts in boundary lines, any shortages in area, or any encroachment or overlapping of improvements. (B) Any facts, rights, interests or claims which are not shown by the public record but which could be ascertained by an accurate survey of the land or by making inquiry of persons in possession thereof. (C) Easements, liens or encumbrances or claims thereof, which are not shown by the public record. (D) Any lien or right to lien for services, labor or material imposed by law and not shown by public record. (E) Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public record. Proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency or the public record.
3. INTEREST OF FCA SENIOR CITIZENS HOUSING CORPORATION. A MICHIGAN NON-PROFIT CORPORATION, OPTIONEE OF W.K. ENTERPRISES. A MICHIGAN CO-PARTNERSHIP, AS DISCLOSED IN OPTION TO PURCHASE REAL ESTATE, DATED JULY 18, 1984 AND RECORDED AUGUST 6, 1984 IN LIBER 8746. PAGE 92 AND TERMS AND CONDITIONS OF SAID OPTION.
4. EASEMENT OVER THE SOUTH 60 FEET OF SUBJECT PROEPRTY FOR HIGHWAY PURPOSES, AS RECITED IN LIBER 4295, PAGE 147, OAKLAND COUNTY RECORDS.
5. EASEMENT GRANTED TO THE DETROIT EDISON COMPANY, SAID ROUTE DESCRIBED AS FOLLOWS: IN AN EASTERLY AND WESTERLY DIRECTION APPROXIMATELY 230 FEET NORTH OF THE SOUTH LINE OF SUBJECT PROPERTY, AS DISCLOSED IN POLE LINE PERMIT RECORDED IN LIBER 3995, PAGE 195, OAKLAND COUNTY RECORDS.
6. EASEMENT FOR WATER MAIN ACROSS SUBJECT PROPERTY GRANTED TO CITY OF FARMINGTON HILLS, AS DISCLOSED IN INSTRUMENT DATED APRIL 21, 1978 AND RECORDED IN LIBER 7217, PAGE 114, OAKLAND COUNTY RECORDS.
7. RIGHTS OF THE PUBLIC AND OF ANY GOVERNMENTAL UNIT IN ANY PART OF SUBJECT PROPERTY TAKEN, USED OR DEEDED FOR STREET, ROAD OR HIGHWAY PURPOSES.

RECORDED RIGHT OF WAY NO.

20582

COUNTERSIGNED:



Authorized Signatory