

PARTIAL RELEASE OF EASEMENT

2/10/36

THIS INDENTURE, made this 12th day of December, A.D. 1978, between THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of the States of Michigan and New York, of 2000 Second Avenue, Detroit, Michigan 48226, hereinafter referred to as "EDISON", and MERRILL EDISON COMPANY OF BIRMINGHAM, of 239 South Woodward, Birmingham, Michigan hereinafter referred to as "OWNER".

1979 JAN -5 AM 8:52
RECORDED
OAKLAND COUNTY MICHIGAN
LYNN D. ALLEN
CLERK-REGISTER OF DEEDS

W I T N E S S E I H :

WHEREAS, on January 29, 1975, EDISON, in a warranty deed to OWNER reserved to itself an easement for the purpose of constructing, operating, maintaining and reconductoring its lines for the transmission and distribution of electric light and power, over, under, upon, and across premises in the City of Birmingham, Oakland County, Michigan, described as:

The easterly 12.0 feet of the following described parcel: Lots 19 and 20 and part of Lots 3, 4, 6, 7, 8, 9 and 18 of Assessor's Plat Number 25, City of Birmingham, Oakland County, Michigan as recorded in Liber 54-A, Page 73; Oakland County Records and described as: Commencing at the Northwest Corner of Lot 5; thence in a northeasterly direction and along the South Line of Merrill Street, (60 feet wide), being the northerly line of Lots 5 and 4, North 87°38'15" East, 112.0 feet to the point of Beginning of this description; thence South 23°36'36" East, 121.00 feet to an iron; thence South 36°15'30" East, 239.08 feet to a point on the northerly line of Brown Street, (60 feet wide); thence along the said northerly line, North 61°38'00" East, 120.0 feet to a monument being also the Southeast corner of Lot 20; thence northerly along the property line common to Lots 20 and 21, North 36°13'40" West 119.85 feet to an iron thence North 36°04'10" West, 43.91 feet to an iron; thence North 36°07'53" West, 81.44 feet to an iron; thence North 36°10'25" West 49.39 feet to an iron 31°34'50" West, 45.97 feet to an iron being the Northeast Corner of Lot 3, and the southerly line of Merrill Street; thence on a curve to the right, Radius 169.27 feet, Delta Angle 31°49'08", Arc Distance 94.0 feet, Chord Bearing South 71°45'25" West, 92.80 feet to a point; thence South 87°38'15" West, 9.78 feet to the Point of Beginning.

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7.00

WHEREAS, OWNER has requested that EDISON release the above mentioned easement as it applies to the following described premises:

Part of Lot 3 of Assessors Plat #25, City of Birmingham, Oakland County, Michigan as recorded in Liber 54A of Plats, Page 73, Oakland County Registers Office.

Described as: Commencing at the Northeast corner of Lot 3; thence South 31°34'50" East, 11.0 feet along the easterly line of said Lot 3; thence South 58°25'10" West, 11.03 feet to the Point of Beginning of this description; thence South 69°14'19" West, 0.98 feet; thence South 31°34'50" East, 14.69 feet; thence North 20°45'41" West 11.08 feet thence South 69°14'19" West 2.27 feet thence North 31°34'50 East, 0.69 feet; thence North 69°14'19" West, 0.72 feet; thence North 20°45'41" West, 1.80 feet to the point of beginning.

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 reserved by EDISON over land sold to OWNER by EDISON in the following described property:

Part of Lot 3 of Assessors Plat #25, City of Birmingham, Oakland County, Michigan as recorded in Liber 54A of Plats, Page 73, Oakland County Registers Office.

Described as: Commencing at the Northeast corner of Lot 3; thence South 31°34'50" East, 11.0 feet along the easterly line of said Lot 3; thence South 58°25'10" West, 11.03 feet to the Point of Beginning of this description; thence South 69°14'19" West, 0.98 feet; thence South 31°34'50" East, 14.69 feet; thence North 20°45'41" West 11.08 feet thence South 69°14'19" West 2.27 feet thence North 31°34'50 East, 0.69 feet; thence North 69°14'19" West, 0.72 feet; thence North 20°45'41" West, 1.80 feet to the point of beginning.

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Subject to the conditions herein contained in all respects, except as to the extent hereby released, the aforementioned easement reservation, dated January 29, 1975, 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

Barbara A. Mention
BARBARA A. MENTION

BY: Robert R. Tewksbury
ROBERT R. TEWKSBURY, DIRECTOR
Real Estate and Rights of Way Dept.


Barbara Ann Maher
BARBARA ANN MAHER

BY: Irene C. Kata
IRENE C. KATA ASST. SECRETARY

STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

LIBER 7411 PAGE 556

On this 14th day of December , 1978, before me the subscriber, a Notary Public in and for said County, appeared Robert R. Tewksbury , and Irene C. Kata , to me personally known, who being by me duly sworn, did say that they are the Director, Real Estate and Assistant Secretary of and Rights of Way THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of the States of Michigan and New York, and that the seal affixed to said instrument is the corporate 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 said instrument to be the free act and deed of said corporation.


Notary Public, BARBARA ANN MAHER
Wayne County, Michigan

My Commission Expires: June 28, 1982

PREPARED BY: Thomas P. Beagen
688 WCB
2000 Second Avenue
Detroit, MI 48226

WHEN RECORDED RETURN TO:
Above

RECORDED ELECTRONICALLY
29924

KNOW ALL MEN BY THESE PRESENTS: That **THE DETROIT EDISON COMPANY**, a corporation organized and existing concurrently under the laws of the States of Michigan and New York of 2000 Second Avenue, Detroit, Michigan 48226, conveys to **MERRILL EDISON COMPANY OF BIRMINGHAM**, a Michigan Limited Partnership whose Street Number and Post Office address is **239 South Woodward, Birmingham, Michigan**

the following described premises situated in the City of Birmingham County of Oakland and State of Michigan, to-wit: **Lots 19 and 20 and part of Lots 3, 4, 6, 7, 8, 9 and 18 of Assessor's Plat Number 25, City of Birmingham, Oakland County, Michigan as recorded in Liber 54-A, Page 73; Oakland County Records and described as: Commencing at the Northwest Corner of Lot 5; thence in a northeasterly direction and along the South Line of Merrill Street, (60 feet wide), being the northerly line of Lots 6 and 4, North 87°38'15" East, 112.0 feet to the Point of Beginning of this description; thence South 23°36'36" East, 121.96 feet to an iron; thence South 36°15'30" East, 239.08 feet to a point on the northerly line of Brown Street, (60 feet wide); thence along the said northerly line, North 61°38'00" East, 120.0 feet to a monument being also the Southeast Corner of Lot 20; thence northerly along the (Continued on reverse side) together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.**

for the sum of **Five Hundred Thirty Thousand and No/100 (\$530,000.00)** Dollars

and other valuable considerations; and covenants that it has not heretofore done, committed or suffered to be done or committed any act or omission whereby the premises hereby granted, or any part thereof, is or maybe charged or encumbered in title, estate or otherwise whatsoever.

Subject to **the zoning ordinance of the City of Birmingham and to easements and restrictions of record. Also subject to an easement for construction, operation, maintenance and reconductoring (Continued on reverse side)**

Dated this _____ day of _____ A.D. 19 _____
Signed, Sealed and Delivered in Presence of: _____ Signed and Sealed:

Raymond G. DuPont
RAYMOND G. DUPONT

Irene C. Kata
IRENE C. KATA

THE DETROIT EDISON COMPANY

Robert W. Hartwell (L.S.)
ROBERT W. HARTWELL

SENIOR EXECUTIVE VICE PRESIDENT
FINANCE AND CORPORATE AFFAIRS

Lillian J. H. Carroll (L.S.)
LILLIAN J. H. CARROLL

ASST. SECRETARY

In the STATE OF MICHIGAN, COUNTY OF WAYNE ss.
On this 29th day of January A.D. 19 75 before me personally appeared Robert W. Hartwell and Lillian J.H. Carroll

to me personally known, who being by me sworn, did each for himself say that they are respectively the Sr. Exec. V.P.-Fin. and Corp. Affairs and an Assistant Secretary of **THE DETROIT EDISON COMPANY** the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and said Robert W. Hartwell and Lillian J.H. Carroll acknowledged said instrument to be the free act and deed of said corporation.

My commission expires May 14, A. D. 1976
Irene C. Kata
IRENE C. KATA
Notary Public Wayne County, Michigan

Instrument Drafted by: Thomas P. Beagen Business Address: 2000 Second Ave., Detroit, Mich. 48226

County Treasurer's Certificate	City Treasurer's Certificate
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Recording Fee _____ When recorded return to _____
Revenue Stamps _____

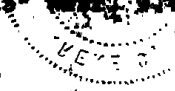
RECORDED
7-29-75
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DESCRIPTION - Continued

property line common to Lots 20 and 21, North $36^{\circ}13'40''$ West, 122.85 feet to an iron; thence North $36^{\circ}04'10''$ West, 43.91 feet to an iron; thence North $36^{\circ}07'59''$ West, 81.44 feet to an iron; thence North $36^{\circ}10'25''$ West, 49.39 feet to an iron; thence North $31^{\circ}34'50''$ West, 12.27 feet to an iron being the Northeast Corner of Lot 3, and the easterly line of Marcell Street; thence on a curve to the right, Radius 100.0 feet, Delta Angle $11^{\circ}48'08''$, Arc Distance 94.0 feet, Chord 166.0 feet, South $71^{\circ}45'13''$ West, 92.86 feet to a point; thence South $87^{\circ}38'43''$ West, 12.8 feet to the Point of Beginning.

Remarks - Continued

of its lines both underground and overhead covering the easterly 12.8 feet of the above described parcel which seller reserves unto itself.



APPROVED		DATE
LEGAL	<i>Beane</i>	1-28-33
PLANNING	<i>W. C. Arnold</i>	1-28-33

Birmingham
504-4

Detroit
Edison

REAL ESTATE AND RIGHTS OF WAY DEPARTMENT

Date: January 22, 1979

To: Elaine Ryan
Records Center
130 General Office

From: Oneida L. Taylor *OLT*
RE & R/W Coordination
630 W.C.B.

Subject: Additional Papers for Records Center File
Former Birmingham Office, Section 36, City
of Birmingham, Oakland County.

Attached is a recorded Partial Release of Easement to be added to Records Center file.

Please add the papers to Records Center File No. 504-4,
(cross referenced 454, sold)

OLT/am
Attachment

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29924