

CORPORATE REAL ESTATE SERVICES

Project No. TO2227

Date: June 22, 2000
To: Phillip Martin, Records Center
From: Elaine Clifford, Ext.: 58313
Subject: Partial Release

Attached are papers related to the partial release of an Edison tower line easement for the property located in the NW ¼ of Section 3, City of Auburn Hills, Pontiac Twp., Oakland County, Michigan, as recorded in Liber 2248, Page 124.

Please incorporate these papers into the Right of Way File No. R12397.

(Notary's name, county, and date commission expires)

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

Vent/Parrel/FarberRoth/11/06/98

A DTE Energy Company

PARTIAL RELEASE OF RIGHT OF WAY
(No Edison equipment on Owner's land)

On Nov. 17, 1998, 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:
Farber Roth Development Company, 27300 West Eleven Mile Road, Suite 806, 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 Lavonne D. Mouw and Jos Mouw on March 6, 1948.
- c) Is recorded in Liber 2248 Page 124 of Oakland County Records.
- d) Concerns land in the NW 1/4 of Section 3 in City of Auburn Hills, Oakland County, Michigan.

"Owner's Land" is described as:
See Attachment 1 and 2

Witnessed by: (type or print name under signature)

John C. Erb
John C. Erb

Xiangming (Ellen) He
XIANGMING (ELLEN) HE

The Detroit Edison Company

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

Acknowledged before me in <u>Wayne</u> County, Michigan, on <u>Nov. 17</u> , 1998,	
By Paul W. Potter, Director of Corporate Real Estate Services of The Detroit Edison Company, a Michigan corporation, for the corporation.	
Notary's Stamp	Notary's Signature
<p>JOHN C. ERB Notary Public, Oakland County, MI Acting in <u>Wayne</u> Co., MI My Commission Expires <u>Apr. 13, 2002</u> <small>(Notary's name, county, and date commission expires)</small></p>	<u>John C. Erb</u>

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

ATTACHMENT 1

Attached to and becoming a part of document dated April 6, 1998.

LEGAL DESCRIPTION

Land situated in the City of Auburn Hills, County of Oakland, State of Michigan, described as follows:

PARCEL 1: Part of Southeast 1/4 of Northwest 1/4, Section 3, Town 3 North, Range 10 East, described as; Beginning at point distant North 225.93 feet from center of Section, thence North 193.23 feet, thence North 89 degrees 57 minutes 00 seconds West 225.00 feet, thence South 00 degrees 11 minutes 53 seconds East 194.32 feet, thence North 89 degrees 53 minutes 58 seconds East 224.33 feet to beginning.

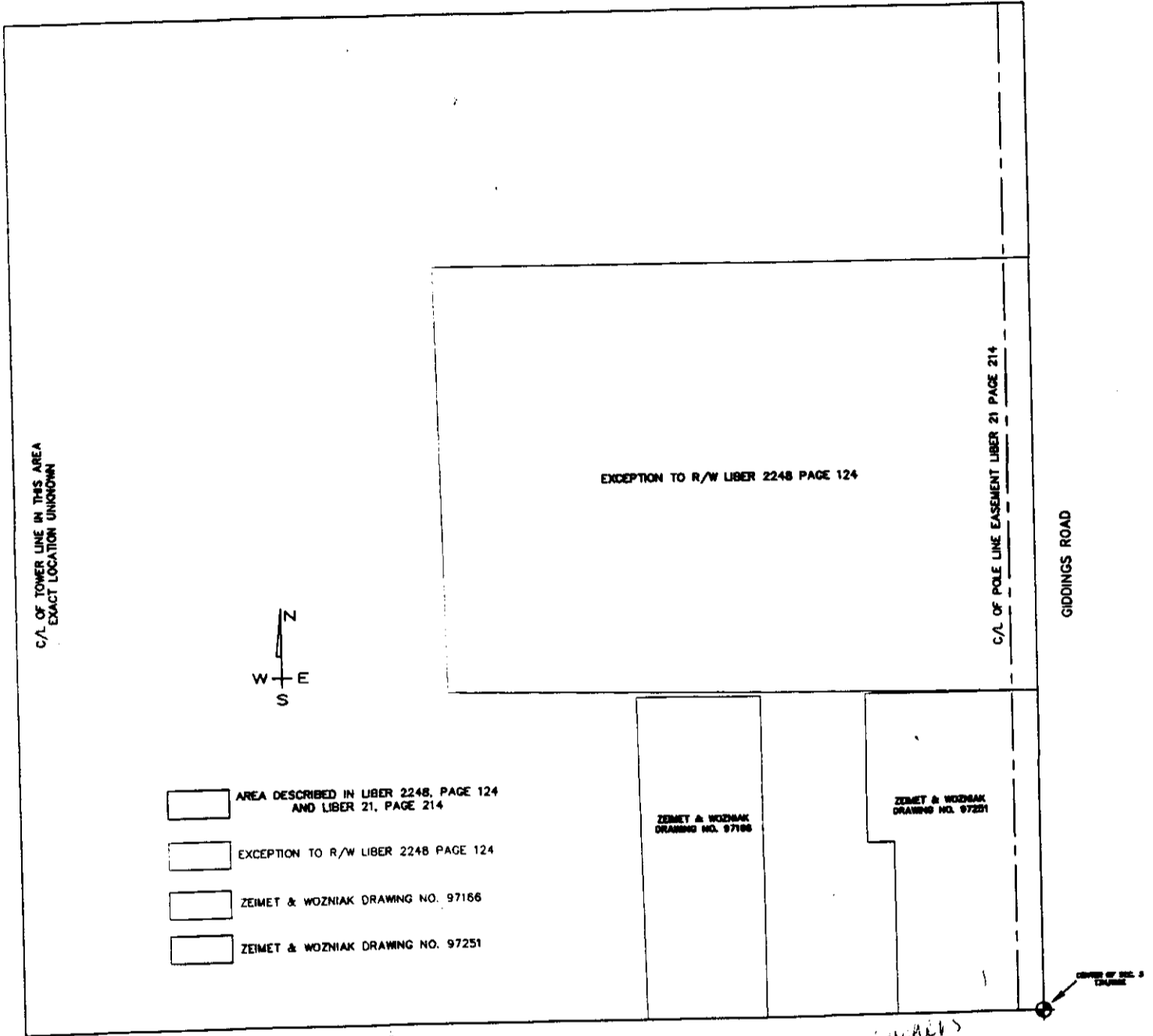
PARCEL 2: Part of Southeast 1/4 of Northwest 1/4 Section 3, Town 3 North, Range 10 East, described as, Beginning at center of Section, thence South 89 degrees 54 minutes 00 seconds West 189.92 feet, thence North 00 degrees 09 minutes 00 seconds East 225.93 feet, thence North 89 degrees 53 minutes 58 seconds East 189.33 feet, thence South 225.93 feet to beginning.

Tax Parcel Number: 14-03-100-013 and 14-03-100-014

File Number: CM247352

ATTACHMENT 2

≈ 1200 ft to
east of towerline



HARMON ROAD 66 FT. WDE

3000's
Parcel

JOB NUMBER 9803063

Detroit Edison



Date: August 22, 1998

To: Karyl Shakarjian
Real Estate Analyst
Corporate Real Estate Services

From: Cheryl Groncki *CG*
Administrative Associate
Project Management

Subject: Partial Release of Blanket Easement for Bloomfield-Sunbird
120-kV Tower Line Project Number – TO2227

Request submitted by Marla R. Jacobs of Farber Roth Development Company, has been approved with the following stipulations to be observed:

The property in question -- partial release on the Bloomfield-Sunbird 120-kV tower line West of Giddings Road. The easement width is 90' with 45' on each side of the center line of the tower line. An additional 30' on each side of the 90' wide easement to cut and trim trees.

1. The grade level cannot be altered within the easements.
2. Trees and shrubs cannot be planted within the easements.
3. Structures cannot be constructed within the easements.
4. Check with Service Planning if there are any URD's, streetlighting, or any commercial feeders in the area.

On the East side of the property, distribution circuits are located on Giddings Road with legs going west.

The property is located in the North Suburban Region in the NW ¼ of Section 93, City of Auburn Hills, Oakland County, Michigan.

/cag

Approved:

Steven M. Topolewski /cag
Steven M. Topolewski
Principal Engineer
Project Management

File: TO2227

Detroit Edison



March 11, 1998

Mr. Merrick Farber
Farber Roth Development Co.
27300 West Eleven Mile Road, Suite 806
Southfield, MI 48034

Dear Mr. Farber:

You requested a partial release of an Edison Towerline easement located in the NW ¼ of Section 3, City of Auburn Hills, Oakland County, Michigan. The easement was granted to Edison by Lavonne D. and Jos. Mouw on March 6, 1948 and recorded in liber 2248 page 124.

Edison requires at least 150 feet in width (75 feet on each side of the centerline of the towers) for this towerline easement. We are currently confirming the location of your property in relation to the towers. As long as your property is more than 75 feet away from the towers, Edison will release the tower easement as it pertains to your property only.

Additionally, Edison has various other easements located on the property. Since we currently have equipment in the easements, we must retain them. If the equipment is relocated according to MPSC rules and at your cost, Edison will release those easements.

If you have any questions, please call me at (313) 235-8321.

Sincerely,

A handwritten signature in cursive script, appearing to read "John C. Erb".

John C. Erb
Real Estate Associate

FARBER ROTH DEVELOPMENT COMPANY

27300 West Eleven Mile Road
Suite 806
Southfield, Michigan 48034
(248) 355-5511 Fax (248) 355-5266

January 13, 1998

Mr. John Erb
Detroit Edison Co.
2000 Second Avenue
Room 2310WCB
Detroit, Michigan 48226

Re: Detroit Edison Tower Line Permit
on two parcels of property on Harmon Road
Auburn Hills, Michigan

Dear Mr. Erb,

Enclosed please find a copy of a Detroit Edison Overhead Easement, a Tower Line Permit, and a copy of a survey for the above referenced property.

Pursuant to our conversation on January 12, 1998, Farber Roth Development Company is requesting that Detroit Edison abandon and/or release these encumbrances because Farber Roth Development Company now owns the property and wishes to develop it for commercial purposes.

Please note that Farber Roth Development Company is in its "due diligence" time frame and needs this matter to be taken care of as soon as possible.

We thank you in advance for your anticipated cooperation. If you have any questions, please call our office at your earliest convenience.

Sincerely,

FARBER ROTH DEVELOPMENT COMPANY

Marla R. Jacobs
/mj
Enclosures:
