

PARTIAL RELEASE OF RIGHT OF WAY

THIS INDENTURE made this 15th day of October A.D. 1962

between THE DETROIT EDISON COMPANY, a New York corporation of 2000 Second Avenue, Detroit 26, Michigan, hereinafter called "EDISON" and ANDREW A. KUCHER and MARGARET J. KUCHER, his wife of 20520 Audette Street, Dearborn, Michigan, hereinafter called "OWNERS."

W I T N E S S E T H:

WHEREAS, on October 30, 1935, HURON FARMS COMPANY granted to EDISON a Right of Way for the purpose of constructing, operating and maintaining its lines for electric light and power over and upon premises in the Village of Ortonville, Oakland County, Michigan, described as follows:

A 66 foot strip of land extending in a Northwesterly direction . . . through Village of Ortonville . . . being formerly the Eastern Michigan Railways (Flint Division) Right of Way.

which Right of Way is recorded in Liber 47 of Miscellaneous Records, Page 386, Oakland County Records; and

WHEREAS, on October 2, 1953, THE EDISON ILLUMINATING COMPANY OF DETROIT granted to EDISON a Right of Way for similar purposes over and upon premises in the Village of Ortonville, Oakland County, Michigan, described as:

An easement over the Southwesterly 35 feet of Lot 6 of Assessor's Plat No. 2, part of the Southwest 1/4 of Section 7, Town 5 North, Range 9 East as recorded in Liber 53 of Plats, Page 27, Oakland County Records, extending Southeasterly from the South line of Oakwood Road to the North line of Lot 37 and Lot 10 of said Assessor's Plat No. 2.

which Right of Way is recorded in Liber 3059, Page 365, Oakland County Records; and

WHEREAS, OWNERS have succeeded to the title to a portion of the premises described in the Right of Way Grants referred to above, which portion is described as follows:

All that part of Lot 6 of Assessor's Plat No. 2 as recorded in Liber 53 of Plats, Page 27, Oakland County Records, lying northwesterly of a line extending southerly from the northwest corner of Lot 22 of Cedar Lake Addition to the Village of Ortonville, recorded in Liber 24 of Plats, Page 17, Oakland County Records, to a point on the westerly line of said Lot 6, and which point is located 653 feet southeasterly from the northwest corner of said Lot 6 of Assessor's Plat No. 2.

WHEREAS, OWNERS have requested that EDISON release the premises to which they have succeeded in title as described above from said Right of Way Grants dated October 30, 1935 and October 2, 1953.

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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 release, quit claim and abandon unto OWNERS, their heirs, representatives, successors and assigns, all of the rights acquired by it under the aforementioned Right of Way Grants upon, over and across the premises last described above, EXCEPTING, HOWEVER, from this Release, the right to maintain equipment presently installed on said premises as follows:

- (1) One (1) pole and guy wires attached thereto in the extreme northwest corner of said premises.
- (2) One (1) pole in the extreme northeast corner of said premises approximately one (1') foot southwest of the northeast line thereof, together with an anchor guy and anchor extending from said pole in a southwesterly direction for a distance of fifteen (15') feet, together with distribution line extending to pole (3) below.
- (3) One (1) pole located approximately one (1') foot southwesterly of the northeast line of said premises at the point where said northeast line borders the southwest line of Lot 25 of said Cedar Lake Addition Subdivision, together with one (1) anchor and anchor guy extending easterly from said pole for a distance of approximately 30 feet, and one (1) anchor and anchor guy extending parallel to said northeast line in a southeasterly direction for a distance of approximately thirty (30') feet.

Excepting as to the extent hereby released, the aforementioned Right of Way Grants dated October 30, 1935 and October 2, 1953 shall and do 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:
Lillian J. H. Carroll
 LILLIAN J. H. CARROLL
Irene C. Kata
 Irene C. Kata
L. C. Putnam
 L. C. Putnam
Dolores Fron
 Dolores Fron

THE DETROIT EDISON COMPANY
 By M. Pease
 M. Pease ASST. VICE PRESIDENT
 By Esther Birnbaum
 ESTHER BIRNBAUM ASST. SECRETARY
Andrew A. Kucher
 Andrew A. Kucher
Margaret J. Kucher
 Margaret J. Kucher

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STATE OF MICHIGAN)
) SS.
COUNTY OF WAYNE)

On this 15th day of October A.D. 1962, before me, the subscriber,
a Notary Public in and for said county, appeared M. Pease and
Esther Birnbaum to me personally known, who being by me duly sworn
did say that they are the Assistant Vice President and Assistant Secretary
of THE DETROIT EDISON COMPANY, a New York corporation, 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 M. Pease and Esther Birnbaum
acknowledged said instrument to be the free act and deed of said corporation.

Lillian J. H. Carroll
LILLIAN J. H. CARROLL
Notary Public, Wayne County, Michigan

My commission expires July 25, 1965

STATE OF MICHIGAN)
) SS.
COUNTY OF Wayne)

On this 3rd day of July A.D. 1962, before me personally
appeared ANDREW A. KUCHER and MARGARET J. KUCHER, his wife, to me known to be the
persons described in and who executed the foregoing instrument and acknowledged that
they executed the same as their free act and deed.

Margaret A. Smith
Notary Public, Wayne County, Michigan

My Commission expires July 31, 1962

H. J. ... 6-8-62
...
J. A. ... 6-8-62
B. ... 6-8-62

CROSS REFERENCE

NAME OR SUBJECT RECORDED RIGHT OF WAY NO. 15267 FILE NO.

REGARDING Indenture of release (4384/556), Bankers Trust^{DATE} December 12, 1962
 Company to The Detroit Edison Company, cover-
 ing release of right-of-way in the Village
 of Ortonville.

SEE

NAME OR SUBJECT MORTGAGE - GENERAL AND REFUNDING FILE NO.
 Release from Lien of Mortgage
 Release No. 183