

5/2/18

REC'D KENT COUNTY, MI REG

2018 MAY -3 AM 9:58



Lisa Posthumus Lyons P:1/5 2:06PM  
Kent Cnty MI Rgstr 05/07/2018 SEAL

**TERMINATION OF  
DECLARATION OF RESTRICTIVE COVENANT AND ACCESS EASEMENT**

**RACER PROPERTIES LLC**, a Delaware limited liability company, having an address at 500 Woodward Avenue, Suite 2650, Detroit, Michigan 48226-3416 ("RACER") is the declarant under that certain Declaration of Restrictive Covenant and Access Easement dated as of June 27, 2011 and recorded with the Kent County Register of Deeds on July 19, 2011 as Document 20110719-0057582 (the "Restrictive Covenant"). RACER, with the consent of the Michigan Department of Environmental Quality ("MDEQ"), hereby terminates the Restrictive Covenant as it relates only to the real property described and illustrated in attached **Exhibit "A"** ("Property"). RACER acknowledges that a new Declaration of Restrictive Covenant (MDEQ Reference Number: RC-RRD-201-17-006), approved by MDEQ, was recorded on August 31, 2017, in the chain of title for the Property (Document No. 20170831-0073657) prior to the recordation of this "Termination of Declaration of Restrictive Covenant and Access Easement."

Signature by the MDEQ representative below serves only to indicate that the person executing this Notice has received approval from the MDEQ to rescind the previously recorded land and/or resource use restrictions imposed on the Property.

Dated as of April 2, 2018

[signature pages follow]

Page 1 of 5

NCS-904321 PAC FATLO



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RACER PROPERTIES LLC

By: Revitalizing Auto Communities Environmental Response Trust,  
Sole Member of RACER Properties LLC

By: EPLET, LLC, acting solely in its representative capacity as  
Administrative Trustee of Revitalizing Auto Communities  
Environmental Response Trust

By: *Elliott P. Laws*  
ELLIOTT P. LAWS, not individually, but acting solely in his  
capacity as Managing Member of EPLET, LLC

\*\*\*\*\*

STATE OF Michigan )  
COUNTY OF Wayne ) ss.

The foregoing instrument was acknowledged before me this 12<sup>th</sup> day of April,  
2018, by ELLIOTT P. LAWS, not individually, but acting solely in his capacity as Managing  
Member of EPLET, LLC, a Delaware limited liability company, acting solely in its capacity as  
Administrative Trustee of Revitalizing Auto Communities Environmental Response Trust, a trust  
formed under the laws of the State of New York, as Sole Member of RACER Properties LLC, a  
Delaware limited liability company, on behalf of said limited liability company and said trust.

*Tracie L. Nichols*  
Notary Public Signature

TRACIE L. NICHOLS  
Notary Public, State of Michigan  
County Of Wayne  
My Commission Expires 03-19-2023  
Acting in the County of Wayne

Name of Notary Public Tracie L. Nichols  
Notary Public, State of Michigan  
County of Wayne  
My Commission Expires: 3/19/23  
Acting in the County of Wayne



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Lisa Posthumus Lyons P:3/5 2:06PM  
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The foregoing Termination of Declaration of Restrictive Covenant and Access Easement is consented to and approved as of the date first written above.

**MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY**

By: Abigail Hendershott  
Name: Abigail Hendershott  
Title: District Supervisor  
DEQ - RRD - Grand Rapids

STATE OF MICHIGAN )  
COUNTY OF Kent ) ss.

The foregoing instrument was acknowledged before me this 18 day of April 2018, by Abigail Hendershott, the District Supervisor - RRD - GR of the Michigan Department of Environmental Quality, an agency of the State of Michigan, on behalf of said agency.

Lucy Robinson

LUCY L. ROBINSON  
Notary Public, State of Michigan  
County of Kent  
My Commission Expires Aug. 24, 2019  
Acting in the County of KENT

Notary Public, Kent County, Michigan  
My Commission Expires: AUGUST 24, 2019  
Acting in Kent County, Michigan

This document is exempt from state and county transfer taxes pursuant MCL 207.505(a) and MCL 207.526(a).

Prepared by/Return to:  
Carl Garvey, General Counsel  
RACER Trust  
500 Woodward Avenue, Suite 2650  
Detroit, MI 48226

When Recorded Return To: P. Cederw A  
First American Title Insurance Company  
National Commercial Services  
900 Wilshire Drive, Suite 260  
Troy, MI 48084  
File No. NCS 904321 Feed 24

**Exhibit "A"**  
**Description and Illustration of Released Property**

Land situated in the City of Wyoming, Kent County, Michigan and more particularly described as follows:

300 36<sup>th</sup> St SW – Tax identification number - 41-17-24-201-007

78THAT PART OF W 1/2 NE 1/4 LYING E OF E LINE OF CONRAIL RR R/W// 100 FT WIDE/ & LYING S OF SLY LINE OF 36TH ST /100 FT WIDE/ EX COM AT INT OF S LINE OF NE 1/4 & W LINE OF BUCHANAN AVE / 80 FT WIDE/ TH N 87D 59M 30S W ALONG E&W 1/4 LINE 828.27 FT TH N 47D 10M 30S E 46.67 FT TO N LINE OF S 33 FT OF NE 1/4 TH S 87D 49M 30S E 695.3 FT. TH NELY 125.8 FT ALONG A 101.8 FT RAD CURVE LT /LONG CHORD BEARS N 56D 46M 24S E 117.95 FT/ TO W LINE OF SD AVE TH SLY 101.4 FT TO BEG \* SEC 24 T6N R12W 74.92 A. \* ALSO LOTS 147 TO 152 INCL & PART OF LOTS 144 145 146 153 154 & 155 & PART OF VACATED PORTIONS OF FLOYD ST & 40TH ST & DR LYING W OF LOTS 148 & 149 ALL BEING DESC AS - COM AT NW COR OF SD PLAT TH S 87D 49M 30S E ALONG N LINE OF SD PLAT 358.58 FT TO WLY LINE OF RELOCATED STAFFORD AVE /66 FT WIDE/ TH SWLY ALONG WLY LINE OF SD AVE 37.04 FT ALONG A 165.0 FT RAD CURVE LT /LONG CHORD BEARS S 48D 52M 25S W 36.97 FT TH S 42D 26M 30S W ALONG SD WLY LINE 243.88 FT TH SWLY ALONG SD WLY LINE 117.22 FT ALONG A 290.59 FT RAD CURVE LT /LONG CHORD BEARS S 30D 53M 08S W 116.42 FT/ TO A PT 16.51 FT S 0D 02M 30S E & 0.43 FT S 87D 49M 30S E FROM SW COR OF LOT 146 TH N 87D 49M 30S W PAR WITH S LINE OF LOT 148 & SD S LINE EXT 132.43 FT TO W LINE OF SD PLAT TH N 313.78 FT M/L TO BEG \* MCQUEEN DOYLE PARK NO.1 \*

301 36<sup>th</sup> St SW – Tax identification number - 41-17-13-455-052

411713455052 LOT 883 EX N 9 FT ALSO LOT 884 & 885 ALSO THAT PART OF LOTS 886 TO 891 INCL LYING N OF N LINE OF 36TH ST /100 FT WIDE/ ALSO LOTS 892 & 893 ALSO LOT 894 EX N 9 FT ALSO LOT 922 ALSO THAT PART OF LOT 923 LYING N OF N LINE OF 36TH ST /100 FT WIDE/ ALSO THAT PART OF VACATED PORTION OF HILL CROFT AVE /60 FT WIDE/ DESC AS - COM 249 FT N ALONG E LINE OF SD AVE FROM SW COR OF LOT 891 TH S ALONG SD E LINE TO N LINE OF 36TH ST /100 FT WIDE/ TH W ALONG SD N LINE TO W LINE OF SD VACATED AVE TH N ALONG SD W LINE TO A PT 249 FT N ALONG SD W LINE FROM SE COR OF LOT 923 TH E TO BEG ALSO THAT PART OF VACATED PORTION OF BIRCHWOOD AVE /60 FT WIDE/ DESC AS - COM AT SE COR OF LOT 885 TH N ALONG W LINE OF SD VAC AVE 122 FT TH E TO A PT ON E LINE OF SD VACATED AVE 122 FT N ALONG SD E LINE FROM SW COR OF LOT 842 TH S ALONG E LINE OF SD VACATED ST TO SW COR OF LOT 841 & TO N LINE OF 36TH ST /100 FT WIDE/ TH W ALONG SD N LINE TO W LINE OF SD VACATED ST TH N TO BEG \* HOME ACRES NO.2 SPLIT ON 07/02/2009 FROM 41-17-13-455-044, 41-17-13-455-046, 41-17-13-455-048; SPLIT/COMBINED ON 01/08/2013 FROM 41-17-13-455-050, 41-17-13-455-049, 41-17-13-455-051;

KENT COUNTY, MICHIGAN  
REGISTERED PLAT  
NO. 249  
2008



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