


CORPORATE REAL ESTATE SERVICES

Project No. RWS0000825

Date: October 4, 2000
To: Phillip Martin, Records Center
From: Elaine Clifford, Ext.: 58343 
Subject: Partial Disclaimer of an Edison underground easement

Attached are papers related to the partial disclaimer of an Edison and Michigan Bell easement agreement granted to Thomas Mallory of Classic Traditions, LLC for property located in the NW ¼ of Section 18, Ypsilanti Twp., Washtenaw County, Michigan. This easement was originally granted to Edison and Bell on March 7, 1973 by Mathews-Phillips, Inc. and Helen McCalla, and recorded in Liber 1432 Page 931, WCR.

Edison disclaims all their rights as it pertains to Owner's land only.

Please incorporate these papers into the Right of Way File No. R28526.

PARTIAL DISCLAIMER OF RIGHT OF WAY

On October 4, 2000, for one dollar and other valuable consideration, Edison disclaims some, but not all, of the rights that Edison has in a certain Right of Way.

"Edison" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226

The "Right of Way":

- a) Was granted to Detroit Edison Company, a Michigan corporation, and Michigan Bell, a Michigan corporation, by Mathews-Phillips, Inc., a Delaware Corporation, 210 Huron Blvd., Ann Arbor, MI 48103 and Helen McCalla, 2324 W. Michigan Ave., Ypsilanti, MI 48197 on March 7, 1973.
- b) Is recorded in Liber No. 1432, Page No. 931, Washtenaw County Records.
- c) Concerns land in NW ¼ of Sec. 18, Ypsilanti Township, Washtenaw County, Michigan described as: See Appendix "A".

Rights Disclaimed by Edison

Edison disclaims their rights as it pertains to Owner's land only. See Attachment "A" & "B"

Witnessed by: (type or print name under signature)

Elaine Clifford
Elaine Clifford

Sharon M. Lollo
Sharon M. Lollo

The Detroit Edison Company

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

Acknowledged before me in Wayne County, Michigan, on October 4, 2000, by Paul W. Potter, the Director of Corporate Real Estate of the Detroit Edison Company, a Michigan Corporation, for the corporation.

SHARON LOLLO
Notary Public, Wayne County
Acting in Washtenaw Co., MI
My Commission Expires Dec, 5, 2003

Notary's Stamp _____ Notary's Signature Sharon Lollo
(Notary's name, county, and date commission expires)

Prepared by: John C. Erb, 2000 Second Ave., Suite 2310 WCB, Detroit, Michigan 48226.
Return to: John C. Erb, 2000 Second Ave., Suite 2310 WCB, Detroit, Michigan 48226.

Appendix "A"

PARCEL I

Beginning at the North 1/4 corner of Fractional Section 18, Town 3 South, Range 7 East, Ypsilanti Township, Washtenaw County, Michigan:

thence South 88° 32' 30" East 1344.96 feet along the North line of said Fractional Section 18 and the center line of Ellsworth Road; thence South 1° 27' 30" West 909.11 feet; thence South 10° 27' 46" East 368.56 feet to the North line of the I - 94 U. S. 12 interchange; thence along the North line of the said (U.S. 12) I - 94 interchange in the following courses:

South 59° 09' 39" West 258.94 feet; North 30° 50' 21" West 15.00 feet; Westerly 807.13 feet along the arc of a circular curve concave to the Northwest, radius 1820.08 feet, central angle 25° 24' 30", chord South 71° 51' 54" West 800.53 feet; South 84° 34' 09" West 343.52 feet; South 1° 51' 37" East 0.24 feet along the North and South 1/4 line of said Fractional Section 18; South 75° 04' 09" West 1205.08 feet; Westerly 74.01 feet along the arc of a circular curve concave to the North, radius 223.18 feet, central angle 19° 00' 00", chord South 84° 34' 09" West 73.67 feet; thence North 85° 55' 51" West 1265.56 feet along the North line of I - 94 to the West line of said Fractional Section 18; thence North 1° 36' 23" East 1959.76 feet along the West line of said Fractional Section 18 to the North line of said Fractional Section 18 and the center line of Ellsworth Road; thence South 89° 25' 22" East 2389.73 feet along the North line of said Fractional Section 18 and the center line of Ellsworth Road to the Place of Beginning, being a part of the North 1/2 of said Fractional Section 18, Town 3 South, Range 7 East, Ypsilanti Township, Washtenaw County, Michigan.

PARCEL II

Commencing at the North 1/4 corner of Fractional Section 18, Town 3 South, Range 7 East, Ypsilanti Township, Washtenaw County, Michigan; thence South 88° 32' 30" East 1344.96 feet along the North line of said Fractional Section 18 and the center line of Ellsworth Road for a place of Beginning; thence continuing South 88° 32' 30" East 538.53 feet along the North line of said Fractional Section 18 and the center line of Ellsworth Road; thence South 13° 26' 23" East 165.00 feet parallel with the West line of French Claim 690 and the center line of Hewitt Road; thence South 88° 32' 30" East 165.00 feet parallel with the North line of said Fractional Section 18 and the center line of Ellsworth Road to the West line of French Claim 690 and the centerline of Hewitt Road; thence South 13° 26' 23" East 624.28 feet along the West line of French Claim 690 and the center line of Hewitt Road to the North line of Michigan Avenue (U.S. 12); thence South 57° 37' 09" West 182.56 feet along the North line of Michigan Avenue (U.S.12); thence South-westerly 259.05 feet along the North line of Michigan Avenue (U.S.12) and the arc of a circular curve concave to the Northwest, radius 13750.90 feet, central angle 1° 04' 46", chord South 58° 09' 43" West 259.04 feet; thence North 30° 50' 21" West 370.05 feet; thence South 59° 09' 39" West 402.92 feet; thence North 1° 27' 30" East 909.11 feet to the Place of Beginning, being a part of the North 1/2 of said Fractional Section 18, Town 3 South, Range 7 East, Ypsilanti Township, Washtenaw County, Michigan.

RECORDED IN BOOK 10 PAGE 100

Commencing at the North 1/4 corner of Fractional Section 18, T3S, R7E, Ypsilanti Township, Washtenaw County, Michigan, thence North 89°25'22" West 36.05 feet along the north line of said Fractional Section 18 and the centerline of Ellsworth Road (66' wide) to a Point of Beginning; thence South 04°05'15" East 43.30 feet; thence South 01°54'21" East 1080.00 feet; thence South 88°32'30" East 600.00 feet; thence North 74°51'31" East 744.47 feet; thence South 01°27'30" West 391.61 feet; thence along the northerly right-of-way line of the I-94 Expressway in the following ten (10) courses: South 67°48'25" West 343.78 feet; South 71°06'39" West 199.81 feet; South 89°28'19" West 199.81 feet; North 81°20'51" West 582.31 feet; South 79°14'21" West 292.14 feet; South 59°49'32" West 709.97 feet; South 68°04'32" West 303.03 feet; South 84°34'32" West 303.03 feet; North 87°10'28" West 405.03 feet; North 85°55'51" West 586.50 feet; thence North 01°36'23" East 635.15 feet along the west line of said Fractional Section 18; thence North 90°00'00" East 110.90 feet; thence South 00°00'00" East 100.00 feet; thence North 90°00'00" East 232.84 feet; thence South 70°17'00" East 183.77 feet; thence North 69°07'24" East 230.11 feet; thence North 60°26'02" East 306.82 feet; thence 173.48 feet along the arc of a circular curve to the north, radius 282.00 feet, central angle 35°14'53", chord South 54°19'58" East 170.76 feet; thence North 21°08'04" East 228.55 feet; thence North 90°00'00" East 117.00 feet; thence North 00°00'00" East 290.00 feet; thence North 90°00'00" East 370.00 feet; thence North 00°00'00" East 425.00 feet; thence North 90°00'00" West 105.00 feet; thence North 00°00'00" East 348.29 feet; thence North 89°25'22" West 5.29 feet; thence North 00°34'38" East 60.03 feet; thence South 89°25'22" East 793.67 feet along the north line of said Fractional Section 18 and the centerline of said Ellsworth Road to the Point of Beginning, being a part of the North 1/2 of Fractional Section 18, T3S, R7E, Ypsilanti Township, Washtenaw County, Michigan.

EXCEPT for retention pond included in sale recorded in Liber 2903, page 31, Washtenaw County Records, better described in amendment recorded in Liber 2903, page 26 (which also covers other land), Washtenaw County Records, as follows:

Commencing at the North 1/4 corner of Fractional Section 18, T3S, R7E, Ypsilanti Township, Washtenaw County, Michigan, thence South 88°32'30" East 1344.96 feet along the north line of said Fractional Section 18 and the centerline of Ellsworth Road; thence South 01°27'30" West 909.11 feet; thence South 74°51'31" West 48.79 feet to the Point of Beginning; thence South 01°27'30" West 351.30 feet; thence South 67°00'41" West 174.18 feet; thence North 18°41'56" West 343.11 feet; thence North 87°57'17" West 140.09 feet; thence North 15°31'27" West 18.68 feet; thence North 63°06'52" East 479.07 feet; thence South 01°27'30" West 145.84 feet to the Point of Beginning, being a part of the Northeast 1/4 of Fractional Section 18, T3S, R7E, Ypsilanti Township, Washtenaw County, Michigan.



BOUNDARY OF PARCEL 1 IN
RECORDED RIGHT OF WAY
FILE NO. 28526

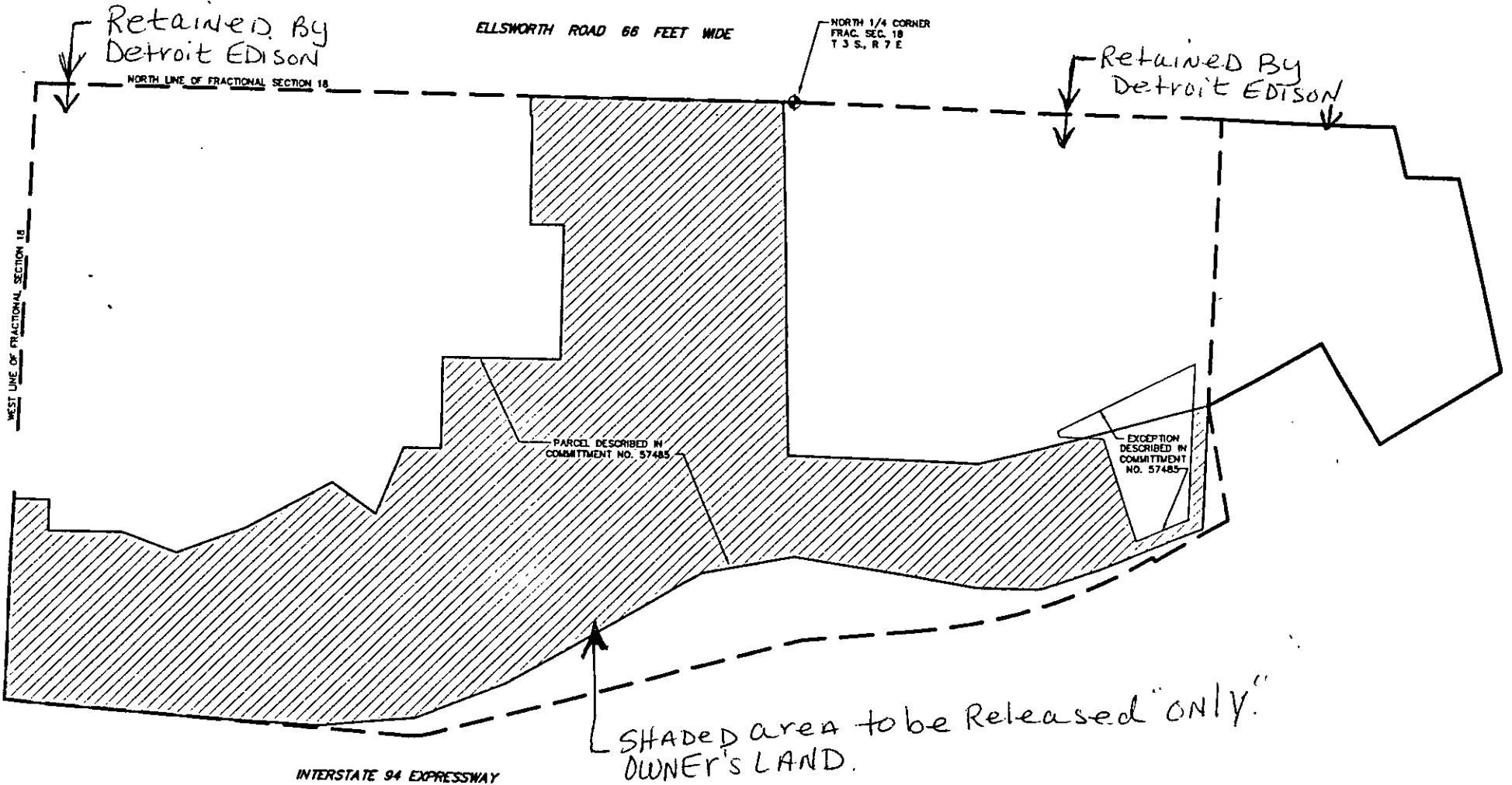


BOUNDARY OF PARCEL 2 IN
RECORDED RIGHT OF WAY
FILE NO. 28526



NORTH

JOB NUMBER 200009298
SCALE: 1 INCH = 400 FEET
DATE: SEPT. 18, 2000



SCHEDULE A

1. Commitment date: 02/29/00 at 8:30 A.M.

2. Policy or Policies to be issued:

(a) ALTA Owner's Policy Policy Amount \$ 3,500,000.00
Proposed Insured: CLASSIC TRADITIONS, LLC, AN OHIO LIMITED
LIABILITY COMPANY

Residential Title Insurance Policy Policy Amount \$
- Proposed Insured:
COMPANY

(b) ALTA Loan Policy without exceptions Policy Amount \$
- Proposed Insured:

3. Fee Simple interest in the land described in this
Commitment is owned, at the Commitment Date, by: M & P Properties Ypsilanti
L.L.C., a Michigan Limited Liability Company

4. The land referred to in this Commitment is located in the Township of
Ypsilanti, County of Washtenaw, State of Michigan, and described as
follows:

Parcel 1-Insured Parcel

Commencing at the North 1/4 corner of Fractional Section 18, T3S, R7E,
Ypsilanti Township, Washtenaw County, Michigan, thence North 89°25'22" West
36.05 feet along the north line of said Fractional Section 18 and the
centerline of Ellsworth Road (66' wide) to a Point of Beginning; thence South
04°05'15" East 43.30 feet; thence South 01°54'21" East 1080.00 feet; thence
South 88°32'30" East 600.00 feet; thence North 74°51'31" East 744.47 feet;
thence South 01°27'30" West 391.61 feet; thence along the northerly
right-of-way line of the I-94 Expressway in the following ten (10) courses:
South 67°48'25" West 343.78 feet; South 71°06'39" West 199.81 feet; South
89°28'19" West 199.81 feet; North 81°20'51" West 582.31 feet; South 79°14'21"
West 292.14 feet; South 59°49'32" West 709.97 feet; South 68°04'32" West 303.03
feet; South 84°34'32" West 303.03 feet; North 87°10'28" West 405.03 feet; North
85°55'51" West 586.50 feet; thence North 01°36'23" East 635.15 feet along the
west line of said Fractional Section 18; thence North 90°00'00" East 110.90
feet; thence South 00°00'00" East 100.00 feet; thence North 90°00'00" East
232.84 feet; thence South 70°17'00" East 183.77 feet; thence North 69°07'24"

(Continued)

SCHEDULE B - SECTION II
EXCEPTIONS

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. Standard Exceptions on the attached rider.
2. Unrecorded interest of Roundtree Apartments as disclosed by inspection of premises (large illuminated sign is located on property).
3. Surface and Storm Water Drainage Easement Agreement as recorded in Liber 2903, page 37 and re-recorded in Liber 2940, page 1, Washtenaw County Records.
4. Pole line permit as recorded in Liber 593, page 448, Washtenaw County Records.
5. Sanitary Sewer Easement Agreement as recorded in Liber 2903, page 54, Washtenaw County Records.
6. Restrictive covenants as contained in instrument recorded in Liber 1039, page 480, Washtenaw County Records.
7. Right of Way in favor of Michigan Bell Telephone Company, as recorded in Liber 1427, page 793, Washtenaw County Records.
- ~~8.~~ 8. Agreement-Easement-Restrictions with The Detroit Edison Company and Michigan Bell Telephone Company, as recorded in Liber 1432, page 931, Washtenaw County Records (route unspecified).
9. Grant of Easement for drainage, as recorded in Liber 1714, page 88 and Liber 1722, page 327, Washtenaw County Records.
10. Rights of the public or any governmental unit in any part of subject property taken, deeded, or used for street, road or highway purposes, as to Ellsworth Road.
11. Access easement reserved over subject property recorded in Liber 2541, page 515, Washtenaw County Records, and notice of existing storm water retention basins.
12. Storm Drainage Easement as recorded in Liber 2657, page 915, Washtenaw County Records.
13. Public Road Easement as recorded in Liber 2657, page 925, Washtenaw County Records.
14. Right of Way in favor of Michigan Consolidated Gas Company, as recorded in Liber 1427, page 531 and corrected in Liber 1430, page 645, Washtenaw County Records.
15. Easement Agreement as recorded in Liber 2015, page 744, Washtenaw County Records.

(Continued)

Detroit Edison



Date: August 27, 2000
To: Elaine Clifford
From: Cheryl Groncki *CG*
Administrative Associate
Project Management
Subject: Release of an Underground Edison Easement
Project # RWS0000825
YpsilantiTwp. Washtenaw County

Request submitted by Thomas Mallory of Classic Traditions, LLC is approved. We have no objection to the release of the blanket easement that was to be used to install underground services to new proposed buildings. Since the building and services were never installed Detroit Edison has no need for this particular easement.

/cag

Approved

Steven M. Topolewski

Steven M. Topolewski
Principal Engineer
Project Management

File: RWS0000825

APPROVED

Date: 9-8-00

To: Elaine Clifford

From: Chuck Coleman, Rights-of-Way Representative

Subject: Partial Release of easement in the

N.W. 1/4 of Section 18

Ypsilanti Twp., Michigan

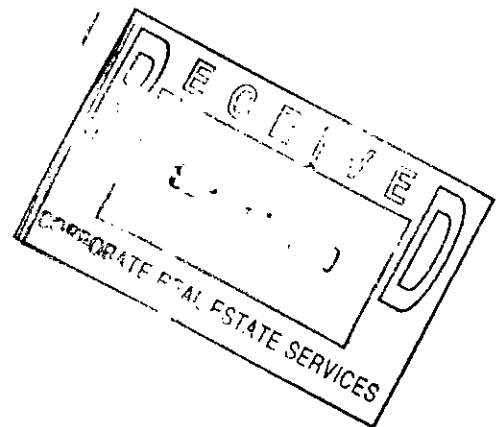
County, Michigan - Project # RWS-0000825

The Western Wayne Service Center does not object to the

proposed partial release except that portion that
pertains to the underground residential development now
servicing the Rountree Apartment Complex

Approved:

(signed)





363 EAST TOWN STREET
COLUMBUS, OH 43215

PHONE:
614.221.9096

FAX:
614.232.0601

June 26, 2000

Detroit Edison
Attn: Real Estate
600 Plaza Drive
Suite 2310 WCB
Detroit, MI 48226

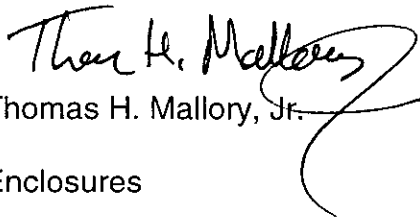
Dear Sir or Madam:

We hereby request that Detroit Edison release its easement affecting property in Ypsilanti that we intend to purchase and develop. I enclosed a copy of a fax I received from Elaine Clifford describing what documentation Detroit Edison needs to process this request. I have drafted this letter to be as responsive as possible to Ms. Clifford's fax. Our closing will be on August 23, 2000, and we hope we can resolve this matter before that date.

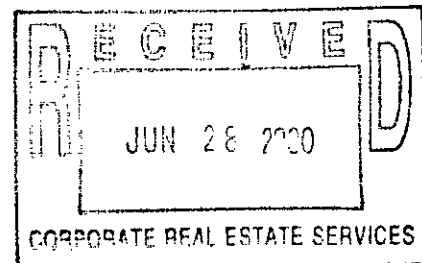
I enclosed a certified site survey and a copy of the easement for which we are requesting a release. The easement is a blanket easement, so the survey does not describe the easement route or area nor the Pole or Tower Line as Ms. Clifford requests. While there are power lines and towers running north and south across the property that are shown on the survey, those are subject to another, separate easement not made a part of this request. The easement in question permits electric underground services only, and, according to our surveyor, Detroit Edison has not installed any such services. I also included a copy of the preliminary title commitment from Liberty Title. Finally, I included a check in payment of the non-refundable processing fee. We are making a similar request of Michigan Bell concerning this easement.

Please direct all correspondence on this matter to the undersigned. We thank you in advance for your consideration.

Very truly yours,


Thomas H. Mallory, Jr.

Enclosures



Remitted By

Classic Traditions LLC

General Ledger Coupon

DE 963-0409 11-98

- Type Agents Remittance Energy Drafts Legal Returned Checks
- Cash Group Gift Certificate Overages/Shortages Savings Plan
- Change Orders Insurance Refrigerator Replacement State of Michigan
- Commissions Land Contracts/Rentals Refunds Subsidiaries
- Deferred Credit

Prepared By

E. Clifford

Ext. 58313

Date

7/7/00

Check No.

1070

Management Information Key (MIK) Distribution (Bus. Unit is Mandatory)

Amount

MIK - Bus Unit	Stat Actv	Rsrc Type	Sec Dept	User Dept	Sub Proj	Amount	
DISTR	002100	700	00563	00563		300.00	
Actv Occ		Proc	Actv Eqmt	Prod	Cust		
RWS0000825. Subtotal from Back Here →							
For your convenience Additional MIK fields on reverse side						Grand Total	300.00

⑆5588⑆5588⑆

CLASSIC TRADITIONS, LLC

363 E. TOWN STREET
COLUMBUS, OH 43215

1070

56-130-441

DATE JUNE 23, 2000

PAY TO THE ORDER OF

DETROIT EDISON

\$ 300.00

THREE HUNDRED AND NO/100

DOLLARS

PARK NATIONAL BANK
COLUMBUS OFFICE
COLUMBUS, OHIO 43215

FOR easement release - Ypsilanti property

⑆001070⑆ ⑆044101305⑆

⑆4289446⑆

15
A

PARTIAL DISCLAIMER OF RIGHT OF WAY

On October 4, 2000, for one dollar and other valuable consideration, Edison disclaims some, but not all, of the rights that Edison has in a certain Right of Way.

"Edison" is:

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Rights Disclaimed by Edison

Edison disclaims their rights as it pertains to Owner's land only. See Attachment "A" & "B"

Witnessed by: (type or print name under signature)

Elaine Clifford
Elaine Clifford

Sharon M. Lollo
Sharon M. Lollo

The Detroit Edison Company

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

WASHTENAW

Acknowledged before me in ~~Wayne~~ Washtenaw County, Michigan, on October 4, 2000, by Paul W. Potter, the Director of Corporate Real Estate of the Detroit Edison Company, a Michigan Corporation, for the corporation.

SHARON LOLLO
Notary Public, Wayne County
Acting in Washtenaw Co., MI
My Commission Expires Dec, 5, 2003

Notary's Stamp _____ Notary's Signature Sharon Lollo
(Notary's name, county, and date commission expires)

Prepared by: John C. Erb, 2000 Second Ave., Suite 2310 WCB, Detroit, Michigan 48226.

✓ Return to: John C. Erb, 2000 Second Ave., Suite 2310 WCB. Detroit, Michigan 48226.



Peggy M. Haines - Washtenaw Co. AFF

Appendix "A"

PARCEL I

Beginning at the North 1/4 corner of Fractional Section 18, Town 3 South, Range 7 East, Ypsilanti Township, Washtenaw County, Michigan:
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RECORDED IN PUBLIC RECORDS OF WASHTENAW COUNTY, MICHIGAN. 28524

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PeL

- K - 11 - 18 - 200 - 012
- K - 11 - 18 - 200 - 002
- K - 11 - 18 - 200 - 004
- " - 005
- " - 006
- K - 11 - 18 - 220 - 001
- K - 11 - 18 - 225 - 001



thru - 142
thru - 032

- K-11-18-200-003
- K-11-18-200-010
- K-11-18-200-013
- K-11-18-200-014
- K-11-18-200-015



5141416
Page: 3 of 4
10/24/2000 12:43P



BOUNDARY OF PARCEL 1 IN
RECORDED RIGHT OF WAY
FILE NO. 28528

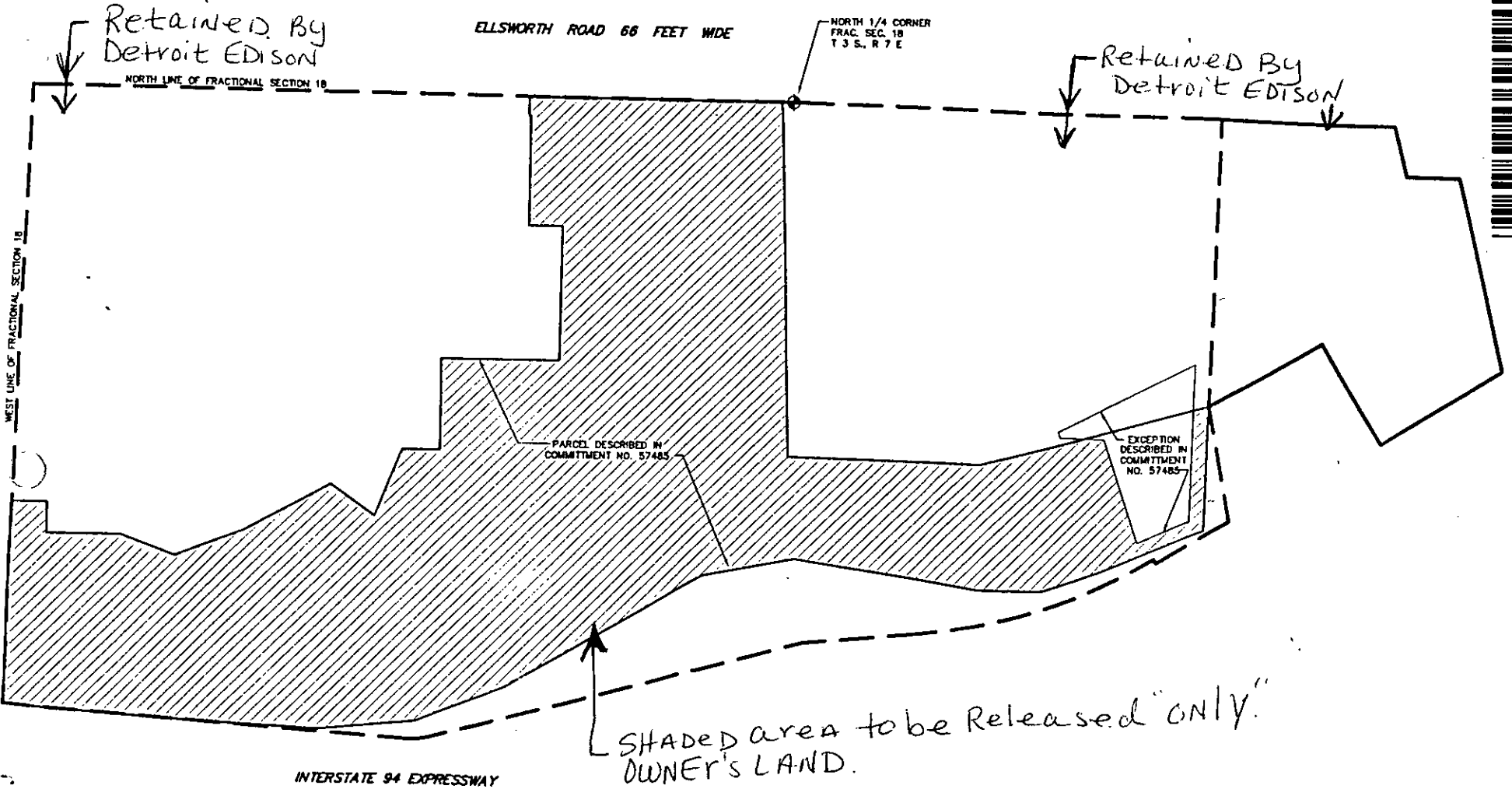


BOUNDARY OF PARCEL 2 IN
RECORDED RIGHT OF WAY
FILE NO. 28528



NORTH

JOB NUMBER 200009298
SCALE: 1 INCH = 400 FEET
DATE: SEPT. 19, 2000



5141416

Page: 4 of 4
10/24/2000 12:43P

L-3975 P-409



Peggy M. Haines - Meshtenaw Co. AFF

*Libel 1432
Page 931*

AGREEMENT - EASEMENT - RESTRICTIONS

This instrument made this _____ day of _____, 19____, by and between the undersigned Owners and 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 called "EDISON", and MICHIGAN BELL TELEPHONE COMPANY, a Michigan Corporation, of 1365 Cass Avenue, Detroit, Michigan, 48226, hereinafter called "BELL".

W I T N E S S E T H :

WHEREAS, Owners are erecting apartments known as Roundtree
_____, on land in the Township of Ypsilanti

County of Washtenaw, State of Michigan, as described in Appendix "A", attached hereto and made a part hereof, and EDISON and BELL will install their electric and communication facilities underground except necessary above ground equipment.

NOW, THEREFORE, in consideration of the mutual promises and covenants for the installation of underground utility service made by the parties hereto, it is hereby agreed:

- (1) The installation, ownership and maintenance of electric services and the charges to be made therefor shall be subject to and in accordance with the Orders and Rules and Regulations adopted from time to time by the Michigan Public Service Commission.
- (2) Owners must certify to EDISON and BELL that the easements are graded to within four (4") inches of final grade before the underground facilities are installed.
- (3) Owners further agree that if subsequent to the installation of the utility facilities of EDISON and BELL, it is necessary to repair, move, modify, rearrange or relocate any of their facilities to conform to a new plot plan or change of grade or for any cause or changes attributable to public authority having jurisdiction or to Owners action or request, Owners will pay the cost and expense of repairing, moving, rearrangement or relocating said facilities to EDISON and BELL upon receipt of a statement therefor. Further, if the lines or facilities of EDISON and BELL are damaged by acts of negligence on the part of the Owners or by contractors engaged by Owners, repairs shall be made by the utilities named herein at the cost and expense of the Owners and shall be paid to EDISON or BELL upon receiving a statement therefor. Owners are defined as those persons owning the land at the time damage occurred.
- (4) Owners hereby grant to EDISON and BELL easement for electric and communication underground services in land herein described. When utility lines are installed, this instrument shall be re-recorded with an "as installed" drawing showing the location of utility facilities in relation to building lines and indicating the easements by their centerlines. Easements herein granted shall be six (6') feet in width unless otherwise indicated on said drawing. However, secondary electric service and communication entrance line locations, as shown on an "as installed" drawing are not guaranteed; actual locations can be determined after contact with utilities.
- (5) Owners to pay the cost of conduit for electric and/or communication facilities to accommodate patios or similar site conditions.
- (6) Easements herein granted are subject to the following restrictions and additional conditions:
 - a. Said easements shall be subject to Orders of and the Rules and Regulations adopted from time to time by the Michigan Public Service Commission.
 - b. Owners will place survey stakes indicating building plot lines and property lines before trenching.

RECORDED FIRST OF WAY NO. 285576

*April 18 - Sup.
Dec. 18
May (Ypsilanti
)*

RECORDS CENTER

RECEIVED MAR 21 '73

TICKLER MADE

CLASSIFIED

c. No shrubs or foliage shall be permitted on Owners land within five (5') feet of front door of transformers or switching cabinet enclosures.

d. Sanitary sewers shall be installed prior to installation of electric and communication lines. Sewer, water and gas lines may cross easements granted for electric and communication lines, but shall not be installed parallel within said easements.

e. Owners shall make no excavations nor erect any structures within the easements identified on the "as installed" drawing. No excavations for fences shall be allowed within the limits of the utility easements provided for electric and communication lines unless prior written approval is secured from the utilities.

f. Owners to provide for clearing the easements of trees, large stumps, and obstructions sufficiently to allow trenching equipment to operate. Owners to pay to utility concerned the extra trenching costs involved if trenching is required while ground is frozen.

g. EDISON and BELL shall have the right of access at all times upon premises for the purposes of constructing, repairing and maintaining their electric and communication lines and facilities.

h. Any of the undersigned who are vendors on land contracts wherein a portion of the lands described herein are being sold shall not be liable to BELL or EDISON unless and until the interest of the vendees, under any such contracts, have been forfeited and damage to utility lines and equipment occurs after such forfeiture.

The provisions of this instrument shall run with the land and shall be binding upon and inure to the benefit of the respective heirs, administrators, executors, personal representatives, successors and assigned of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

IN THE PRESENCE OF:

THE DETROIT EDISON COMPANY

Gerald S. Misiak
GERALD S. MISIAK

By W. C. Arnold
W. C. Arnold, Director, Real Estate and Rights of Way Dept

Irene C. Kata
IRENE C. KATA

By Lillian J. H. Carroll
LILLIAN J. H. CARROLL ASST. SECRETARY

MICHIGAN BELL TELEPHONE COMPANY

Frances J. Michaels
FRANCES J. MICHAELS

By William F. Murray Jr.
WILLIAM F. MURRAY JR.
Staff Supervisor, Right of Way
(Authorized Signature)

Diana Kingstrom
DIANA KINGSTROM

MATHEWS - PHILLIPS, INC.,
A Delaware Corporation
210 Huronview Blvd.
Ann Arbor, Michigan 48103

Alfred Cheng
Alfred Cheng

By Washburne D. Wright
Washburne D. Wright, Vice President

Jacqueline P. Aze
Jacqueline P. Aze

RECORDED RIGHT OF WAY NO. 28526

Kenneth E. Fline
Kenneth E. Fline

Helen McCalla
Helen McCalla
2324 W. Michigan
Ypsilanti, Michigan 48197

John Ziga, Sr.
John Ziga, Sr.

STATE OF MICHIGAN)
) SS
COUNTY OF WASHTENAW)

On this 7th day of March, 1973, before me appeared WASHBURNE D. WRIGHT, to me personally known, who being by me duly sworn, did say that he is VICE-PRESIDENT of MATHEWS - PHILLIPS, INC., a corporation created and existing under the laws of the State of Delaware and that the said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and the said WASHBURNE D. WRIGHT acknowledged the said instrument to be the free act and deed of the said corporation.

My Commission Expires: December 20, 1975

Patricia Hall
Notary Public Patricia Hall
Washtenaw County, Michigan

STATE OF MICHIGAN)
) SS
COUNTY OF WASHTENAW)

On this 7th day of March, 1973, before me the subscriber, a Notary Public in and for said County, personally appeared HELEN MCCALLA, to me known to be the person, named in and who executed the within instrument as vendor and acknowledged that she executed the same as her free act and deed for the intents and purposes therein mentioned.

My Commission Expires: December 20, 1975

Patricia Hall
Notary Public Patricia Hall
Washtenaw County, Michigan

RECORDED RIGHT OF WAY NO. 28526

STATE OF MICHIGAN)

SS

COUNTY OF WAYNE)

On this 12th day of March, 19 73, before me, the subscriber, a Notary Public in and for said County, personally appeared W. C. Arnold and Lillian J.H. Carroll to me personally known, who being by me duly sworn, did say that they are the Director, RE & R/W Dept. and an Assistant Secretary of THE DETROIT EDISON COMPANY, a corporation organized and existing concurrently under the laws of Michigan and New York, and that the seal affixed to said instrument is the corporate seal of the said corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors and W. C. Arnold and Lillian J.H. Carroll acknowledged said instrument to be the free act and deed of said Corporation.

My commission expires: May 14, 1976

Irene C. Kata
 Notary Public IRENE C. KATA

Wayne County, Michigan

STATE OF MICHIGAN)

SS

COUNTY OF OAKLAND)

On this 8th day of March, 19 73, before me, the subscriber, a Notary Public in and for said County, appeared William F. Murray Jr. to me personally known, who being by me duly sworn, did say that he is Staff Supervisor of Right of Way, authorized by and for MICHIGAN BELL TELEPHONE COMPANY, a Michigan Corporation, and that the said instrument was signed in behalf of said Corporation, by authority of its Board of Directors, and William F. Murray Jr. acknowledged said instrument to be the free act and deed of said corporation.

My commission expires: _____

Frances J. Michaels
 Notary Public
 Frances J. Michaels, Notary Public
 Oakland County, Michigan
 Commission Expires Oct. 9, 1979 County, Michigan

RECORDED RIGHT OF WAY NO. 28526

Appendix "A"

PARCEL I

Beginning at the North 1/4 corner of Fractional Section 18, Town 3 South, Range 7 East, Ypsilanti Township, Washtenaw County, Michigan:

thence South 88° 32' 30" East 1344.96 feet along the North line of said Fractional Section 18 and the center line of Ellsworth Road; thence South 1° 27' 30" West 909.11 feet; thence South 10° 27' 46" East 368.56 feet to the North line of the I - 94 U. S. 12 interchange; thence along the North line of the said (U.S. 12) I - 94 interchange in the following courses:

South 59° 09' 39" West 258.94 feet; North 30° 50' 21" West 15.00 feet; Westerly 807.13 feet along the arc of a circular curve concave to the Northwest, radius 1820.08 feet, central angle 25° 24' 30", chord South 71° 51' 54" West 800.53 feet; South 84° 34' 09" West 343.52 feet; South 1° 51' 37" East 0.24 feet along the North and South 1/4 line of said Fractional Section 18; South 75° 04' 09" West 1205.08 feet; Westerly 74.01 feet along the arc of a circular curve concave to the North, radius 223.18 feet, central angle 19° 00' 00", chord South 84° 34' 09" West 73.67 feet; thence North 85° 55' 51" West 1265.56 feet along the North line of I - 94 to the West line of said Fractional Section 18; thence North 1° 36' 23" East 1959.76 feet along the West line of said Fractional Section 18 to the North line of said Fractional Section 18 and the center line of Ellsworth Road; thence South 89° 25' 22" East 2389.73 feet along the North line of said Fractional Section 18 and the center line of Ellsworth Road to the Place of Beginning, being a part of the North 1/2 of said Fractional Section 18, Town 3 South, Range 7 East, Ypsilanti Township, Washtenaw County, Michigan.

PARCEL II

Commencing at the North 1/4 corner of Fractional Section 18, Town 3 South, Range 7 East, Ypsilanti Township, Washtenaw County, Michigan; thence South 88° 32' 30" East 1344.96 feet along the North line of said Fractional Section 18 and the center line of Ellsworth Road for a place of Beginning; thence continuing South 88° 32' 30" East 538.53 feet along the North line of said Fractional Section 18 and the center line of Ellsworth Road; thence South 13° 26' 23" East 165.00 feet parallel with the West line of French Claim 690 and the center line of Hewitt Road; thence South 88° 32' 30" East 165.00 feet parallel with the North line of said Fractional Section 18 and the center line of Ellsworth Road to the West line of French Claim 690 and the centerline of Hewitt Road; thence South 13° 26' 23" East 624.28 feet along the West line of French Claim 690 and the center line of Hewitt Road to the North line of Michigan Avenue (U.S. 12); thence South 57° 37' 09" West 182.56 feet along the North line of Michigan Avenue (U.S.12); thence South-westerly 259.05 feet along the North line of Michigan Avenue (U.S.12) and the arc of a circular curve concave to the Northwest, radius 13750.90 feet, central angle 1° 04' 46", chord South 58° 09' 43" West 259.04 feet; thence North 30° 50' 21" West 370.05 feet; thence South 59° 09' 39" West 402.92 feet; thence North 1° 27' 30" East 909.11 feet to the Place of Beginning, being a part of the North 1/2 of said Fractional Section 18, Town 3 South, Range 7 East, Ypsilanti Township, Washtenaw County, Michigan.

RECORDED RIGHT OF WAY NO. 28526

MEMORANDUM ORDER
FOR GENERAL USE
DE FORM MS 77 12-53

TO **Engineering Coordinator Supervisors** DATE **3-12-73** TIME _____
Building H, Room 250 W.S.C.

**RE: Underground Service - Roundtree Apartments, Township of Ypsilanti,
Washtenaw County, Michigan.**

Agreements and Easements obtained - OK to proceed with construction.

COPIES TO: _____ SIGNED *Gerald S. Misiak*
Gerald S. Misiak
Real Estate and Rights of Way Dept.

REPORT _____

DATE RETURNED _____ TIME _____ SIGNED _____