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RIGHT OF WAY FILE #

R40171

GRANTOR NAME

[Empty grid for Grantor Name]

[Empty grid for Grantor Name]

STREET ADDRESS

[Empty grid for Street Address]

[Empty grid for Street Address]

ST

CITY/TOWN

[Empty grid for City/Town]

ZIP CODE

[Empty grid for Zip Code]

EASEMENT DESCRIPTION

10

AGREEMENT DATE

[Empty grid for Agreement Date]

AGREEMENT TYPE

R P C

LIBER #

[Empty grid for Liber #]

PAGE #

[Empty grid for Page #]

DRAWING R/W #

[Empty grid for Drawing R/W #]

PVT CL#

[Empty grid for PVT CL#]

SECTION

[Empty grid for Section]

QUARTER SECTION 3

[Empty grid for Quarter Section 3]

QUARTER SECTION 2

[Empty grid for Quarter Section 2]

QUARTER SECTION 1

[Empty grid for Quarter Section 1]

TOWNSHIP

[Empty grid for Township]

COUNTY

[Empty grid for County]

RTE OF LINE

N/S E/W B

TOWNSHIP RANGE

[Empty grid for Township Range]

DIVISION CODE

A D M O T W

SUBDIVISION NAME

[Empty grid for Subdivision Name]

OUT LOT

[Empty grid for Out Lot]

EAST OF

[Empty grid for East of]

BLOCK #1

[Empty grid for Block #1]

WEST OF

[Empty grid for West of]

LOT #1

[Empty grid for Lot #1]

NORTH OF

[Empty grid for North of]

BLOCK #2

[Empty grid for Block #2]

SOUTH OF

[Empty grid for South of]

LOT #2

[Empty grid for Lot #2]

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APPLICATION FOR RIGHT OF WAY

DE 963-0811 (8-7455 (MS 80))

Warren Twp
cc: 10

PLEASE SECURE RIGHT OF WAY AS FOLLOWS:

DATE October 18, 1989

LOCATION Civic Center Blvd. & New Horizon Blvd.

APPLICATION NO. MC-K402

CITY OR VILLAGE Warren

DEPT. ORDER NO. _____

TOWNSHIP _____ COUNTY Macomb

O. F. W. NO. _____

DATE BY WHICH RIGHT OF WAY IS WANTED 10-27-89

BUDGET ITEM NO. _____

THIS R/W IS _____ % OF TOTAL PROJECT NO. _____ ACCUM. _____ %.

INQUIRY NO. _____

JOINT RIGHT OF WAY REQUIRED YES NO
MBT

NOTE: Identify on print or sketch the subdivisions as to section location and liber and page.

KIND AND DESCRIPTION OF RIGHT OF WAY REQUESTED Easement as shown on sketch MC-K402

PURPOSE OF RIGHT OF WAY Provide service to New Horizon Condominiums

SIGNED George P. Rinaldi
George P. Rinaldi, Supervisor
Mt. Clemens
Engineering & Planning
OFFICE DEPARTMENT

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPT.

RIGHT OF WAY NO. 40171

R/W secured as requested

PERMITS IN RECORD CENTER 1 R.E. & R/W DEPT. FILE 1 GRANTOR 1

NO. OF PERMITS 1 NO. OF STRUCTURES _____ NO. OF MILES _____ PERMITS TO MBT 1

DATE 1/24/90 SIGNED Michael DuLabe

WIRE 04300812

December 11, 1989

For good and valuable consideration of system betterment, the undersigned hereby grant and convey to THE DETROIT EDISON COMPANY, a Michigan corporation of 2000 Second Avenue, Detroit, Michigan, and MICHIGAN BELL TELEPHONE COMPANY, a Michigan Corporation of 444 Michigan Avenue, Detroit, Michigan, hereinafter referred to collectively as "GRANTEE," the right to construct, reconstruct, modify, add to, operate and maintain underground line facilities consisting of poles, conduits, wires, cables, manholes, transformers and accessories required to provide electric and communication services in, under, upon and across property located in the City of Warren, County of Macomb, State of Michigan, further described as follows:

Part of the Northwest 1/4 of Section 10, T1N, R12E, City of Warren, Macomb County, Michigan, is described as: Beginning at a point on the East line of Civic Center Blvd., said point located N 89°39'10" East along the East and West 1/4 line of said Section 10, a distance of 1024.74 feet and N 00°33' East along said East line 280.14 feet and on a curve to the left (radius = 281.49 feet long chord bears N 19°50'55" West 196.22 feet) a distance of 200.43 feet from the West 1/4 corner of said Section 10, thence continuing on a curve to the left (radius = 281.49 feet long chord bears N 42°29'09" West 21.99 feet) a distance of 22.0 feet, thence N 45°16'30" East 118.52 feet, thence N 03°25'47" East 106.51 feet, thence N 00°33' East 310.00 feet, thence S 89°27' East 176.39 feet; thence S 23°33' West 97.22 feet, thence on a curve to the right (radius = 225.0 feet long chord bears S 38°40'08" East 285.13 feet) a distance of 308.80 feet, thence S 00°38'58" West 144.40 feet, thence N 89°21'02" West 286.44 feet, thence on a curve to the left (radius = 105.0 feet long chord bears S 67°57'44" West 80.99 feet) a distance of 83.14 feet, thence S 45°16'30" West 44.0 feet to the point of beginning.

RECORDED IN MACOMB COUNTY RECORDS AT: 12:26p M.

JAN 17 1990

Edna Miller

as shown on the attached drawing MC-K402 which CLERK, REGISTER OF DEEDS MACOMB COUNTY, MICHIGAN

The right of way is six (6) & ten (10) feet in width.

The rights hereby granted include the right of access to and from the right of way and the right to trim, cut down or otherwise control trees, brush or roots of any kind either within the right of way or on property adjoining the right of way which in the opinion of the GRANTEE interferes with the construction or operation of the line facilities. It is expressly understood and agreed that the GRANTEE shall, at no time, trim or cut down any trees unless, in the GRANTEE'S opinion, it is absolutely necessary to do so. The GRANTEE shall restore premises to its original condition or as near as can be in the event of damages caused by its employes, contractors, vehicles and equipment entering premises for the purposes set forth herein.

No buildings or structures are to be placed within said right of way herein granted without the written consent of the GRANTEE.

This grant is declared to be binding upon the heirs, successors, lessees, licensees and assigns of the parties hereto.

IN WITNESS WHEREOF, the undersigned have hereunto set their hand(s) on the date of this agreement.

Witnesses:

Diana R. Eggleston
DIANA R. Eggleston
Susan A. Putrycus
SUSAN A. PUTRYCUS

Prepared by: & return to: Susan Putrycus
15600 - 19 Mile Road
Mt. Clemens, MI 48044

Grantors:

HOMEWOOD SUITES EQUITY DEVELOPMENT CORP.,
a Tennessee corp
RALPH B. Lake
Vice President

Address: 3742 Lamar Ave.
Memphis, Tenn. 38195

APPROVED AS TO FORM 12/14/89 DATE
LEGAL DEPARTMENT

RECORDED RIGHT OF WAY 40171

Acknowledgement-Individual

STATE OF MICHIGAN

LIBER 04800 PG 813

County of _____)SS

On this ____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

Notary Public, _____ County, Michigan

My commission expires _____

Acknowledgement-Individual

STATE OF MICHIGAN

County of _____)SS

On this ____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

Notary Public, _____ County, Michigan

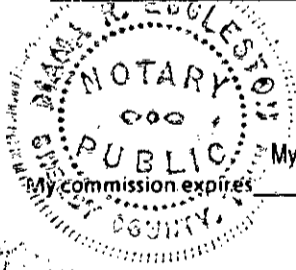
My commission expires _____

Acknowledgement-Corporation

STATE OF MICHIGAN

County of Tennessee)SS

On this 11 day of December 19 89, the foregoing instrument was acknowledged before me, a notary public in and for said county, by Ralph B. Lake whose title(s) is/are Vice President of Homewood Suites Equity Development Corp. a Tennessee corporation, on behalf of the corporation.



My Commission Expires August 2, 1993

Diana R. Eggleston
Notary Public, Shelby County, Michigan
Tennessee

RECORDED RIGHT OF WAY NO. 40171

Acknowledgement-Partnership

STATE OF MICHIGAN

County of _____)SS

On this ____ day of _____, 19____, the foregoing instrument was acknowledged before me, a notary public in and for said county, by _____

(a) general/managing partner(s), on behalf of _____ a partnership.

Notary Public, _____ County, Michigan

My commission expires _____

RECORDED RIGHT OF WAY NO. 40171

R 46171