

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9200878-1AR
PROJECT NAME: ROLLING MEADOW ESTATES NO. 1**

On July 1, 1992, for the consideration of system betterment, Grantor grants to Grantee a permanent underground distribution easement ("Right of Way") in, on and across a part of Grantor's Land called the "Right of Way Area".

"Grantor" is:

PITTSFIELD MICHIGAN AVENUE ASSOCIATES, a Michigan Limited Partnership, MORTGAGE INCOME PARTNERSHIP, a Michigan Limited Partnership, IRVINE-PITTSFIELD LIMITED PARTNERSHIP, a Michigan Limited Partnership, 33481 W. 14 Mile Road, Suite 100, Farmington Hills, Michigan 48331

"Grantee" is:

The Detroit Edison Company, a Michigan corporation, 2000 Second Avenue, Detroit, Michigan 48226
Michigan Bell Telephone Company, a Michigan corporation, 444 Michigan Avenue, Detroit, Michigan 48226
Columbia Associates, Limited Partnership/DBA/Columbia Cable of Michigan, a Michigan Limited Partnership, 2505 South Industrial Hwy., P.O. Box 998, Ann Arbor, Michigan 48106

"Grantor's Land" is in Pittsfield Township, Washtenaw County, described as:

***** See Reverse Side for Legal Description *****

The "Right of Way Area" is a part of Grantor's Land and is described as:

All in accordance with Proposed Plat, which is attached hereto and made a part hereof. (Appendix "B")
The width of Right of Way is twelve (12) feet.

1. **Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain utility line facilities consisting of poles, guys, anchors, wires, manholes, conduits, pipes, cables, transformers and accessories.
2. **Access:** Grantee has the right of access to and from the Right of Way Area.
3. **Buildings or other Permanent Structures:** No buldings or other permanent structures shall be placed in the Right of Way Area without Grantee's prior written consent.
4. **Excavation:** As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
5. **Trees, Bushes, Branches Roots, Structures and Fences:** Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots in the Right of Way Area (or that could grow into the Right of Way Area) and remove structures and fences in the Right of Way Area that Grantee believes could interfere with the safe and reliable construction, operation and maintenance of Grantee's facilities. No trees, plant life, structures and fences shall be planted, grown or installed within 8 feet of the front door and within 2 feet of the other sides of transformers and switching cabinet enclosures. Grantee shall not be responsible to Grantor for damages to or removal of trees, plant life, structures and fences placed in front of transformer doors.
6. **Ground Elevation:** Grantor must grade the Right of Way Area to within four inches of final grade before Grantee installs its facilities. Grantor must maintain this ground elevation after Grantee installs its facilities.
7. **Damages:** If Grantor, its agents, employees or contractors, damage Grantee's facilities, Grantee shall make repairs at Grantor's expense.
8. **Successors:** This Right of Way runs with the land and binds and benefits Grantor's and Grantee's successors, lessees, licensees and assigns.

RECORDED RIGHT OF WAY NO. 43517

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

See Attachment for Grantors

Rolling Meadow Estates No. 1, part of the Northwest $\frac{1}{4}$ of Section 26, T3S, R6E, Pittsfield Township, Washtenaw County, Michigan, beginning at a point; said point being the West $\frac{1}{4}$ corner of said Section 26; thence from said Point of Beginning, N $01^{\circ}06'31''$ W 772.35 feet along the West line of said Section 26; thence N $88^{\circ}29'04''$ E 396.00 feet; thence S $57^{\circ}48'33''$ E 225.13 feet; thence S $16^{\circ}48'48''$ W 136.86 feet; thence 95.69 feet along an arc of a curve to the right, radius 402.06 feet, central angle $13^{\circ}38'10''$ chord length 95.46 feet and a chord bearing of S $36^{\circ}21'00''$ E; thence 84.47 feet along an arc of a curve to the right, radius 197.00 feet, central angle $24^{\circ}34'02''$ chord length 83.82 feet and a chord bearing N $76^{\circ}10'42''$ E; thence N $88^{\circ}27'43''$ E 53.65 feet; thence S $26^{\circ}02'17''$ E 102.26 feet; thence S $50^{\circ}23'58''$ E 40.97 feet; thence S $13^{\circ}00'02''$ W 117.45 feet; thence S $14^{\circ}49'22''$ W 66.03 feet; thence S $01^{\circ}32'17''$ E 159.68 feet; thence S $88^{\circ}27'43''$ W 761.16 feet along the East and West $\frac{1}{4}$ line of said Section 26 to the Point of Beginning, consisting of 33 lots numbered 1-33 both inclusive and containing 11.94 acres.

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

PITTSFIELD MICHIGAN AVENUE ASSOCIATES AND MORTGAGE INCOME PARTNERSHIP, MICHIGAN LIMITED PARTNERSHIPS

Donna M. Chartier
Donna M. Chartier
Helen K. Levine
Helen K. Levine

Robert R. Tisch
ROBERT R. TISCH, GENERAL PARTNER
Susan J. Lueck
SUSAN J. LUECK, GENERAL PARTNER

Acknowledged before me in Oakland County, Michigan, on July 1, 1992 by

Robert R. Tisch and Susan J. Lueck, General Partners of Pittsfield Michigan Avenue Associates and Mortgage Income Partnership, Michigan Limited Partnerships, for the Limited Partnerships.

Notary's Stamp DONNA M. CHARTIER
Notary Public, Wayne County, MI
My Commission Expires May 5, 1993
(Notary's name, county, and date commission expires)
Acting in Oakland County

Notary's Signature Donna M. Chartier

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

IRVINE-PITTSFIELD LIMITED PARTNERSHIP, A MICHIGAN LIMITED PARTNERSHIP

Helen K. Levine
Helen K. Levine
Donna M. Chartier
Donna M. Chartier

Paul D. Levine
PAUL D. LEVINE, PRESIDENT

Acknowledged before me in Oakland County, Michigan, on July 1, 1992 by

Paul D. Levine, President and General Partner of Irvine Meadows, Inc. and Irvine Home Builders, Inc., Michigan Limited Partnerships, for the Partnerships.

Notary's Stamp DONNA M. CHARTIER
Notary Public, Wayne County, MI
My Commission Expires May 5, 1993
(Notary's name, county, and date commission expires)
Acting in Oakland County

Notary's Signature Donna M. Chartier

Witnesses: (type or print name below signature)

Grantor: (type or print name below signature)

Acknowledged before me in _____ County, Michigan, on _____, 1992 by

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

Notary's Signature _____

RECORDED RIGHT OF WAY NO. 43517

RECORDED
WASHINGTON COUNTY MI
AUG 3 1 00 PM '92
PEGGY M. HAINES
COUNTY CLERK/REGISTER

RECORDED

WASHTENAW COUNTY MI

AUG 3 1 00 PM '92

PEGGY H. HAINES
COUNTY CLERK/REGISTER

1500
2-00

147

ASD/MSK/d

SSRF 2.00
8333 0333003 9239 12:38PM 8/03/92
NUMB 309
DEED 15.00
8333 0333003 9239 12:38PM 8/03/92

To (Supervisor, RE & R/W) <i>RICHARD LONGWISH</i>	For RE & R/W Dept. Use	Date Received	DE/Bell/C.P. No.
Division <i>ANN ARBOR</i>	Date <i>5-14-92</i>	Application No. <i>R-9200878-1A2</i>	

We have included the following necessary material and information

Material:

- A. Proposed Subdivision
 1. copy of complete final proposed plat - All pages
 or
 B. Other than proposed subdivision (condo., apts. mobile home park — other)
 1. Property description.
 2. Site plan.
 3. title information (deed, title commitment, contract with title commitment, or title search).

REPORT OF REAL ESTATE AND RIGHTS OF WAY DEPARTMENT RAW SECURED AS INDICATED ON THIS SECTION

BY: *Richard Longwish*
 DATE: *8-18-92*
 WANTED DISTRICT FIELDMAN: *Richard Longwish*

PERMITS TO:	
RECORD CENTER	<i>1</i>
RAW FILES	<i>1</i>
MBT	<i>1</i>
ORIGINATOR	<i>1</i>
TOTAL	<i>1</i>

Note: Do not submit application for URD easements until all above material has been acquired.

Information

1. Project Name <i>ROLLING MEADOW ESTATES No. 1</i>	County <i>WASHTENAW</i>
City/Township/Village <i>PITTSFIELD TWP.</i>	Section No. <i>Sec. 26</i>

Type of Development

<input checked="" type="checkbox"/> Proposed Subdivision	<input type="checkbox"/> Apartment Complex	<input type="checkbox"/> Condominium
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Mobile Home Park	<input type="checkbox"/> Other

2. Name of Owner <i>THE IRVINE GROUP, INC.</i>	Phone No. <i>661-5100</i>
---	------------------------------

Address
33481 W. FOURTEEN MILE RD. STE 100, FARMINGTON HILLS MI. 48331

Owner's Representative <i>NORMAN FINKELSTEIN</i>	Phone No. <i>661-5100</i>
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Date Service is Wanted
JULY 15, 1992

4. Entire Project will be developed at one time Yes No

5. Joint easements required — Michigan Bell Telephone (*ANN ARBOR - FUT JU # J-9200878-1A*) Yes No
 — Consumers Power Yes No

a. Name of Other Utilities If Not Michigan Bell Telephone or Consumers Power
COLUMBIA CABLE OF MICHIGAN, YPSILANTI SYSTEMS - J-9200878-2A

b. Other Utility Engineer Names <i>Jim Bowen</i>	Phone Numbers <i>973-2266</i>
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Addresses
2505 SOUTH INDUSTRIAL HWY, P.O. Box 998, ANN ARBOR MI. 48106

6. Additional Information or Comments
12' x 20' EASEMENTS FOR DECO FACILITIES

Note: Trenching letter attached will be submitted later

Service Planner <i>LISA COOK</i>	Signed (Service Planning Supervisor) <i>MAY 18 1992</i> L. C. BAILEY
Phone No. <i>761-4079</i>	Address <i>328 AAHQ</i>

RECORDED RIGHT OF WAY NO. 43517

WRD - Rolling Meadows

Detroit Edison

2000 Second Avenue
Detroit, Michigan 48226
(313) 237-8000

Division Organization

Future Joint Use
Joint Use Memo

DE 963-2223 04-8655 (PL 33A)

J-9200878-1A

D.E. Memo No.

R-9200878-1AE / A-39793

Other Utility No.

ANN ARBOR, Michigan

City

5/14/92

Date

To: MBT ANN ARBOR

FACILITIES ENG.

550 S. MAPLE

ANN ARBOR, MI. 48103

The attached sketch shows the proposed Detroit Edison overhead / underground construction located as follows:

NO SKETCH

PLATT 4 MICHIGAN
PITTSFIELD TWP.

In connection with the provisions of the Administrative Practices - Rights of Way, regarding construction of lines suitable for joint use and obtaining joint right-of-way, will you please indicate on the sketch whether or not you are interested in this line and, if so, what portions.

If you desire to use all, or a portion, of this line, please furnish sufficient information regarding your present and ultimate requirements to enable The Detroit Edison Company to design the line for joint use and secure necessary rights of way for both companies. This information should include type of wire, contact heights, ground clearances, etc.

Return one signed copy of this memo along with a copy of the sketch that indicates your requirements prior to JUNE 5, 19 92. If the memo is not returned by the specified date or if The Detroit Edison Company is not otherwise notified, our records will show that Joint Construction will not be required.

Lynn A. Cook

Detroit Edison Service Planner Representative

Verbally agreed that Joint Rights of Way:

is agreed is not agreed

By Rick Rodriguez

Other Utility Representative

&

Robert C. Hoop

Detroit Edison Service Planning Representative

Report: Please indicate necessary information on the attached sketch and return with signed memo.

Date May 22, 1992

Signed

Richard M. Rodriguez

Other Utility Representative

Joint use for Rolling Meadows to State St

RECORDED RIGHT OF WAY NO. 43517

Put in your file
please MBT
NOT agreed.
- Thanks

44RD

Detroit Edison

2000 Second Avenue
Detroit, Michigan 48226
(313) 237-8000

Division Organization

Future Joint Use Joint Use Memo

DE 963-2223 04-8655 (PL 33A)

J-9200878-1A

D.E. Memo No.

R-9200878-1A / A-37793

Other Utility No.

ANN ARBOR, Michigan

City

5/14/92

Date

To: MBT ANN ARBOR
FACILITIES ENG.
550 S. MAPLE
ANN ARBOR, MI. 48103

The attached sketch shows the proposed Detroit Edison ~~overhead~~ / underground construction located as follows:

NO SKETCH

PLATT & MICHIGAN
PITTSFIELD TWP.

In connection with the provisions of the Administrative Practices - Rights of Way, regarding construction of lines suitable for joint use and obtaining joint right-of-way, will you please indicate on the sketch whether or not you are interested in this line and, if so, what portions.

If you desire to use all, or a portion, of this line, please furnish sufficient information regarding your present and ultimate requirements to enable The Detroit Edison Company to design the line for joint use and secure necessary rights of way for both companies. This information should include type of wire, contact heights, ground clearances, etc.

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Lisa A. Cook

Detroit Edison Service Planner Representative

RECORDED RIGHT OF WAY NO.

43517

Verbally agreed that Joint Rights of Way:

is agreed is not agreed

By Rick Rodriguez Other Utility Representative & Robert C. Haag Detroit Edison Service Planning Representative

Report: Please indicate necessary information on the attached sketch and return with signed memo.

Date _____ Signed _____
Other Utility Representative

Future Joint Use Joint Use Memo

DL-URV

J-9200878-2A

D.E. Memo No.

R-9200878-1AR / A-39793

Other Utility No.

ANN ARBOR, MI Michigan

City

5-14-92

Date

To: COLUMBIA Cable OF MICHIGAN, SPILANTI SYSTEM

2505 SOUTH INDUSTRIAL HWY.

P.O. Box 998

ANN ARBOR, MI. 48106

The attached sketch shows the proposed Detroit Edison overhead / underground construction located as follows:

NO SKETCH

PLATT & MICHIGAN
PITTSFIELD TWP.

In connection with the provisions of the Administrative Practices - Rights of Way, regarding construction of lines suitable for joint use and obtaining joint right-of-way, will you please indicate on the sketch whether or not you are interested in this line and, if so, what portions.

If you desire to use all, or a portion, of this line, please furnish sufficient information regarding your present and ultimate requirements to enable The Detroit Edison Company to design the line for joint use and secure necessary rights of way for both companies. This information should include type of wire, contact heights, ground clearances, etc.

Return one signed copy of this memo along with a copy of the sketch that indicates your requirements prior to June 5, 19 92. If the memo is not returned by the specified date or if The Detroit Edison Company is not otherwise notified, our records will show that Joint Construction will not be required.

John A. Cook
Detroit Edison Service Planner Representative

Verbally agreed that Joint Rights of Way:

is agreed is not agreed

By JIM BOWEN

Other Utility Representative

Robert C. Haas

Detroit Edison Service Planning Representative

Report: Please indicate necessary information on the attached sketch and return with signed memo.

Date 5-22-92

Signed [Signature]

Other Utility Representative

RECORDED RIGHT OF WAY NO.

43517

4RD



2000 Second Avenue
Detroit, Michigan 48226
(313) 237-8000

Division Organization

Future Joint Use Joint Use Memo

DE 963-2223 04-8655 (PL 33A)

J-9200878-2A

D.E. Memo No.

R-9200878-1AR / A-39793

Other Utility No.

ANN ARBOR, MI, Michigan

City

5-14-92

Date

To: COLUMBIA COBLE OF MICHIGAN, SPILANTI SYSTEM

2505 SOUTH INDUSTRIAL HWY.

P.O. Box 998

ANN ARBOR, MI 48106

The attached sketch shows the proposed Detroit Edison overhead / underground construction located as follows:

NO SKETCH

PLOTT & MICHIGAN
PITTSFIELD TWP.

In connection with the provisions of the Administrative Practices - Rights of Way, regarding construction of lines suitable for joint use and obtaining joint right-of-way, will you please indicate on the sketch whether or not you are interested in this line and, if so, what portions.

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John A. Cook
Detroit Edison Service Planner Representative

Verbally agreed that Joint Rights of Way:

is agreed is not agreed

By JIM BOWEN
Other Utility Representative

Robert P. Hall
Detroit Edison Service Planning Representative

Report: Please indicate necessary information on the attached sketch and return with signed memo.

Date _____ Signed _____
Other Utility Representative

RECORDED RIGHT OF WAY NO. 43517

Future Joint Use
Joint Use Memo

J-9200878-1A

D.E. Memo No.

R-9200878-1AE / A-39793

Other Utility No.

ANN ARBOR

Michigan

City

5/14/92

Date

To: MBT ANN ARBOR
FACILITIES ENGR.
550 S. MAPLE
ANN ARBOR, MI. 48103

The attached sketch shows the proposed Detroit Edison overhead / underground construction located as follows:

NO SKETCH

PLATT & MICHIGAN
PITTSFIELD TWP.

In connection with the provisions of the Administrative Practices - Rights of Way, regarding construction of lines suitable for joint use and obtaining joint right-of-way, will you please indicate on the sketch whether or not you are interested in this line and, if so, what portions.

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Heidi A. Cook

Detroit Edison Service Planner Representative

Verbally agreed that Joint Rights of Way:

is agreed is not agreed

By Rick Rodriguez
Other Utility Representative

Robert C. Hoop
Detroit Edison Service Planning Representative

Report: Please indicate necessary information on the attached sketch and return with signed memo.

Date May 22, 1992

Signed Richard M. Rodriguez
Other Utility Representative

Joint use for Rolling Meadows to State

RECORDED RIGHT OF WAY NO.

43577

43517

RECORDED RIGHT OF WAY NO.

PROPOSED

ROLLING MEADOW ESTATES NO.1

PART OF THE N.W. 1/4 OF SECTION 26, T. 3 S., R. 6 E.,
PITTSFIELD TOWNSHIP, WASHTENAW COUNTY, MICHIGAN

LIBER PAGE

APPENDIX "B"

Wherever Private Easement
For Public Utilities appears
on this drawing, the easement
shall apply to the grantee of the
attached Right of Way Agreement.

LEGEND
ALL DIMENSIONS ARE IN FEET. ALL DIMENSIONS ON THE CURVE ARE MEASURED ALONG THE ARC.

(R) DENOTES RADIAL LOT LINE

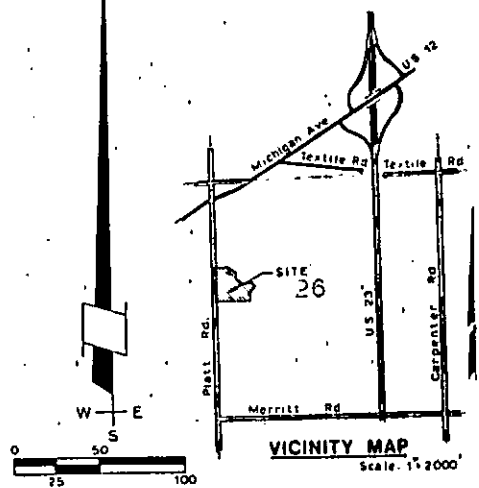
(NR) DENOTES NON RADIAL LOT LINE

ALL LOT MARKERS ARE 1/2" STEEL RODS AND ARE 18" LONG. THE SYMBOL (O) INDICATES A CONCRETE MONUMENT. ALL MONUMENTS USED ARE MADE OF SOLID STEEL BARS 1/2" IN DIAMETER AND 36" LONG AND COMPLETELY ENCASED IN CONCRETE 4" IN DIAMETER. NO I.D. CAPS USED.

ALL BEARINGS ARE IN RELATION TO ASTRONOMICAL OBSERVATION. DATE OF OBSERVATION 15 AUGUST 29, 1990

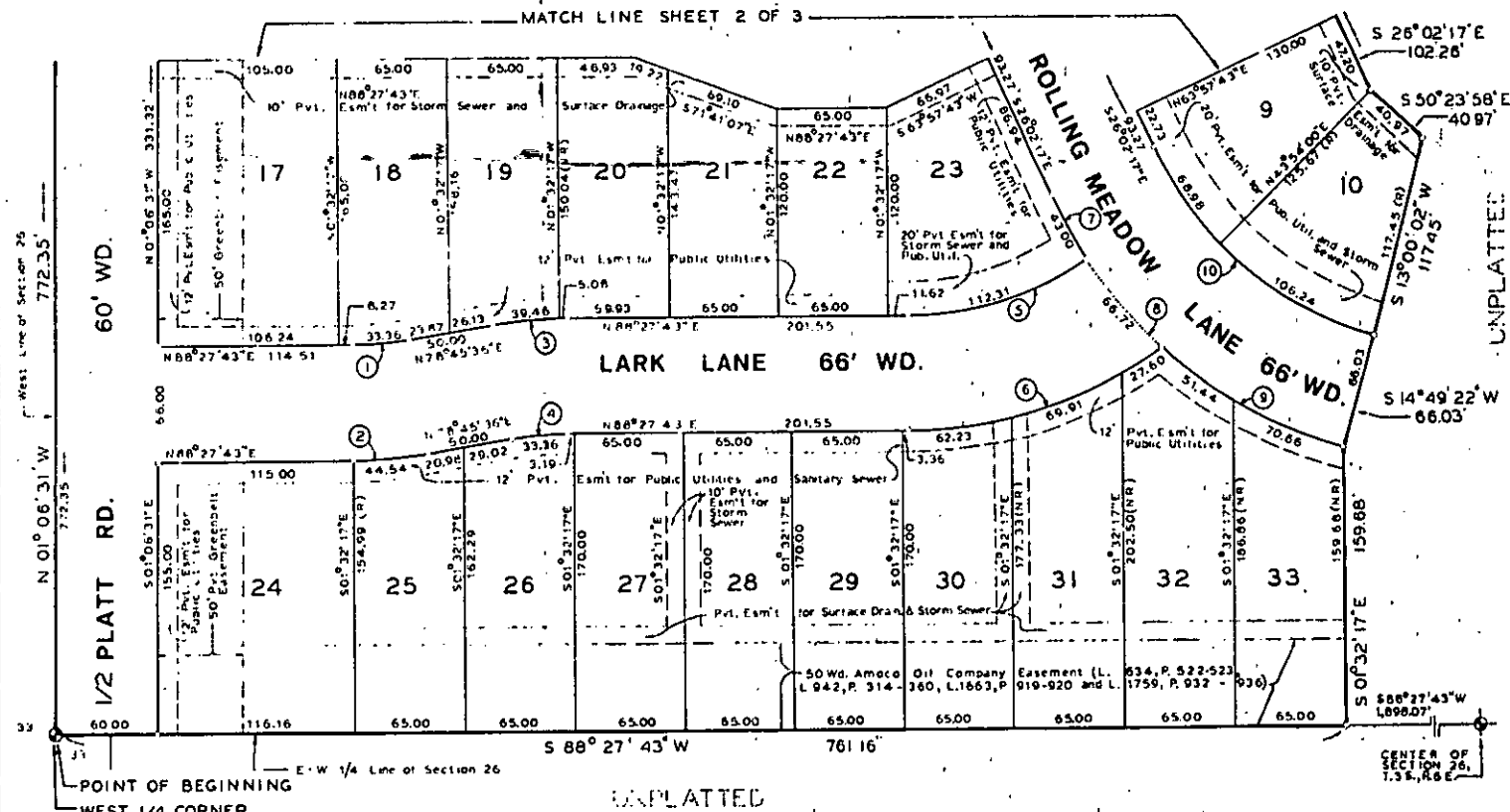
CURVE DATA

CURVE	RADIUS	ARC	CENTRAL ANGLE	CHORD LENGTH	CHORD BEARING
1	197.00	33.36	09°42'07"	33.32	S 83°36'40" W
2	263.00	44.54	09°42'07"	44.48	S 83°36'40" W
3	263.00	44.54	09°42'07"	44.48	S 83°36'40" W
4	197.00	33.36	09°42'07"	33.32	S 83°36'40" W
5	197.00	112.11	32°39'49"	110.79	S 72°07'49" W
6	263.00	159.74	34°48'00"	157.30	N 71°03'43" E
7	263.00	43.00	09°22'05"	42.95	S 30°43'19" E
8	263.00	66.72	14°32'09"	66.54	S 42°40'27" E
9	263.00	122.10	26°36'01"	121.01	S 63°14'31" E
10	197.00	176.22	50°57'41"	169.50	N 51°31'07" W



SCALE: 1" = 50'

LIBER 2659 PAGE 17



NO DIRECT VEHICULAR ACCESS TO PLATT RD. FROM LOTS 1, 16, 17 AND 24.

Eugene F. Zemet
EUGENE F. ZEMET SHEET 1 OF 3

ROLLING MEADOW ESTATES NO. 1

PART OF THE N.W. 1/4 OF SECTION 26, T. 3 S., R. 6 E.,
PITTSFIELD TOWNSHIP, WASHTENAW COUNTY, MICHIGAN

LEGEND
ALL DIMENSIONS ARE IN FEET. ALL DIMENSIONS ON THE CURVE ARE MEASURED ALONG THE ARC.

(R) DENOTES RADIAL LOT LINE
(NR) DENOTES NON RADIAL LOT LINE

ALL LOT MARKERS ARE 1/2" STEEL RODS AND ARE 18" LONG. THE SYMBOL (O) INDICATES A CONCRETE MONUMENT. ALL MONUMENTS USED ARE MADE OF SOLID STEEL BARS 1/2" IN DIAMETER AND 36" LONG AND COMPLETELY ENCASED IN CONCRETE 4" IN DIAMETER. NO I.D. CAPS USED.

ALL BEARINGS ARE IN RELATION TO ASTRONOMICAL OBSERVATION. DATE OF OBSERVATION IS AUGUST 29, 1990

SURVEYOR'S CERTIFICATE

I, Eugene F. Zelmet, surveyor, certify that I have surveyed, divided and mapped that land shown on this plat, described as follows: Rolling Meadow Estates No. 1, part of the N. W. 1/4 of Section 26, T. 3 S., R. 6 E., Pittsfield Township, Washtenaw County, Michigan beginning at a point, said point being the West 1/4 Corner of said Section 26; thence from said point of beginning N. 01°06'31" W. 772.35 feet along the West line of said Section 26; thence N. 88°29'04" E. 396.00 feet; thence S. 57°48'33" E. 225.13 feet; thence S. 16°48'48" W. 136.86 feet; thence 95.69 feet along an arc of a curve to the right, radius 197.00 feet, central angle 13°38'10", chord length 95.46 feet and a chord bearing of S. 36°21'00" E.; thence 84.47 feet along an arc of a curve to the right, radius 197.00 feet, central angle 24°34'02", chord length 83.82 feet and a chord bearing N. 76°10'42" E.; thence N. 88°27'43" E. 53.65 feet; thence S. 26°02'17" E. 102.26 feet; thence S. 50°23'58" E. 40.97 feet; thence S. 13°00'02" W. 117.45 feet; thence S. 34°09'22" W. 66.03 feet; thence S. 01°32'17" E. 159.58 feet; thence S. 88°27'43" W. 761.16 feet along the East and West 1/4 line of said Section 26 to the point of beginning consisting of 33 lots numbered 1-33 both inclusive and containing 11.94 acres.

That I have made such survey, land division and plat by the direction of the owners of such land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it.

That the required monuments and lot markers have been located in the ground or that surety has been deposited with the municipality as required by section 125 of the act.

That the accuracy of survey is within the limits required by section 126 of the act.

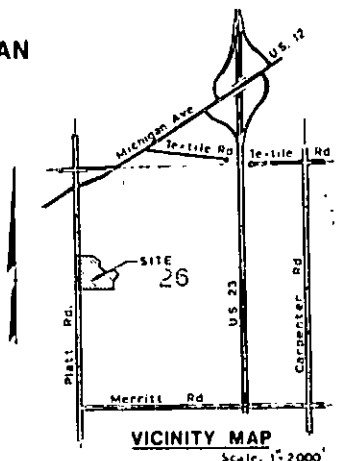
That the bearings shown on the plat are expressed as required by section 126 (3) of the act and as explained in the legend.

UNPLATTED

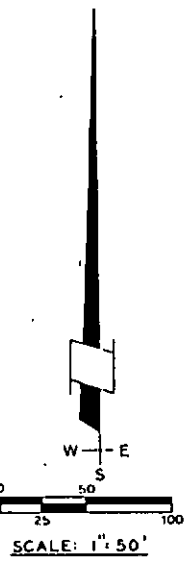
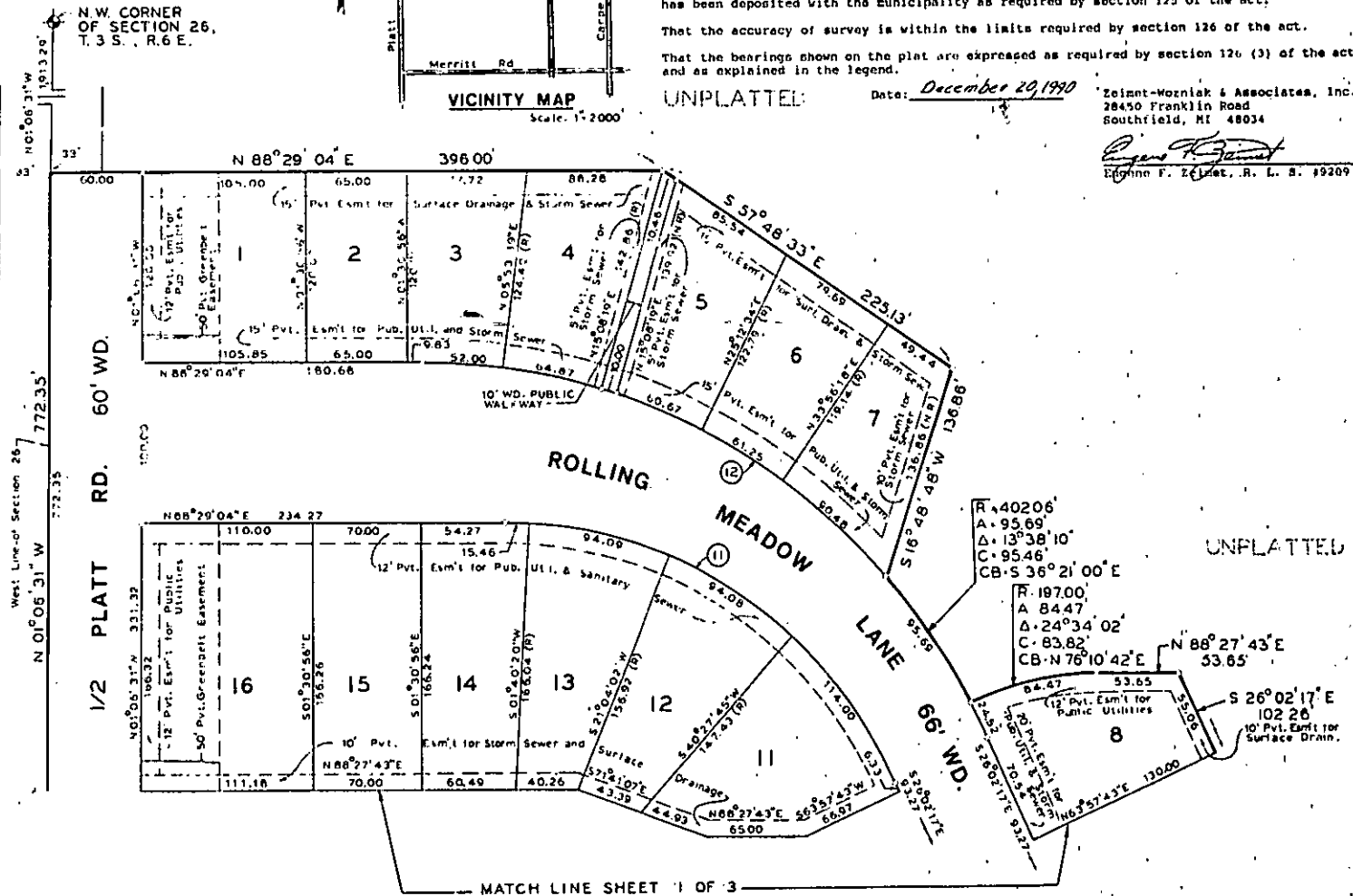
Date: December 29, 1990

Zelmet-Wozniak & Associates, Inc.
28450 Franklin Road
Southfield, MI 48034

Eugene F. Zelmet
Eugene F. Zelmet, R. L. S. 49209



N.W. CORNER OF SECTION 26, T. 3 S., R. 6 E.



LIBER 2659 PAGE 401

UNPLATTED

UNPLATTED

CURVE DATA

CURVE	RADIUS	ARC	CENTRAL ANGLE	CHORD LENGTH	CHORD BEARING
11	277.94	317.63	65°28'39"	300.63	S 58°46'36" E
12	402.06	459.48	65°28'39"	434.88	N 58°46'36" W

NO DIRECT VEHICULAR ACCESS TO PLATT RD. FROM LOTS 1, 16, 17 AND 24.