

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO.
PROJECT NAME BROOKSIDE SUBDIVISION**

On August 10, 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:

Elro Corporation, a Michigan Corporation, 201 W. Big Beaver, Suite 720, Troy, MI 48084
Manufacturers Bank, N.A., a National Banking Assoc., 100 Renaissance Center, Det, MI 48243
(mortgagee)

"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, Det, MI 48226
Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Heights, MI 48077

"Grantor's Land" is in Sterling Heights, Macomb County, Michigan described as:

Part of the Northeast 1/4 of Section 7, T2N, R12E, City of Sterling Heights, Macomb County, Michigan. Beginning at the North 1/4 corner of Section 7, T2N, R12E; thence S89°00'17" E 327.17 ft. along the North line of Section 7 and the centerline of Nineteen Mile Road; thence S02°21'01" W 2659.87 ft.; thence N89°03'32" W 327.19 ft. along the East and West 1/4 line of Section 7 to the Center post of Section 7, T2N, R12E.; thence N02°21'02" E 2660.18 ft. along the North and South 1/4 line of Section 7 and the East subline of "Forest Brook Sub. No. 1" (Liber 92, Pages 7 through 14, incl., M.C.R.) to the point of Beginning. Containing 19.974 Acres and comprising 39 Lots, numbered 1 through 39, both inclusive and one private park.

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

A ten (10) foot wide easement as shown on the attached plat.

*Being re-recorded to include easements of 6 feet and 9 feet in width as shown on the attached Plat. The 6 foot and 9 foot easements Supercede the 10 foot easement listed above.

RECORDED IN MACOMB COUNTY
RECORDS AT: 2:47 P.M.
AUG 31 1992
Edna M. Hill

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN
RECORDED IN MACOMB COUNTY
RECORDS AT: 1:08 P.M.

OCT 19 1992

Edna M. Hill

CLERK - REGISTER OF DEEDS

- 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 buildings or other permanent structures shall be placed in the Right of Way Area without Grantee's prior written consent.

RECORDS SECTION OF TAX NO. 43567

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.

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

x *Richard A. Schoenherr*
Richard A. Schoenherr

ELRO CORPORATION
a Michigan Corporation
BY: *Harry F. Terbrueggen*
Harry F. Terbrueggen

x *Joanne B. Jennings*
Joanne B. Jennings

Executive Vice President

RECORDED RIGHT OF WAY NO. 43565

Acknowledged before me in Oakland County, Michigan, on 8/10, 1992 by HARRY F. TERBRUEGGEN,
EXECUTIVE VICE PRESIDENT, ELRO CORPORATION, a Michigan Corporation, FOR THE CORPORATION.

JOANNE B. JENNINGS
Notary Public, Oakland County, MI
My Commission Expires Jan. 9, 1995

Notary's Stamp _____ Notary's Signature *Joanne B. Jennings*

Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Mt. Clemens, MI 48044

LIBER 05610PG359

LIBER 05552PG487

RECORDED RIGHT OF WAY NO. 43569

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

MANUFACTURERS BANK, N.A.
a National Banking Association

x *Richard A. Schoenherr*
Richard A. Schoenherr

James D. Preston
James D. Preston *LESAL NASH*
Second Vice President

x *Joanne B. Jennings*
Joanne B. Jennings

Acknowledged before me in Oakland County, Michigan, on 8/10/1992 by *LESAL NASH, SECOND VICE PRESIDENT OF MANUFACTURERS BANK N.A. & NATIONAL BANKING ASSOCIATION FOR THE ASSOCIATION*

JOANNE B. JENNINGS
Notary Public, Oakland County, MI
My Commission Expires Jan. 9, 1995

Notary's Stamp

Notary's Signature

Prepared by and Return to:

Joanne B. Jennings

Date: September 28, 1992

To: Record Center

From: Michael J. McCabe *MJM*
Sr. Real Estate & Right of Way Rep
Macomb Division

Subject: Right of Way Agreement for Underground Residential
Distribution for Brookside Subdivision, being part of
the Northeast 1/4 of Section 7, Town 2 North, Range
12 East, City of Sterling Heights, Macomb County,
Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated August 10, 1992 for the above named project.

Easement for this project was requested by Marcia Romanski,
Service Planning, Macomb Division. The Agreement was
negotiated by Michael J. McCabe, Representative, Real
Estate and Rights of Way, Macomb Division.

Detroit Edison Company, Comcast Cablevision and Michigan Bell
Telephone Company made this agreement with Harry Terbruggen,
Executive Vice President of Elro Corporation, the developer of
Brookside Subdivision.

Please make the attached papers a part of recorded Right of Way
file.

MJM

Attachment

RECORDED RIGHT OF WAY NO.

43569

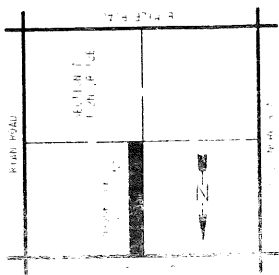
BROOKSIDE SUBDIVISION

PART OF THE N.E. 1/4 OF SECTION 7, T.2N., R.12E.,
CITY OF STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN.

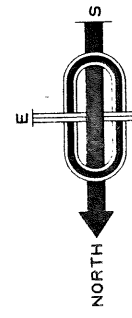
NORTHEAST CORNER OF
SECTION 7, T.2N., R.12E.
LIBER 5300, PAGE 263, M.C.R.

PLAT LEGEND

1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. ALL DIMENSIONS ARE TO THE CENTER OF THE ROAD OR DRIVE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO THE CENTER OF THE LOT UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO THE CENTER OF THE CURB UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO THE CENTER OF THE SIDEWALK UNLESS OTHERWISE NOTED.
6. ALL DIMENSIONS ARE TO THE CENTER OF THE UTILITY LINE UNLESS OTHERWISE NOTED.
7. ALL DIMENSIONS ARE TO THE CENTER OF THE EASEMENT UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS ARE TO THE CENTER OF THE RIGHT-OF-WAY UNLESS OTHERWISE NOTED.



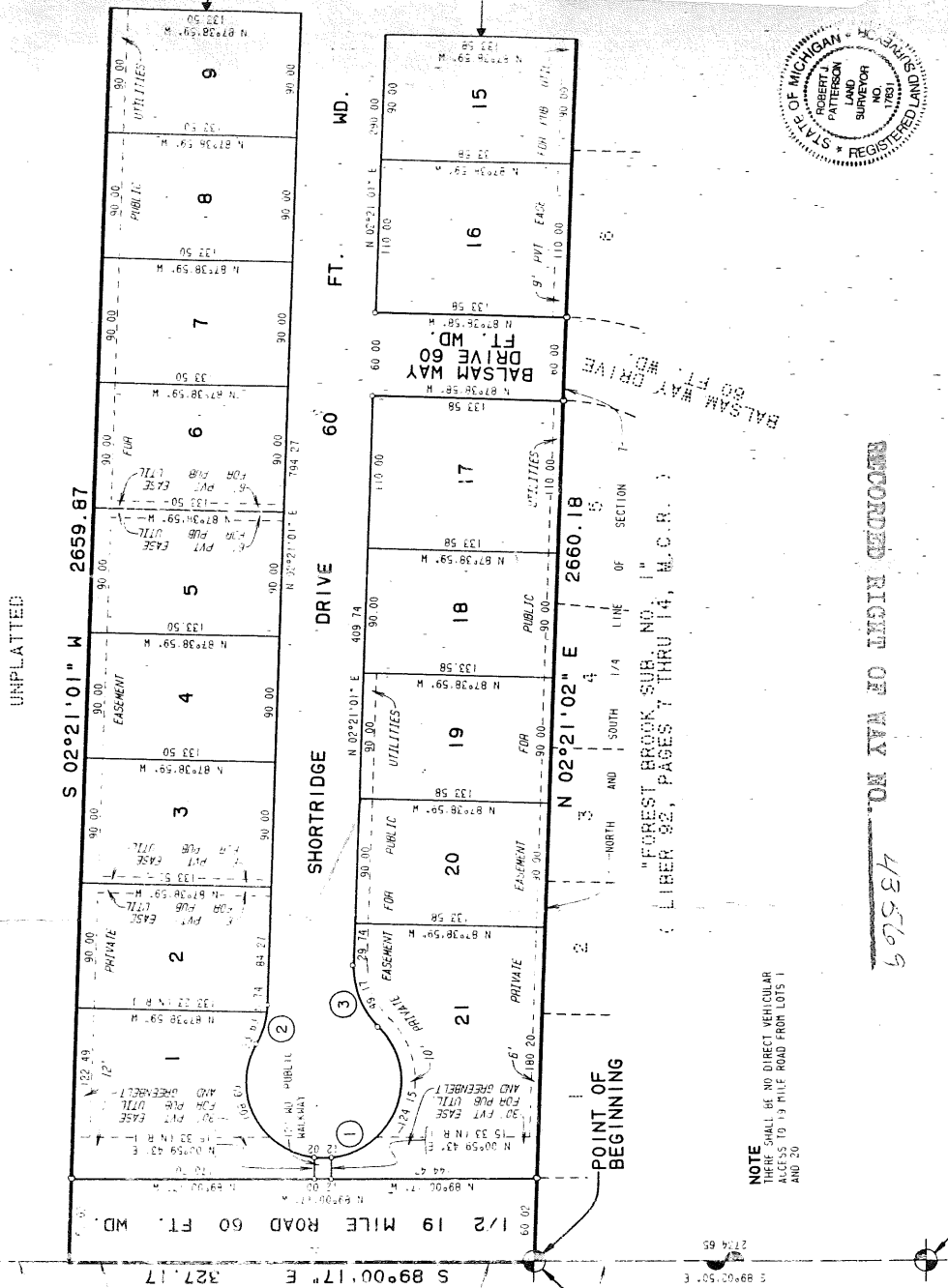
LOCATION MAP



NORTH 1/4 CORNER OF
SECTION 7, T.2N., R.12E.
LIBER 4608, PAGE 37, M.C.R.

CURVE DATA

N. RADIUS	ARC	DELTA	CHORD	CHORD BEARING
15.00	44.77	25.44	87.21	N 84°53'42" E
15.00	99.54	49.88	174.42	N 00°00'00" E
15.00	149.31	74.82	261.63	N 119°00'33" W



UNPLATTED

S 02°21'01" W 2659.87

SHORTRIDGE DRIVE

60 FT. MD.

60 FT. MD.

60 FT. MD.

60 FT. MD.

POINT OF BEGINNING

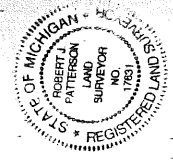
"FOREST BROOK SUB. NO. 1"
LIBER 92, PAGES 7 THRU 14, M.C.R.

NOTE
THERE SHALL BE NO DIRECT VEHICULAR
ACCESS TO 19 MILE ROAD FROM LOTS 1
AND 20

RECORDED RICKY RECORDS

4356

NORTHWEST CORNER OF
SECTION 7, T.2N., R.12E.
LIBER 4608, PAGE 38, M.C.R.



MCS ASSOCIATES, INC.
CIVIL ENGINEERING AND SURVEYING
STERLING HEIGHTS, MICHIGAN 48314

