

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

On 9-14, 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:

Chateau Land Development, a Michigan Co-Partnership, 19500 Hall Road, Mt. Clemens, MI 48044

"Grantee" is:

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

Michigan Bell Telephone Company, a Michigan Corporation, 444 Michigan Ave, Detroit, MI 48226
Comcast Cablevision, a Delaware Corporation, 6065 Wall Street, Sterling Heights, MI 48077

"Grantor's Land" is in Macomb Township, Macomb **County, Michigan described as:**

See Appendix A attached hereto.

RECORDED IN MACOMB COUNTY
RECORDS AT: 1:15P. L
OCT 16 1992

Edna [Signature]
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 43839

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

The exact location of underground equipment must be determined by the UTILITY COMPANIES. For exact location, telephone MISS DIG at 1-800-482-7171. The exact location of underground equipment indicates the centerline of said Right of Way.

- 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.

Date: November 25, 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 Condominiums, being part of
the Northeast 1/4 of Section 34, Town 3 North, Range
13 East, Macomb Township, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way
Agreement dated September 14, 1992 for the above named project.

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

Detroit Edison Company, Comcast Cablevision and Michigan Bell
Telephone Company made this agreement with Chateau Land Development,
John Boll, CEO, the developer of Brookside Condominiums.

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

MJM


Attachment

RECORDED RIGHT OF WAY NO. 43839

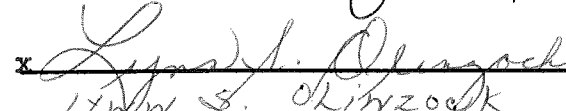
- 4. Excavation: As required by Public Act 53 of 1974, MISS DIG must be called on 1-800-482-7171 before anyone excavates in the Right of Way Area.
- 5. Trees, Bushes, Branches, Roots, Structures and Fences: Grantee may trim, cut down, remove or otherwise control any trees, bushes, branches and roots 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)

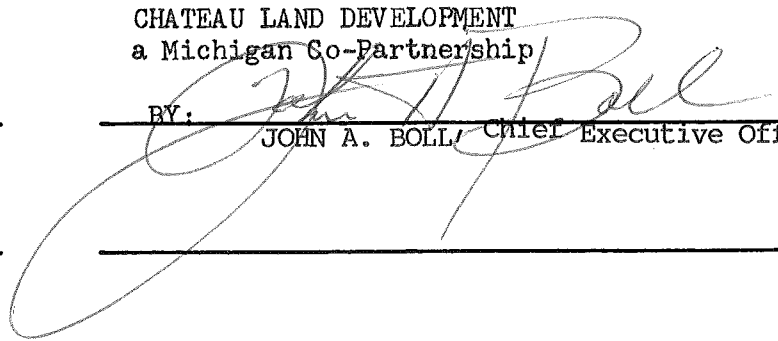
Grantor:(type or print name below signature)

x 

 TIMOTHY J. WEAGHER

x 

 LYNN S. OLINZOCK

CHATEAU LAND DEVELOPMENT
 a Michigan Co-Partnership
 BY: 

 JOHN A. BOLL, Chief Executive Officer

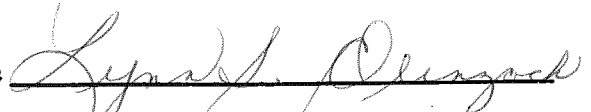
RECORDED RIGHT OF WAY NO. 48839

Acknowledged before me in Macomb County, Michigan, on 9-22- 1992 by John A. Boll, Chief Executive Officer
 For CHATEAU LAND DEVELOPMENT, a MICHIGAN CO-PARTNERSHIP, For THE CO-PARTNERSHIP

LYNN S. OLINZOCK
 NOTARY PUBLIC - MACOMB COUNTY, MICH.
 MY COMMISSION EXPIRES 01-17-98

Notary's Stamp

Notary's Signature



Prepared by and Return to:

Michael J. McCabe, 15600 19 Mile Road, Clinton Township, MI 48038

APPENDIX "A"

Part of the Northeast Quarter of Section 34, Town 3 North, Range 13 East, Macomb Township, Macomb County, Michigan being described as:

Beginning on the East line of Section 34 North 00 degrees 05 minutes 56 seconds East 520.15 feet from the East Quarter Post of Section 34; thence North 89 degrees 54 minutes 04 seconds West 60.05 feet; thence South 81 degrees 31 minutes 03 seconds West 189.92 feet; thence South 66 degrees 09 minutes 16 seconds West 274.92 feet; thence North 20 degrees 38 minutes 00 seconds West 29.80 feet; thence South 69 degrees 22 minutes 00 seconds West 180.00 feet; thence North 20 degrees 38 minutes 00 seconds West 607.51 feet; thence North 43 degrees 05 minutes 41 seconds East 78.92 feet; thence North 61 degrees 39 minutes 59 seconds East 273.81 feet; thence North 28 degrees 53 minutes 29 seconds East 132.26 feet; thence North 01 degrees 42 minutes 20 seconds West 125.09 feet; thence North 89 degrees 49 minutes 52 seconds East 538.69 feet to the East line of Section 34; thence South 00 degrees 05 minutes 56 seconds West 824.94 feet along the East line of Section 34 to the point of beginning.

RECORDED RIGHT OF WAY NO.

43839