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**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9207319-01R
PROJECT NAME SILENT WOODS SUBDIVISION NO. 1**

On November 6, 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:

Lombardo Enterprises of Silent Woods Inc, a Mich. Corp., 47200 Van Dyke, Utica, Michigan 48317

"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 Shelby Township, Macomb County, Michigan described as:

"SILENT WOODS SUBDIVISION NO. 1" Part of the the Northeast 1/4 of Section 25, T3N, R12E, Shelby Township, Macomb County, Michigan: Beginning at a point which is S01°18'48" West 1366.43 feet along the West line of Section 25 and the center of Schoenherr Road (120 ft. wd.) from the Northwest corner of Section 25, T3N, R12E; thence N89°56'40" East 870.00 ft., thence S01°18'48" West 240.00 ft., thence N89°56'40" East 56.43 ft.; thence S28°46'06" West 166.19 ft.; thence S45°15'00" East 87.85 ft.; thence S44°45'00" West 198.00 ft.; thence S67°17'31" West 73.57 ft.; thence S89°56'40" West 80.00 ft.; thence S00°03'20" East 190.00 ft.; thence S89°56'40" West 27.32 ft.; thence S00°03'20" East 130.00 ft.; thence S89°56'40" West 610.53 ft.; thence N01°18'48" East 936.52 ft. along the West line of said Section 25 and the centerline of said Schoenherr Road to the point of beginning., Containing 16.800 Acres and comprising 42 lots numbered 1 through 42, both inclusive.

RECORDED RIGHT OF WAY NO. 44026

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

Easements as shown on the attached Plat.

RECORDED IN MACOMB COUNTY
RECORDS AT: 10:15 A.M.

DEC - 3 1992

CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

- 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.

- 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 *Dawn A. Valentie*
 Dawn A. Valentie

LOMBARDO ENTERPRISES OF SILENT WOODS, INC.
 a Michigan Corporation

Antoinette Lombardo
 Antoinette Lombardo, President

x *Victoria H. Sivec*
 Victoria H. Sivec

Anthony Lombardo
 Anthony Lombardo, Vice President

RECORDED RIGHT OF WAY NO. 44096

Acknowledged before me in Macomb County, Michigan, on 11-6, 1992 by ANTOINETTE LOMBARDO AND ANTHONY LOMBARDO, PRESIDENT + VICE PRESIDENT OF LOMBARDO ENTERPRISES OF SILENT WOODS, INC, a MICHIGAN CORPORATION FOR THE CORPORATION.

VICTORIA H. SIVEC
 Notary Public, Macomb County, MI
 My Commission Expires May 16, 1995

Notary's Signature *Victoria H. Sivec*

Notary's Stamp _____ Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Clinton Township, MI 48038

Date: January 14, 1993
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 Silent Woods Subdivision No. 1, located
in part of the Northeast 1/4 of Section 25, Town 3 North,
Range 12 East, Shelby Township, Macomb County, Michigan.

Attached for Record Center is the executed Right of Way Agreement dated November 6, 1992 for the above named project.

Easement for this project was requested by Dick Anderson, 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 Lombardo Enterprises, Antionette C. Lombardo, President, the developer of Silent Woods Subdivision No. 1.

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

MJM

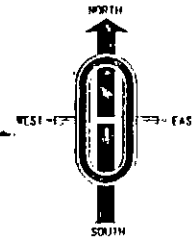
Attachment

"SILENT WOODS SUB. NO. 1"

PART OF THE NORTHWEST 1/4 OF SECTION 25, T. 3N., R. 12E., SHELBY TOWNSHIP, MACOMB COUNTY, MICHIGAN.

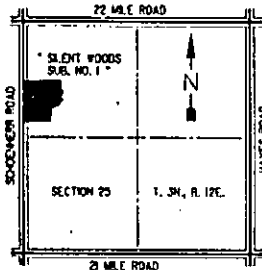


RECORDED RIGHT OF WAY NO. 44026



PLAT LEGEND

ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC.
R/D DENOTES RADIAL. R/DJ DENOTES NOT RADIAL.
THE SYMBOL "•" DENOTES AN ANGLE POINT.
THE SYMBOL "o" INDICATES A MONUMENT WHICH IS A 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG.
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE WEST LINE OF "JUREX SUBDIVISION" AS RECORDED IN LIBER 40, PAGE 6, M.C.R.

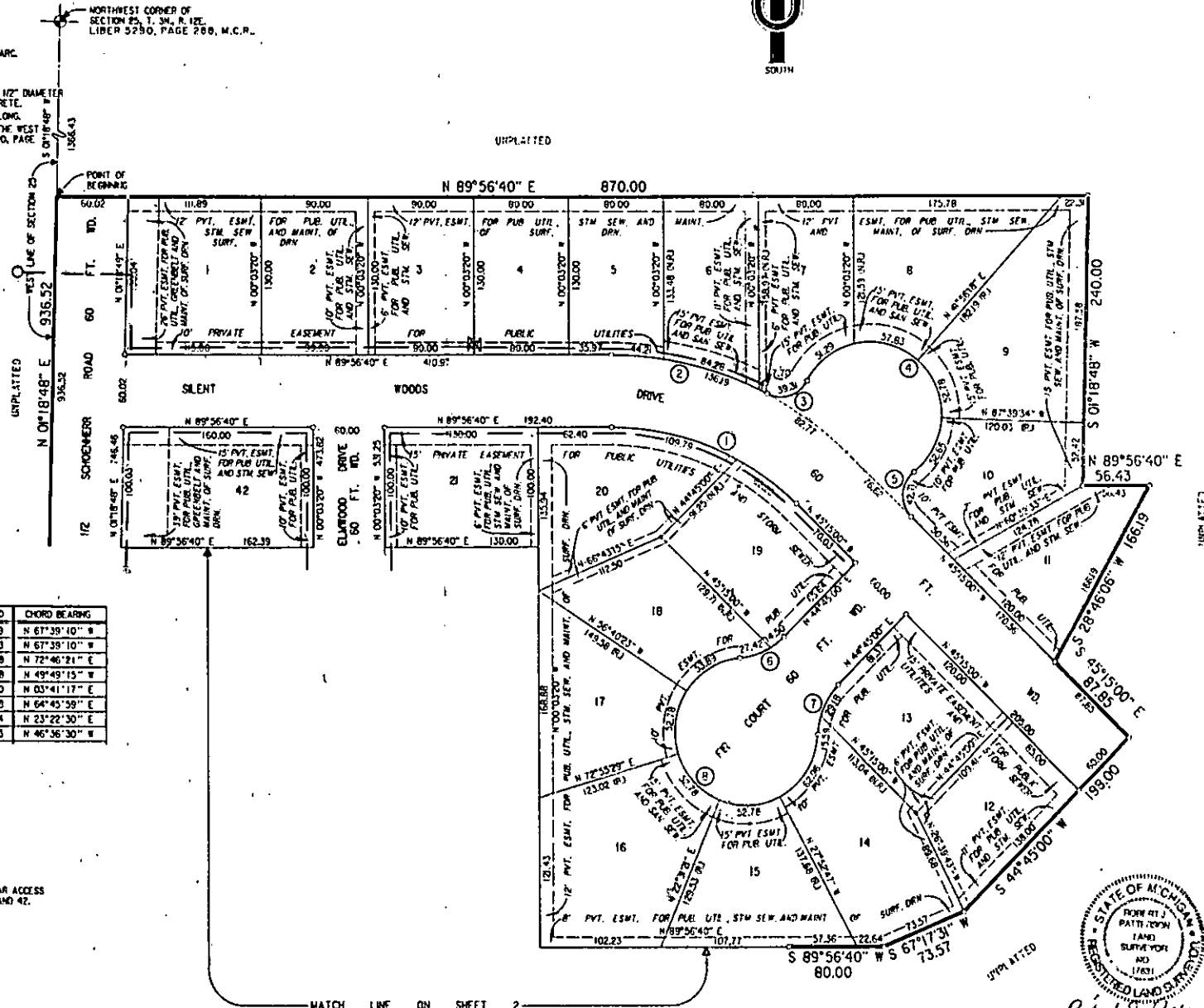


LOCATION MAP
NOT TO SCALE

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	270.00	172.04	44°48'20"	167.69	N 67°39'10" W
2	290.00	218.86	44°48'20"	213.43	N 67°39'10" W
3	25.00	39.31	90°04'52"	35.38	N 72°46'21" E
4	60.00	214.56	204°53'40"	117.18	N 49°49'15" W
5	25.00	42.71	97°52'35"	37.70	N 03°41'17" E
6	80.00	41.92	40°01'59"	41.00	N 64°45'59" E
7	60.00	44.77	42°44'39"	43.74	N 23°22'30" E
8	60.00	275.19	262°46'58"	90.03	N 46°36'30" W

NOTE
THERE SHALL BE NO DIRECT VEHICULAR ACCESS
TO SCHOENBERG ROAD FROM LOTS 1 AND 42.



MATCH LINE ON SHEET 2



WCS ASSOCIATES, INC.
CIVIL ENGINEERS & SURVEYING
STERLING HEIGHTS, MICHIGAN 48314

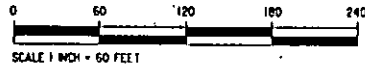
LIBER 05668P604

RECEIVED
SEP 15 1992
Engineering & Planning

"SILENT WOODS SUB. NO. 1"

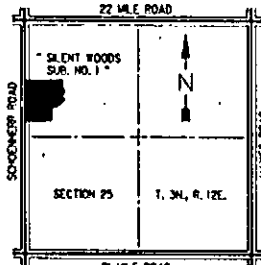
PART OF THE NORTHWEST 1/4 OF SECTION 25, T. 3N.,
R. 12E., SHELBY TOWNSHIP, MACOMB COUNTY, MICHIGAN.

RECORDED RIGHT OF WAY NO. 44026



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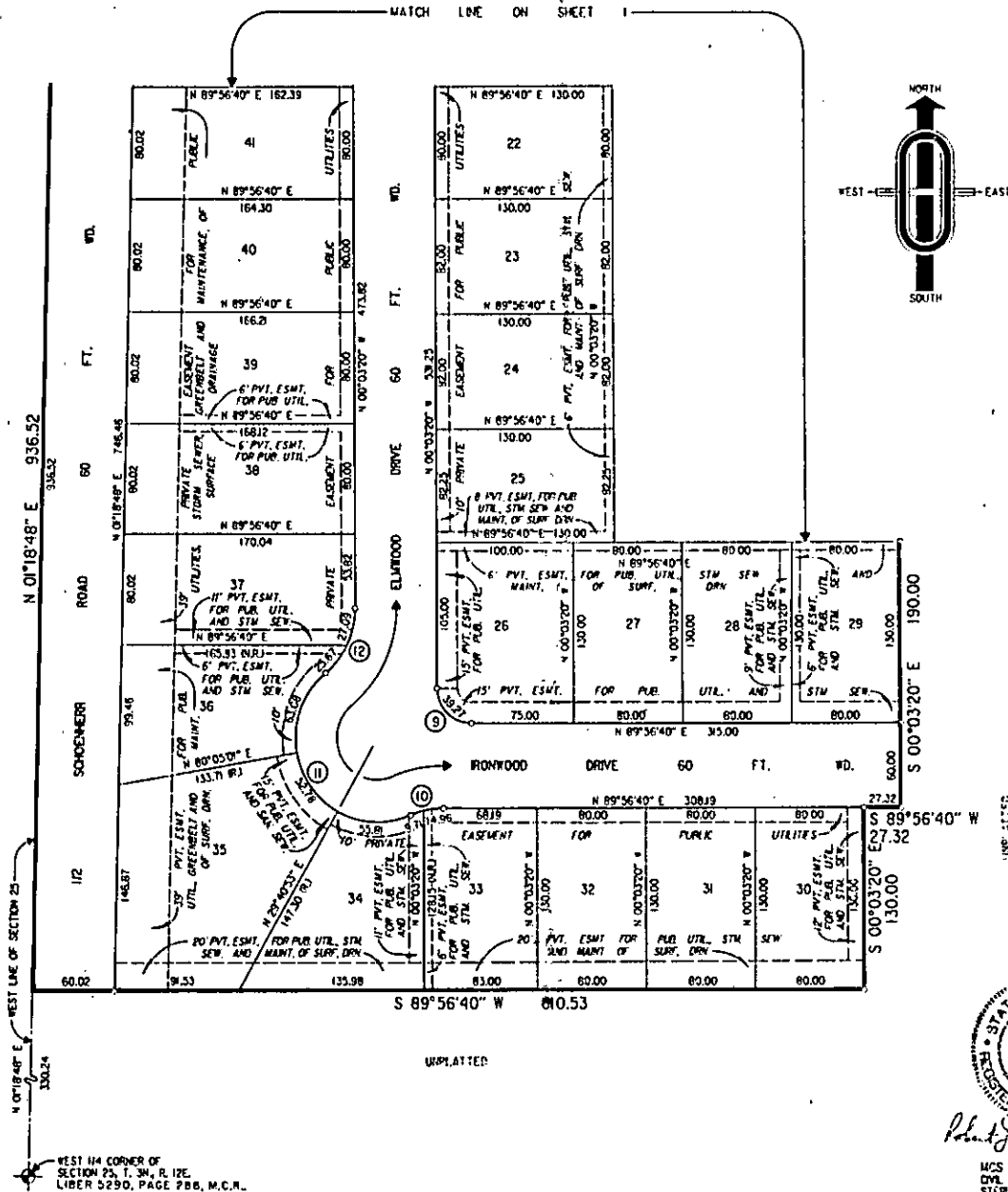
LOCATION MAP
NOT TO SCALE

CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
9	25.00	39.27	90°00'00"	35.36	N 45°03'20" W
10	60.00	24.67	23°33'23"	24.50	N 78°09'38" E
11	60.00	171.67	163°56'12"	118.82	N 31°30'37" W
12	60.00	52.76	50°22'49"	51.00	N 25°08'04" E

NOTE
THERE SHALL BE NO DIRECT VEHICULAR ACCESS
TO SCHOONER ROAD FROM LOTS 33 THRU 41.

UNPLATTED



WEST 1/4 CORNER OF
SECTION 25, T. 3N., R. 12E.
LIBER 5290, PAGE 788, M.C.R.



Robert J. Patterson

MCS ASSOCIATES, INC.
CIVIL ENGINEERING & SURVEYING
STERLING HEIGHTS, MICHIGAN 48324

LIBER 056687/605