

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9201977-1MB
PROJECT NAME RIVER PARK ESTATES SUBDIVISION**

On 11/3, 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:

New Realty, Inc, a Michigan Corporation, 34204 Van Dyke Avenue, Sterling Heights, MI 48312
Comerica Bank, a Michigan Banking Association, 29201 Telegraph Road, Southfield, MI.

"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 City of Sterling Hgts, Macomb County, Michigan described as:

See Appendix "A" attached hereto

RECORDED IN MACOMB COUNTY
RECORDS AT: 10:37A.M.
JAN - 8 1993

Cornelia A. Smith
CLERK - REGISTER OF DEEDS
MACOMB COUNTY, MICHIGAN

RECORDED RIGHT OF WAY NO. 24190

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

Easements as shown on the attached plat.

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.
Access: Grantee has the right of access to and from the Right of Way Area.
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)

DODGE PARK LIMITED PARTNERSHIP
a Michigan Limited Partnership

BY: New Realty, Inc.
a Michigan Corporation
General Partner

William R. Eldridge, Pres
William R. Eldridge, President

RECORDED RIGHT OF WAY NO. 44190

x *[Signature]*

 JOSEPH P. D'ANGELO

x *[Signature]*

 MICHAEL L. MUSCILLO

Acknowledged before me in Macomb County, Michigan, on 11-3, 1992 by NEW REALTY, INC., a
MICHIGAN CORPORATION, WILLIAM R. ELDRIDGE, PRESIDENT, FOR DODGE PARK LIMITED
PARTNERSHIP, a MICHIGAN LIMITED PARTNERSHIP.

JOSEPH PAUL D'ANGELO
Notary Public, Oakland County, MI
My Commission Expires Mar. 11, 1996

[Signature]

Notary's Signature

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

APPENDIX "A"

"RIVER PARK ESTATES" Part of the the Northeast 1/4 of Section 24, T.2N., R.12E., Sterling Heights, Macomb County, Michigan.

Described as beginning at a point which is S 00° 02' 01" West 1368.33 ft. along the East line of Section 24 and the centerline of Hayes Road, and due West 608.07 ft. along the Southerly line of Oak Acres Subdivision (Liber 38, Page 32, M.C.R.) and N88°33'47" W 111.60 ft. from the Northeast corner of Section 24, T.2N., R.12E., thence S00°02'01" W. 918.00 ft. to traverse point "A"; thence continuing S00°02'01" W 50 ft. more or less to a point on the Northerly waters edge of the Clinton River; thence Westerly 500 ft. more or less along said waters edge; thence N21°32'41" W 45 ft. more or less to traverse point "B", said waters being traversed by the following traverse line, beginning at the above mentioned traverse point "A" thence S59°29'05" W 408.15 ft., to the above mentioned traverse point "B" thence N21°32'41" W 300.00 ft.; thence N00°00'34" E 587.12 ft., thence N00°03'45" E 1218.17 ft.; thence N82°50'54" E 460.90 ft. along the Southerly line of Lot 6 of said Oak Acres Subdivision; thence S44°34'45" E 167.06 ft. along the Southerly R.O.W. line of Clinton River Road (1/2 road 60 ft. wd.); thence S07°13'08" W 904.64 ft. to the point of beginning. containing 23.50 Acres, which includes 0.97 Acres more or less between the above described intermediate traverse line and the waters edge of the Clinton River, and comprising 50 lots numbered 1 through 50, both inclusive and one park.

RECORDED RIGHT OF WAY NO.

44190

Witnesses:(type or print name below signature)

x *Tokenah L. Peplinski*
Tokenah L. Peplinski

x *Donna J. Smith*
Donna J. Smith

Mortgagee:
Grantor:(type or print name below signature)

Comerica Bank
A Michigan Banking Association
BY: *Mark S. Lewandowski*
Mark S. Lewandowski
ITS: Vice President

RECORDED RIGHT OF WAY NO. 44190

Acknowledged before me in Oakland County, Michigan, on 12-7, 1992 by MARK S. LEWANDOWSKI
VICE PRESIDENT OF COMERICA BANK A MICHIGAN BANKING ASSOCIATION FOR
THE ASSOCIATION.

DONNA J. SMITH
Notary Public, Oakland County, MI.
My Commission Expires May 17, 1993

Notary's Stamp _____ Notary's Signature *Donna J. Smith*

Prepared by and Return to: Michael J. McCabe, 15600 19 Mile Road, Clinton Twp, MI 48038

Date: February 24, 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 River Park Estates Subdivision, located
in part of the Northeast 1/4 of Section 24, 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 November 3, 1992 for the above named project.

Easement for this project was requested by Brian Bolling,
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 New Realty, Inc,
William R. Eldridge, President, the developer of River Park
Estates Subdivision.

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

MJM

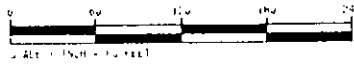
Attachment

RECORDED RIGHT OF WAY NO.

44190

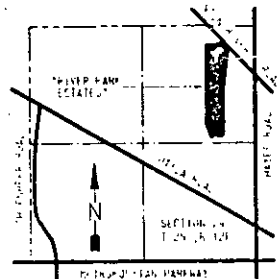
"RIVER PARK ESTATES"

PART OF THE NORTHEAST 1/4 OF SECTION 24, T.2N., R.12E.,
STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN.

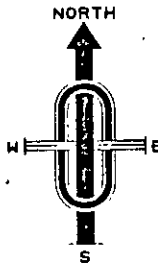


PLAT LEGEND

ALL DIMENSIONS ARE IN FEET
ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED
THE CENTERLINE OF A ROAD OR HIGHWAY IS A STRAIGHT LINE
ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED
ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED
ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED



LOCATION MAP
NOT TO SCALE

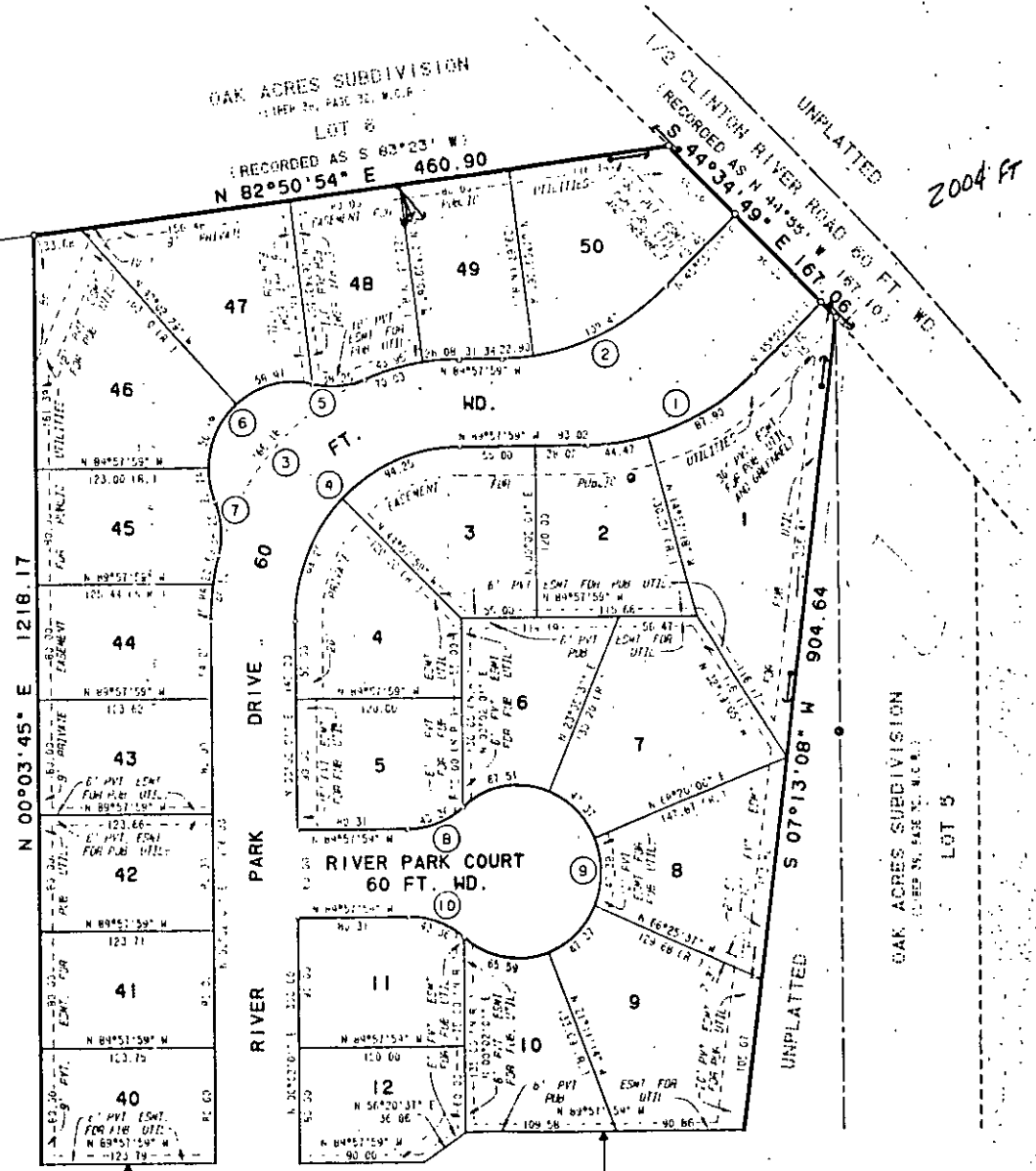


NOTE
THINK SHEET OF NO DIRECT VEHICULAR ACCESS TO LINTON RIVER ROAD FROM LOTS 1 AND 22

THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 208 OF 1967, AS AMENDED, ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND/OR THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH, WHICH ARE RECORDABLE IN THE PUBLIC RECORDS OF THIS COUNTY

CURVE DATA

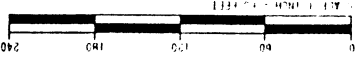
NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	170.00	137.37	44°56'50"	124.05	N 67°43'31" E
2	170.00	132.31	43°56'50"	129.65	N 67°43'31" E
3	170.00	287.71	90°00'00"	254.56	N 42°00'01" E
4	170.00	188.50	50°00'00"	145.71	N 42°00'01" E
5	60.00	36.25	36°31'40"	37.81	N 40°00'29" E
6	60.00	131.90	105°07'00"	106.90	N 41°17'59" E
7	60.00	38.25	36°31'40"	37.81	N 03°09'11" N
8	60.00	43.31	41°54'35"	42.42	N 69°14'44" E
9	60.00	275.22	262°49'12"	42.00	N 00°00'00" E
10	60.00	43.31	41°54'35"	42.42	N 69°14'42" E



MATCH LINE SHEET NO. 2

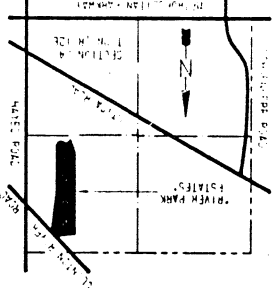
"RIVER PARK ESTATES"

PART OF THE NORTHEAST 1/4 OF SECTION 24, T.2N., R.12E.,
STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN.

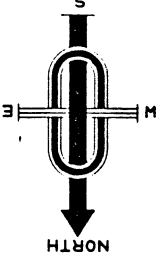


PLAT LEGEND

ALL DIMENSIONS ARE IN FEET
 ALL CURVES ARE SHOWN ALONG THE ARC
 ALL CURVES HAVING DIMENSIONS ARE SHOWN ALONG THE ARC
 IN DIMENSIONS HAVING DIMENSIONS ARE SHOWN ALONG THE ARC
 THE SYMBOL "C" INDICATES A CURVE WHICH IS A 1/2" DIAMETER
 THE SYMBOL "O" INDICATES A CURVE WHICH IS A 1/2" DIAMETER
 ALL DIMENSIONS ARE IN FEET
 ALL CURVES ARE SHOWN ALONG THE ARC
 ALL CURVES HAVING DIMENSIONS ARE SHOWN ALONG THE ARC
 IN DIMENSIONS HAVING DIMENSIONS ARE SHOWN ALONG THE ARC



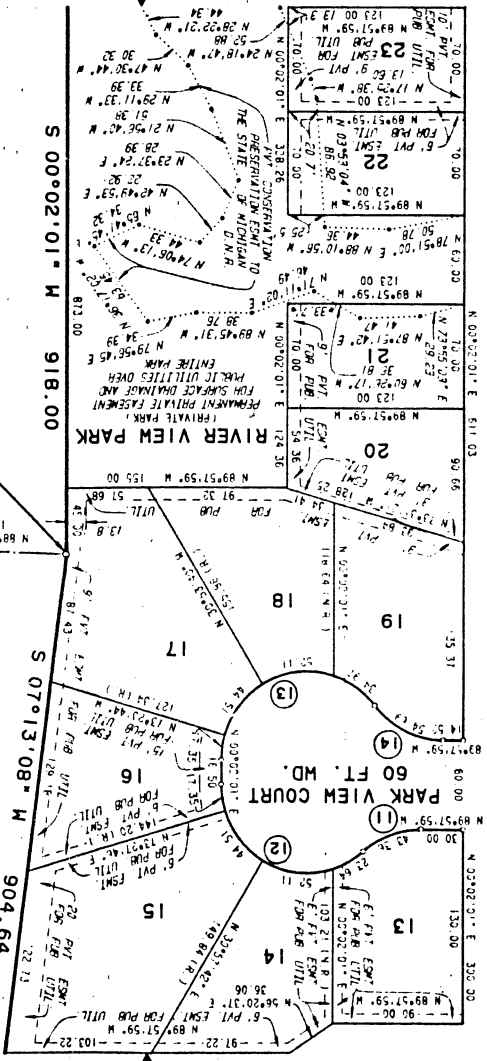
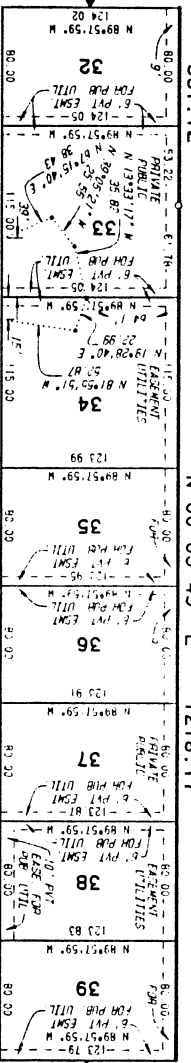
LOCATION MAP



CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD BEARING
1	40.00	43.36	41.94	N 69°19'44" E
2	60.00	127.81	117.24	N 65°40'16" E
3	60.00	148.94	127.13	N 71°08'54" E
4	60.00	54.69	52.13	N 63°51'06" E

THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED
 BY ACT 388 OF 1967, AS AMENDED, ON CERTAIN LOTS
 WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN
 DEPARTMENT OF NATURAL RESOURCES AND/OR THE
 MICHIGAN DEPARTMENT OF PUBLIC HEALTH, WHICH ARE
 RECORDED IN LIBER 5712, PAGE 375.



NORTHEAST CORNER OF
 SECTION 24, T.2N., R.12E.,
 LIBER 5509, PAGE 445, M.C.R.

OAK ACRES SUBDIVISION
 (Liber 26, Page 22, M.C.R.)

POINT OF BEGINNING
 DUE WEST
 RECORDED AS WEST 607.94'

EAST 1/4 CORNER OF
 SECTION 24, T.2N., R.12E.,
 LIBER 5509, PAGE 445, M.C.R.

UNPLATTED

UNPLATTED

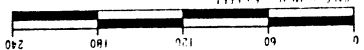
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CENTERLINE OF HAYES ROAD
 EAST LINE OF SECTION 24

RECORDED RIGHT OF WAY NO. 44190

"RIVER PARK ESTATES"

PART OF THE NORTHEAST 1/4 OF SECTION 24, T.2N., R.12E., STERLING HEIGHTS, MACOMB COUNTY, MICHIGAN.



SCALE 1 INCH = 60 FEET

ALL DIMENSIONS ARE IN FEET

ALL DIMENSIONS AND BEARINGS ARE SHOWN ALONG THE ARC

IN A CURVED BOUNDARY. IN A BOUNDARY WHICH IS A 1/2" DIAMETER

THE SYMBOL "O" INDICATES A MONUMENT WHICH IS A 1/2" DIAMETER

STEEL BAR 3/8" LONG, ENCASED IN 4" DIAMETER CONCRETE

ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 1/2" LONG, 1/2" O.D. CAPS

ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE SOUTH LINE OF

OWN AGEN'S SUBDIVISION AS RECORDED IN LIBER 38, PAGE 32, M.C.R.

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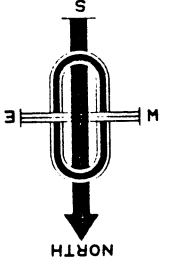
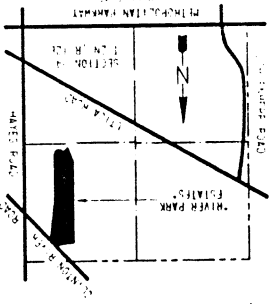
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OWN AGEN'S SUBDIVISION AS RECORDED IN LIBER 38, PAGE 32, M.C.R.

LOCATION MAP



NO.	RADIUS	ARC	CHORD	CHORD BEARING
14	120.00	43.97	205.819'	N 10°27'09" W
15	30.00	50.46	96.2246'	N 69°07'41" W
16	60.00	238.96	228.1123'	N 03°13'22" W
17	60.00	238.96	228.1123'	N 34°32'50" W
18	180.00	717.28	634.0942'	N 34°32'50" W

THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 288 OF 1967, AS AMENDED, ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND/OR THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH, WHICH ARE RECORDED IN LIBER 38, PAGE 32, M.C.R.

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RECORDED RIGHT OF WAY NO. 44190

