

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9100148
PROJECT NAME FOREST BROOK SUBDIVISION NO. 2**

on 6-28, 1993 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:
Biltmore Properties Corporation, 2025 West Long Lake Road, Suite 104, Troy, Michigan 48098

"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 Sterling Heights, Macomb **County, Michigan described as:**

See appendix "A" attached hereto.

93 JUL 26 AM 9:34
CARNELLA SABAUGH
REGISTER OF DEEDS
MACOMB COUNTY, MI

RECORDED RIGHT OF WAY NO. 474942

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

Easements are as shown on 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)

x Michael J. McCabe
 MICHAEL J. McCABE

x Ralph A. Piper
 RALPH A. PIPER

FOREST BROOK LIMITED PARTNERSHIP
a Michigan Limited Partnership

BY: Biltmore Properties Corporation
 a Michigan Corporation
 General Partner

BY: Norman J. Cohen
 Norman J. Cohen, President

Bernard H. Stollman
 Bernard H. Stollman
 Secretary/Treasurer

RECORDED RIGHT OF WAY NO. 414842

Acknowledged before me in Macomb County, Michigan, on 6-28, 1993 by Norman J. Cohen and Bernard H. Stollman, President and Secretary/Treasurer of Biltmore Properties Corporation, General Partner of Forest Brook Limited Partnership, a Michigan Limited Partnership.

MICHAEL J. McCABE
 Notary Public, Macomb County, MI
 My Commission Expires Feb. 4, 1996

Notary's Stamp _____ Notary's Signature Michael J. McCabe

Prepared by and Return to: Michael J. McCabe, 43230 Elizabeth Rd, Clinton Twp, MI 48036

APPROVED AS TO FORM 7/14/93 DATE
 LEGAL DEPARTMENT [Signature]

APPENDIX "A"

Part of the N.W. 1/4 of Section 7, T.2N, R.12E., City of Sterling Heights Macomb County, Michigan described as follows:

Beginning at a point which is N89°02'50" W. 313.18 ft. along the North line of Section 7, being also the boundary of "Forest Brook Sub. No. 1" (Liber 92, Pages 7 through 14, incl., C.C.R.), from the North 1/4 corner of Section 7, T.2N., R.12E.; thence along the boundary of said "Forest Brook Sub. No. 1" S00°57'10" W. 210.00 ft. and N89°02'50" W. 4.52 ft. and S00°57'10" W. 185.00 ft. and S07°41'42" W. 125.87 ft. and N89°02'50" W. 116.03 ft. and S00°57'10" W. 110.00 ft. and S46°00'18" W. 249.43 ft. and N.48°15'56" W. 21.54 ft. and S25°39'50" W. 342.26 ft. and S08°44'52" W. 231.77 ft. and S36°09'14" E. 219.92 ft. and S53°50'46" W. 90.00 ft. and S45°56'23" W. 134.31 ft. and S74°34'53" W. 541.42 ft.; thence N01°58'11" E. 304.63 ft.; thence Northerly 24.67 ft. along the arc of a curve to the right (Radius of 60.00 ft., central angle of 23°33'23", long chord bears N13°44'53" E. 24.50 ft.); thence Northerly 98.53 ft. along the arc of a curve to the left (Radius of 60.00 ft., central angle of 94°05'06", long chord bears N21°30'59" W. 87.82 ft.); thence N01°58'11" E. 123.46 ft.; thence N89°03'26" W. 1361.91 ft.; thence N01°43'33" E. 319.81 ft. along the West line of Section 7; thence S89°03'23" E. 1363.28 ft.; thence N01°58'11" E. 957.15 ft.; thence S89°02'50" E. 1054.12 ft. along the North line of Section 7 to the point of beginning. Containing 41.442 acres and comprising 59 lots, numbered 81 through 139, both inclusive and two private parks.

RECORDED RIGHT OF WAY NO. 44849

Date: August 19, 1993

To: Record Center

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

Subject: Right of Way Agreement

Re: **Underground Residential Distribution for Forest Brook
Subdivision No. 2, located in part of the Northwest 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 June 28, 1993, for the above named project.

Easement for this project was requested by Chuck Peterson, 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 Biltmore Properties Corporation, Norman J. Cohen, President, the developer of Forest Brook Sub No. 2.

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

MJM/rlg

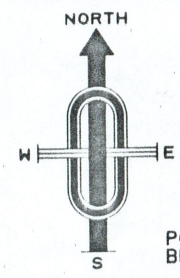
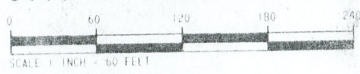
attachment

RECORDED RIGHT OF WAY NO.

447842

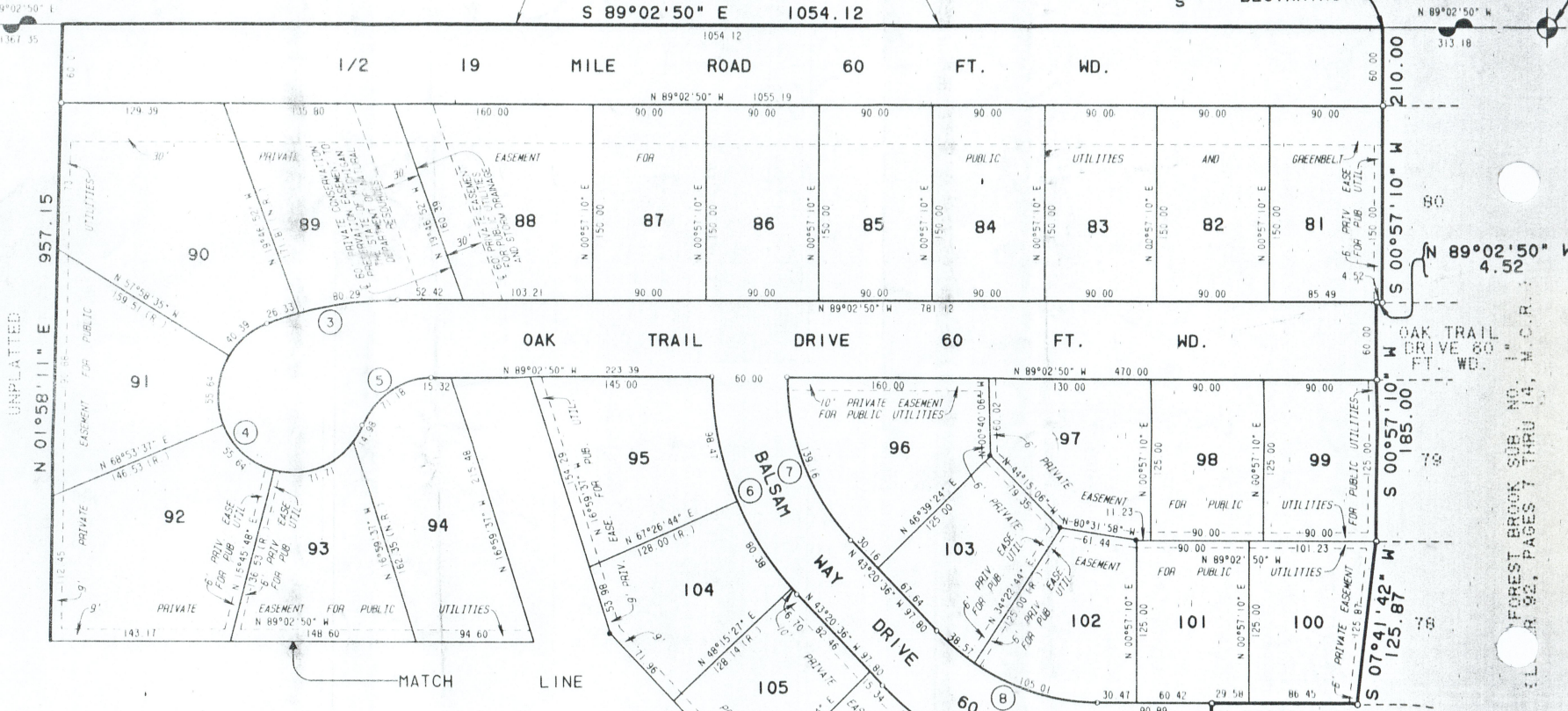
"FOREST BROOK SUB. NO. 2"

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



NORTH 1/4 CORNER OF SECTION 7, T.2N., R.12E.

NORTHWEST CORNER OF SECTION 7, T.2N., R.12E.

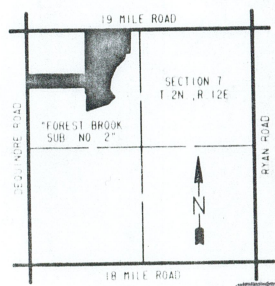


PLAT LEGEND

ALL DIMENSIONS ARE IN FEET
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
(R) DENOTES RADIAL (N R) DENOTES NOT RADIAL
THE SYMBOL "•" DENOTES AN ANGLE POINT
THE SYMBOL "C" INDICATES A CURVE WHICH IS A 1/2" DIAMETER
STEEL BAR 36" LONG, FINISHED IN 4" DIAMETER CONCRETE
ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG "ND 1.0" CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE NORTH LINE OF
"FOREST BROOK SUB. NO. 1" AS RECORDED IN LIBER 92, PAGES 7 THRU
14, R.12E.

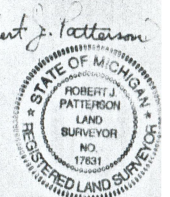
CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	300.00	106.42	107°11'37"	106.00	N 80°40'16.7" E
4	60.00	238.36	277°54'43"	104.79	N 83°12'58" W
5	60.00	71.18	67°58'30"	67.08	N 50°51'55" E
6	240.00	86.45	347°17'46"	180.99	N 207°11'43" W
7	180.00	139.16	84°17'46"	139.77	N 111°11'51" W
8	180.00	143.58	45°42'14"	139.94	N 66°11'43" W
9	240.00	174.51	45°14'14"	186.41	N 66°11'43" W



LOCATION MAP
NOT TO SCALE

RECORDED RIGHT OF WAY NO. 46000-249-43



NOTE
THERE SHALL BE NO DIRECT VEHICULAR ACCESS TO 1/2 MILE ROAD FROM LOTS 81 THRU 90

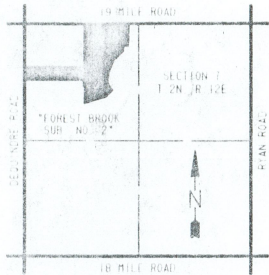
"FOREST BROOK SUB. NO. 2"

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

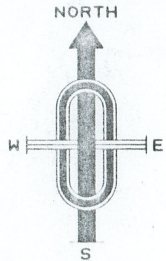


PLAT LEGEND

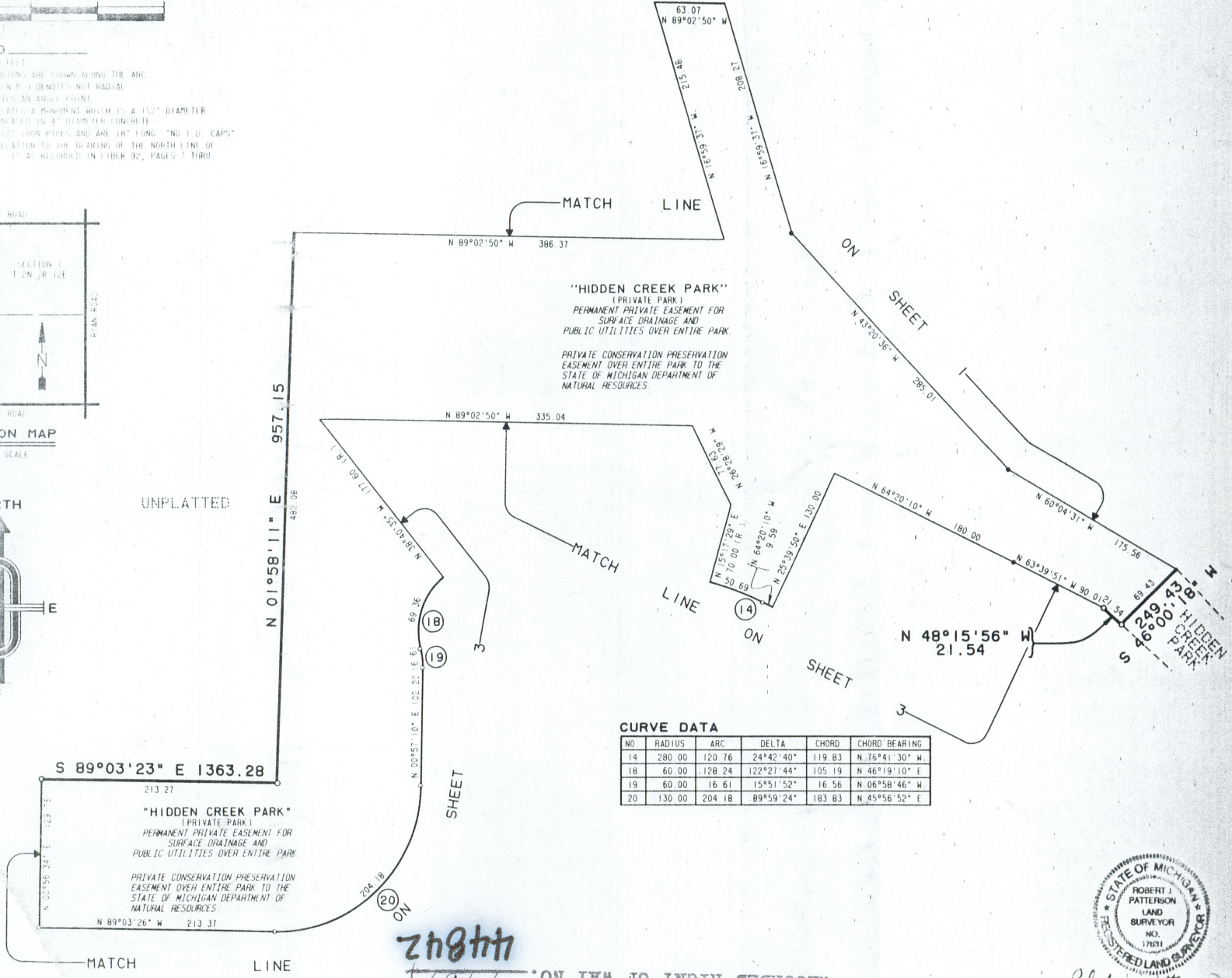
ALL CURVES ARE IN FEET
ALL CURVES IN ALL DIRECTIONS ARE SHOWN ALONG THE ARC
R.D. DENOTES RADIAL, L.N.R. DENOTES NOT RADIAL
THE SYMBOL "A" DENOTES AN ANGLE POINT
THE SYMBOL "C" INDICATES A CURVE WHICH IS A 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE
ALL LOT MARKERS ARE 1/2" DIAMETER PIPES AND ARE 18" LONG "NO I.D." CAPS
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE NORTH LINE OF
"FOREST BROOK SUB. NO. 1" AS RECORDED IN LIBER 92, PAGES 7 THRU
14, B.C.R.



LOCATION MAP
NOT TO SCALE



UNPLATTED

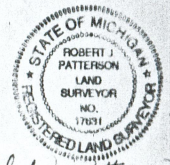


CURVE DATA

NO	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
14	280.00	120.76	24°42'40"	119.83	N 76°41'30" W
18	60.00	128.24	122°21'44"	105.19	N 46°19'10" E
19	60.00	16.61	15°51'52"	16.56	N 06°58'46" W
20	130.00	204.18	89°59'24"	183.83	N 45°56'52" E

44842
47874

RECORDED RIGHT OF WAY NO.

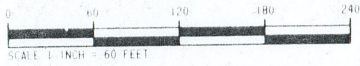


Robert J. Patterson
HCS ASSOCIATES, INC.
CIVIL ENGINEERING AND SURVEYING
STERLING HEIGHTS, MICHIGAN 48314

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

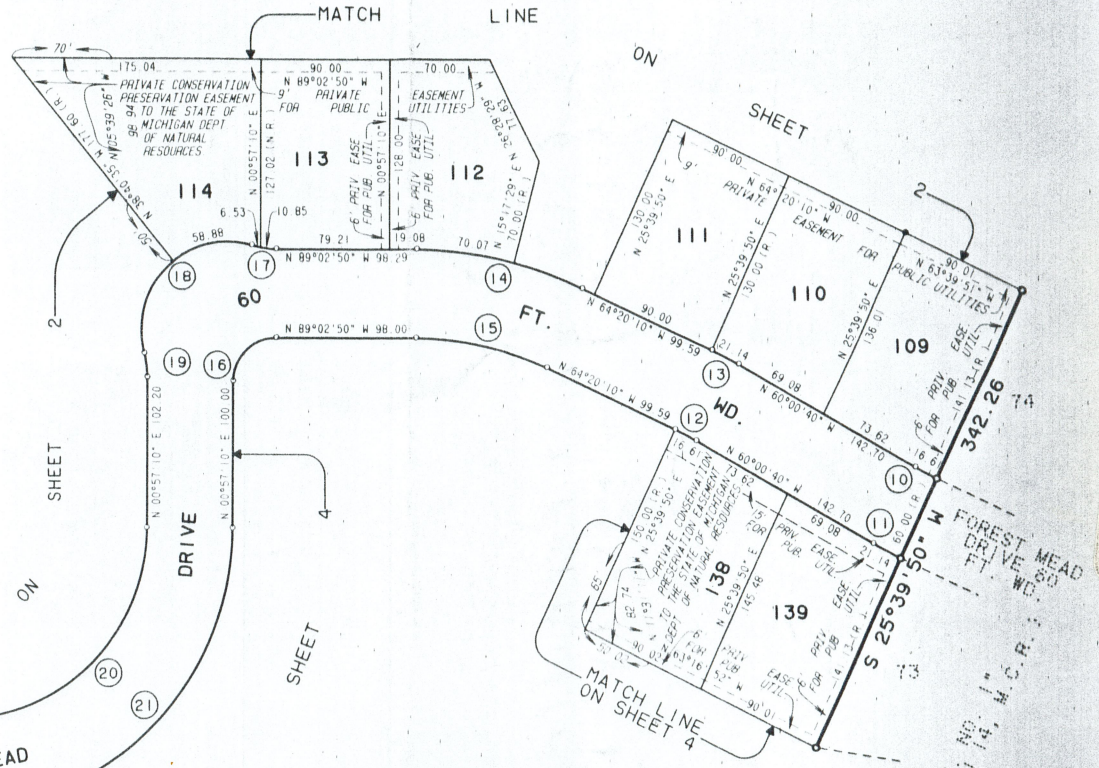
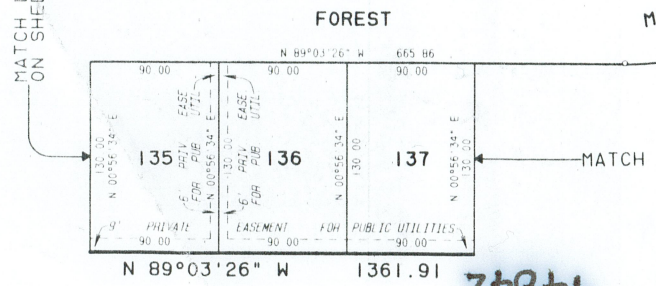
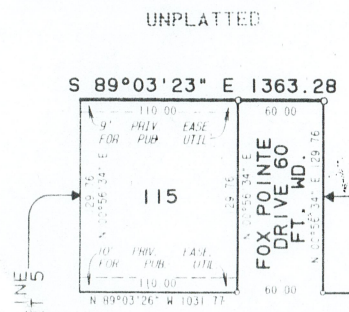
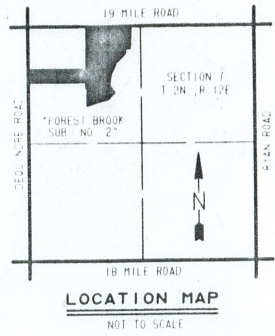
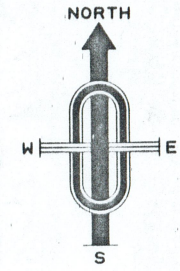
"FOREST BROOK SUB. NO. 2"

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



PLAT LEGEND

ALL DIMENSIONS ARE IN FEET
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
TR = DENOTES RADIAL (TR = T DENOTES NOT RADIAL)
THE SYMBOL "•" DENOTES AN ANGLE POINT
THE SYMBOL "••" INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER
STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE
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ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE NORTH LINE OF
"FOREST BROOK SUB. NO. 1" AS RECORDED IN LIBER 92, PAGES 7 THRU
14, M.C.R.



CURVE DATA

NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
10	220.00	16.61	04°19'30"	16.60	N 62°10'25" W
11	280.00	21.14	04°19'30"	21.13	N 62°10'25" W
12	220.00	16.61	04°19'30"	16.60	N 62°10'25" W
13	280.00	21.14	04°19'30"	21.13	N 62°10'25" W
14	280.00	120.76	24°42'40"	119.83	N 76°41'30" W
15	220.00	96.88	24°42'40"	94.15	N 76°41'30" W
16	30.00	47.12	90°00'00"	42.43	N 45°57'10" E
17	60.00	17.38	16°35'52"	17.32	N 80°44'54" W
18	60.00	128.24	122°27'44"	105.19	N 46°19'10" E
19	60.00	16.61	15°51'52"	16.56	N 06°58'46" W
20	130.00	204.18	89°59'24"	183.83	N 45°56'52" E
21	190.00	298.42	89°59'24"	268.68	N 45°56'52" E

LIBER 92, PAGES 7 THRU 14, M.C.R.

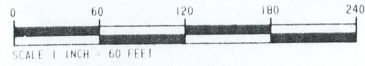
Robert J. Patterson
STATE OF MICHIGAN
ROBERT J. PATTERSON
LAND SURVEYOR
NO. 17683
REGISTERED LAND SURVEYOR

LIBER 05948 P 0670

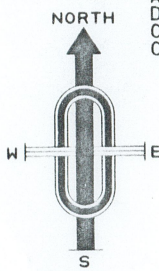
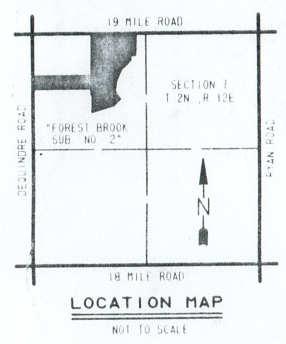
RECORDED RIGHT OF WAY NO. 44842

"FOREST BROOK SUB. NO. 2"

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



PLAT LEGEND
ALL DIMENSIONS ARE IN FEET
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
(R) DENOTES RADIAL (N R) DENOTES NOT RADIAL
THE SYMBOL "•••" DENOTES AN ANGLE POINT
THE SYMBOL "⊙" INDICATES A MONUMENT WHICH IS A 1 1/2" DIAMETER STEEL BAR 36" LONG, ENCASED IN 4" DIAMETER CONCRETE
ALL LOT MARKERS ARE 1/2" IRON PIPES AND ARE 18" LONG "NO I.D. CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE NORTH LINE OF "FOREST BROOK SUB. NO. 1" AS RECORDED IN LIBER 92, PAGES 7 THRU 14, M.C.R.



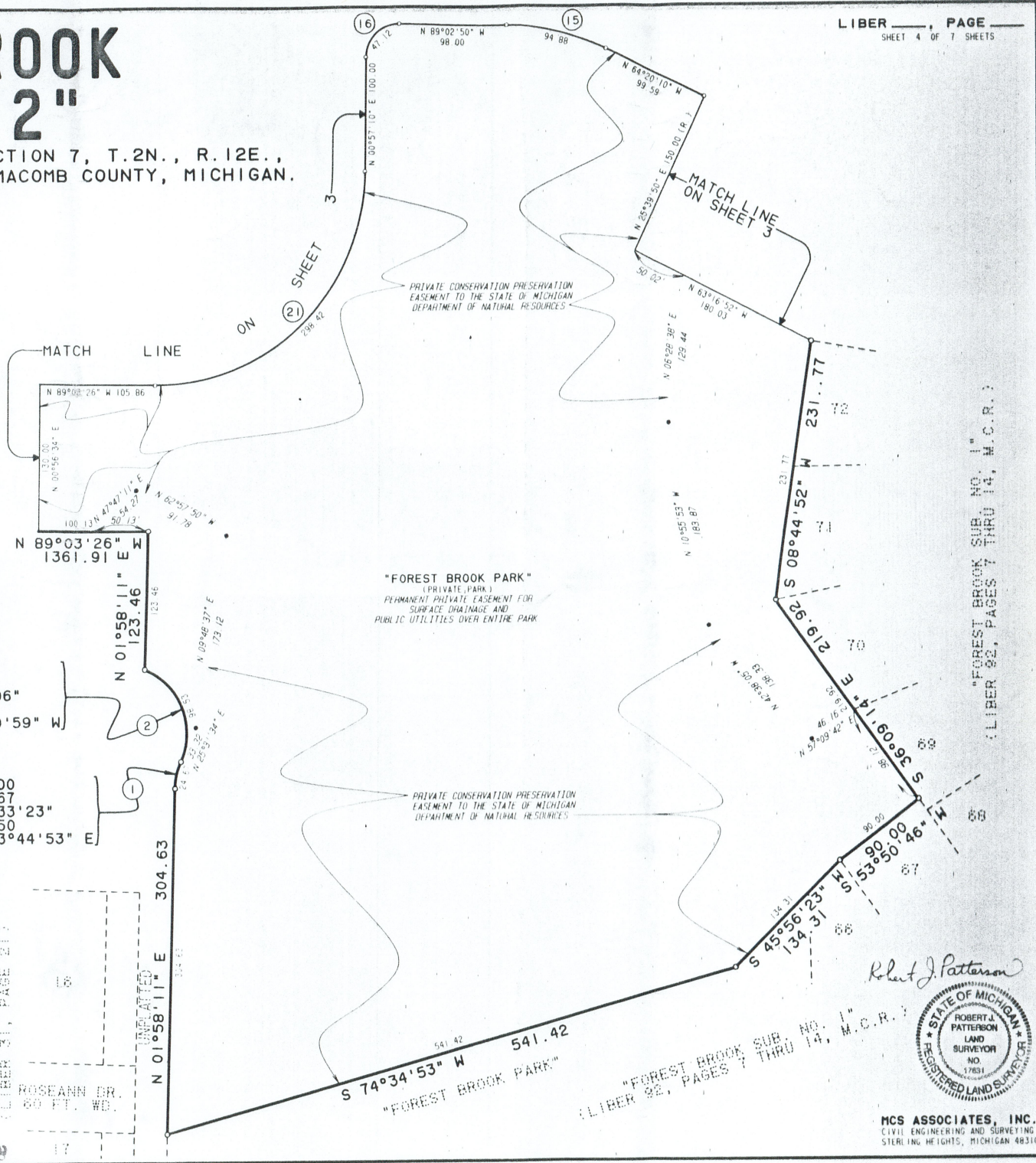
RADIUS = 60.00
ARC = 98.53
DELTA = 94°05'06"
CHORD = 87.82
CHD. BRG. = N 21°30'59" W

RADIUS = 60.00
ARC = 24.67
DELTA = 23°33'23"
CHORD = 24.50
CHD. BRG. = N 13°44'53" E

CURVE DATA

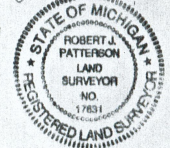
NO.	RADIUS	ARC	DELTA	CHORD	CHORD BEARING
1	60.00	24.67	23°33'23"	24.50	N 13°44'53" E
2	60.00	98.53	94°05'06"	87.82	N 21°30'59" W
15	229.00	94.88	28°52'40"	94.15	N 16°41'30" W
16	30.00	47.12	90°00'00"	42.43	N 45°57'10" E
21	190.00	198.42	89°57'23"	308.68	N 42°56'32" E

RECORDED RIGHT OF WAY NO. 14



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

Robert J. Patterson



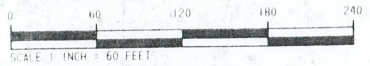
"FOREST BROOK SUB. NO. 1"
(LIBER 92, PAGES 7 THRU 14, M.C.R.)

MCS ASSOCIATES, INC.
CIVIL ENGINEERING AND SURVEYING
STERLING HEIGHTS, MICHIGAN 48310

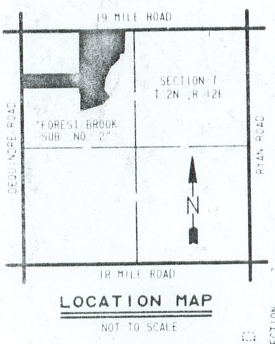
LIBER 05948 PAGE 71

"FOREST BROOK SUB. NO. 2"

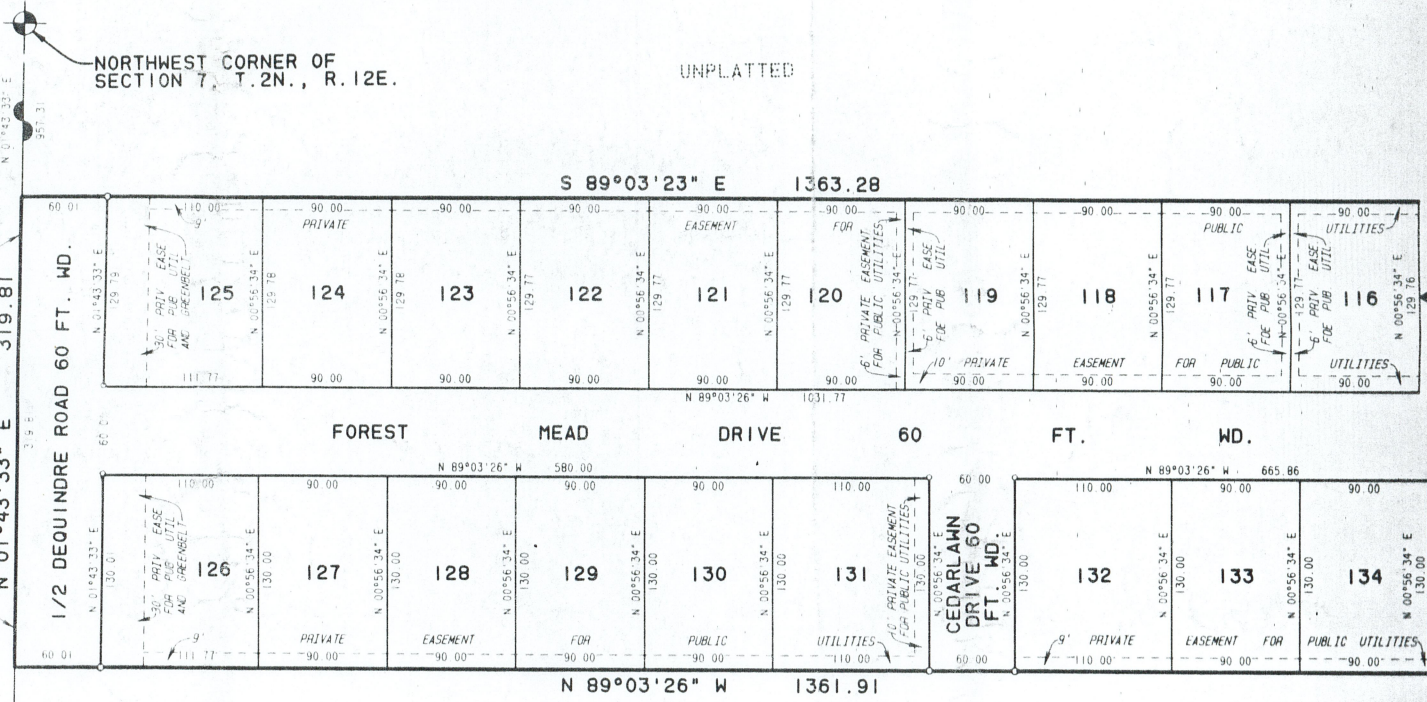
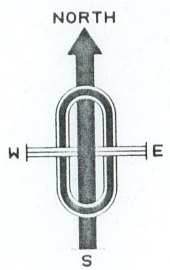
PART OF THE N.W. 1/4 OF SECTION 7, T.2N., R.12E.,
CITY OF STERLING HEIGHTS, MACOMB COUNTY MICHIGAN.



PLAT LEGEND
ALL DIMENSIONS ARE IN FEET
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
L.R. () DENOTES RADIAL (N.R.) DENOTES NOT RADIAL
THE SYMBOL "••" DENOTES AN ANGLE POINT
THE SYMBOL "⊙" 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 "NO 10" CAPS"
ALL BEARINGS ARE IN RELATION TO THE BEARING OF THE NORTH LINE OF
"FOREST BROOK SUB. NO. 1" AS RECORDED IN LIBER 92, PAGES 7 THRU
14, M.C.R.



LOCATION MAP
NOT TO SCALE



CITY OF TROY
 S 01°43'33" W
 376.43
 CITY OF STERLING HEIGHTS
 N 01°43'33" E
 319.81
 WEST LINE OF SECTION 7
 N 01°43'33" E
 319.81
 19 MILE ROAD
 SECTION 7
 T.2N., R.12E.
 "FOREST BROOK SUB. NO. 2"
 18 MILE ROAD
 DEQUINDRE ROAD
 19 MILE ROAD
 SECTION 7
 T.2N., R.12E.
 "FOREST BROOK SUB. NO. 2"
 18 MILE ROAD
 DEQUINDRE ROAD

NORTHWEST CORNER OF SECTION 7, T.2N., R.12E.

UNPLATTED

S 89°03'23" E 1363.28

N 89°03'26" W 1031.77

FOREST MEAD DRIVE 60 FT. WD.

N 89°03'26" W 580.00

N 89°03'26" W 1361.91

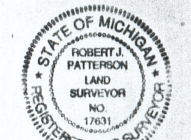
N 89°03'26" W 665.86

NOTE
THERE SHALL BE NO DIRECT VEHICULAR
ACCESS TO DEQUINDRE ROAD FROM LOTS
125 AND 126

UNPLATTED

WEST 1/4 CORNER OF SECTION 7, T.2N., R.12E.

44814
44814
RECORDED RIGHT OF WAY NO.



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

LIBER 05948P0672
 MATCH LINE SHEET NO.