

**UNDERGROUND DISTRIBUTION EASEMENT (RIGHT OF WAY) NO. R-9408502-01
PROJECT NAME STERLING HUNT CLUB CONDO - PH 1**

On December 2, 1994, 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:

Dominic F. Flis and Lillian Flis, husband and wife, 2435 Neibel, Hamtramck, Michigan 48212

Sterling Hunt Club Venture, a Michigan co-partnership, 41400 Dequindre, Suite 105, Sterling Heights, Michigan 48310

"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, Detroit, Michigan 48226
- Comcast Cablevision, a Delaware corporation, 6808 19 1/2 Mile Road, Sterling Heights, Michigan 48314
- Consumers Power Company, a Michigan corporation, 4600 Coolidge Highway, Royal Oak, Michigan 48068

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

Part of the northeast 1/4 of Section 7, town 2 north, range 12 east, being more particularly described as follows:

Beginning at the northeast corner of Section 7, town 2 north, range 12 east; thence south 02 degrees 26 minutes 58 seconds west 1152.57 feet along the east line of Section 7; thence north 89 degrees 00 minutes 55 seconds west 1235.75 feet; thence along the boundary of "Sterling Hunt Club" according to the plat thereof as recorded in liber 104, pages 39, of Plats, Macomb County Records, north 40 degrees 16 minutes 41 seconds west 413.27 feet and north 12 degrees 23 minutes 30 seconds west 197.55 and north 11 degrees 51 degrees 00 minutes east 130.58 feet and north 35 degrees 11 minutes 14 minutes west 135.94 feet and north 58 degrees 47 minutes 54 seconds west 257.26 feet and north 07 degrees 06 minutes 50 seconds east 49.45 feet and north 06 degrees 10 minutes 50 seconds west 91.01 feet and north 87 degrees 38 minutes 59 seconds west 114.00 feet and north 02 degrees 21 minutes 01 second east 140.04 feet; thence south 89 degrees 00 minutes 17 seconds east 1978.01 feet along the north line of Section 7 to the point of beginning.

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

Easements as shown on attached sketch 94A73647

- 1. Purpose:** The purpose of this Right of Way is to construct, reconstruct, modify, add to, operate and maintain underground distribution 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.

RECORDED RIGHT OF WAY NO.

46799

Witnesses:(type or print name below signature)

Grantor:(type or print name below signature)

[Signature]
MICHAEL BRDOLL

Carol Hicks
CAROL HICKS

[Signature]
LAURA CUKER

[Signature]
MICHAEL BRDOLL

[Signature]
Dominic F. Flis

[Signature]
Lillian Flis, his wife

Sterling Hunt Club Venture, a Michigan co-partnership, by
Resco, Inc., a Michigan corporation - partner

[Signature]
SALVATORE COTTONE, Pres.

Acknowledged before me in Macomb County, Michigan, on December 2, 1994 by
Dominic F. Flis and Lillian Flis, husband and wife.

Notary's Stamp MACOMB COUNTY, MICH. COMMISSION EXPIRES 10-10-95 Notary's Signature [Signature]
SUZANNE L. SHIELDS

Acknowledged before me in Macomb County, Michigan, on December 2, 1994 by
Salvatore Cottone the President
partner of Sterling Hunt Club Venture, a Michigan co-partnership,
of Resco, Inc., a Michigan corporation,

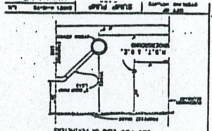
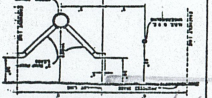
Notary's Stamp MACOMB COUNTY, MICH. COMMISSION EXPIRES 10-10-95 Notary's Signature [Signature]
SUZANNE L. SHIELDS

Prepared by and Return to: Susan Putrycus, 6301 23 Mile Road, Shelby Township, MI 48316

NOTARIAL SEAL 12/7/94 DATE
L.S. SHIELDS



RECORDED RIGHT OF WAY NO. 46799



NOTE:
 TRANSFORMERS SET 5' OFF CORNER OF BUILDING UNLESS NOTED
 TEMPORARY CABLE WORKER AMOUNT 30 SPEC.
 SECONDARY CONNECTION BOX AMOUNT 30 SPEC.

CODE --
 (1) TEMPORARY SECONDARY PEGS/STAKE/TEMPORARY CABLE MARKER
 (2) OFF LEAD FRONT TYPED
 (3) OFF LEAD FRONT TYPED
 (4) OFF LEAD FRONT TYPED - LIVE FRONT TYPED
 (5) OFF LEAD FRONT TYPED - LIVE FRONT TYPED
 (6) DIRECTION OF TRANSFORMER ROOM OPENING
 (7) SECONDARY CONNECTION BOX
 (8) SECONDARY CONNECTION BOX
 (9) CABLE POLE
 (10) BURIED SECONDARY SERVICE CABLE
 (11) BURIED SECONDARY SERVICE CABLE
 (12) DETROIT EDISON TRENCH ONLY
 (13) TELEPHONE TRENCH ONLY
 (14) METER SHALL BE LOCATED IN SHARED AREA ACCESS TO ALL CO. SOURCES
 (15) CABLE TV
 (16) PROPOSED CONDUIT
 (17) SEP CONN CABINET
 (18) NO. ESTIMATED

GENERAL NOTES
 1. All work and equipment shown shall conform to standards and specifications of the City of Sterling Heights.
 2. Utility inspections shall be made by the contractor to determine whether the proposed work complies with all applicable codes and regulations.
 3. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
 4. The contractor shall be responsible for protecting all existing utilities and structures on the site.
 5. The contractor shall be responsible for maintaining access to all adjacent properties at all times.
 6. The contractor shall be responsible for cleaning up the site after completion of the work.
 7. The contractor shall be responsible for providing a safe work environment at all times.
 8. The contractor shall be responsible for providing a professional appearance at all times.
 9. The contractor shall be responsible for providing a high quality of work at all times.
 10. The contractor shall be responsible for providing a timely completion of the work.

CABLE SUMMARY
 ESTIMATED
 1113-2017-2551
 1113-0517-117
 1113-0514-1349

NOTICE
 Locations of underground facilities on this drawing are only approximate. Exact locations must be determined by the utility companies. For exact locations, telephone MISS DIO on trench and cable lengths see approximate SEE SECTION 56 OF THE CONSTRUCTION STANDARDS FOR TRENCHES, WALLS, DETAILS SEE PAGE 3-2-11 5.1.1. DETAIL "A" FOR ENTRANCE POINT DETAILS (APTS, ONLY). TRANSFORMERS AND PEGS SHALL BE SET 5' OFF CORNER OF BUILDING UNLESS NOTED.
 TEL. CO. DON DAVIS, 668-1043
 CITY CO. J.H. POSTAL, 726-4903
 OTHERS:
 EXPANDED'S INDICATED BY DASH CONTINUED ARE IN WIDTH UNLESS OTHERWISE NOTED.
 THE DETROIT EDISON COMPANY
 SERVICE PLANNING
 DATE 10/07/94
 NAME D. HOFFMAN
 0.H., D.O. A67677

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