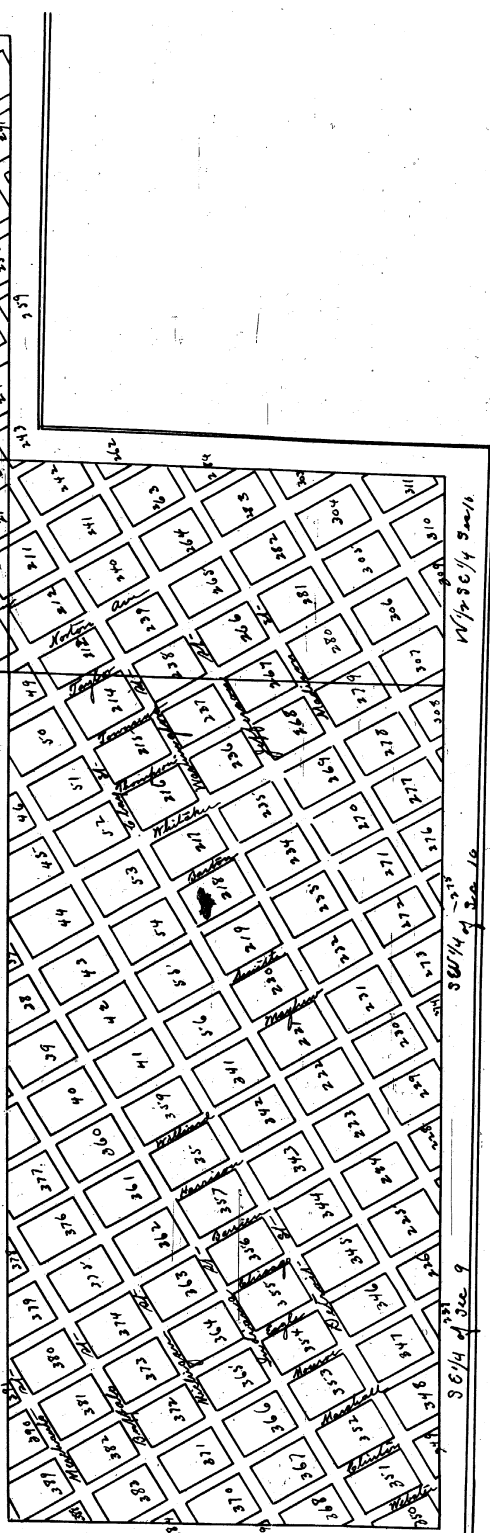


We the subscribers joint owners of the following lots of land to wit: The West half of the North West quarter of Section eleven Town eight North East quarter South West quarter and West half of the South East quarter Section ten Township eight and Range East quarter Section nine Township eight all South of Range twenty one West. The same being laid out in three blocks and blocks. The blocks being six rods wide, the street four rods wide. Each block containing two acres and two fifths to be marked and numbered on the ground that styled the Virginia Addition to the Town of New Bedford at the corner of the Sabine River in the Territory of Michigan do hereby authorize the Recorder in and for the County of Benne Michigan Territory to put the annexed Town Plat of record in his Office, hereby giving and granting to the public the use of the said streets in three town and Villages. Given under our hands this day of 1886

Samuel Brown
 Joshua P. C. Brown by
 Samuel Brown Att.
 C. J. Strong
 Jacob H. Hall
 G. A. Rose

Recd for Record
 March 30th 1887
 at-7 O'clock A.M.
 Edwin Richardson
 Dep. Recorder



I hereby certify that this plat is a correct copy of the plat now on record in the Register of Deeds office, being made under the supervision of the Auditor General by tracing the plat on record and affixing thereto a carefully compared copy of the dedication and certificate.

Dated this 5th day of Feb. 1910
 Geo. M. Bennett
 Clerk Recd. Genl. Dep.

Lori D. Jarvis Register Of Deeds
Berrien County, Michigan

Rec \$67.00
Remon \$4.00
Tax Crt \$0.00

Recorded
November 28, 2007 01:24:38 PM
Liber 2820 Page 1028-1047
Receipt # 43019 DO #2007078654



Liber 2820 Page 1028

Att: Mark A. LaRose
135 S. Whittaker
New Buffalo, MI 49117

STATE OF MICHIGAN
BERRIEN COUNTY CIRCUIT COURT FOR THE 2ND JUDICIAL CIRCUIT
BERRIEN COUNTY

LAKE MICHIGAN VIEW TOWNHOMES)
& COTTAGES, LLC,)

Plaintiff,)

vs.)

CITY OF NEW BUFFALO ,et al)

Defendants.)

File No: 05-3274-CC-T
HON. LYNDA A. TOLEN

Mark A. LaRose (P61409)
Clarissa C. Grayson (P68443)
LaRose & Bosco, Ltd.
Attorney for Plaintiff
Lake Michigan View Townhomes
& Cottages, LLC
135 S. Whittaker Street
New Buffalo, MI 49117
(269) 469-8440
(269) 469-8442 fax

RECEIVED NOV 27 2007

Consent Judgment to vacate a Portion of
Virginia Addition to the Town of New Buffalo

At a session of Court held in the City of St. Joseph, County
of Berrien, State of Michigan, this 13 day of Nov., 2007

PRESENT: HONORABLE LYNDA A. TOLEN
Circuit Court Judge

all of 11-62-2900
11-62-8200-0148-01-9
Placed part of Ordinance, Ordinance
etc

WHEREAS, this matter having come to be heard upon the complaint of Plaintiff Lake Michigan View Townhomes & Cottages, LLC to vacate portions of Blocks 147, 148, 149, 150, 160, 161; to vacate portions of Michigan and Indiana Streets; to vacate portions of Ontario and Green Avenues in Virginia Addition to the Town of New Buffalo, and Plaintiff having represented to this Court that all parties required by MCL 560.224a(1) to be joined have been so joined, and that those parties have either stipulated to this Judgment, consented to the vacation of the described portions of Blocks 147, 148, 149, 150, 160, 161; to the vacation of the described portions of Michigan and Indiana Streets; and to the vacation of the described portions of Ontario and Green Avenues in Virginia Addition to the Town of New Buffalo, been given notice of the proceedings leading to this Judgment, or been defaulted;

NOW, THEREFORE, IT IS ORDERED AND ADJUDGED THAT:

1. Exhibit A, attached hereto, is a copy of a survey that was performed in accordance with 1970 PA 132, as amended, being MCL 54.211 et. seq., for the portion of Virginia Addition to the Town of New Buffalo, part of Sections 10 and 11, T8S, R21W, City of New Buffalo, Berrien County, Michigan, that is hereby vacated. Title to the land described in Exhibit A shall vest in Plaintiff LAKE MICHIGAN VIEW TOWNHOMES & COTTAGES, LLC, and shall be used heretofore as the legal description for all purposes, including those of assessment, taxation, sale and conveyance of Plaintiff's property.

2. The parcel resulting from the vacation of the described portion of Virginia Addition to the Town of New Buffalo, as described in Exhibit A, is not a

parent parcel as defined by MCL 560.102(i) and cannot be divided in accordance with the provisions of MCL 560.108 and 560.109.

3. An easement to the City of New Buffalo for the public right-of-way for Bell Avenue encroaching upon a portion of the land described in Exhibit A is hereby established.

THAT PART OF BLOCK 148, "ANNEXED PLAT STYLED THE VIRGINIA ADDITION TO THE TOWN OF NEW BUFFALO AT THE MOUTH OF THE GALIEN RIVER IN THE TERRITORY OF MICHIGAN," BEING IN PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 21 WEST, CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1837 IN BOOK E OF DEEDS, PAGE 291, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 02° 47' 00" WEST ON THE EAST LINE OF SAID SECTION 10 A DISTANCE OF 636.02 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF BELL AVENUE; THENCE NORTH 82° 22' 15" WEST ON SAID NORTHERLY RIGHT OF WAY LINE 341.76 FEET; THENCE CONTINUING ON SAID NORTHERLY RIGHT OF WAY LINE NORTH 83° 01' 26" WEST 343.85 FEET TO THE SOUTHEASTERLY LINE OF SAID BLOCK 148 AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH 62° 22' 44" WEST ON SAID SOUTHEASTERLY LINE 13.80 FEET TO THE SOUTHERLY MOST CORNER OF SAID BLOCK 148; THENCE NORTH 27° 34' 36" WEST ON THE SOUTHWESTERLY LINE OF SAID BLOCK 148 A DISTANCE OF 9.51 FEET TO SAID NORTHERLY RIGHT OF WAY LINE OF BELL AVENUE; THENCE SOUTH 83° 01' 26" EAST ON SAID NORTHERLY RIGHT OF WAY LINE 16.76 FEET TO THE TO THE POINT OF BEGINNING.

4. The following described portion of Indiana Street in the Virginia Addition to the Town of New Buffalo, part of Section 10, T8S, R21W, City of New Buffalo, Berrien County, Michigan is hereby vacated.

THAT PART OF INDIANA STREET, "ANNEXED PLAT STYLED THE VIRGINIA ADDITION TO THE TOWN OF NEW BUFFALO AT THE MOUTH OF THE GALIEN RIVER IN THE TERRITORY

OF MICHIGAN," BEING IN PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 21 WEST, CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1837 IN BOOK E OF DEEDS, PAGE 291, DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH 02° 47' 00" WEST ON THE WEST LINE OF SAID SECTION 11 A DISTANCE OF 79.51 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF RED ARROW HIGHWAY (U.S. 12); THENCE SOUTH 88° 01' 00" EAST ON SAID SOUTHERLY RIGHT OF WAY LINE 113.43 FEET TO THE WESTERLY RIGHT OF WAY LINE OF ELEVENTH STREET; THENCE SOUTH 27° 08' 53" EAST ON SAID WESTERLY RIGHT OF WAY LINE 65.08 FEET TO THE CENTERLINE OF SAID INDIANA STREET AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH 62° 04' 36" WEST ON SAID CENTERLINE 132.00 FEET; THENCE SOUTH 27° 08' 53" EAST PARALLEL WITH SAID WESTERLY RIGHT OF WAY LINE 33.00 FEET; THENCE NORTH 62° 04' 36" EAST PARALLEL WITH SAID CENTERLINE 132.00 FEET TO SAID WESTERLY RIGHT OF WAY LINE; THENCE NORTH 27° 08' 53" WEST ON SAID WESTERLY RIGHT OF WAY LINE 33.00 FEET TO THE POINT OF BEGINNING.

5. Title to the vacated portion of Indiana Street, as described above, will vest in Defendant Raimundus Kirkus pursuant to MCL 560.227a(1) upon the recording of the amended plat as required by this Judgment.

6. The remnant portion of Block 160 and the vacated portion of Indiana Street, as described below, shall be consolidated into one block to be identified by the first available consecutive block number in Virginia Addition to the Town of New Buffalo on an amended plat. Title to the new block shall remain to be vested in Defendant Raimundus Kirkus. The City of New Buffalo confirms that this block meets all applicable local governmental agency requirements for a residential building site.

THAT PART OF BLOCK 160 AND THAT PORTION OF VACATED INDIANA STREET, "ANNEXED PLAT STYLED THE VIRGINIA ADDITION TO THE TOWN OF NEW BUFFALO AT THE MOUTH OF THE GALIEN RIVER IN THE TERRITORY OF MICHIGAN," BEING IN PART OF THE NORTHEAST QUARTER OF SECTION 10 AND THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 21 WEST, CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1837 IN BOOK E OF DEEDS, PAGE 291, DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH 88° 00' 56" EAST ON THE NORTH LINE OF SAID SECTION 11 A DISTANCE OF 68.01 FEET TO THE WESTERLY RIGHT OF WAY LINE OF ELEVENTH STREET; THENCE SOUTH 27° 08' 53" EAST ON SAID WESTERLY RIGHT OF WAY LINE 156.09 FEET TO THE CENTERLINE OF SAID VACATED INDIANA STREET AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE CONTINUING SOUTH 27° 08' 53" EAST ON SAID WESTERLY RIGHT OF WAY LINE 230.99 FEET; THENCE SOUTH 62° 04' 20" WEST 132.00 FEET; THENCE NORTH 27° 08' 53" WEST PARALLEL WITH SAID WESTERLY RIGHT OF WAY LINE 231.00 FEET TO SAID CENTERLINE OF VACATED INDIANA STREET; THENCE NORTH 62° 04' 36" EAST ON SAID CENTERLINE 132.00 FEET TO THE POINT OF BEGINNING.

7. The following described portions of Blocks 147, 149, and 150, and portions of Michigan Street, and Ontario and Green Avenues that was vacated by a resolution adopted by the New Buffalo City Council on January 18, 2005 in Virginia Addition to the Town of New Buffalo, is hereby established as public right-of-way for US-12 in conformance with MCL 560.137. This right-of-way shall remain to be under the jurisdiction of the Michigan Department of Transportation.

THAT PART OF BLOCK 147, 149 AND 150 AND THAT PORTION OF MICHIGAN STREET, ONTARIO STREET AND GREEN AVENUE, "ANNEXED PLAT STYLED THE VIRGINIA ADDITION TO THE TOWN OF NEW BUFFALO AT THE MOUTH OF THE GALIEN RIVER IN THE TERRITORY OF MICHIGAN," BEING IN PART OF THE NORTHEAST QUARTER OF SECTION

10 AND THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 21 WEST, CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1837 IN BOOK E OF DEEDS, PAGE 291, DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH 88° 00' 56" EAST ON THE NORTH LINE OF SAID SECTION 11 A DISTANCE OF 68.01 FEET TO THE NORTHEASTERLY CORNER OF SAID BLOCK 150; THENCE SOUTH 27° 08' 53" EAST ON THE EASTERLY LINE OF SAID BLOCK 150 A DISTANCE OF 91.01 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF RED ARROW HIGHWAY (U.S. 12); THENCE NORTH 88° 01' 00" WEST ON SAID SOUTHERLY RIGHT OF WAY LINE 871.80 FEET; THENCE CONTINUING ON SAID SOUTHERLY RIGHT OF WAY LINE 222.72 FEET ON A 2789.93 FOOT RADIUS CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 04° 34' 26" AND WHOSE CHORD BEARS SOUTH 89° 41' 47" WEST 222.66 FEET TO THE WESTERLY LINE OF SAID BLOCK 147; THENCE NORTH 27° 35' 25" WEST ON SAID WESTERLY LINE 93.98 FEET TO THE NORTH LINE OF SAID SECTION 10; THENCE SOUTH 88° 23' 14" EAST ON SAID NORTH SECTION LINE 1028.36 FEET TO THE POINT OF BEGINNING.

8. The following described portion of Block 161 hereby established as a 66-foot public right-of-way for Bell Avenue. This Public right-of-way shall remain to be under the jurisdiction of the City of New Buffalo.

THAT PART OF BLOCK 161, "ANNEXED PLAT STYLED THE VIRGINIA ADDITION TO THE TOWN OF NEW BUFFALO AT THE MOUTH OF THE GALIEN RIVER IN THE TERRITORY OF MICHIGAN," BEING IN PART OF THE NORTHEAST QUARTER OF SECTION 10 AND THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 21 WEST, CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1837 IN BOOK E OF DEEDS, PAGE 291, DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH 02° 47' 00" WEST ON THE WEST LINE OF SAID SECTION 11 A DISTANCE OF 636.02 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF BELL AVENUE AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH 82° 22' 15" EAST ON SAID NORTHERLY RIGHT OF WAY LINE 21.72 FEET TO THE

NORTHEASTERLY LINE OF SAID BLOCK 161; THENCE SOUTH 27° 34' 36" EAST ON SAID NORTHEASTERLY BLOCK LINE 58.19 FEET TO THE SOUTHEASTERLY LINE OF SAID BLOCK 161; THENCE SOUTH 62° 20' 57" WEST ON SAID SOUTHEASTERLY BLOCK LINE 31.96 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID BELL AVENUE; THENCE NORTH 82° 22' 15" WEST ON SAID SOUTHERLY RIGHT OF WAY LINE 283.99 FEET TO THE SOUTHWESTERLY LINE OF SAID BLOCK 161; THENCE NORTH 27° 34' 36" WEST ON SAID SOUTHWESTERLY BLOCK LINE 80.77 FEET TO SAID NORTHERLY RIGHT OF WAY LINE OF BELL AVENUE; THENCE SOUTH 82° 22' 15" EAST ON SAID NORTHERLY RIGHT OF WAY LINE 301.38 FEET TO THE POINT OF BEGINNING.

9. The following described portion of Block 161 shall be identified by the second available consecutive block in Virginia Addition to the Town of New Buffalo on an amended plat. Title to said block shall remain vested in defendants Charles and Charlotte Strickland. The City of New Buffalo confirms that this block meets all applicable local governmental agency requirements for a residential building site.

THAT PART OF BLOCK 161, "ANNEXED PLAT STYLED THE VIRGINIA ADDITION TO THE TOWN OF NEW BUFFALO AT THE MOUTH OF THE GALIEN RIVER IN THE TERRITORY OF MICHIGAN," BEING IN PART OF THE NORTHEAST QUARTER OF SECTION 10 AND THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 21 WEST, CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1837 IN BOOK E OF DEEDS, PAGE 291, DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH 02° 47' 00" WEST ON THE WEST LINE OF SAID SECTION 11 A DISTANCE OF 702.26 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF BELL AVENUE AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH 82° 22' 15" EAST ON SAID SOUTHERLY RIGHT OF WAY LINE 23.80 FEET TO THE SOUTHEASTERLY LINE OF SAID BLOCK 161; THENCE SOUTH 62° 20' 57" WEST ON SAID SOUTHEASTERLY BLOCK

LINE 232.05 FEET TO THE SOUTHWESTERLY CORNER OF SAID BLOCK 161; THENCE NORTH 27° 34' 36" WEST ON THE SOUTHWESTERLY LINE OF SAID BLOCK 161 A DISTANCE OF 164.03 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE; THENCE SOUTH 82° 22' 15" EAST ON SAID SOUTHERLY RIGHT OF WAY LINE 260.19 FEET TO THE POINT OF BEGINNING.

10. All lawfully existing recorded public utility easements located within the boundaries of the amended plats , are hereby preserved and the amended plats shall show only lawfully existing recorded public utility easements, and shall be accompanied by a statement of the surveyor that he or she, in determining the type, width, and location of any utility easements shown have reviewed any existing title search or policy of title insurance or both or has searched, or caused to be searched, the records of the Register of Deeds for any recorded easements burdening the subject lands which were created between the date of a title search or issuance of a title policy and the most recent submittal date of the amended plats and shall provide a copy of those records to the Michigan Department of Labor and Economic Growth, Office of Land Survey and Remonumentation upon submission of the amended plat.

11. Plaintiff must record this Judgment in the Office of the Register of Deeds for the County of Berrien, State of Michigan, within 30 days of entry of this Judgment, as required by MCL 560.228.

12. Plaintiff shall prepare and file, within 90 days of the entry of this Judgment by this Court, an amended plat for the portion of the Virginia Addition to the Town of New Buffalo described in Paragraph 6 on the material specified in R 560.104 and in recordable form in accordance with MCL 560.101, et seq. and

this Judgment, for the review and approval of the Michigan Department of Labor and Economic Growth, Office of Land Survey and Remonumentation.

13. Plaintiff shall prepare and file, within 90 days of the entry of this Judgment by this Court, an amended plat for the portion of the Virginia Addition to the Town of New Buffalo described in Paragraph 7 on the material specified in R 560.104 and in recordable form in accordance with MCL 560.101, et seq. and this Judgment, for the review and approval of the Michigan Department of Labor and Economic Growth, Office of Land Survey and Remonumentation.

14. Plaintiff shall prepare and file, within 90 days of the entry of this Judgment by this Court, an amended plat for the remnant portion of Block 161, including the public right-of-way for Bell Ave. established in said block, in Virginia Addition to the Town of New Buffalo on the material specified in R 560.104 and in recordable form in accordance with MCL 560.101, et seq. and this Judgment, for the review and approval of the Michigan Department of Labor and Economic Growth, Office of Land Survey and Remonumentation.

15. Upon notice and hearing, this Judgment will be declared null and void nunc pro tunc should the amended plats not be filed as required by this Judgment and by the requirements of MCL 560.229 within 90 days from the entry of this Judgment.

16. This resolves the last pending claim in this matter and closes this case.

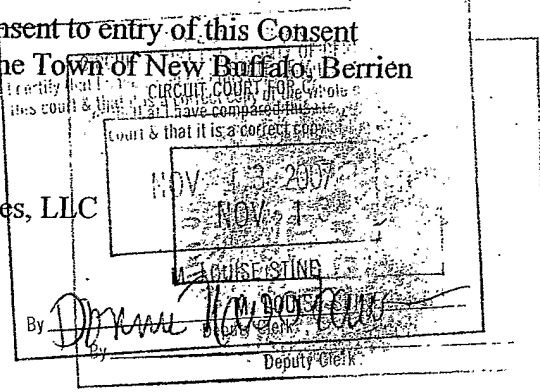
Dated: 11/13/07

LYNDA A. TOLEN

Honorable Lynda A. Tolén
Circuit Court Judge

On behalf of the respective parties, the undersigned consent to entry of this Consent Judgment to Vacate a Portion of Virginia Addition to the Town of New Buffalo, Berrien County in Case No. 05-3274-CC-T.

Plaintiff, Lake Michigan View Townhomes and Cottages, LLC
LaRose & Bosco, Ltd.
By Mark A. LaRose, its Attorney
135 S. Whittaker Street
New Buffalo, MI 40117



Mark A. LaRose

Date: 11/8/07

Print Name: MARK A. LAROSE

Defendants Michigan Department of Labor and Economic Growth
Michigan Department of Transportation
By Michael A. Cox, Attorney General
James E. Riley, Assistant Attorney General
P.O. Box 30755
Lansing, MI 48909

Date: _____

Print Name: _____

16. This resolves the last pending claim in this matter and closes this case.

Dated: _____

Honorable Lynda A. Tolen
Circuit Court Judge

On behalf of the respective parties, the undersigned consent to entry of this Consent Judgment to Vacate a Portion of Virginia Addition to the Town of New Buffalo, Berrien County in Case No. 05-3274-CC-T.

Plaintiff, Lake Michigan View Townhomes and Cottages, LLC
LaRose & Bosco, Ltd.
By Mark A. LaRose, its Attorney
135 S. Whittaker Street
New Buffalo, MI 40117

Date: _____

Print Name: _____

Defendants Michigan Department of Labor and Economic Growth
Michigan Department of Transportation
By Michael A. Cox, Attorney General
James E. Riley, Assistant Attorney General
P.O. Box 30755
Lansing, MI 48909

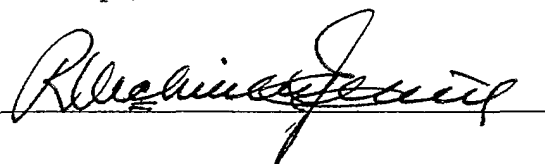
James E. Riley

Date: 10-16-07

Print Name: JAMES E. RILEY

On behalf of the respective parties, the undersigned consent to entry of this Consent Judgment to Vacate a Portion of Virginia Addition to the Town of New Buffalo, Berrien County in Case No. 05-3274-CC-T.

Defendant Berrien County
Drain Commissioner, Roger Zilke
By R. McKinley Elliott, its Attorney
701 Main Street
St. Joseph, MI 49085



Date: 18 October 2007

Print Name: R. McKinley Elliott

Defendant Berrien County Road Commission
Bittner, Hyrns, Daly & Reimland, P.C.
By Rodger V. Bittner, its Attorney
610 Ship Street
P.O. Box 290
St. Joseph, MI 49085

Date: _____

Print Name: _____

Defendant SBC Teleholdings, et al
By Albert Calille, its Attorney
444 Michigan Ave., Suite 1750
Detroit, MI 48226

Date: _____

Print Name: _____

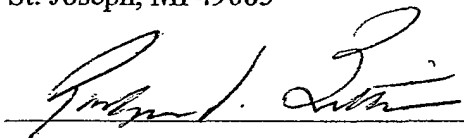
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Defendant Berrien County
Drain Commissioner, Roger Zilke
By R. McKinley Elliott, its Attorney
701 Main Street
St. Joseph, MI 49085

Date: _____

Print Name: _____

Defendant Berrien County Road Commission
Bittner, Hyns, Daly & Reimland, P.C.
By Rodger V. Bittner, its Attorney
610 Ship Street
P.O. Box 290
St. Joseph, MI 49085



Date: 10/29/2007

Print Name: Rodger V. Bittner

Defendant SBC Teleholdings, et al
By Albert Calille, its Attorney
444 Michigan Ave., Suite 1750
Detroit, MI 48226

Date: _____

Print Name: _____

On behalf of the respective parties, the undersigned consent to entry of this Consent Judgment to Vacate a Portion of Virginia Addition to the Town of New Buffalo, Berrien County in Case No. 05-3274-CC-T.

Defendant Berrien County
 Drain Commissioner, Roger Zilke
 By R. McKinley Elliott, its Attorney
 701 Main Street
 St. Joseph, MI 49085

 Date: _____

Print Name: _____

Defendant Berrien County Road Commission
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 By Rodger V. Bittner, its Attorney
 610 Ship Street
 P.O. Box 290
 St. Joseph, MI 49085

 Date: _____

Print Name: _____

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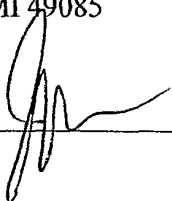
Albert Calille

Date: 10-29-07

Print Name: Albert Calille

On behalf of the respective parties, the undersigned consent to entry of this Consent Judgment to Vacate a Portion of Virginia Addition to the Town of New Buffalo, Berrien County in Case No. 05-3274-CC-T.

Defendant Indiana Michigan Power Company
Dewane, Peterson, & Culitan, PLC
By John E. Dewane, its Attorney
811 Ship Street
St. Joseph, MI 49085



Date: 10-25-07

Print Name: John E. Dewane

Defendant Oakview Estates
John D. Bradshaw P.C.
By John Bradshaw, its Attorney
Tyrone Fleeman, its Attorney
P. O. Box 50431
Kalamazoo, MI 49005-0431

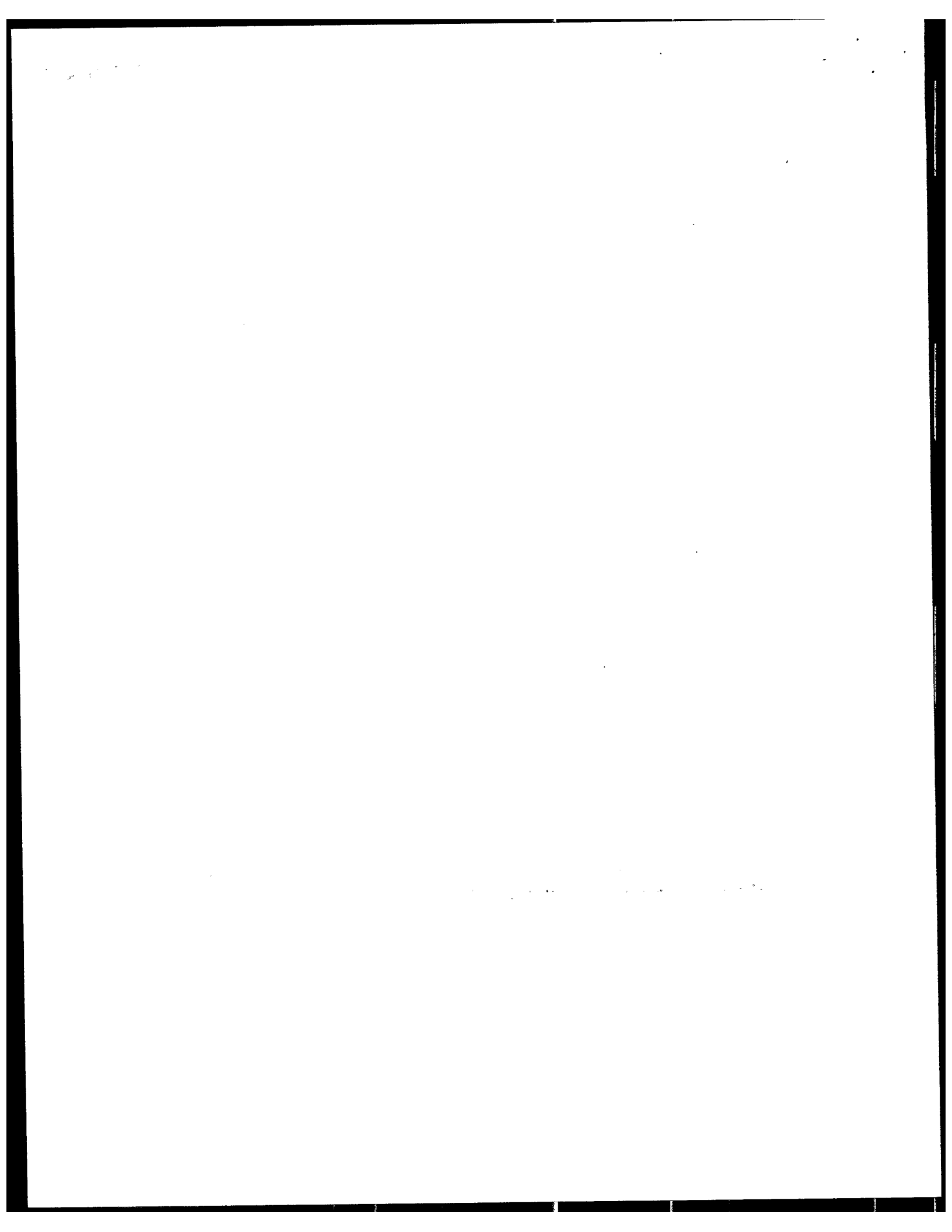
Date: _____

Print Name: _____

Defendant City of New Buffalo and
New Buffalo Water Department
Schuitmaker, Cooper, Schuitmaker & Cypher P.C.
By Harold Schuitmaker, its Attorney
181 W. Michigan Avenue
P.O. Box 520
Paw Paw, MI 49079

Date: _____

Print Name: _____



On behalf of the respective parties, the undersigned consent to entry of this Consent Judgment to Vacate a Portion of Virginia Addition to the Town of New Buffalo, Berrien County in Case No. 05-3274-CC-T.

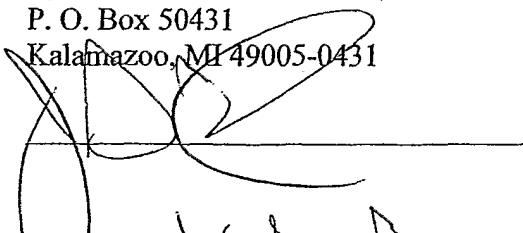
Defendant Indiana Michigan Power Company
Dewane, Peterson, & Culitan, PLC
By John E. Dewane, its Attorney
811 Ship Street
St. Joseph, MI 49085

Date: _____

Print Name: _____

Defendant Oakview Estates
John D. Bradshaw P.C.
By John Bradshaw, its Attorney
Tyrone Fleeman, its Attorney
P. O. Box 50431
Kalamazoo, MI 49005-0431

Date: 10/25/07



Print Name: John D. Bradshaw

Defendant City of New Buffalo and
New Buffalo Water Department
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181 W. Michigan Avenue
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Dewane, Peterson, & Culitan, PLC
By John E. Dewane, its Attorney
811 Ship Street
St. Joseph, MI 49085

_____ Date: _____

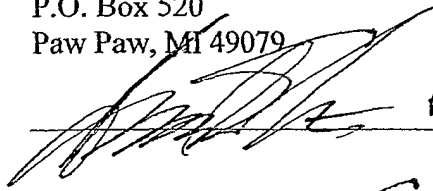
Print Name: _____

Defendant Oakview Estates
John D. Bradshaw P.C.
By John Bradshaw, its Attorney
Tyrone Fleeman, its Attorney
P. O. Box 50431
Kalamazoo, MI 49005-0431

_____ Date: _____

Print Name: _____

Defendant City of New Buffalo and
New Buffalo Water Department
Schuitmaker, Cooper, Schuitmaker & Cypher P.C.
By Harold Schuitmaker, its Attorney
181 W. Michigan Avenue
P.O. Box 520
Paw Paw, MI 49079

 p. 20087

Date: 11/1/07

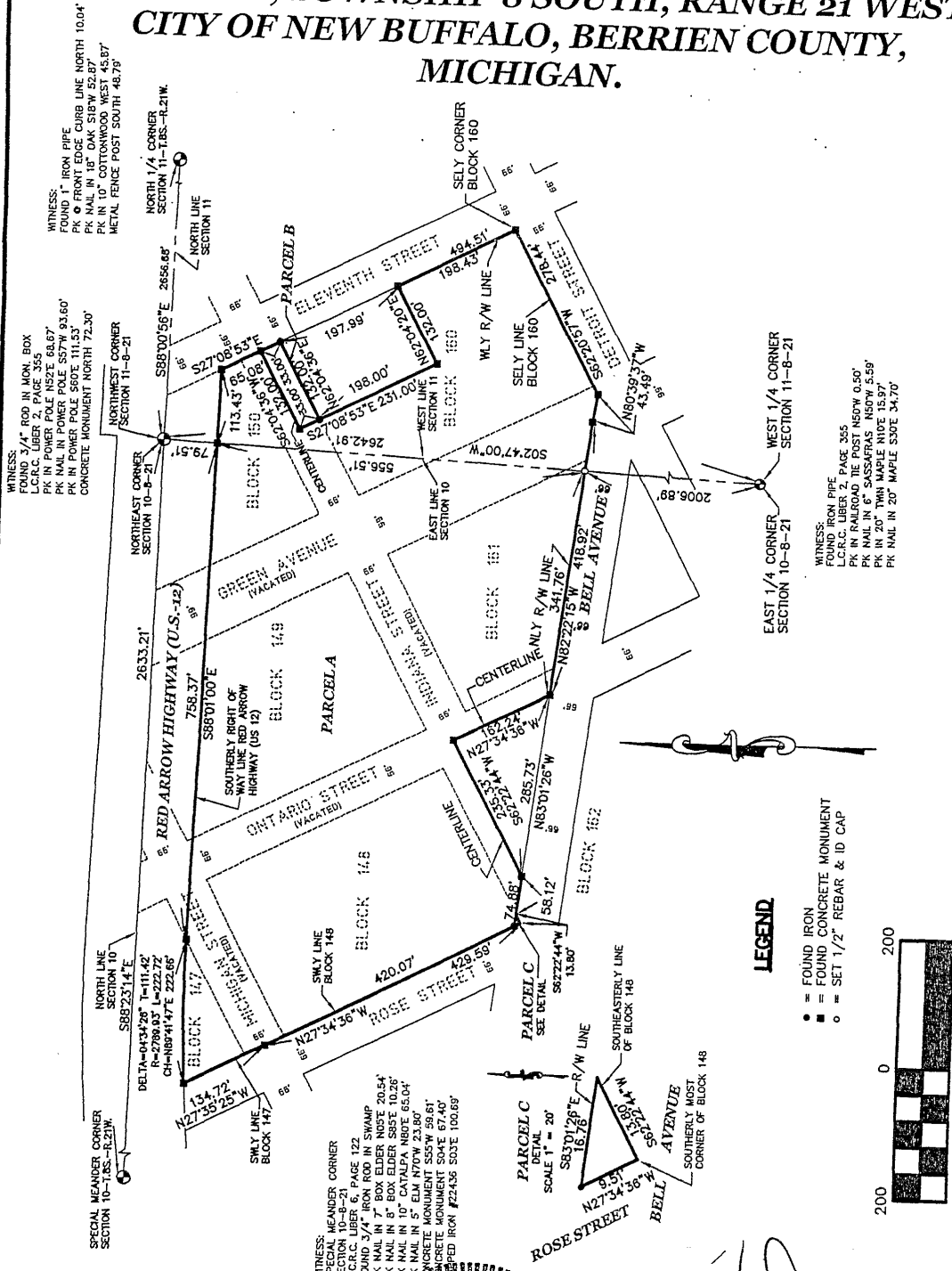
Print Name: HAROLD SCHUITMAKER

NE 1/4 SEC. 10
NW 1/4 SEC. 11

Act 288 of 1967 and act 591 of 1996 of the Michigan Public Acts should be checked to see that any property conveyance does not violate these acts.

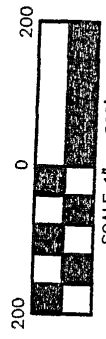
7752

SURVEY IN PART OF THE NORTHEAST QUARTER OF SECTION 10 AND THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 21 WEST, CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN.



LEGEND

- = FOUND IRON
- = FOUND CONCRETE MONUMENT
- = SET 1/2" REBAR & ID CAP



SECTION 10&11 T. 8 S. R. 21 W. A 21749

REV.: ADDED LEGAL OF PARCEL A, NOT INCLUDING PARCEL C, JUNE 13, 2006

FOR: LAKE MICH. VIEW TOWNHOMES
DATE: 4/25/2006 (041119N)
SCALE: 1" = 200'
DRAWN BY: VJS
CHECKED BY:



[Signature]
V.J. STREBS

PS-26469

WIGHTMAN & ASSOCIATES, INC.
ENGINEERING • SURVEYING • ARCHITECTURE

2303 PIPESTONE ROAD BENTON HARBOR, MI 49022
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VACATED PARCEL A (INCLUDES PARCEL C)

THAT PART OF BLOCK 147, 148, 149, 150, 160 AND 161 AND THAT PORTION OF VACATED MICHIGAN STREET, ONTARIO STREET, INDIANA STREET AND GREEN AVENUE, "ANNEXED PLAT STYLED THE VIRGINIA ADDITION TO THE TOWN OF NEW BUFFALO AT THE MOUTH OF THE GALIEN RIVER IN THE TERRITORY OF MICHIGAN," BEING IN PART OF THE NORTHEAST QUARTER OF SECTION 10 AND THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 21 WEST, CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1837 IN BOOK E OF DEEDS, PAGE 291, DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH 02° 47' 00" WEST ON THE WEST LINE OF SAID SECTION 11 A DISTANCE OF 79.51 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF RED ARROW HIGHWAY (U.S. 12) AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH 88° 01' 00" EAST ON SAID SOUTHERLY RIGHT OF WAY LINE 113.43 FEET TO THE WESTERLY RIGHT OF WAY LINE OF ELEVENTH STREET; THENCE SOUTH 27° 08' 53" EAST ON SAID WESTERLY RIGHT OF WAY LINE 65.08 FEET TO THE CENTERLINE OF SAID VACATED INDIANA STREET; THENCE SOUTH 62° 04' 36" WEST ON SAID CENTERLINE 132.00 FEET; THENCE SOUTH 27° 08' 53" EAST PARALLEL WITH SAID WESTERLY RIGHT OF WAY LINE 231.00 FEET; THENCE NORTH 62° 04' 20" EAST 132.00 FEET TO SAID WESTERLY RIGHT OF WAY LINE; THENCE SOUTH 27° 08' 53" EAST ON SAID WESTERLY RIGHT OF WAY LINE 198.43 FEET TO THE SOUTHEASTERLY LINE OF SAID BLOCK 160; THENCE SOUTH 62° 20' 57" WEST ON SAID SOUTHEASTERLY LINE EXTENDED 278.44 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF BELL AVENUE; THENCE NORTH 80° 39' 37" WEST ON SAID NORTHERLY RIGHT OF WAY LINE 43.49 FEET; THENCE CONTINUING ON SAID NORTHERLY RIGHT OF WAY LINE NORTH 82° 22' 15" WEST 418.92 FEET TO THE CENTERLINE OF SAID VACATED ONTARIO STREET; THENCE NORTH 27° 34' 36" WEST ON SAID CENTERLINE 162.24 FEET TO THE CENTERLINE OF SAID VACATED INDIANA STREET; THENCE SOUTH 62° 22' 44" WEST ON SAID CENTERLINE 235.33 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF BELL AVENUE; THENCE NORTH 83° 01' 26" WEST ON SAID NORTHERLY RIGHT OF WAY LINE 58.12 FEET TO THE SOUTHEASTERLY LINE OF SAID BLOCK 148; THENCE SOUTH 62° 22' 44" WEST ON SAID SOUTHEASTERLY LINE 13.80 FEET TO THE SOUTHERLY MOST CORNER OF SAID BLOCK 148; THENCE NORTH 27° 34' 36" WEST ON THE SOUTHWESTERLY LINE OF SAID BLOCK 158 EXTENDED 429.59 FEET TO THE CENTERLINE OF SAID VACATED MICHIGAN STREET; THENCE NORTH 27° 35' 25" WEST ON THE SOUTHWESTERLY LINE OF SAID BLOCK 147 EXTENDED 134.72 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF RED ARROW HIGHWAY (U.S. 12); THENCE EASTERLY ON SAID SOUTHERLY RIGHT OF WAY LINE 222.72 FEET ON A 2789.93 FOOT RADIUS CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 04° 34' 46" AND WHOSE CHORD BEARS NORTH 89° 41' 47" EAST 222.66 FEET; THENCE CONTINUING ON SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 88° 01' 00" EAST 758.37 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

THIS SURVEY WAS PERFORMED WITH AN ERROR OF CLOSURE NO GREATER THAN 1 IN 5000.

THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF SECTION 3, P.A. 132 OF 1970, AS AMENDED.

BEARINGS ARE RELATED TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION HIGHWAY PLANS FOR RED ARROW HIGHWAY (U.S. 12), PROJECT 11-7, CONTROL SECTION 11011 AND 11012, SHEET NUMBERS 107 AND 108, LAST REVISION DATE 1/8/2001.

SECTION 10&11, T. 8 S.R. 21 W. A 217.49

FOR: LAKE MICH. VIEW TOWNHOMES
DATE: 4/25/2006 (041119N)
SCALE:
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[Handwritten Signature]
 V.J. STREBS PS-26469

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PARCEL B

THAT PART OF VACATED INDIANA STREET, "ANNEXED PLAT STYLED THE VIRGINIA ADDITION TO THE TOWN OF NEW BUFFALO AT THE MOUTH OF THE GALIEN RIVER IN THE TERRITORY OF MICHIGAN," BEING IN PART OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 8 SOUTH, RANGE 21 WEST, CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1837 IN BOOK E OF DEEDS, PAGE 291, DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH 02' 47' 00" WEST ON THE WEST LINE OF SAID SECTION 11 A DISTANCE OF 79.51 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF RED ARROW HIGHWAY (U.S. 12); THENCE SOUTH 88' 01' 00" EAST ON SAID SOUTHERLY RIGHT OF WAY LINE 113.43 FEET TO THE WESTERLY RIGHT OF WAY LINE OF ELEVENTH STREET; THENCE SOUTH 27' 08' 53" EAST ON SAID WESTERLY RIGHT OF WAY LINE 65.08 FEET TO THE CENTERLINE OF SAID VACATED INDIANA STREET AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH 62' 04' 36" WEST ON SAID CENTERLINE 132.00 FEET; THENCE SOUTH 27' 08' 53" EAST PARALLEL WITH SAID WESTERLY RIGHT OF WAY LINE 33.00 FEET; THENCE NORTH 62' 04' 36" EAST PARALLEL WITH SAID CENTERLINE 132.00 FEET TO SAID WESTERLY RIGHT OF WAY LINE; THENCE NORTH 27' 08' 53" WEST ON SAID WESTERLY RIGHT OF WAY LINE 33.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

THIS SURVEY WAS PERFORMED WITH AN ERROR OF CLOSURE NO GREATER THAN 1 IN 5000.

THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF SECTION 3, P.A. 132 OF 1970, AS AMENDED.

BEARINGS ARE RELATED TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION HIGHWAY PLANS FOR RED ARROW HIGHWAY (U.S. 12), PROJECT 11-7, CONTROL SECTION 11011 AND 11012, SHEET NUMBERS 107 AND 108, LAST REVISION DATE 1/8/2001.

PARCEL C (EASEMENT FOR PUBLIC ROAD RIGHT OF WAY)

THAT PART OF BLOCK 148, "ANNEXED PLAT STYLED THE VIRGINIA ADDITION TO THE TOWN OF NEW BUFFALO AT THE MOUTH OF THE GALIEN RIVER IN THE TERRITORY OF MICHIGAN," BEING IN PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 21 WEST, CITY OF NEW BUFFALO, BERRIEN COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 30, 1837 IN BOOK E OF DEEDS, PAGE 291, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 02' 47' 00" WEST ON THE EAST LINE OF SAID SECTION 10 A DISTANCE OF 636.02 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF BELL AVENUE; THENCE NORTH 82' 22' 15" WEST ON SAID NORTHERLY RIGHT OF WAY LINE 418.92 FEET; THENCE CONTINUING ON SAID NORTHERLY RIGHT OF WAY LINE NORTH 83' 01' 26" WEST 343.85 FEET TO THE SOUTHEASTERLY LINE OF SAID BLOCK 148 AND THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH 62' 22' 44" WEST ON SAID SOUTHEASTERLY LINE 13.80 FEET TO THE SOUTHERLY MOST CORNER OF SAID BLOCK 148; THENCE NORTH 27' 34' 36" WEST ON THE SOUTHWESTERLY LINE OF SAID BLOCK 148 A DISTANCE OF 9.51 FEET TO SAID NORTHERLY RIGHT OF WAY LINE OF BELL AVENUE; THENCE SOUTH 83' 01' 26" EAST ON SAID NORTHERLY RIGHT OF WAY LINE 16.76 FEET TO THE TO THE POINT OF BEGINNING.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

THIS SURVEY WAS PERFORMED WITH AN ERROR OF CLOSURE NO GREATER THAN 1 IN 5000.

THIS SURVEY COMPLIES WITH THE REQUIREMENTS OF SECTION 3, P.A. 132 OF 1970, AS AMENDED.

BEARINGS ARE RELATED TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION HIGHWAY PLANS FOR RED ARROW HIGHWAY (U.S. 12), PROJECT 11-7, CONTROL SECTION 11011 AND 11012, SHEET NUMBERS 107 AND 108, LAST REVISION DATE 1/8/2001.

SECTION 10&11, T. 8 S.R. 21 W. A 21749



Handwritten signature of V.J. Strebs and printed name V.J. STREBS with license number PS-26469.

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