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engineering • land planning • surveying

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VIA FACSIMILE

September 19, 2005

Ms. Manette Minier
Georgetown Township
P.O. Box 769
1515 Baldwin
Jenison, MI 49429-0769

Dear Manette,

Equity Real Estate Development LLC and Arena Development LLC are requesting a twelve (12) month extension for P.U.D. approval. Construction has not yet commenced at the site due to following:

- There is a 300 foot easement to Consumers Energy Company on the West portion of the site. A request was submitted in April 2005 to reduce this easement; however, approval from Consumers Energy Company has not yet been granted.

We are currently working with Consumers Energy Company to resolve this issue.

All other aspects of the approval Final Development Plan (approved in November 2004) remain as originally approved.

We would appreciate being placed on the Township Board Agenda for September 26, 2005 for consideration of this extension request.

Thank you for your consideration in this matter. Please call me with any questions you may have.

Sincerely,

Rick Pulaski
Senior Project Manager

RP/cs

Cc: Bob Tol
Bill VanEck

Enclosures

K:\041\04101543\OUTGOING\GeorgetownTwp.12mbext.-Ltr.9-19-05.kh.DOC



nederveld associates, inc.
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5570 32nd Avenue, Hudsonville, MI 49426
616-669-5190 fax 616-669-6699 www.nederveld.com

April 6, 2005

Mr. Danny Taylor
Consumers Energy Company
1 Energy Plaza
Jackson, MI 49201
EP7-465

Dear Mr. Taylor;

This letter comes to you as a request for an easement reduction over the property defined in the title commitment.

I have included a sketch of the property with existing power poles and lines located, a copy of the title commitment showing current ownership and a copy of the deeded easement in Liber 270, Page 481.

We field verified the poles and lines and are such as shown on the sketch. The power line runs West across 48th Avenue to a pole and power lines running North & South and parallel with 48th Avenue.

You may contact me at 616-669-5190, extension 435 if you have any questions or require additional information.

Sincerely,

Virginia Boeve
Plat Administrator

K:\041\04101543\final-docs\Consumers-esmtreduction.vb.doc

EXHIBIT A
LEGAL DESCRIPTION

COMMITMENT NO. 331176
Revision 1

The land referred to is situated in the Township of Georgetown, County of Ottawa, State of MICHIGAN, is described as follows:

The West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$ EXCEPT the West 995 feet of the South 1089 feet thereof; ALSO EXCEPT that part lying North and East of a line commencing 376.02 feet South $01^{\circ}58'10''$ East from the Northwest corner; thence South $84^{\circ}47'35''$ East 1053.57 feet to a point 271.02 feet East of the West $\frac{1}{8}$ line; thence South to a point on the East and West $\frac{1}{4}$ line which is 271 feet West of the Southeast corner of the West $\frac{1}{2}$ of the Northwest $\frac{1}{4}$; Section 7, Town 6 North, Range 13 West, Georgetown Township, Ottawa County, Michigan.

EXCEPT the West 50 feet and the South 50 feet of the above parcel.

SENT BY: EXAMS EXPRESS;

16188821480 ;

FEB-10-05 9:44AM;

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270/481

331176

4/59

451

LIBER 270

George Reister and wife
(Hattida)

Consumers Power Company

Recorded for release the 24th day of September, A. D. 1937.
at 3 o'clock P. M.

Parcel No. 2,
T 6 N, R 13 W,
Ottawa County.

RIGHT OF WAY

George Reister and Hattida Reister, his wife, and in her own right

do hereby part with consideration of One Dollar (\$1.00)

to and in full satisfaction of the CONSUMERS POWER COMPANY, a Native Corporation authorized to do business in Michigan, the several past receipt of which is hereby acknowledged, CONVEY, and WARRANT, to the party within the several paragraphs and assigns, hereafter, the easement and right to erect, maintain lines consisting of power poles, wires, cables, conduits and other devices and appurtenances for the purpose of transmitting and distributing electricity, and/or conducting a communication business on, over, and under the following described parcel of land, including all public highways upon or adjacent to said parcel, which parcel is situated in the Township of Georgetown, County of Ottawa, and State of Michigan to-wit:

The West fractional one-half (1/2) of the Northwest fractional one-quarter (1/4) of Section seven (7) Township six (6) North, Range thirteen (13) West, except a parcel of land ten (10) rods East and West by sixteen (16) rods North and South out of the Southwest corner thereof.

The route to be taken by said line of poles, wires and cables, ^{over and under} specifically described as follows:

Poles in said line to be set East of and not more than three hundred (300) feet from the center line of the highway on the West side of said above described land; also conveying the right to erect and maintain lines of poles and wires leading laterally from said line or poles to the West line of said land.

With full right and authority to the party within the second party its successors, licensees, tenants or assigns, and its and their agents, commissioned employees, to enter at all times upon said premises for the purpose of constructing, repairing, improving, enforcing, replacing and maintaining said wires, cables, conduits and other supports, and all necessary towers, guys, anchors, and transformers, and straining devices and appurtenances and suspending therefrom lines of wires or other conductors for the transmission of electrical energy, and/or communication, and to trim or remove any trees which at any time may interfere or threaten to interfere with the maintenance of such lines. It is expressly understood that no building or other structures will be placed under such wires without the written consent of said second party. It is expressly understood that non-use or a limited use of this easement by second party shall not prevent second party from later making use of the easement to the full extent herein authorized. Second party to pay first party for any damage to crops in erecting and maintaining said line or poles and wires.

Witness the hand, seal, and seal of the part, I, R. of the first part, this 7th day of December, 1936

Seal, Signed and Delivered in Presence of

William Kennard

Louis M. Randall

George Reister

Hattida Reister

STATE OF MICHIGAN.)

Governor, ALTAHA

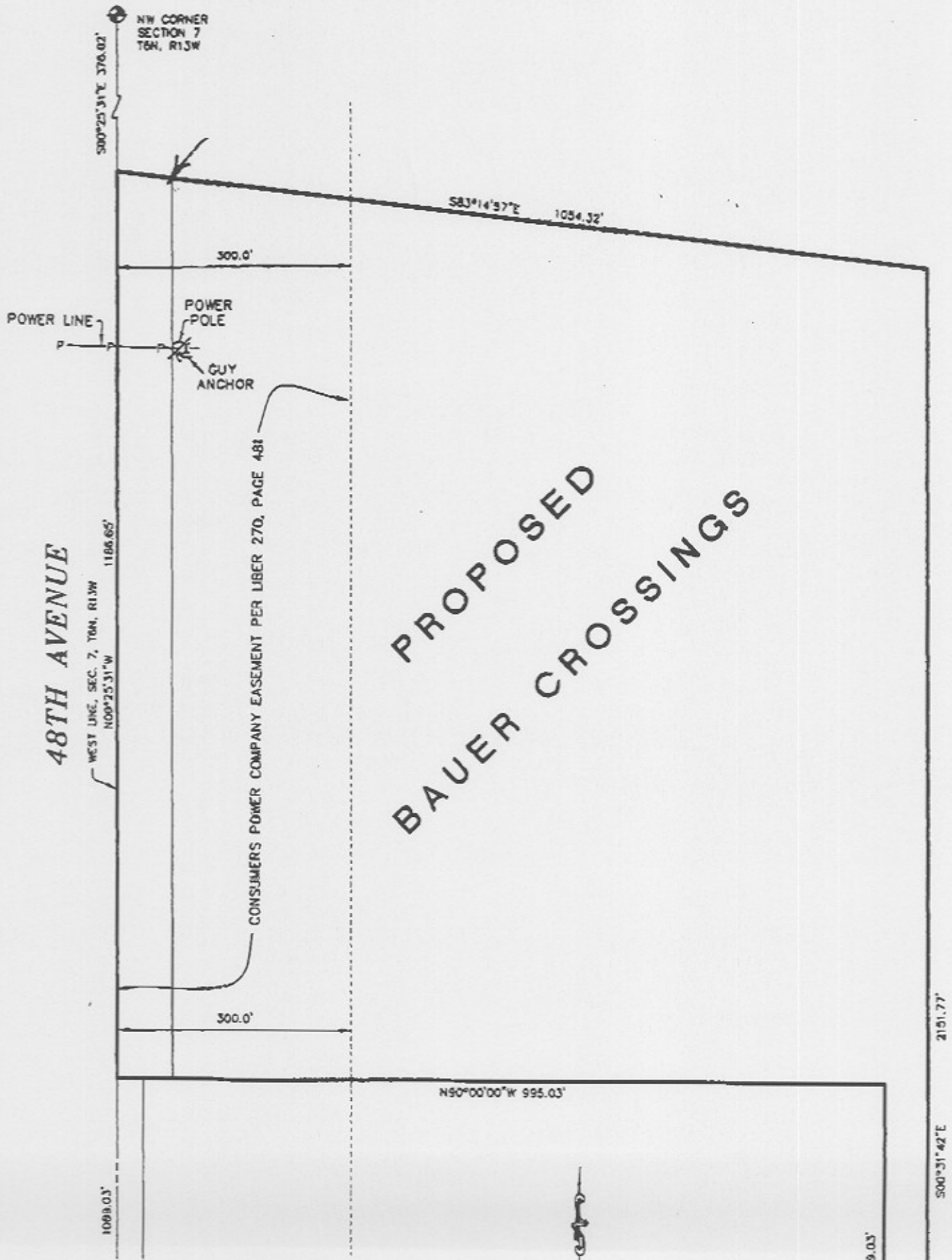
On this 7th day of December, 1936 before me, a Notary Public of said

County, Michigan, residing in Ottawa County, personally appeared

George Reister and Hattida Reister

known to me and who executed the foregoing instrument, and severally acknowledged the execution of the same to be their act and deed.

Louis M. Randall



Consumers Energy

A CMS Energy Company

September 06, 2005

NEDERVELD ASSOCIATES, INC.

Attn: Virginia Boeve
5570 32nd Avenue
Hudonville, Michigan 49426

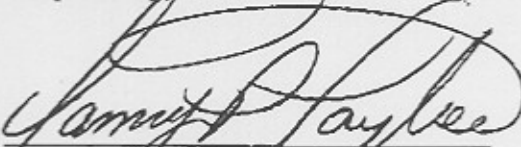
OTTAWA#398
SECTION 7, T6N, R13W, GEORGETOWN TOWNSHIP
EASEMENT REQUEST: Partial Release of Easement

Dear Virginia,

After careful consideration, please be advised that your client's current application for a Partial Release of Easement across land identified in Section 7, Township 6n, Range 13 west of Georgetown Township, Ottawa County has been denied. The requested for partial release of Consumers Easement is not compatible with the company's current and/or future development plans for the subject property.

Should you have any questions, please don't hesitate to contact me.

Respectfully,



Consumers Energy Company
Business Services- Real Estate Department
Danny P. Taylor EP7-465
Real Estate General Technical Analyst II
517-788-5827