LIBER 5757 PG 1 1 0 8

STATE OF MICHIGAN COUNTY OF KENT RECEIVED FOR RECORD

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## SECOND AMENDMENT TO MASTER DEED OF

### ADA MOORINGS

(Act 59, Public Acts of 1978) as amended

Amendment No. 2 to Kent County Condominium Subdivision Plan No. 408.

- (1) Second Amendment to Master Deed of Ada Moorings.
- (2) Exhibit A to Amended Master Deed: Affidavit of Mailing as to Notices required by Section 90(5).
- (3) Exhibit B to Amended Master Deed: Replat No. 1 to Condominium Subdivision Plan of Ada Moorings.
- (4) Exhibit C to Amended Master Deed: Mortgagee's Consent to Submission of Real Property to Condominium Project.

No interest in real estate is conveyed by this document, so no revenue stamps are required.

This Instrument Drafted By:

Mark C. Hanisch Charron & Hanisch, P.L.C. 5242 Plainfield, N. E. - Suite D Grand Rapids, MI 49525 (616) 363-0300

# SECOND AMENDMENT TO MASTER DEED OF ADA MOORINGS

(Act 59, Public Acts of 1978, as amended)

THIS SECOND AMENDMENT TO MASTER DEED OF ADA MOORINGS is made this 1212 day of December, 2001 by Eastbrook Development Company, a Michigan corporation, of 2130 Enterprise Drive, S. E., Grand Rapids, Michigan 49508.

### Recitals

- A. Ada Moorings is a residential site condominium project (the "Project") established by Master Deed dated January 8, 1998, and recorded January 9, 1998, in Liber 4240, Pages 826-893, inclusive, Kent County Records (the "Master Deed"), by Ada Moorings Development, L.L.C.
- B. Eastbrook Development Company (the "Developer") is the successor developer of the Project, as evidenced by the Certificate of Successor Developer dated August 4, 1999, and recorded January 19, 2000, in Liber 4958, Pages 722-725, Kent County Records and by the Assignment of Developer's Rights attached as Exhibit A to the Certificate.
- C. Developer has reserved the right, without the consent of any co-owner or other person, to terminate and revoke any easement granted in the Master Deed at such time as the easement has become unnecessary.
- D. Developer has determined that the fifteen- (15) foot easement for private walkway over a portion of Unit 34 has become unnecessary.
- E. Developer has reserved the right, without the consent of any Co-owner or other person, to amend the Master Deed to increase the number of Units in the Project and to expand the Project as provided in Article IX of the Master Deed.
- F. By First Amendment to Master Deed of Ada Moorings dated August 4, 2000, and recorded on September 22, 2000, in the office of the Kent County Register of Deeds in Liber 5159, pages 60-76 inclusive (the "First Amendment"), Developer, among other actions, amended the Master Deed to increase the number of Units in the Project to thirty-eight (38) and added certain land to the Project.
- G. Developer desires to enlarge the Project from thirty-eight (38) Units to sixty-seven (67) Units and to expand the Project for the purpose of adding the following land as Phase III of the Project:

That part of Section 34, T7N, R10W, Ada Township, Kent County, Michigan, described as: Commencing at the SE corner of Section 34; thence N 01° 57′ 23″ E 54.04 feet along the East line of said Section 34; thence N 49° 00′ 00″ W 1581.18 feet along the Northeasterly line of Grand Trunk Western Railroad R.O.W. (100 feet wide); thence N 31° 47′ 00″ E 173.87 feet along the Westerly line of Thornapple Club Condominiums; thence N 37° 27′ 30″ E 30.15 feet and N 31° 37′ 00″ E 140.00 feet along said Westerly line to the PLACE OF BEGINNING of this description; thence N 23° 51′ 00″ E 150.37 feet; thence N 07° 53′ 00″ E 118.30 feet; thence N 47° 04′ 00″ W 205.00 feet; thence N 01° 50′ 44″ E 20.73 feet; thence N 37° 21′ 40″ W 67.82 feet; thence N 52° 38′ 20″ E 140.00 feet; thence N 67° 03′ 01″ E 30.97 feet; thence N 52° 38′ 20″ E 127.00 feet to Reference Point "C"; thence N 52° 38′ 20″ E 68 feet, more or less, to the water's edge of a pond; thence meandering Southeasterly along said water's edge to its intersection with a line which bears N 17° 00′ 00″ W from Reference Point "D"

(Reference Point "D" is located S 38° 41' 20" E 159.65 feet and S 46° 27' 35" E 79.14 feet and S 57° 44' 04" E 330.63 feet and S 49° 36' 15" E 199.87 feet and S 34° 00' 00" E 100.95 feet and S 64° 29' 08" E 126.71 feet along an intermediate traverse line from above described Reference Point "C");

thence S 17° 00′ 00″ E 14 feet, more or less, to Reference Point "D"; thence S 17° 00′ 00″ E 15.00 feet; thence N 73° 00′ 00″ E 20.00 feet to Reference Point "E"; thence N 73° 00′ 00″ E 19 feet, more or less to the water's edge of a pond; thence meandering Southerly along said water's edge to its intersection with a line which bears N 47° 564′ 16″ E from Reference Point "A"

(Reference Point "A" is located S 16° 08' 07" E 184.79 feet along an intermediate traverse line from above described Reference Point "E");

thence S 47° 54' 16" W 63 feet, more or less, to Reference Point "A"; thence S 47° 54' 16" W 65.00 feet; thence N 85° 14' 31" W 102.96 feet along the Northerly line of Thornapple Club Condominiums; thence N 49° 05' 06" W 38.41 feet and N 71° 22' 00" W 181.82 feet and N 81° 51' 58" W 84.60 feet and N 83° 00' 00" W 234.95 feet and N 77° 06' 55" W 64.85 feet and N 66° 28' 25" W 69.72 feet and N 60° 43' 00" W 72.06 feet along said Northerly line of Thornapple Club Condominiums to the place of beginning. Subject to easements of record.

### **Provisions**

The Developer amends the Master Deed as follows:

1. Phase III. Article III of the Master Deed is amended as follows:

"The land which is dedicated to the Condominium Project established by this Master Deed, as amended, is legally described as follows:

That part of Section 34 and 35, T7N, R10W, Ada Township, Kent County. Michigan, described as: Commencing at the SE corner of Section 34; thence N 01° 57' 23" E 54.04 feet along the East line of said Section 34; thence N 49° 00' 00" W 1581.18 feet along the Northeasterly line of Grand Trunk Western Railroad R.O.W. (100 feet wide) to the PLACE OF BEGINNING of this description; thence N 49° 00' 00" W 308.69 feet along said Northeasterly line; thence N 41° 00' 00" E 158.01 feet; thence N 49° 00' 00" W 36.14 feet; thence Northwesterly 369.57 feet along a 550.00 foot radius curve to the right, the chord of which bears N 29° 44' 59" W 362.66 feet; thence N 10° 30' 00" W 72.00 feet; thence S 79° 30' 00" W 160.00 feet; thence N 10° 30' 00" W 48.99 feet; thence N 41° 04' 53" E 172.33 feet; thence S 74° 55' 54" E 60.95 feet; thence N 79° 30' 00" E 160.75 feet; thence S 10° 30' 00" E 151.00 feet; thence S 36° 13' 41" E 140.42 feet; thence N 79° 48' 00" E 156.17 feet; thence N 50° 50' 00" E 41.00 feet; thence N 01° 50' 44" E 20.73 feet; thence N 37° 21' 40" W 67.82 feet; thence N 52° 38' 20" E 140.00 feet; thence N 67° 03' 01" E 30.97 feet; thence N 52° 38' 20" E 127.00 feet to Reference Point "C"; thence N 52° 38' 20" E 68 feet, more or less, to the proposed water's edge of a pond; thence meandering Southeasterly along said water's edge to its intersection with a line which bears N 17° 00' 00" W from Reference Point "D"

(Reference Point "D" is located S 38° 41' 20" E 159.65 feet and S 46° 27' 35" E 79.14 feet and S 57° 44' 04" E 330.63 feet and S 49° 36' 15" E 199.87 feet and S 34° 00' 00" E 100.95 feet and S 64° 29' 08" E 126.71 feet along an intermediate traverse line from above described Reference Point "C");

thence S 17° 00' 00" E 14 feet, more or less, to Reference Point "D"; thence S 17° 00' 00" E 15.00 feet; thence N 73° 00' 00" E 20.00 feet to Reference Point "E"; thence N 73° 00' 00" E 19 feet, more or less to the water's edge of a pond; thence meandering South along said water's edge to its intersection with a line which bears N 04° 15' 00" E from Reference Point "B"

(Reference Point "B" is located S 16° 08' 07" W 184.79 feet and S 38° 43' 00" E 75.77 feet and S 62° 34' 05" E 196.30 feet and S 36° 44' 17" E 179.84 feet and S 24° 06' 40" E 180.69 feet and N 77° 23' 58" E 53.07 feet along an intermediate traverse line from above described Reference Point "E"); thence S 04° 15' 00" W 59 feet, more or less, to Reference Point "B"; thence S 04° 15' 00" W 109.34 feet; thence S 17° 29' 44" W 284.14 feet; thence S 84° 30' 00" W 189.06 feet along the Northeasterly line of Thornapple Club Condominium; thence Westerly 31.31 feet on a 238.00 foot radius curve to the right, the chord of which bears S 88° 16' 06" W 31.28 feet; thence Northeasterly 47.83 feet on a 30.0 foot radius curve to the left, the chord of which bears N 46° 21' 44" E 42.92 feet; thence Northerly 98.70 feet along the Westerly line of Thornapple Club Drive (private) on a 265.0 foot radius curve to the right, the chord of which bears N 11° 21' 26" E 98.13 feet; thence N 72° 00' 18" W 103.41 feet along the Northeasterly line of Thornapple Club Condominium; thence N 49° 26' 43" W 70.96 feet and N 17° 05' 17" W 174.90 feet and N 35° 26' 19" W 150.12 feet and N 77° 40' 35" W 35.89 feet and N 09° 40' 15" E 131.57 feet and N 62° 42' 00" E 69.31 feet and N 00° 40' 17" E 140.00 feet along said Northeasterly line of Thornapple Club to the NE corner of Unit 33, Thornapple Club; thence N 85° 14' 31" W 102.96 feet along the Northerly line of Thornapple Club Condominiums; thence N 49° 05' 06" W 38.41 feet and N 71° 22' 00" W 181.82 feet and N 81° 51' 58" W 84.60 feet and N 83° 00' 00" W 234.95 feet and N 77° 06' 55" W 64.85 feet and N 66° 28' 25" W 69.72 feet and N 60° 43' 00" W 72.06 feet and S 31° 37' 00" W 140.00 feet and S 37° 27' 30" W 30.15 feet and S 31° 47' 00" W 173.87 feet along said Northerly line of Thornapple Club Condominiums to the place of beginning. Subject to easements of record.

Together with and subject to any other easements, restrictions, and governmental limitations of record, and easements set forth on the Condominium Subdivision plan attached as Exhibit B to this Master Deed, as amended, or as declared and reserved in Article VII below."

- 2. <u>Percentage of Value</u>. Article VI, Paragraph B and Article IX, Paragraph C1 of the Master Deed which provide that all Units have equal percentages of value are ratified and confirmed.
- 3. <u>Condominium Subdivision Plan</u>. The Condominium Subdivision Plan attached as Exhibit B to the First Amendment is amended as shown on the Condominium Subdivision Plan attached as Exhibit B to this Second Amendment which contains new and amended sheets.

- 4. <u>Master Deed Provisions</u>. All of the provisions of the Master Deed, as amended, including, without limitation, the provisions contained in Article X, apply to the real property added to the Project by the First and Second Amendments to the Master Deed.
- 5. <u>Continuing Effect.</u> In all other respects, the provisions of the Master Deed, as previously amended by the First Amendment, as recorded in the Office of the Register of Deeds for Kent County, Michigan, as Condominium Subdivision Plan No. 408, are ratified and confirmed.

The Developer has duly executed this Second Amendment to Master Deed on the day and year set forth in the opening paragraph of this Second Amendment.

and year set forth in the opening paragrap	oh of this Second Amendment.
Witnesses:	EASTBROOK DEVELOPMENT COMPANY, a Michigan corporation
* Joan Cisco	By: Dale Kraker Its: President
<u>Katulem M. Adams</u> *Kathleen M. Adams	
STATE OF MICHIGAN ) ) ss. COUNTY OF KENT )	
The foregoing instrument was acknowledged before me this <u>IZ</u> day of <u>DECEMBER</u> , 2001, by Dale Kraker, the President of Eastbrook Development Company, a Michigan corporation, on behalf of the corporation.	
	* Kathleen M. Adams Notary Public, Kent County, Michigan My commission expires: 04/07/04
	171 y commission expires

<sup>\*</sup>Print or type name beneath signature line.

EXHIBIT "B" TO THE AMENDED MASTER DEED OF KENT COUNTY CONDOMINIUM SUBDIVISION PLAN NO. REPLAT NO.

# MOORINGS

SURVEYOR: ADA TOWNSHIP, KENT COUNTY MICHIGAN.

5252 CLYDE PARK S.W. EXXEL ENGINEERING INC. GRAND RAPIDS MI 49509

DEVELOPER:

2130 ENTERPRISE DRIVE S.E. EASTBROOK DEVELOPMENT COMPANY

GRAND RAPIDS MI 49508

thence \$04°15'00'W 59 feet, more or less, to Reference Point "B"; thence \$34°30'00'W 109.34 feet; thence \$17°29'44" 284.14 feet; thence \$34°30'00'W 109.06 feet along the Narthaesterly line of Thomopple Club Condominum; thence Westerly 31.31 feet on a 236.00 foot radius curve to the right, the chord of which bears \$38°6'05'W 31.28 feet; thence Northeesterly 47.83 feet on a 30.0 foot radius curve to the left, the chord of which bears \$144'E 42.92 feet; thence Northeesterly 47.83 feet westerly line of Thomopple Club Drive (private) on a 265.0 foot radius curve to the right, the chord of which bears N11°21'26'E \$81.3 feet; thence N22°00'18'W 103.41 feet along the N85°43'W 70.96 feet and N17°40'35'W 35.89 feet and N35°25'3'W 50.12 feet and N17°65'7'W 174.90 feet and N00°40'15'E 131.87 feet and N17°40'35'W 35.89 feet and N00°40'15'E 131.87 feet and N82°42'00'E 69.31 feet and N00°40'15'E 140.00 feet along sid Northeesterly line of Thomopple Club to the NE corner of Unit 33. Thormopple Club to the NE cor

That part of Section 34 and 35, T7N, R10W, Ada Township, Kent County, Michigan, described as: Commencing at the SE corner of Section 34, thence N01°57721°E 54.04 feet doing the East line of said Section 34; thence N49°00'00"W 1581.18 feet doing the Northeasterly line of Grand Trunk Western Railroad R.O.W. (100) feet; wile) to the PLACE OF BEGINNING of this description; thence N49°00'00"W 30.859 feet along said Northeasterly line; thence N49°00'00"W 35.57 feet along a 550.00 foot radius curve to the right, the chord of which bears N29°44'59"W 352.66 feet; thence N30°30'00"W 72.00 feet; thence S79°30'00"W 160.00 feet; thence N10°30'00"W 48.09 feet; thence N30°30'00"W 48.09 feet; thence N30°30'00"E 160.75 feet; thence S10°30'0"E 161.70 feet; thence S10°30'0"E 161.70 feet; thence N50°30'0"E 161.70 f

Reterence Point "D" is located S38°41'20"E 159.55 feet and (Reterence Point "D") is located S38°41'20"E 159.55 feet and S46°27'35"E 79.14 feet and S57°44'04"E 330.63 feet and S46°27'35"E 79.14 feet and S34°00'00"E 100.35 feet and S64°29'08"E 126.71 feet along an intermediate traverse line from above described Reference Point "C"); thence \$17°00'00"E 14 feet, more or less, to Reference Point "D"; thence \$17°00'00"E 15.00 feet thence N73°00'00"E 20.00 feet to Reference Point "E"; thence N73°00'00"E 19 feet, more or less to the waters edge of a point; thence meandering South along said waters edge to its intersection with a line which bears N04°15'00"E from Reference Point "B" is located \$18°08'07"W 184.73 feet and \$38°43'00"E 75.77 feet and \$52°3'4'05"E 196.30 feet and \$35°4'17"E 179.84 feet and \$24°06'40"E 180.69 feet and N35°4'17"E 179.84 feet and \$24°06'40"E 180.69 feet and N35°4'17"E 179.84 feet and \$24°06'40"E 180.69 feet and N35°4'17"E 179.84 feet along an intermediate "E");

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THESE SHEETS TOGETHER WITH THE SUBMITTAL
ARE TO REPLACE OR BE SUPPLEMENTAL TO
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\* 1 COVER SHEET

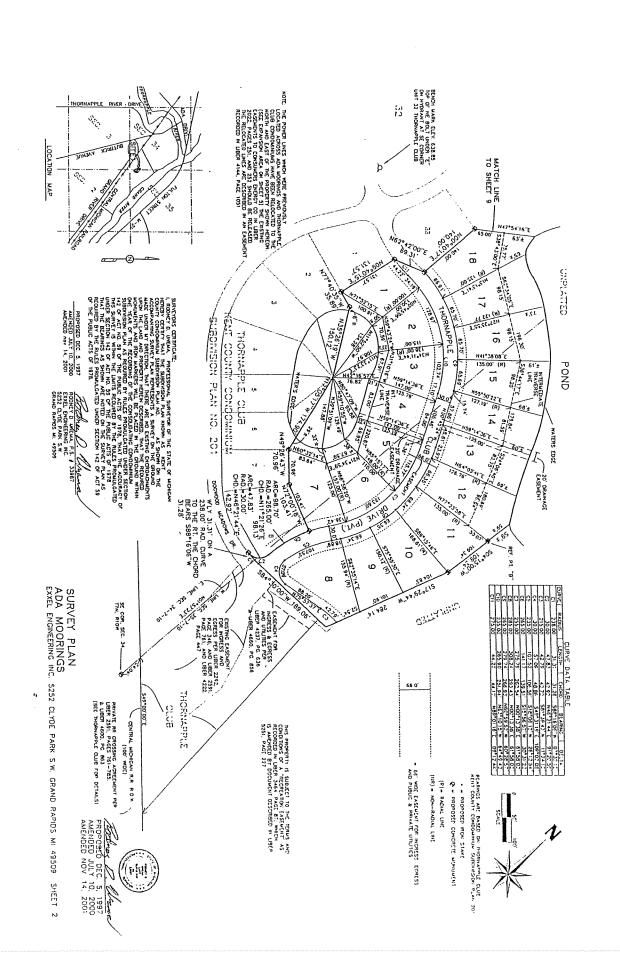
\*2 SURVEY PLAN (PHASE 1)
\*3 SITE PLAN (PHASE 1)

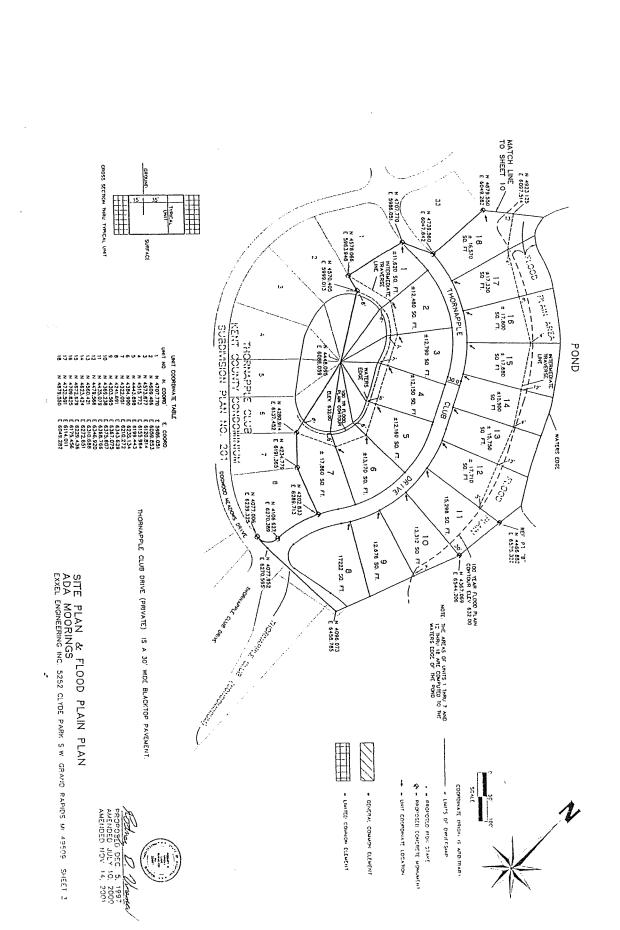
\* 4 UTILITY AND FLOOD PLAIN PLAN (PHASE 1)

\*5 EXPANSION AREA
\*6 SURVEY PLAN (PHASE 2)
\*7 SITE PLAN & FLOOD PLAIN PLAN (PHASE 2)
\*8 UTILITY PLAN (PHASE 2)
\*9 SURVEY PLAN (PHASE 3)
\*10 SITE PLAN & FLOOD PLAIN PLAN (PHASE 3)
\*11 UTILITY PLAN (PHASE 3)

AMENDED PROPOSED AMENDED NOY. JULY DEC. 2000 1997

SHEET 1





NOTE: INFORMATION ON THE LOCATION OF PROPOSED GAS, ELECTRIC, TELEPHONE, AND CATV LINES IS NOT AVAILABLE AT THIS THALE AND MILL BE SHOWN AT A LATER DATE ON AN AS-BUILT BASIS.

UTILITY PLAN ADA MOORINGS CLYDE PARK SW GRAND RAPIDS IN 49599 SHEET 4

□ = CATCH BASH

○ = MANHOLE

NOTE: UTILITY INFORMATION SHOWN HEREON IS RES AVAILBLE RECORD AND SHOULD NOT RE MESCONSTRUED TO BE A CUAPANTEE OF CONCENSION OF THE MESCONSTRUED TO BE A CUAPANTEE OF CONCENSION OF THE MESCONSTRUED TO BE A CUAPANTEE OF CONCENSION OF THE MESCONSTRUED TO BE A CUAPANTEE OF CONCENSION OF THE MESCONSTRUED TO BE A CUAPANTEE OF CONCENSION OF THE MESCONSTRUED. W - HYDRANT

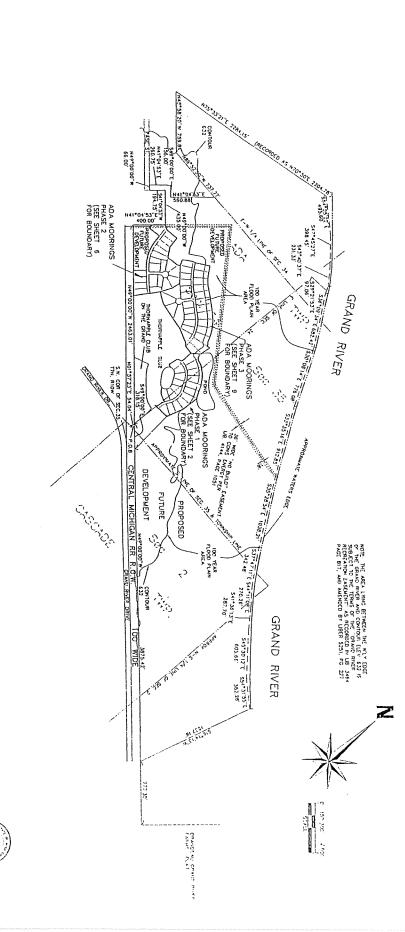
ALL WATER SERVICES ARE 1"
ALL SANITARY SEWER LATERALS ARE 6"

NOTE: WATERMAIN, SANITARY SEWER, AND STORM SEWER ARE BUILT GAS. ELEC., TELEPHONE, AND CATV

STORN SEWER - DECTRIC UNE - CATY LINE TELEPHONE LINE EXXEL ENGINEERING INC.
EXXEL ENGINEERING INC. 10 CABLE HICH, CON GAS CO AMERITECH

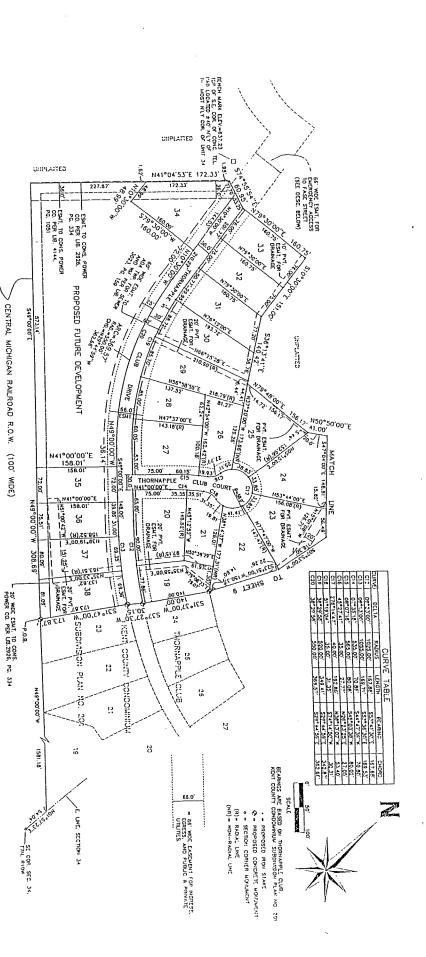
MATCH LINE TO SHEET 11 Ç) Oly Only (3) ()) ()) 8 Allegan. 17 POND 16 t s ū ω POND 7 Phole, CTAB <u>.</u> 2 = õ (7)





EXPANSION AREA
ADA MOORINGS
EXXEL ENGINEERING INC 5252 CLYDE PARK S.W. GRAND RAPIDS IN 49579

3)1331(5

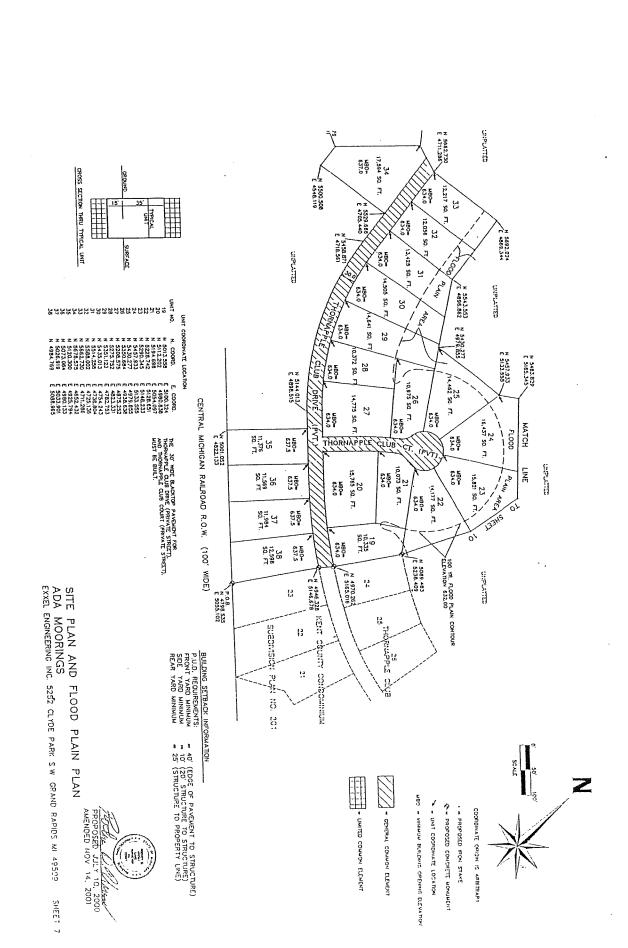


Description of 56.00 Foot Wide Easement for Emergency Access that your of the Section 34 and part of Section 34. This RIOW, Ado Tomahib, Kint County, Michigan described on 34. This RIOW, Ado Tomahib, Kint County, Michigan described on 34. Hence My 1972/17 5.04 feet doing the East line of Section 34. Hence My 1972/17 5.04 feet doing the East line of Section 34. Hence My 1972/17 6.04 feet doing the Hence Safty 1972 feet there My 1970/07 W 35.00 feet there My 1970/07 W 35.00 feet there My 1972/17 feet, there My 1970/07 I 186.31 feet the My 1970/07 C 1972.37 feet there Sylvest to the PLACE OF REGIONING OF MY 1970/07 C 1972 feet the My 1970/07 C 1970/07 C 1970/07 C 1970/07 C 1970/07 C 1970/07

SURVEY PLAN
ADA MOORINGS
EXXEL ENGINEERING INC. 5252 CLYDE PARK S.W. GRAND RAPIDS MI 49509

PROPOSED JULY 10, 2000 AMENDED NOV. 14, 2001 (Mil)

9 LEEHS



UTILITY PLAN
ADA MOORINGS
EXXEL ENGINEERING INC. 5252 CLYDE PARK S.W. GRAND RAPIDS MI. 49509 SHEET B

NOTE: UTILITY INFORMATION SHOWN HEREON IS PER AVAILABLE RECORD AND SHOULD NOT BE MISCONSTRUED TO BE A GUARANTEE OF COMPLETENESS OR ACCURACY.

STOHMYR . O

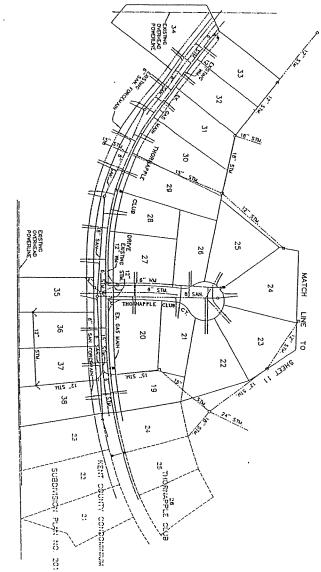
- CATCH BASIN - HYDRANT

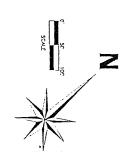
ALL PROPOSED UTILITIES MUST BE BUILT.

ALL WATER SERVICES ARE 1"
ALL SANITARY SEWER LATERALS ARE 6"

- STORM SEWER WATERWAIN - CAS HAIN - SANITARY SEWER SOURCE OF INFORMATION
EXCL ENGINEETHING INC.
EXCEL ENGINEETHING INC. MICH CON DAS CO

CENTRAL MICHIGAN RAILROAD R.O.W. (100' WIDE)





ROZELA D. Moured PROPOSED JULY 10, 2000 AMENDED NOV 14, 2001

