



# ELEVENTH AMENDMENT TO MASTER DEED OF ADA MOORINGS

(Act 59, Public Acts of 1978) as amended

Amendment No. 11 to Kent County Condominium Subdivision Plan No. 408.

- (1) Eleventh 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).

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

This Instrument Drafted By:

Christian Decker

Ada Moorings Condominium Association - Secretary

PO Box 408
Ada MI 49301





Mary Hollinrake P:2/4 11:49AM Kent Cnty MI Rgstr 10/20/2008 SEAL

# ELEVENTH AMENDMENT TO MASTER DEED OF ADA MOORINGS

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

THIS ELEVENTH AMENDMENT TO MASTER DEED OF ADA MOORINGS is made this 17th day of October, 2008, by Ada Moorings Condominium Association Board of Directors, of PO Box 408, Ada MI 49301.

# 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. The Master Deed has been amended 10 times for the purposes of, among others, adding land and Units to the Project, adjusting boundary lines between the Units, and changing Bylaws.
- C. Ada Moorings Condominium Association Board of Directors (the "Board") is the group of homeowners serving as Board Members for the Ada Moorings Condominium Association (the "Association) pursuant to Exhibit A of Master Deed, Article IV Section 1.
- D. The Board desires to provide public notice of the amendment to the Condominium Bylaws, which was adopted April 22, 2003, to decrease the number of co-owners that constitute a quorum of members.

## **Provisions**

1. Quorum of Members. The first sentence of Article III, Section 5, of the Condominium Bylaws attached as Exhibit A to the Master Deed is amended to decrease the number of co-owners required in order to constitute a quorum of members. The first sentence is deleted and replaced by the following sentence:

"Unless otherwise provided herein, the presence, in person or by proxy, of 1/3 in value of the co-owners entitled to vote shall constitute a quorum of members."

- Percentage of Value. Article VI, Paragraph B and Article IX, Paragraph c1 of the Master Deed, which provides that all Units have equal percentage of value, are ratified and confirmed.
- 3. <u>Continuing Effect.</u> In all other respects, the provisions of the Master Deed, as previously amended, are ratified and confirmed.

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Mary Hollinrake P:3/4 11:49AM Kent Cnty MI Rgstr 10/20/2008 SEAL

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

By:  Kathleen Quick  Its: President
its. I resident
STATE OF MICHIGAN )
COUNTY OF KENT )
Acknowledged before me in Kent County, Michigan, on October 17th, 2008, by Kathleen Quick, the President of Ada Moorings Condominium Association, on behalf of the Association.
The Association.

LORIA. SLATER

NOTARY PUBLIC - STATE OF MICHIGAN

COUNTY OF KENT

MY COMMISSION EXPIRES 08/03/2013

Acting in the County of

Notary Public, Kent County, MI My commission expires: 3

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Mary Hollinrake P:4/4 11:49AM Kent Cnty MI Rgstr 10/20/2008 SEAL

# EXHIBIT A ELEVENTH AMENDMENT TO MASTER DEED OF ADA MOORINGS

## AFFIDAVIT OF MAILING

STATE OF MICHIGAN	)
	) ss.
COUNTY OF KENT	)

Christian R. Decker, being duly sworn, deposes and says that:

- 1. He is a current Board of Director for the Ada Moorings Condominium Association serving as Secretary.
- 2. On October 18<sup>th</sup> 2008, notices of the proposed Eleventh Amendment to Master Deed of Ada Moorings were mailed to all Co-Owners of record in the Ada Moorings project as required by Section 90(5) of the Michigan Condominium Act, pursuant to a list of owners maintained by Treasurer of the Association. Such notices were sent by first class mail, postage fully prepaid.

Further, deponent saith not.

Christian R. Decker

Subscribed and sworn to before me this 20<sup>th</sup> day of October 2008.

Notary Public, Kent County, Michigan

My commission expires:

Drafted By:

Christian Decker Ada Moorings Condominium Association – Secretary PO Box 408 Ada MI 49301

LORI A. SLATER

NOTARY PUBLIC – STATE OF MICHIGAN

COUNTY OF KENT

MY COMMISSION EXPIRES 08/03/2013

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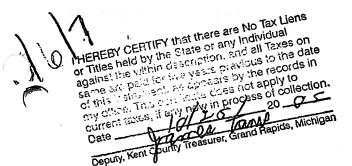
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TAN CERTIFICATE AS REQUIRED BY SEC. 135, ACT NO. 154 PUBLIC ACTS OF 1895 DULY PRESENTED MARY HOLLINRAKE, REGISTER

# ELEVENTH AMENDMENT TO MASTER DEED OF

# **ADA MOORINGS**

(Act 59, Public Acts of 1978) as amended

Amendment No. 11 to Kent County Condominium Subdivision Plan No. 408.

- (1) Eleventh 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. 8 to Condominium Subdivision Plan of Ada Moorings.

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



# ELEVENTH AMENDMENT TO MASTER DEED OF ADA MOORINGS

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

THIS ELEVENTH AMENDMENT TO MASTER DEED OF ADA MOORINGS is made this 20 day of October, 2005, 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, Page 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. 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, and by Second Amendment to Master Deed of Ada Moorings dated December 12, 2001, and recorded on December 17, 2001, in the office of the Kent County Register of Deeds in Liber 5757, pages 1108-1124, inclusive, Developer, among other actions, amended the Master Deed to increase the number of Units in the Project to sixty-seven (67) and added certain land to the Project.
- D. By Third Amendment to Master Deed of Ada Moorings dated August 19, 2002, and recorded on August 29, 2002, in the office of the Kent County Register of Deeds in Liber 6213, pages 1038-1047, inclusive, and by Fourth Amendment to Master Deed of Ada Moorings dated November 23, 2002, and recorded on December 9, 2002, in the office of the Kent County Register of Deeds in Liber 6470, page 638, Developer, among other actions, amended the Master Deed to address certain boundary issues between certain Units in the Project.
- E. By Fifth Amendment to Master Deed of Ada Moorings dated December 19, 2002, and recorded on December 30, 2002, in the office of the Kent County Register of Deeds in Liber 6518, Pages 223-233, inclusive, Developer, among other actions, amended the Master Deed to increase the Number of Units in the Project to seventy-four (74) and added certain land to the Project.
- F. By Sixth Amendment to Master Deed of Ada Moorings dated February 27, 2003, and recorded on March 6, 2003, in the office of the Kent County Register of Deeds in Liber 6704,



pages 870-879, inclusive, Developer, among other actions, adjusted or corrected certain boundary lines of Units in the Project.

- G. By Seventh Amendment to Master Deed of Ada Moorings dated October 28, 2003, and recorded on November 5, 2003, in the office of the Kent County Register of Deeds as document number 200311005-0226403, Developer, among other actions, increased the number of units from seventy-four (74) to one hundred eighteen (118) and added certain land to the Project.
- H. By Eighth Amendment to Master Deed of Ada Moorings dated December 23, 2003, and recorded on December 30, 2003, in the office of the Kent County Register of Deeds as document number 20031230-0252268, Developer, among other actions, increased the number of units from one hundred eighteen (118) to one hundred forty (140), added certain land to the Project and established certain provisions regarding certain units known as "villa units."
- I. By Ninth Amendment to Master Deed of Ada Moorings dated January 5, 2004, and recorded on January 8, 2004, in the office of the Kent County Register of Deeds as document number 20040108-0002551, Developer, among other things, added land to the Project and increased the number of units from one hundred forty (140) to two hundred (200).
- J. By Tenth Amendment to Master Deed of Ada Moorings dated October 29, 2004, and recorded on November 9, 2004, in the office of the Kent County Register of Deeds as document number 20041109-0147415, Developer, among other actions, decreased the number of Units in the Project from two hundred (200) Units to one hundred ninety-nine (199) Units and changed the dimensions and layout of Units 141 through 151.
- K. The Developer desires to reduce the number of Units in the Project to one hundred fifty one (151) and to withdraw certain land from the Project pursuant to subsection 67(3) of the Michigan Condominium Act (the "Act") and, in accordance with the Act, withdraws the following undeveloped portions of the Project from 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 N01°57′23″E 54.04 feet along the East line of Section 34 thence N49°00′00″W 2463.01 feet along the Northerly line of the Central Michigan Railroad R.O.W. (100 feet wide); thence N41°04′53″E 400.00 feet to the PLACE OF BEGINNING of this description; thence N49°00′00″W 435.00 feet; thence S41°04′53″W 194.75 feet to the North line of Fase Street; thence N49°00′00″W 66.00 feet along the North line of Fase Street, said point being 34.00 feet S49°00′00″E from the Southeasterly corner of Lot 1, Block 3, Village of South Ada; thence N41°04′53″E 132.00 feet; thence N49°00′00″W 191.00 feet along the Northerly line of The Village of South Ada; thence N41°04′53″E 206.76 feet; thence N49°00′00″W 179.00 feet; thence N41°04′53″E 26.99 feet; thence



N89°52'50"W 41.22 feet along the E-W 1/4 line of Section 34; thence N48°58'20"W 759.84 feet; thence N75°33'21"E 973.84 feet; thence S42°38'44"E 1132.60 feet to Reference Point "P"; thence S42°38'44"E 57 feet, more or less, to the waters edge of a pond; thence meandering Southwesterly along said waters edge to it's intersection with a line which bears S62°53'00"E from Reference Point "O" (Reference Point "O" is located S47°21'16"W 84.53 feet and S26°25'41"W 113.88 feet along an intermediate traverse line from above described Reference Point "P"); thence N62°53'00"W 31 feet, more or less, to Reference Point "O"; thence N62°53'00"W 20.61 feet; thence S40°57'39"W 358.79 feet; thence S10°30'00"E 177.74 feet; thence S79°30'00"W 160.75 feet; thence N74°55'54"W 60.95 feet to the place of beginning.

L. The Developer has reserved the right to create easements affecting the Project without the consent of Co-owners and mortgagees. The Developer has agreed to enter into an "Agreement for Conservation Easement" with the Michigan Department of Environmental Quality affecting portions of the General Common Elements of the Project as shown on the attached Exhibit B (the "Agreement"). A copy of the Agreement is maintained at the Developer's office for review by all interested persons and it is anticipated that, if the Agreement is not recorded simultaneously with this document, it will be recorded in the very near future after it has been executed by the MDEQ. The Developer has also created two sidewalk easements by Grants of Easement recorded in the office of the Kent County Register of Deeds on December 20, 2004 and on May 4, 2005 as Document Numbers 20041220-0164169 and 20050504-0052892, respectively (the "Sidewalk Easements"). The Sidewalk Easements are shown on the pages attached as Exhibit B to this document as Replat No. 8 of the Condominium Subdivision Plan.

#### **Provisions**

The Developer amends the Master Deed as follows:

1. <u>Land in the Project</u>. After withdrawal from the Project of the land described in Recital K above, Article III of the Master Deed is amended to provide as follows:

# "ARTICLE III" "LEGAL DESCRIPTION"

"The land which is dedicated to the Condominium Project established by this Master Deed, as amended, contains one hundred fifty one (151) Units as described in the Condominium Subdivision Plan, as amended, and is legally described as follows:

That part of Sections 34 and 35, T7N, R10W, Ada Township, and that part of the N ½, Section 2, T6N, R10W, Cascade Township, Kent County, Michigan, described as: Commencing at the SW corner of Section 35; thence N01°57′23″E 54.04 feet along the West line of Section 35 to the Northeasterly line of the Central Michigan Railway Company R.O.W. (100 feet wide); thence



S49°00'00"E 318.15 feet along said Northeasterly R.O.W. line to the PLACE OF BEGINNING of this description; thence N05°30'00"W 130.00 feet along the Easterly line of Thornapple Club Condominiums to Reference Point "B"; thence along said Easterly line N05°30'00"W 268 feet, more or less, to the waters edge of a pond; thence meandering Southwesterly along said waters edge to its intersection with a line which bears N84°30'00"E from Reference Point "A"

(Reference Point "A" is located N18°13'09"W 250.70 feet along an intermediate traverse line from above described Reference Point "B");

thence S84°30'00"W 5 feet, more or less, to Reference Point "A"; thence S84°30'00"W 15.00 feet and N19°23'28"W 20.00 feet and N34°37'58"W 87.48 feet and N05°30'00"W 73.59 feet and S84°30'00"W 49.00 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 S88°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 N46°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 N11°21'26"E 98.13 feet; thence N72°00'18"W 103.41 feet along the Northeasterly line of Thornapple Club Condominium; thence N49°26'43"W 70.96 feet and N17°05'17"W 174.90 feet and N35°26'19"W 150.12 feet and N77°40'35"W 35.89 feet and N09°40'15"E 131.57 feet and N62°42'00"E 69.31 feet and N00°40'17"E 140.00 feet along said Northeasterly line of Thornapple Club to the NE corner of Unit 33, Thornapple Club; thence N85°14'31"W 102.96 feet along the Northerly line of Thornapple Club Condominiums; thence N49°05'06"W 38.41 feet and N71°22'00"W 181.82 feet and N81°51'58"W 84.60 feet and N83°00'00"W 234.95 feet and N77°06'55"W 64.85 feet and N66°28'25"W 69.72 feet and N60°43'00"W 72.06 feet and S31°37'00"W 140.00 feet and S37°27'30"W 30.15 feet and S31°47'00"W 173.87 feet along said Northerly line of Thornapple Club Condominiums; thence N49°00'00"W 881.83 feet along the Northeasterly line of the Central Michigan Railroad R.O.W. (100 feet wide); thence N41°04'53"E 400.00 feet; thence S74°55'54"E 60.95 feet; thence N79°30'00"E 160.75 feet; thence N10°30'00"W 177.74 feet; thence N40°57'39"E 358.79 feet; thence S62°53'00"E 20.61 feet to Reference Point "O"; thence S62°53'00"E 31 feet, more or less, to the waters edge of a pond; thence meandering Northeasterly along said waters edge to its intersection with a line which bears S42°38'44"E from Reference Point "P"

(Reference Point "P" is located N26°25'41"E 113.88 feet and N47°21'16"E 84.53 feet along an intermediate traverse line from above described Reference Point "O") thence S42°38'44"E 4442 feet, more or less, from said waters edge (S44°38'44"E 4498.69 feet from Reference Point "P"); thence S41°00'00"W 723.15 feet; thence N49°00'00"W 1706.71 feet along the Central Michigan Railroad R.O.W. to the place of beginning.

"Together with and subject to any other easements, restrictions, and governmental limitations of record, visible easements, easements set forth on the Condominium Subdivision Plan, as amended, easements declared and reserved in Article VII of the Master Deed, as amended, and easements created by the application of subsection 67(3) of the Act."

Easements. As shown on the Condominium Subdivision Plan, as amended, for the Project, sidewalk easements haven been created within the Project and certain portions of the General Common Elements are affected by conservation easements. Generally, the purpose of a



conservation easement is to preserve the natural state of the land affected by the easement, so those persons and entities who control land affected by a conservation easement are cautioned not to make any changes within any such area, including altering any vegetation, without first obtaining the prior written permission of the Michigan Department of Environmental Quality and/or otherwise complying with the provisions of any recorded conservation easement.

- 3. <u>Condominium Subdivision Plan</u>. The Condominium Subdivision Plan attached as Exhibit B to the Master Deed is amended by the sheets attached as Exhibit B to this Eleventh Amendment to Master Deed, which Replat No. 8 contains new and/or revised sheets.
- 4. <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.
- 5. <u>Continuing Effect</u>. The provisions of the Master Deed, as previously amended, which are not affected by this amendment, are ratified and confirmed.

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

EASTBROOK DEVELOPMENT COMPANY,

a Michigan corporation

Dale Kraker

Its: President

STATE OF MICHIGAN

)ss )

COUNTY OF KENT

Acknowledged before me in Kent County, Michigan, on October 22, 2005, by Dale Kraker, the President of Eastbrook Development Company, a Michigan corporation, on behalf of the corporation.

\* Carole M. Schad /

Notary Public, Kent County, MI

Acting in Kent County, MI

My Commission Expires: 9/15/2006

REPLAT NO. 8 OF: KENT COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 408 EXHIBIT "B" TO THE AMENDED MASTER DEED OF

# ADA MOORINGS

\*\*COVER SHEET

\*\*2 SIRVEY PLAN (PHASE 1)

3 SITE PLAN (PHASE 1)

4 UTILITY AND FLOOD PLAIN PLAN (PHASE 1)

5 COMPOSITE PLAN

6 SURVEY PLAN (PHASES 2 & 4)

7 SITE PLAN & FLOOD PLAIN PLAN (PHASES 2 & 4)

9 SURVEY PLAN (PHASE 3)

10 SITE PLAN & FLOOD PLAIN PLAN (PHASE 3)

11 UTILITY PLAN (PHASE 3)

\*\*12 SURVEY PLAN (PHASE 3)

13 SITE PLAN & FLOOD PLAIN PLAN (PHASE 5 & 6)

14 UTILITY PLAN (PHASE 3)

15 SURVEY PLAN (PHASE 7)

16 SITE PLAN (PHASE 7)

17 UTILITY PLAN (PHASE 7)

18 SURVEY PLAN (PHASE 7)

19 SURVEY PLAN (PHASE 7)

\*\*19 SITE PLAN (PHASE 7)

\*\*19 SITE PLAN (PHASE 7)

\*\*19 SITE PLAN (PHASE 8) ADA TOWNSHIP, AND CASCADE TOWNSHIP, KENT COUNTY, MICHIGAN.

SURVEYOR:

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

DEVELOPER: EASTBROOK DEVELOPMENT COMPANY 2130 ENTERPRISE DRIVE S.E. GRAND RAPIDS MI 49508

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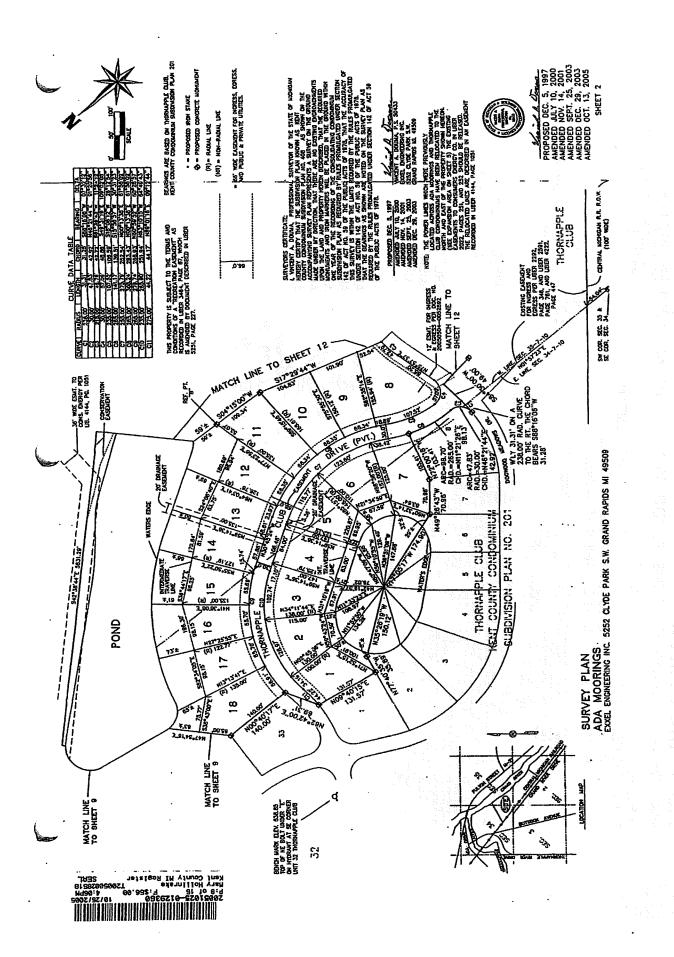


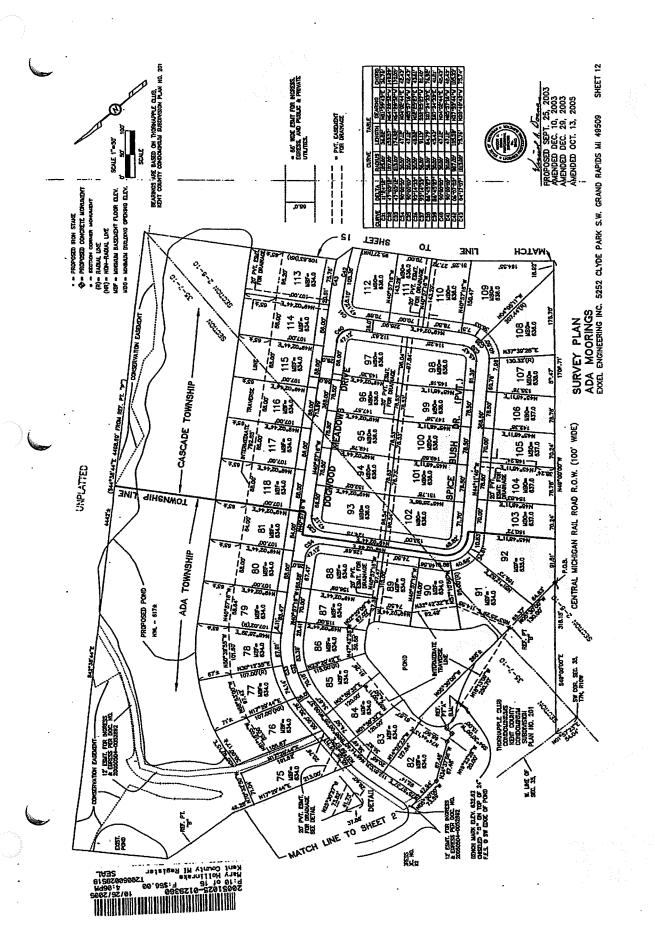
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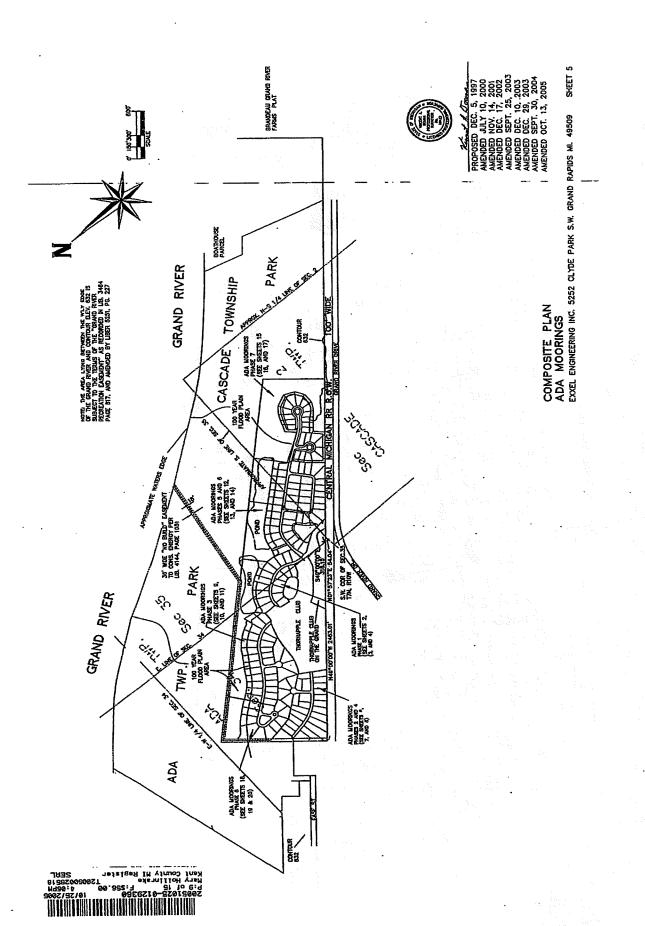
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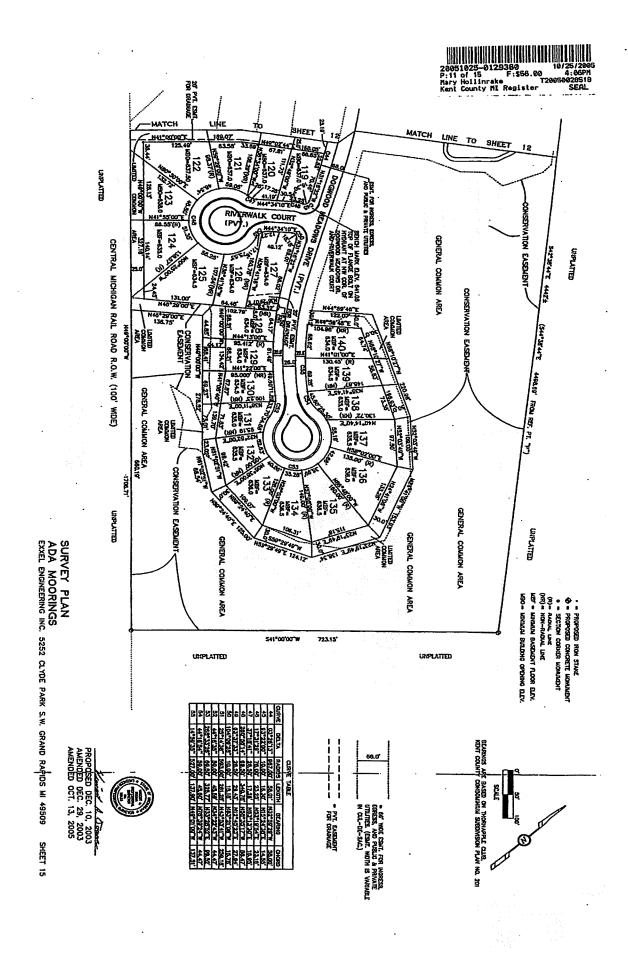
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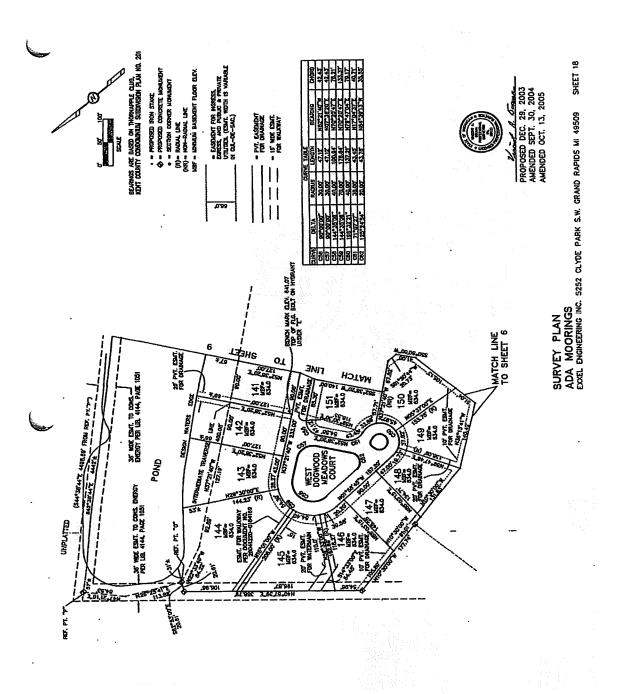
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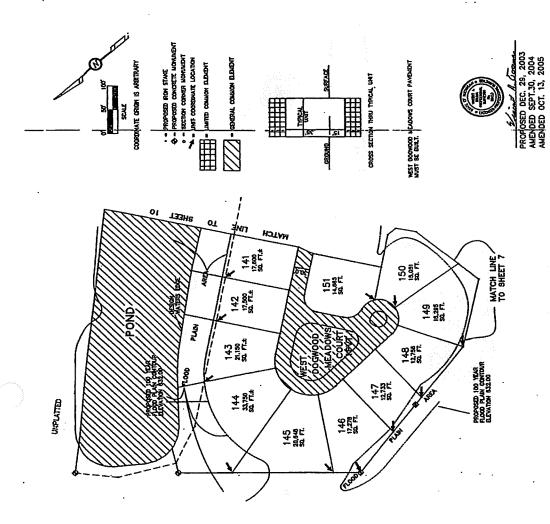






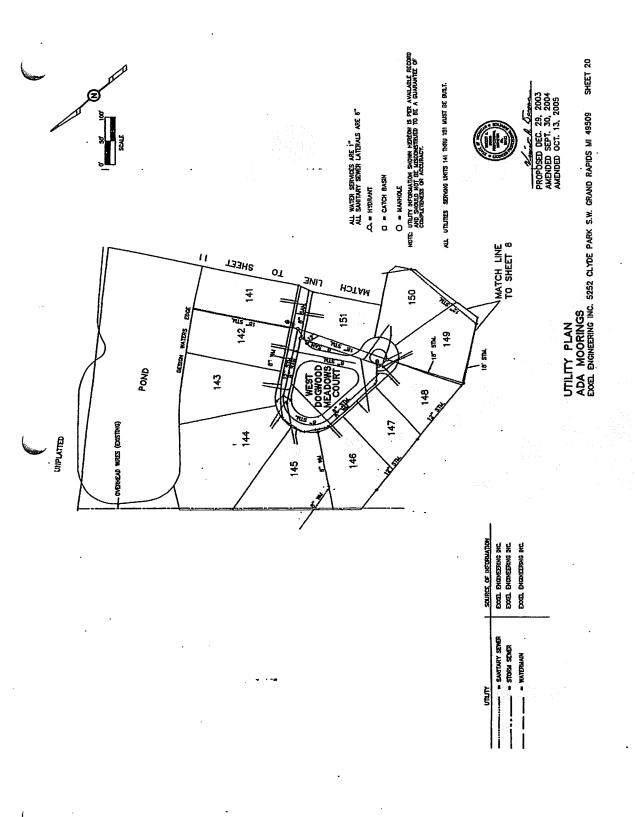






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STE PLAN & FLOOD PLAIN PLAN ADA MOORINGS EXXEL ENGINEERING INC. 5252 CLYDE PARK S.W. GRAND RÁPIDS MI 49509 SHEET 19







#### **EXHIBIT A**

## ELEVENTH AMENDMENT TO MASTER DEED OF ADA MOORINGS

# **AFFIDAVIT OF MAILING**

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT
)

Carole M. Schad, being duly sworn, deposes and says that:

- 1. She is employed by Eastbrook Development Company, a Michigan corporation.
- 2. On August 11, 2005, notices of the proposed Eleventh Amendment to Master Deed of Ada Moorings were mailed to all Co-owners of record in the Ada Moorings project as required by Section 90(5) of the Michigan Condominium Act, pursuant to a list of owners and mortgagees maintained by the Developer of the project. Such notices were sent by first class mail, postage fully prepaid.

Further, deponent saith not.

Carole M. Schad

Subscribed and sworn to before me this 11th day of August 2005.

Kathleen M. Adams

Notary Public, Kent County, Michigan My commission expires: 4/7/2008

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