

FIRST AMENDMENT TO CONSOLIDATING MASTER DEED

HIDDEN MEADOWS

0001 DEC.29.92 01:19PM
3825 MISC 15.00

This First Amendment to Consolidating Master Deed is made and executed on this 16TH day of OCTOBER, 1992, by HIDDEN MEADOWS ASSOCIATION, a Michigan Corporation, hereinafter referred to as "Association", whose address is 2158E Hidden Meadows, Walled Lake, Michigan 48390, in pursuance of the provisions of the Michigan Condominium Act being (being Act 59 of the Public Acts of 1978 as amended), hereinafter referred to as the "Act".

0001 DEC.29.92 01:19PM
3825 RMT FEE 2.00

WHEREAS, the Developer of the Hidden Meadows Condominium being Pax Corporation, a Michigan corporation, hereinafter referred to as "Developer", did prepare, file and record a Consolidating Master Deed for Hidden Meadows, on January 22, 1988, in Liber 10280, Pages 627 through 667, Oakland County Records, which Consolidating Master Deed and Exhibits A and B thereto are the controlling documents of record with regard to the condominium project and the condominium premises; and

WHEREAS, the Association is the duly constituted, existing, and operating successor in interest to Developer; and

WHEREAS, a special meeting of owners of interests in the condominium premises, duly called and convened on the 22ND day of SEPTEMBER, 1992, at which a quorum was present and voting; and

WHEREAS, at the said meeting, the required number of votes of the owners required to effect an amendment to the Consolidating Master Deed and the Bylaws of the Association were cast in favor of this amendment; and

WHEREAS, the undersigned officers of the Association, were authorized to execute and record this First Amendment to Consolidating Master Deed of Hidden Meadows,

NOW, THEREFORE, the Association does, upon the recording hereof, confirm the establishment of Hidden Meadows as a condominium project under the Act and does declare that Hidden Meadows (hereinafter referred to as the "Condominium", "Project" or the "Condominium Project") shall, after recording of this First Amendment to Consolidating Master Deed, be held, conveyed, hypothecated, encumbered, leased, rented, occupied, and improved, or in any other manner utilized, subject to the provisions of the Act, and to the covenants, conditions, restrictions, uses, limitations and affirmative obligations set forth in the Consolidating Master Deed and Exhibits A and B thereto, and as the same are amended herein and hereby, all of which shall be deemed to run with the land and shall be a burden and benefit to the Association, its successors, and assigns, and any persons acquiring or owning an interest in the condominium premises and their successors and assigns. To the extent that any conflict in the terms of the Consolidating Master Deed are inconsistent with the terms and provisions of this First Amendment to Consolidating Master Deed, the terms and conditions set forth in this First Amendment to Consolidating Master Deed shall be controlling. In furtherance whereof, the Consolidating Master Deed is hereby amended to provide the following:

FIRST

Article III Section 6 is hereby deleted in its entirety and replaced as follows:

OK - G.K.

Section 6. Condominium Premises. "Condominium Premises" means and

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metus

includes the land described in Article II above, all improvements and structures thereon, and all easements, rights and appurtenances belonging to Hidden Meadows as described above, excepting therefrom however, any land taken, deeded, or dedicated to the public as public roads or streets, and granted to the jurisdiction of the local government authority having jurisdiction over public roads.

SECOND

Article III Section 8 is hereby deleted in full and replaced as follows:

Section 8. Condominium Subdivision Plan. "Condominium Subdivision Plan" means Exhibit B hereto, and with respect to the streets and roads, Exhibit C hereto.

THIRD

Article IV - Common Elements, Section 1. (a) is hereby deleted entirely and replaced as follows:

(a) Land. The land described in Article II hereof, including driveways, roads, walkways and parking spaces not identified as Limited Common Elements, excluding therefrom however, any roads or right-of-ways, or any of the described lands which are or may in the future be taken, deeded, or dedicated as public roads or streets by or to the appropriate governmental jurisdiction.

FOURTH

New subparagraph (m) is added to Article IV Section 1. as follows:

(m) Public Streets and Roads. To the extent that any of the lands otherwise described as Common Elements are now, or may be in the future, taken, deeded, or dedicated as public roads and streets, or public rights-of-way for road and street purposes, such public roads, streets, and rights-of-way, are hereby excluded from the definition of Common Elements, excepting only to the extent of the Co-owners' interest therein, if any, and no warranty whatsoever is made with respect to the nature or extent of such interest, if any.

FIFTH

New Section 5 is added to Article VI as follows:

Section 5. Dedication of Roadways. If required to do so by a governmental agency, the Association reserves the right at any time during the existence of the Condominium Project to dedicate to the public a right-of-way of such width as may be required by the local public authority over any or all of the roadways in Hidden Meadows, shown as General Common Elements in the Condominium Subdivision Plan. If required to do so by a governmental agency, any such right-of-way dedication may be made by the Association without the consent of any Co-owner, mortgagee or other person and shall be evidenced by an appropriate amendment to this Master Deed and to the Condominium Subdivision Plan hereto, (which may be by an additional Exhibit thereto describing the roads so dedicated) which shall be recorded in the Oakland County Records. All

of the Co-owners and mortgagees of Units and other persons interested or to become interested in the Project from time to time shall be deemed to have irrevocably and unanimously consented to such amendment or amendments of this Master Deed to effectuate the foregoing rights-of-way dedication. The Association may exercise this dedication right after the Development and Sales Period ends. This right may be exercised even if not required by a governmental agency.

In all other respects the original Consolidating Master Deed as recorded in Liber 10280, Pages 627 through 667, Oakland County Records, remain in full force as therein provided.

IN WITNESS WHEREOF, the Association has caused this First Amendment to Consolidating Master Deed to be executed by its duly authorized officers on the year and date first above written.

Witnesses:

Hidden Meadows Association,
a Michigan Non-profit Corporation

Robert L. Pugh
ROBERT L. PUGH

By: D. M. Kirsch
D. M. KIRSCH President

Paul J. Lays
PAUL J. LAYS

And: Cecilia G. Revers
CECILIA G. REVERS Secretary

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 16th day of OCTOBER, 1992, by D. M. KIRSCH and CECILIA REVERS, the President and Secretary respectively, of Hidden Meadows Association, a Michigan corporation, on behalf of the corporation.

ROBERT L. PUGH
NOTARY PUBLIC - OAKLAND COUNTY, MICH.
MY COMMISSION EXPIRES 08-08-95

Robert L. Pugh
Notary Public, Oakland County, MI
My Commission expires: 8-8-95

First Amendment to Consolidating Master Deed Drafted by:

Robert L. Pugh
37000 Grand River Ave., Ste. 290
Farmington Hills, MI 48335

When recorded, return to: DRAFTER

LEGAL DESCRIPTION
FOR ROADS DESCRIBED IN DEED OF DEDICATION
(HIDDEN MEADOWS)

LEGAL DESCRIPTION - Hidden Meadows Drive

Hidden Meadows Drive, a 30' wide road easement being 15' either side of the following described centerline:

Commencing at point AA at the NE corner of Hidden Meadows Condominium as previously described in Exhibit "A"; thence $N 89^{\circ}29'15'' W 35.00'$ to point "A" and point of beginning (Point A also being the P.C. of a curve to the left); thence along said curve, $R=117'$, $\text{delta}=23^{\circ}$ and arc length = $44.65'$ to P.T., and P.C.; thence along a curve to the right, said curve having $R=140'$, $\text{delta}=22^{\circ}$ and arc length = $53.73'$ to point of tangency, then along the tangent $S 01^{\circ}30'45'' E 25.00'$ to P.C.; thence along a curve to the right, $R=125'$, $\text{delta}=97^{\circ} 10'$ and arc length = $211.88'$ to P.T. and P.C.; thence along a curve to the left $R=125'$, $\text{delta}=100^{\circ} 50'$, arc length = $219.87'$ to P.T.; thence $S 05^{\circ}10'45'' E 170.00'$ to P.C. and a curve to the right, $R=125'$, $\text{delta}=99^{\circ} 30'$ and arc length = $216.97'$ to P.T.; thence along the tangent $N 85^{\circ}40'45'' W 86.00'$ to P.C.; thence along a curve to the left, $R=125'$, $\text{delta}=99^{\circ} 30'$ and arc length = $216.97'$ to P.T.; thence along the tangent $S 05^{\circ}10'45'' E 96.00'$ to point K and point of ending of 30' road and start of a cul-de-sac.

LEGAL DESCRIPTION - Hidden Meadows Drive (Cul-de-sac)

Cul-de-sac is described as beginning at point K; thence $N 84^{\circ}49'15'' E 15'$ to point L; thence $S 17^{\circ}49'39'' E 165.29'$ to point R and "P.C." of a curve to the right; thence along said curve to the right $R=53'$, $\text{delta}=208^{\circ}$ and arc length = $192.41'$, to point P and "P.T."; thence $N 07^{\circ}29'03'' E 167.14'$ along the tangent to point M; thence $N 84^{\circ}49'15'' E 15'$ to point of beginning excepting the following described property:

Commencing at previously described point K; thence $S 05^{\circ}10'45'' E 105'$ to point N and point of beginning; thence $S 24^{\circ}18'34'' E 67.79'$ to point "Q" and P.C. of a curve to the right; thence along said curve $R=23$, $\text{delta}=208^{\circ}$, arc length = $83.50'$ to point "O"; thence $N 13^{\circ}53'28'' E 68.59'$ to point N and point of beginning.

LEGAL DESCRIPTION - Hidden Meadows Drive East

A 30' wide road easement, 15' either side of the following described centerline of road beginning at point "B-B" as previously described; (Exhibit "A"); thence $S 89^{\circ}28'46'' E 183.00'$ to point U, the P.C. of a curve to the left; thence along said curve $R=313'$, $\text{delta}=15^{\circ}-30'$, arc length = $84.67'$, the P.T.; thence along the tangent $S 73^{\circ}58'46'' W 87.00'$ to point W., the P.C. of a curve to the right; thence along said curve to the right $R=195.07$, $\text{delta}=60^{\circ} 34' 46''$, arc length; $206.25'$ to the point of ending on the centerline of existing Hidden Meadows Drive.

Note: The last 30' of above described easement is 40' wide instead of 30' wide

17-26-104-000 (entire)
Hidden Meadows Condo 9000405

