

FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS

DEERWOOD VI
INDEPENDENCE TOWNSHIP, MICHIGAN

CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATION
AND GRANTS AFFECTING THE PROPERTY OF:

REMACK ASSOCIATES
A MICHIGAN PARTNERSHIP

\$ 23.00 MISCELLANEOUS RECORDING
\$ 2.00 REMUNERATION
23 JUL 96 11:32 A.M. RECEIPT# 31B
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

THIS FIRST AMENDMENT, is made and entered into effective, as of May 15, 1996, by Remack Associates, a Michigan partnership, the address of which is 2550 S. Telegraph Road, Suite 109, Bloomfield Hills, MI 48302 (the "Declarant") and the owners of all Lots within the Deerwood VI subdivision as referenced herein.

RECITALS:

On September 6, 1995, Declarant executed the Declaration of Protective Covenants (the "Declaration"), which Declaration was recorded on November 1, 1995, at Liber 15787, Page 593, Oakland County Records. The Declaration imposes certain restrictions and conditions upon the development of lots within the Deerwood VI subdivision, which property is more particularly described in the Declaration.

Declarant and the owners and/or purchasers of all of the Lots within the Deerwood VI subdivision now desire to amend the Declaration to increase the minimum living area for certain types of dwellings as set forth below:

ACCORDINGLY, the Declaration is hereby amended as follows:

1. Amendment of Paragraph 4.2(A). Paragraph 4.2(A) of the Declaration is hereby deleted in its entirety and replaced as follows:

A. For one-story dwellings, not less than 2,500 square feet;

2. Amendment of Paragraph 4.2(C). Paragraph 4.2(C) of the Declaration is hereby deleted in its entirety and replaced as follows:

C. For two-story dwellings, not less than 2,800 square feet;

3. Exception. The terms of this Amendment shall not apply to Lots 314, 315, 318, 319, 320 and 340, which shall instead be governed by Paragraph 4.2(A) and 4.2(C) of the original Declaration.

4. Continuous Effect. To the extent not modified herein, the remaining terms and conditions of the Declaration shall remain in full force and effect.

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Ent 08-09-303-000

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The parties hereof have caused this First Amendment to be executed effective as of the date set forth above,

WITNESSES:

REMAK ASSOCIATES, a Michigan partnership

By: The A.J. MACKSEY COMPANY, a Michigan corporation, Partner

By: [Signature]
Alfred J. Macksey, Jr.

Its: President

And: RESOURCE MANAGEMENT SERVICES, INC., a Michigan corporation, Partner

By: [Signature]
Stuart H. Mahler

Its: Vice-President

[Signature]
AURICE M. KNOWLES

[Signature]
Harri Grotemat-Barnes

[Signature]
AURICE M. KNOWLES

[Signature]
Harri Grotemat-Barnes

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

On this 15th day of May, 1996, before me, a Notary Public, appeared Alfred J. Macksey, Jr., to me personally known, who being by me duly sworn, did say that he is President of The A.J. Macksey Company, Partner of Remack Associates, the Partnership named in and which executed the within instrument, and that said instrument was signed and sealed in behalf of said Partnership, and said Alfred J. Macksey, Jr. acknowledged said instrument to be the free act and deed of said Partnership.

[Signature]
Notary Public AURICE M. KNOWLES
Oakland County, MI
My Commission Expires: March 2, 1997

STATE OF MICHIGAN)
) SS
COUNTY OF OAKLAND)

On this 15th day of May, 1996, before me, a Notary Public, appeared Stuart H. Mahler, to me personally known, who being by me duly sworn, did say that he is Vice-President of Resource Management Services, Inc., Partner of Remack Associates, the Partnership named in and which executed the within instrument, and that said instrument was signed and sealed in behalf of said Partnership, and said Stuart H. Mahler acknowledged said instrument to be the free act and deed of said Partnership.

Aurice M. Knowles
Notary Public Aurice M. Knowles
Oakland County, MI
My Commission Expires: June 3, 1998

Drafted by and when recorded
return to:

Scott A. Steinhoff, Esq.
WISE & MARSAC
255 E. Brown Street, Suite 210
Birmingham, MI 48009
(810) 642-4345

CONSENT TO FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS

THE UNDERSIGNED, as owner and/or purchaser of Lot 349, hereby consents to the execution and recording of the First Amendment to Declaration of Protective Covenants, to which this Consent is Attached. (08-09-302-014)

WITNESSES:

Lorey Mather
LOREY MATHER
CRAIG J. EATON

Sean C. Joyce
KATHY A. JOYCE

STATE OF MICHIGAN)
) SS:
COUNTY OF OAKLAND)

On this 14th day of May, 1996 before me, a notary public in and for said county, appeared Sean C. Joyce, who, being duly sworn, state that he has executed the foregoing document of his own act and deed.

Julie M. Willett
Notary Public
Oakland County, MI
My Commission Expires:

JULIE M. WILLETT
NOTARY PUBLIC-OAKLAND COUNTY, MICH.
MY COMMISSION EXPIRES 05-03-97

STATE OF MICHIGAN)
) SS:
COUNTY OF OAKLAND)

On this 14th day of May, 1996 before me, a notary public in and for said county, appeared Kathy A. Joyce, who, being duly sworn, state that he has executed the foregoing document of his own act and deed.

Julie M. Willett
Notary Public
Oakland County, MI
My Commission Expires:

JULIE M. WILLETT
NOTARY PUBLIC-OAKLAND COUNTY, MICH.
MY COMMISSION EXPIRES 05-03-97

CONSENT TO FIRST AMENDMENT TO
DECLARATION OF PROTECTIVE COVENANTS

THE UNDERSIGNED, as owner and/or purchaser of Lot 340, hereby consents to the
execution and recording of the First Amendment to Declaration of Protective Covenants, to which
this Consent is Attached. (08-09-351-009)

WITNESSES:

[Signature]
CRAB J. EATON

Thomas Yow
THOMAS YOW

Larry Mahler
LARRY MAHLER

Rheta Yow
RHETA YOW

STATE OF MICHIGAN)
) SS:
COUNTY OF OAKLAND)

On this 21 day of MAY, 1996 before me, a notary public in and for said
county, appeared THOMAS YOW + RHETA YOW, who, being duly sworn, state that he has
executed the foregoing document of his own act and deed.

[Signature]
CRAB J. EATON Notary Public
OAKLAND County, MI
My Commission Expires: 11-10-98

STATE OF MICHIGAN)
) SS:
COUNTY OF _____)

On this _____ day of _____, 199__, before me, a notary public in and for said
county, appeared _____, who, being duly sworn, state that he has
executed the foregoing document of his own act and deed.

_____, Notary Public
_____, County, MI
My Commission Expires:

CONSENT TO FIRST AMENDMENT TO
DECLARATION OF PROTECTIVE COVENANTS

THE UNDERSIGNED, as owner and/or purchaser of Lot 317 & 318, hereby consents to the execution and recording of the First Amendment to Declaration of Protective Covenants, to which this Consent is Attached.

(Lot 317 08-09-303-011
318 08-09-303-012)

WITNESSES:

Larry Moller 6-7-96
LOREN MOLLER
CJE
CHRIS J. EATON

Patrick M. Bonmarito
PATRICK M BONMARITO

STATE OF MICHIGAN)
) SS:
COUNTY OF Oakland)

On this 7th day of June, 1996, before me, a notary public in and for said county, appeared Patrick M Bonmarito, who, being duly sworn, state that he has executed the foregoing document of his own act and deed.

Julie M. Willett
Notary Public
Oakland County, MI
My Commission Expires:
JULIE M. WILLETT
NOTARY PUBLIC-OAKLAND COUNTY, MICH
MY COMMISSION EXPIRES 05-03-97

STATE OF MICHIGAN)
) SS:
COUNTY OF _____)

On this _____ day of _____, 199__, before me, a notary public in and for said county, appeared _____, who, being duly sworn, state that he has executed the foregoing document of his own act and deed.

Notary Public

County, MI
My Commission Expires:

CONSENT TO FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS

THE UNDERSIGNED, as owner and/or purchaser of Lot 315, hereby consents to the execution and recording of the First Amendment to Declaration of Protective Covenants, to which this Consent is Attached. (08-09-303-009)

WITNESSES:

[Signature] STEPHEN H. MAHLER

[Signature] ALFRED J. MANNING

STATE OF MICHIGAN)) SS: COUNTY OF Oakland)

[Signature] Joseph A. NOLL

On this 27th day of June, 1996, before me, a notary public in and for said county, appeared Joseph A. Noll, who, being duly sworn, state that he has executed the foregoing document of his own act and deed.

[Signature] AURICE M. KNOWLES, Notary Public, Oakland County, MI, My Commission Expires: March 2, 1997

STATE OF MICHIGAN)) SS: COUNTY OF _____)

On this _____ day of _____, 199__, before me, a notary public in and for said county, appeared _____, who, being duly sworn, state that he has executed the foregoing document of his own act and deed.

_____, Notary Public, _____ County, MI, My Commission Expires: _____

LIBER 16456PG226

CONSENT TO FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS

THE UNDERSIGNED, as owner and/or purchaser of Lot 314, hereby consents to the execution and recording of the First Amendment to Declaration of Protective Covenants, to which this Consent is attached.

(08-09-303-008)

WITNESSES:

[Signature]
WILLIAM H. MAHLER

[Signature]
KIMBERLY A. DEAN

[Signature]
ALFRED J. MARKESE, JR

[Signature]
JAMES A. ROBERTSON

STATE OF MICHIGAN)

) SS:

COUNTY OF OAKLAND)

On this 11 day of May, 1996, before me, a notary public in and for said county, appeared KIMBERLY A. DEAN, who, being duly sworn, stated that he has executed the foregoing document as his own free act and deed.

[Signature]
LINDA L. COWAN
Notary Public, Oakland County, MI
My Commission Expires Apr. 21, 1997

STATE OF MICHIGAN)

) SS:

COUNTY OF OAKLAND)

On this 11 day of May, 1996, before me, a notary public in and for said county, appeared JAMES A. ROBERTSON, who, being duly sworn, stated that he has executed the foregoing document as his own free act and deed.

[Signature]
LINDA L. COWAN
Notary Public, Oakland County, MI
My Commission Expires Apr. 21, 1997

CONSENT TO FIRST AMENDMENT TO
DECLARATION OF PROTECTIVE COVENANTS

LIBER 16456 PG 227

THE UNDERSIGNED, as owner and/or purchaser of Lot ³¹⁹~~320~~, hereby consents to the execution and recording of the First Amendment to Declaration of Protective Covenants, to which this Consent is attached.

(Lot 319 08-09-303-013
320 08-09-303-014)

WITNESSES:

[Signature]
RAE ANNE ANDERSON

[Signature]
Thomas W. Hall, III
[Signature]
Lorraine M. Hall

Acie G. Anderson, III
STATE OF MICHIGAN)
) SS:
COUNTY OF Oakland)

On this 31 day of May, 1996, before me, a notary public in and for said county, appeared Thomas W. Hall II, who, being duly sworn, stated that he has executed the foregoing document as his own free act and deed.

[Signature]
Acie G. Anderson Notary Public
Oakland County, MI
My Commission Expires:

ACIE G ANDERSON III
NOTARY PUBLIC STATE OF MICHIGAN
OAKLAND COUNTY
MY COMMISSION EXP. OCT. 25, 1999

STATE OF MICHIGAN)
) SS:
COUNTY OF Oakland)

On this 31 day of May, 1996, before me, a notary public in and for said county, appeared Lorraine M. Hall, who, being duly sworn, stated that he has executed the foregoing document as his own free act and deed.

[Signature]
Acie G. Anderson Notary Public
Oakland County, MI
My Commission Expires:

ACIE G ANDERSON III
NOTARY PUBLIC STATE OF MICHIGAN
OAKLAND COUNTY
MY COMMISSION EXP. OCT. 25, 1999