

2009 JUN -9 PM 2:15

Bernard J. Youngblood  
Wayne County Register of Deeds

June 09, 2009 02:15 PM

Liber 47959 Page 1180-1187

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RECEIVED AND APPROVED  
JUN 08 2009  
BY MPM W/L  
NORMAN C. DUPUIE  
PLAT ENGINEER

## FIRST AMENDMENT TO MASTER DEED

### ART CENTER TOWN & CARRIAGE HOMES NORTH

This First Amendment to Master Deed is made and executed this 14<sup>th</sup> day of May, 2009, by Art Center Town & Carriage Homes North, LLC, a Michigan limited liability, whose address is 2010 Hogback Road, Suite 2, Ann Arbor, MI 48105, Developer of Art Center Town & Carriage Homes North, a Condominium Project established pursuant to the Master Deed thereof, recorded in Liber 44822, Page 73, Wayne County Records, and known as Wayne County Condominium Subdivision Plan No. 916 ("**Master Deed**") hereby amends the Master Deed (this "**Amendment**"), pursuant to the authority reserved in Articles VI, VIII and X of the Master Deed, for the purpose of adding an Article which will allow the contraction of the condominium and then contracting out of the condominium a certain Common Element area as set forth in this Amendment and Exhibit B attached thereto. The Common Element area was not intended to be included in the condominium initially and was included by mistake. The Master Deed is amended in the following manner:

1. The following paragraph shall be added as Article XI.

#### ARTICLE XI

#### CONTRACTION

The Developer reserves the right to contract the size of the Condominium by withdrawing any Common Elements, including, without limitation, parking areas and such utilities as are not needed to service the remaining Units (hereinafter collectively referred to as the "Contractible Area"). In the event any General Common Element access areas are contracted out of the Project, the Developer shall establish easements over such areas as may be necessary to ensure ingress and egress for the remaining Units together with any necessary cost sharing obligation for the maintenance, repair and replacement thereof. The Developer reserves the right to use any portion of the land so withdrawn to establish, in its sole discretion, a rental development, a separate condominium project or projects, or any other form of development, or to retain or sell as undeveloped land with or without rights of development the Unit or property

WAYNE COUNTY REGISTER  
*[Signature]* 6-9-09

withdrawn. The Developer further reserves the right, subsequent to such withdraw of land, to expand the Project so reduced to include all or any portion of the withdrawn Units or property provided such expansion occurs prior to six years from the date of recording this Master Deed. The six year limitation on contraction or expansion of the Project may be extended with the prior approval of sixty-six and two-thirds percent (66 2/3%) of all Co-owners in number and in value who are eligible to vote. Other than as set forth above there are no restrictions on the election of the Developer to contract the size of the Condominium and there is no obligation on the part of the Developer to withdraw portions of the Contractible Area from the Condominium in any order.

2. The following described Common Element area shall be removed by contraction:

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN BEING DESCRIBED AS: PART OF LOTS 10 AND 11, BOTH INCLUSIVE, IN BLOCK 29 OF "BRUSH'S SUBN OF THAT PART OF THE BRUSH FARM LYING BETWEEN THE NORTH LINE OF FARNSWORTH ST. AND THE SOUTH LINE OF HARPER AVE." AS RECORDED IN LIBER 17 OF PLATS, PAGE 28, WAYNE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF BRUSH ST., 60 FT. WIDE, WITH THE SOUTHERLY LINE OF A PUBLIC ALLEY, 20 FEET WIDE, LYING NORTH OF PALMER AVE., SAID CORNER BEING ALSO THE NE'LY CORNER OF SAID LOT 10; THENCE S26°06'02"E. 112.58 FT. ALONG THE WESTERLY LINE OF SAID BRUSH AVE. (BEING ALSO THE EASTERLY LINE OF SAID LOT 10; THENCE S.60°05'50"W. 60.70 FT.; THENCE N.29°54'10"W. 112.55 FT.; THENCE N.60°17'00"E. 68.14 FT. ALONG THE SOUTHERLY LINE OF SAID PUBLIC ALLEY (BEING ALSO THE NORTHERLY LINE OF SAID LOTS 10 AND 11, TO THE POINT OF BEGINNING.

as also set forth upon the attached revised Condominium Subdivision Plan, which shall become revised Exhibit B to the Master Deed, Replat No. 1 of Art Center Town & Carriage Homes North, as attached hereto.

3. After the Common Element area identified in Paragraph 3 is removed, the legal description of the Project shall be as follows:

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN BEING DESCRIBED AS: PART OF LOTS 10 AND 11, ALL OF LOTS 12 THROUGH 14, BOTH INCLUSIVE, IN BLOCK 29 OF "BRUSH'S SUBN OF THAT PART OF THE BRUSH FARM LYING BETWEEN THE NORTH LINE OF FARNSWORTH ST. AND THE SOUTH LINE OF HARPER AVE." AS RECORDED IN LIBER 17 OF PLATS, PAGE 28, WAYNE COUNTY RECORDS AND LOTS 16 & 17 OF "BRATSHAWS SUBDIVISION" ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 12 OF PLATS, PAGE 11, WAYNE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE INTERSECTION OF THE

WESTERLY LINE OF BRUSH ST., 60 FT. WIDE, WITH THE NORTHERLY LINE OF PALMER AVE., 60 FT. WIDE; THENCE S.60°17'00"W. 349.08 FT. ALONG THE NORTHERLY LINE OF SAID PALMER AVE.; THENCE N.29°44'50"W. 174.34 FT. (RECORDED AS 171.69 FT.) ALONG THE WESTERLY LINE OF SAID LOT 16; THENCE N.60°17'00"E. 292.06 FT. (RECORDED AS 292.02 FT.) ALONG THE SOUTHERLY LINE OF A PUBLIC ALLEY, 20 FT. WIDE (BEING ALSO THE NORTHERLY LINE OF SAID LOTS 11 THROUGH 14 AND 16 & 17); THENCE S.29°54'10"E. 112.55 FT.; THENCE N.60°05'50"E. 60.70 FT. TO A POINT ON THE WESTERLY LINE OF SAID BRUSH STREET; THENCE ALONG SAID WESTERLY LINE OF BRUSH STREET S.26°06'02"E. (RECORDED AS S.26°03'E.) 62.11 FT. TO THE POINT OF BEGINNING, CONTAINING 54,587.47 SQUARE FEET OR 1.2532 ACRES OF LAND.

4. In all other respects, other than as hereinabove indicated, the Master Deed and the Bylaws and the Condominium Subdivision Plan attached thereto respectively as Exhibits "A" and "B", is hereby ratified, confirmed and redeclared. This Amendment shall become effective upon recordation of this Amendment in the office of the Wayne County Register of Deeds.

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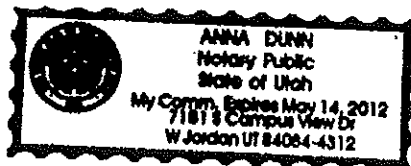
ART CENTER TOWN & CARRIAGE HOMES  
NORTH, LLC  
a Michigan limited liability company

Joel Welber

By: Joel Welber  
Its: Authorized Member

STATE OF UT )  
 ) SS.  
COUNTY OF Salt Lake )

On this 29 day of May, 2009, Joel Welber, Authorized Member of Art Center Town & Carriage Homes North, LLC, acknowledged the foregoing First Amendment to Master Deed before me.



Anna A  
\_\_\_\_\_  
, Notary Public,  
Salt Lake County, Utah  
Acting in Washington County, Utah  
My commission expires: 5/14/2012

First Amendment to Master Deed drafted by:

H. William Freeman, Esq.  
Freeman, Cotton & Gleeson, PLC  
33 Bloomfield Hills Parkway, Suite 240  
Bloomfield Hills, Michigan 48304  
(248) 642-2255

When recorded, return to drafter.

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REPLAT NUMBER 1 OF WAYNE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 916

EXHIBIT B TO THE MASTER DEED OF ART CENTER TOWN & CARRIAGE HOMES NORTH  
CITY OF DETROIT, WAYNE COUNTY, MICHIGAN

**DEVELOPER:**

ART CENTER TOWN & CARRIAGE HOMES NORTH, LLC  
2010 HOOBACK ROAD, SUITE 2  
ANN ARBOR, MI 48105

**ENGINEER/SURVEYOR:**

MASON L. BROWN & ASSOCIATES, INC.  
2638 LAPEER ROAD  
AUBURN HILLS, MICHIGAN 48326

**SHEET INDEX**

- \* 1. COVER SHEET
- \* 2. SURVEY PLAN
- \* 3. SITE PLAN
- \* 4. UTILITY PLAN
- \* 5. GROUND FLOOR PLAN UNITS 1-12
- \* 6. SECOND FLOOR PLAN UNITS 1-12
- \* 7. SECTIONS UNITS 1-12
- \* 8. PERIMETER GARAGE & BASEMENT FLOOR PLAN UNITS 10-20
- \* 9. FIRST FLOOR PLAN UNITS 13-20
- \* 10. SECOND FLOOR PLAN UNITS 10-20
- \* 11. SECTION 1 UNITS 13-20
- \* 12. SECTION 2 UNITS 13-20
- \* 13. PERIMETER GARAGE & BASEMENT PLAN UNITS 21-23
- \* 14. FIRST FLOOR PLAN UNITS 21-23
- \* 15. SECOND FLOOR PLAN UNITS 21-23
- \* 16. SECTION 1 & 4 UNITS 21-23
- \* 17. SECTION 3 UNITS 21-23

THE ASTRISK (\*) AS SHOWN IN THE SHEET INDEX INDICATES NEW / OR REVISED DRAWINGS DATED 06-25-09. THESE DRAWINGS ARE TO REPLACE OR BE SUPPLEMENTAL SHEETS TO THOSE PREVIOUSLY RECORDED.

**LEGAL DESCRIPTION:**

LAND IN THE CITY OF DETROIT, WAYNE COUNTY, MICHIGAN BEING DESCRIBED AS: PART OF LOTS 10 AND 11, ALL OF LOTS 12 THROUGH 14, BOTH INCLUSIVE, IN BLOCK 29 OF BRUSH'S SUBN OF THAT PART OF THE BRUSH FARM LING BETWEEN THE NORTH LINE OF FARNSWORTH ST. AND THE SOUTH LINE OF HARPER AVE., AS RECORDED IN LIBER 17 OF PLATS, PAGE 28, WAYNE COUNTY RECORDS AND LOTS 16 & 17 OF "BRATSHANS SUBDIVISION" ACCORDING TO THE PLAT THEREOF AS RECORDED IN LIBER 12 OF PLATS, PAGE 11, WAYNE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF BRUSH ST., 60 FT. WIDE, WITH THE NORTHERLY LINE OF PALMER AVE., 60 FT. WIDE, THENCE S.60°17'00"W, 349.08 FT. ALONG THE NORTHERLY LINE OF SAID PALMER AVE.; THENCE N.29°44'50"W, 174.34 FT. (RECORDED AS 171.69 FT.) ALONG THE WESTERLY LINE OF SAID LOT 16; THENCE N.60°17'00"E, 292.05 FT. (RECORDED AS 292.02 FT.) ALONG THE SOUTHERLY LINE OF A PUBLIC ALLEY, 20 FT. WIDE (BEING ALSO THE NORTHERLY LINE OF SAID LOTS 11 THROUGH 14 AND 16 & 17); THENCE S.29°44'10"E, 112.55 FT.; THENCE N.60°05'50"E, 60.70 FT. TO A POINT ON THE WESTERLY LINE OF SAID BRUSH STREET; THENCE ALONG SAID WESTERLY LINE OF BRUSH STREET S.28°08'02"E. (RECORDED AS S.26°03'E.) 62.11 FT. TO THE POINT OF BEGINNING, CONTAINING 54,587.47 SQUARE FEET OR 1.2522 ACRES OF LAND.

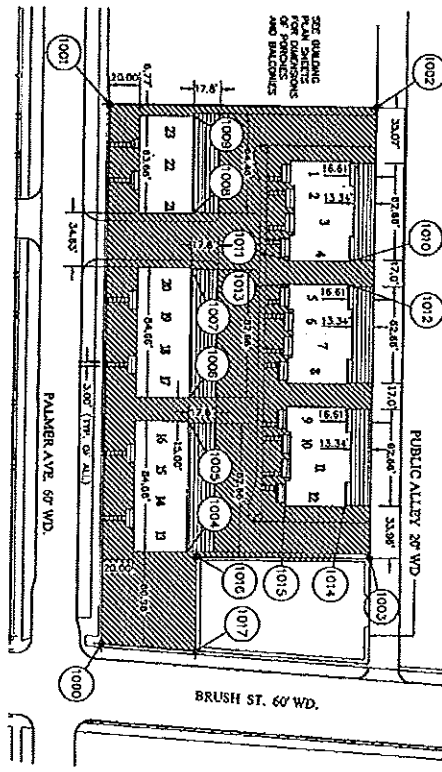


EXAMINED AND APPROVED  
DATE JUN 08 2009  
BY MPA W/L  
NORMAN C. DUPUIE  
PLAT ENGINEER

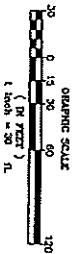
NOTE: UNITS 9 THROUGH 19 AND ALL IMPROVEMENTS NECESSARY TO SERVICE SAME MUST BE BUILT. ALL OTHER IMPROVEMENTS SHOWN HEREON NEED NOT BE BUILT.  
PROPOSED: DATED MAY 5, 2009



APT CENTER TOWN & CARriage HOMES NORTH



SEE DRAWING PLAN SHEETS FOR DIMENSIONS AND FINISHES



COORDINATE TABLE

POINT NUMBER	NORTHING	EASTING
1000	2022.8013	4172.6257
1001	2022.8013	4172.6257
1002	2022.8013	4172.6257
1003	2022.8013	4172.6257
1004	2022.8013	4172.6257
1005	2022.8013	4172.6257
1006	2022.8013	4172.6257
1007	2022.8013	4172.6257
1008	2022.8013	4172.6257
1009	2022.8013	4172.6257
1010	2022.8013	4172.6257
1011	2022.8013	4172.6257
1012	2022.8013	4172.6257
1013	2022.8013	4172.6257
1014	2022.8013	4172.6257
1015	2022.8013	4172.6257
1016	2022.8013	4172.6257
1017	2022.8013	4172.6257

*Handwritten signature*



- LEGEND
- UNIT UNIT
  - LIMITED COMMON ELEMENT
  - GENERAL COMMON ELEMENT
  - LOCATION OF LAB PART NUMBER FOR COMMENTS



3 SHEETS  
 REVISIONS  
 CALL FOR SET

NOTE: UNITS 9 THROUGH 16 AND ALL IMPROVEMENTS NECESSARY TO SERVICE SAID UNITS BE BUILT BY ALL BIDDERS. IMPROVEMENTS SHOWN HEREON NEED NOT BE PROVIDED. DATED MAY 3, 2009

REVISION 3-05-09

NO.	DATE	DESCRIPTION
1	05/03/09	ISSUE FOR PERMIT
2	05/03/09	ISSUE FOR PERMIT
3	05/03/09	ISSUE FOR PERMIT

APRIL 2009

