

4122718

This is to certify that according to the County Treasurer's records there are no tax liens on this property and that the taxes are paid for the years prior to the date on this instrument except 20

No 73544

FILED BY WAHBY Macomb County Treasurer BY MBX
This certification does not include current taxes now being collected.
Date 5-21-04

LIBER 15460 PAGE 830



05/25/2004 10:01:58 A.M.

MACOMB COUNTY, MI SEAL
CARRELLA SABAUGH, REGISTER OF DEEDS

FIRST AMENDMENT TO MASTER DEED OF DECORA PARK

Lombardo Decora Park LLC, a Michigan limited liability company, whose address is 6303 Twenty Six Mile Road, Suite 200, Washington, Michigan 48094, and American Heartland at Decora Park LLC, a Michigan limited liability company, whose address is 22525 Hall Road, Suite A, Macomb, Michigan 48042, (collectively referred to as "Developer"), being the Developer of Decora Park a Condominium Project established pursuant to the Master Deed thereof, recorded in Liber 14025, Page 319, Macomb County Records, and known as Macomb County Condominium Subdivision Plan No. 813, hereby amends the Master Deed of Decora Park pursuant to the authority reserved in Article VI thereof for the purposes of enlarging the Condominium Project from 67 to 151 Units by the addition of the land described in paragraph 1 below. Upon recordation in the Office of the Macomb County Register of Deeds of this Amendment, said Master Deed and Exhibit B shall be amended in the following manner:

1. The following land shall be added to Article II of the Master Deed of Amherst by this Amendment:

PARCEL ADDED TO PARCEL "A" DECORA PARK TO FORM REPLAT NO. 1:

A PARCEL OF LAND LOCATED IN AND BEING A PART OF SW. 1/4 OF SECTION 34, T4N., R.14E., VILLAGE OF NEW HAVEN, MACOMB COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 939.54 FT. N.00°3'00"W. AND 1389.04 FT. S.89°44'30"W. FROM THE SOUTH 1/4 CORNER OF SAID SECTION 34, AND THENCE EXTENDING N.00°33'00"W. 315.54 FT., THENCE N.23°48'41"E. 111.95 FT., THENCE S.89°27'00"W. 38.11 FT., THENCE N.23°48'41"E. 56.06 FT., THENCE N.44°35'34"E. 102.02 FT., THENCE S.89°41'46"E. 53.06 FT., THENCE S.45°04'35"E. 107.21 FT., THENCE S.44°55'25"W. 50.66 FT., THENCE 222.22 FT. ALONG AN ARC OF A CURVE (R=280') TO THE LEFT, WHOSE LONG CHORD BEARS S.22°11'13"W. 216.43 FT. THENCE S.00°33'00"E. 226.11 FT., THENCE S.89°27'00"W. 110.00 FT. TO THE POINT OF BEGINNING AND CONTAINING 0.95 ACRES OF LAND. RESERVING EASEMENT OF RECORDS.

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15pgs

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PARCEL ADDED TO PARCEL "C" DECORA PARK TO FORM REPLAT NO. 1:

A PARCEL OF LAND LOCATED IN AND BEING A PART OF SW. 1/4 OF SECTION 34, T4N., R.14E., VILLAGE OF NEW HAVEN, MACOMB COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 994.39 FT. N.00°30'50"W. AND 545.51 FT. S.89°44'30"W. FROM THE SOUTH 1/4 CORNER OF SAID SECTION 34, AND THENCE EXTENDING N.00°31'00"W. 12.02 FT., THENCE 174.77 FT. ALONG THE ARC OF A CURVE (R.=220') TO THE RIGHT, WHOSE LONG CHORD BEARS N.22°14'30"E. 170.21 FT., THENCE N.45°00'00"E. 64.12 FT., THENCE S.45°00'00"E. 199.65 FT., THENCE 234.12 FT. ALONG THE ARC OF A CURVE (R.=307') TO THE RIGHT, WHOSE LONG CHORD BEARS S.23°09'10"E. 228.49 FT., THENCE S.89°29'00"W. 17.67 FT., THENCE 314.16 FT. ALONG AN ARC OF A CURVE (R.=100') TO THE LEFT, WHOSE LONG CHORD BEARS S.00°31'00"E. 200.00 FT., THENCE N.89°29'00"E. 17.70 FT., THENCE S.00°31'00"E. 226.94 FT., THENCE S.89°27'00"W. 213.96 FT., THENCE N.00°31'00"E. 291.50 FT., THENCE N.08°31'46"W. 111.15 FT., THENCE N.00°31'00"W. 165.00 FT., THENCE S.89°29'00"W. 110.00 FT. TO THE POINT OF BEGINNING AND CONTAINING 3.27 ACRES OF LAND. RESERVING EASEMENT OF RECORDS.

PARCEL ADDED TO PARCEL "D" DECORA PARK TO FORM REPLAT NO. 1:

A PARCEL OF LAND LOCATED IN AND BEING A PART OF SW. 1/4 OF SECTION 34, T4N., R.14E., VILLAGE OF NEW HAVEN, MACOMB COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 401.50 FT. N.00°31'00"W. FROM THE SOUTH 1/4 CORNER OF SAID SECTION 34, AND THENCE EXTENDING S.89°29'00"W. 119.78 FT., THENCE 9.99 FT. ALONG THE ARC OF A CURVE (R.=224') TO THE RIGHT, WHOSE LONG CHORD BEARS N.01°46'29"E. 9.99 FT., THENCE N.00°31'00"W. 429.75 FT., THENCE 305.12 FT. ALONG AN ARC OF A CURVE (R.=393') TO THE LEFT, WHOSE LONG CHORD BEARS N.22°45'30"W. 297.51 FT., THENCE N.45°00'00"W. 12.02 FT., THENCE N.45°00'00"E. 59.20 FT. THENCE 56.13 FT. ALONG AN ARC OF A CURVE (R.=280') TO THE LEFT, WHOSE LONG CHORD BEARS N.39°15'08"E. 56.08 FT. THENCE S.45°00'00"E. 232.52 FT., THENCE S.00°31'00"E. 642.34 FT. TO THE POINT OF BEGINNING. CONTAINING 2.31 ACRES OF LAND. RESERVING EASEMENT OF RECORDS.

2. Amended Sheets 1, 2, 3, 4 and 5, of the Condominium Subdivision Plan of Amherst as attached hereto, shall replace and supersede Sheets 1, 2, 3, 4 and 5, of the Condominium Subdivision Plan of Amherst as originally recorded, and originally recorded sheets 1, 2, 3, 4 and 5, shall be of no further force or effect. The legal description of the Condominium Premises contained on said Amended Sheet 1 shall replace and supersede the description of said Premises contained in Article II of the originally recorded Master Deed.

3. Sheets 1A, 2A, 4A and 5A, are new Sheets which are added to the Condominium Subdivision Plan of Decora Park.

In all respects, other than as hereinabove indicated, the original Master Deed of Decora Park including the Bylaws and Condominium Subdivision Plan respectively attached thereto as Exhibits A and B, recorded as aforesaid, is hereby ratified, confirmed and redeclared.

Dated this 20 day of May, 2004.

WITNESSES:

LOMBARDO DECORA PARK LLC, a
Michigan limited liability company

By: Lombardo Investments LLC, a Michigan
limited liability, Member

By: Lombardo Management, Inc., a Mich-
igan corporation, Member

By: [Signature]
Anthony F. Lombardo, President

AMERICAN HEARTLAND AT DECORA
PARC LLC, a Michigan limited
liability company

By: RCM Ventures LLC, a Michigan limited
liability company, Member

By: RCM Management Inc., a Michigan
corporation, Member

By: [Signature]
Richard C. Merlini, President

[Signature]
Michael G. Suisseer
[Signature]
JEROME SULLIVAN

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[Signature]
Cheryl A. Jewell
[Signature]
Carol Prodo

STATE OF MICHIGAN)
) SS.
COUNTY OF)

On this 20 day of May, 2004, the foregoing instrument was acknowledged before me by Anthony F. Lombardo, President of Lombardo Management, Inc., a Michigan corporation, Member of Lombardo Investments LLC, a Michigan limited liability company, Member of Lombardo Decora Park LLC, a Michigan limited liability company, on behalf of it.

Victoria H. Sivec
VICTORIA H. SIVEC
Notary Public Macomb County, MI
My Commission Expires Apr. 14, 2007

STATE OF MICHIGAN)
) ss.
COUNTY OF MACOMB)

The foregoing instrument was acknowledged before me this 20 day of May, 2004, by Richard C. Merlini, Authorized Member of RCM Management Inc., a Michigan corporation, Member of RCM Ventures LLC, a Michigan limited liability company, Member of American Heartland at LLC, a Michigan limited liability company, on behalf it.

Cheryl Ann Jewell
Cheryl Ann Jewell Notary Public
Macomb County, Michigan

Drafted by:
Mark J. Abdo, Attorney at Law
42550 Garfield Road, Suite 104A
Clinton Township, Michigan 48038
When recorded, return to drafter

CHERYL ANN JEWELL
Notary Public, Macomb County, MI
My Commission Expires Jun. 30, 2006

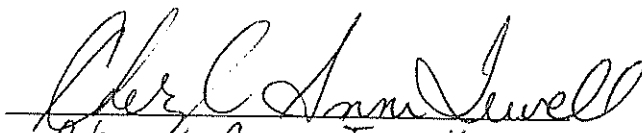
CONSENTS OF OWNER AND MORTGAGEE IS ATTACHED


CONSENT OF MORTGAGEE

The undersigned, Fifth Third Bank, whose address is 18800 Hall Road, Clinton Township, Michigan 48038, being the holder of a certain Mortgage covering Decora Park, hereby acknowledges and consents to the foregoing First Amendment to the Master Deed for Decora Park.

WITNESSES:

FIFTH THIRD BANK

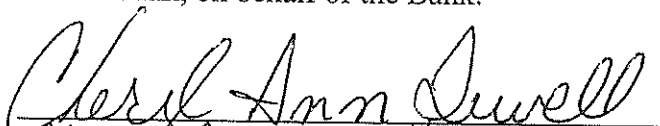

Cheryl Ann Jewell

By: 
Michael J. Wentrack
Its: Vice President


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STATE OF MICHIGAN)
)ss.
COUNTY OF Macomb)

The foregoing instrument was acknowledged before me this 21st day of May, 2004, by Michael J. Wentrack
the Vice President of Fifth Third Bank, on behalf of the Bank.


Cheryl Ann Jewell Notary Public
Macomb County, Michigan
My Commission Expires: 06/30/2006

CHERYL ANN JEWELL
Notary Public, Macomb County, MI
My Commission Expires Jun. 30, 2006

