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REGISTER OF DEEDS
OTTAWA COUNTY, MI

**FIRST AMENDMENT TO MASTER DEED
AND CONDOMINIUM BY-LAWS
OF
HIDDEN ACRES**

THIS FIRST AMENDMENT TO MASTER DEED OF HIDDEN ACRES is made and executed this 15th day of May, 2002, by PHILIP D. STEGENGA (the "Developer"), whose address is 13663 Hidden Acres Drive, Holland, Michigan 49424, with regard to the following facts and circumstances, and as follows:

STATEMENT OF BACKGROUND INFORMATION

- A. HIDDEN ACRES (the "Project") was conceived during 1999 and on September 7, 1999 the Master Deed, intending to establish the real property described in Article II of said Master Deed, as a condominium project under the provisions of Act 59 of the Public Acts of 1978, as amended (the "Act"), was signed by Developer. However, Developer decided not to record the Master Deed at that time.
- B. Subsequent to the execution of the Master Deed additional engineering for the project, to meet the requirements of governmental authorities, resulted in modifications to the legal descriptions for the Project and the Future Development Area described in the Master Deed
- C. Article IX of the Master Deed provides under *Pre-Conveyance Amendments* that the Developer may unilaterally amend the Condominium Documents prior to the time that there are other co-owners within the Project.
- D. Article XIII, Section 13.4 of the Condominium By-Laws (the "By-Laws") dealing with amendment provides that the By-Laws "may be amended, altered, changed, in the manner prescribed by Article IX of the Master Deed of Hidden Acres".
- E. Developer wishes to amend the said Master Deed and Condominium By-Laws in various respects, and it is specifically represented that there are no other co-owners or other persons interested in the Project as of this date which would need to consent to such amendment.
- NOW, THEREFORE, the Developer does hereby amend the Master Deed as signed and By-Laws, as follows:

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AMENDMENTS TO THE MASTER DEED

1. **Address of Developer.** The Master Deed is amended in its preface to provide that the correct residential address as of this date for the Developer, Philip D. Stegenga, is:

13663 Hidden Acres Drive, Holland, Michigan 49424.

2. **Condominium Projects.** Section 2.1 of Article II, captioned Condominium Projects, is amended to provide as follows:

"The land which is being submitted to condominium ownership in accordance with the provisions of the Act, is described as follows:

Part of the NE 1/4 of Section 31, T6N, R15W, Olive Township, Ottawa County, Michigan, described as: Commencing at the NE corner of said Section; thence S01°12'27"W 608.92 feet along the East line of said Section to the Point of Beginning; thence N88°31'17"W 394.93 feet; thence Westerly 82.17 feet along a 283.00 foot radius curve to the left, the chord of which bears S83°09'37"W 81.88 feet; thence N15°09'29"W 99.31 feet; thence N01°28'55"E 208.64 feet; thence N88°31'05"W 51.39 feet parallel with the North line of said Section; thence N01°10'25"E 159.00 feet parallel with the West line of the NE 1/4 of the NE 1/4 of said Section; thence N88°31'05"W 388.74 feet; thence S04°59'54"E 213.28 feet; thence Southwesterly 71.81 feet along a 60.00 foot radius curve to the left, the chord of which bears S50°42'53"W 67.60 feet; thence N73°34'20"W 247.47 feet; thence N01°10'25"E 192.24 feet; thence N88°31'05"W 115.00 feet; thence S01°10'25"W 1162.60 feet along the West line of the NE 1/4 of the NE 1/4 of said Section; thence S88°34'48"E 568.13 feet along the South line of the NE 1/4 of the NE 1/4 of said Section; thence N01°14'14"E 80.10 feet; thence S88°45'46"E 82.16 feet; thence N01°14'14"E 45.59 feet; thence N27°02'49"W 166.34 feet; thence Northeasterly 125.39 feet along a 283.00 foot radius curve to the left, the chord of which bears N50°15'38"E 124.36 feet; thence S52°25'56"E 389.56 feet; thence N01°28'43"E 520.35 feet; thence S88°31'17"E 343.05 feet; thence N01°12'27"E 66.00 feet along the East line of said Section to the Point of Beginning. Subject to highway Right-of-Way for 136th Avenue over the most Easterly 33.00 feet thereof."

3. **Future Development Area.** Section 6.1 of Article VI, captioned Future Development Area, is amended to provide as follows:

"The Condominium Project established by this Master Deed consists of 14 Condominium Units which may, at the election of the Developer, be treated as the first phase of an expandable condominium under the Act to contain in its entirety a maximum of 21 Units. Additional Units, if any, will be established upon all or some portion of the following described land (the "Future Development Area"):

Part of the NE 1/4 of Section 31, T6N, R15W, Olive Township, Ottawa County, Michigan, described as: Commencing at the NE corner of said Section; thence S01°12'27"W 608.92 feet along the East line of said Section to the Point of Beginning; thence N88°31'17"W 394.93 feet; thence Westerly 82.17 feet along a 283.00 foot radius curve to the left, the chord of which bears S83°09'37"W 81.88 feet; thence N15°09'29"W 99.31 feet; thence N01°28'55"E 208.64 feet; thence S88°31'05"E 503.00 feet parallel with the North line of said Section; thence S01°12'27"W 291.92 feet along the East line of said Section to the Point of Beginning. Subject to highway Rights-of-Way for 136th Avenue over the most Easterly 33.00 feet thereof.

Also, part of the NE 1/4 of Section 31, T6N, R15W, Olive Township, Ottawa County, Michigan, described as: Commencing at the NE corner of said Section; thence S01°12'27"W 674.92 feet along the East line of said Section to the Point of Beginning; thence continuing S01°12'27"W 644.24 feet along the East line of said Section; thence N88°34'48"W 756.65 feet along the South line of the NE 1/4 of the NE 1/4 of said Section; thence N01°14'14"E 80.10 feet; thence S88°45'46"E 82.16 feet; thence N01°14'14"E 45.59 feet; thence N27°02'49"W 166.34 feet; thence Northeasterly 125.39 feet along a 283.00 foot radius curve to the left, the chord of which bears N50°15'38"E 124.36 feet; thence S52°25'56"E 389.56 feet; thence N01°28'43"E 520.35 feet; thence S88°31'17"E 343.05 to the Point of Beginning. Subject to highway Rights-of-Way for 136th Avenue over the most Easterly 33.00 feet thereof.

And also, part of the NE 1/4 of Section 31, T6N, R15W, Olive Township, Ottawa County, Michigan, described as: Commencing at the NE corner of said Section; thence S01°12'27"W 317.00 feet along the East line of said Section; thence N88°31'05"W 554.39 feet parallel with the North line of said Section; thence N01°10'25"E 159.00 feet parallel with the West line of the NE 1/4 of the NE 1/4 of said Section; thence N88°31'05"W 388.74 feet to the Point of Beginning; thence S04°59'54"E 213.28 feet; thence Southwesterly 71.81 feet along a 60.00 foot radius curve to the left; the chord of which bears S50°42'53"W 67.60 feet; thence N73°34'20"W 247.47 feet; thence N01°10'25"E 192.24 feet; thence S88°31'05"E 267.26 feet to the Point of Beginning."

4. **Easements.** Article VIII captioned Easements, as to the first paragraph of Section 8.1 dealing with *Conservation Easements* is amended to provide as follows:

"Certain portions of the Condominium Premises designated as "Conservation Areas" (Easements) on the Condominium Subdivision Plan are regulated wetlands. Such wetlands shall remain substantially in their natural condition."

AMENDMENTS TO THE CONDOMINIUM BY-LAWS

1. **Public Health Requirements.** A new Article is added to Exhibit A to the Master Deed, the Condominium By-Laws for Hidden Acres, to provide as follows:

ARTICLE XIV**PUBLIC HEALTH REQUIREMENTS**

11.1 The following provisions are mandated by the Ottawa County Health Department pertaining to sewage disposal systems and water supplies:

1. All building sites within this site condominium shall be reserved for single family residential homes.
2. All dwellings shall be served by a sewage disposal system. During the initial development of Hidden Acres, private septic tanks and drain fields constructed in compliance with the regulations of the Ottawa County Health Department shall be installed. Permits for the installation of all sewage disposal systems shall be obtained from the Ottawa County Health Department, Environmental Health Division, prior to any construction and/or installation taking place on any unit within this condominium.
3. Due to the shallow high water table elevations within this project, the sewage disposal systems shall be located on fill on the higher elevation areas of the units as indicated on the condominium blueprint and on the individual, scaled, top and side view plans of each building site which have also been included as a part of this approval. Note that: A. The elevation indicated as the bottom of the drain field on the individual site plans shall be staked on each site prior to applying for the sewage disposal permit and, B. The actual specifications and size of each sewage system may vary depending upon the type and size of home proposed. These specifications will be conveyed on the sewage disposal permit. All topsoil shall be removed and replaced with clean medium fill sand before placement of the additional fill for the sewage system and the required berm.
4. All sewage disposal systems shall be installed according to the specifications issued on the sewage disposal system permit by the investigating sanitarian.
5. 48 inches of isolation shall be maintained between the bottom of the sewage disposal system drain bed and the top of the highest known water table on all units over two acres in size. 24 inches of isolation shall be maintained for all units over two acres in size. A 1:5 slope shall be utilized for those systems installed on fill.
6. The sewage disposal systems on all building sites shall be located on a flat level area with a minimum isolation distance of 10 feet from the edge of any bank or drop off and 100 feet from any body of water.

7. No sewage disposal system shall be installed within the 100 year flood plain.
8. Unless otherwise approved by the Ottawa County Health Department, all sewage disposal systems shall be gravity flow from the house.
9. A reserve sewage disposal system area meeting the same specifications, as the initial sewage system, shall be kept available for correction in the event the initial system fails. The fill for the reserve sewage system shall be installed for lots 5,6 and 7 at the time of installation of the fill for the initial sewage system.
10. All utilities to serve each living unit shall be directed to the side lot line where it will not impact upon the sewage system or the reserve area.
11. A minimum isolation distance of 15 feet shall be maintained from all footing drains to all sewage disposal systems.
12. Should laundry facilities be installed in the basement of these homes and a pump be necessary to eliminate the waste water, a separate sump pump and pit shall be installed to pump this waste to the sewage disposal system. No interconnecting of this pit with the footing drain system shall be allowed.
13. All dwellings in Hidden Acres shall be served with and connected to a private water well drilled to a minimum depth of 135-155 feet below grade and capable of providing an adequate quality and quantity of water for normal household use.
14. At some time subsequent to the initial development of Hidden Acres it may be necessary to construct a community sewage disposal system. The construction of such a system may be financed in whole or in part by the creation of a special assessment district or districts which may include all original site condominium units. If such a special assessment district is imposed upon all or any part of the condominium in accordance with Michigan Law, then each owner of lots covered by said special assessment district shall pay all of those special assessments as may be levied against his/her lot by that special assessment district and shall take the necessary steps as required by the appropriate state, county and township agencies to connect at his/her own expense, the sewage disposal facilities to such community system within ninety (90) days following the completion of such system.

MISCELLANEOUS

1. **Continuing Effect.** Except as amended and modified by this First Amendment to Master Deed and Condominium By-Laws, all terms and conditions of the Master Deed and By-Laws shall remain in full force and effect. It is the intent of Developer to record the Master Deed and this First Amendment on the same date.

IN WITNESS WHEREOF, the Developer has duly executed this First Amendment to Master Deed and By-Laws as of the day and year first above written.

Signed in the Presence of:

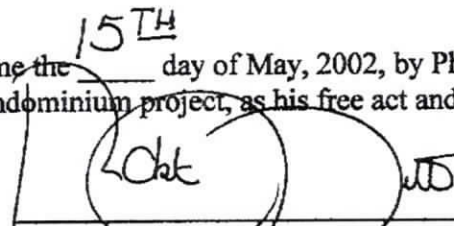

Robert J. Zitta


PHILIP D. STEGENGA


Jean A. Vert

STATE OF MICHIGAN)
) ss
COUNTY OF OTTAWA)

This instrument was acknowledged before me the 15TH day of May, 2002, by Philip D. Stegenga, the Developer of Hidden Acres, a condominium project, as his free act and deed.


Robert J. Zitta, Notary Public
Ottawa County, Michigan
My commission expires: 10-1-03

Drafted by:
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