

2004-10-25 4
STATE OF MICHIGAN
GRAND TRAVERSE COUNTY
RECORD
10/25/2004 04:42:56PM

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PEGGY HAINES
REGISTER OF DEEDS

**SECOND AMENDMENT TO MASTER DEED
CHUM'S VILLAGE COMMERCE PARK**

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This Amendment made this 18th day of October, 2004 to the Master Deed of Chums Village Commerce Park as recorded in Liber 1469, Page 240, as amended in Liber 1497, Page 850 and Liber 1606, Page 310.

Pursuant to the provisions of Article VI, Section 1 of the Master Deed of Chum's Village Commerce Park, such Master Deed is amended as follows:

- 1) The Master Deed is hereby Amended to consolidate Units 21 - 42 into one Unit, newly described as Unit 25 as set forth on Replat No. 2 which revises Exhibit B attached to the Master Deed, and is attached hereto as Exhibit A. The consolidation of such Units eliminates the alleys previously designated as Limited Common Elements to Units 21 - 42 on Exhibit B attached to the Master Deed.

Further, that portion of W. Commerce Drive, a public road, commencing between Units 21 and 31, and ending between Units 26 and 42, is abandoned and Enterprise Street is renamed to Stadium Drive.

- 2) Article V., Section 2 is deleted and replaced with new Article V, Section 2 which revises the percentage of value to combine the previous percentage of value for Units 21 - 42, and to allow Unit 25, the newly consolidated Unit, a total of 22 votes, representing the total number of votes collectively available to the Units prior to consolidation.

Section 2. Percentage of Value. The percentage of value assigned to each Unit is set forth on attached Exhibit D. The percentages of value were computed by the Developer based on the following comparative characteristics:

- (a) Market Value
- (b) Size
- (c) Location
- (d) Allowable Expenses of Maintenance

The percentage of value assigned to each Unit shall be determinative of each Co-owner's respective share of the General Common Elements of the Condominium Project, the proportionate share of each respective Co-owner in the proceeds and expenses of administration. For purposes of voting, however, each Unit owner shall receive one vote except as modified by Section 1.2 of the Condominium Bylaws and

except for Unit 25, which consists of 22 combined Units, which shall receive 22 votes. The value of each Unit in Phase II of Chum's Village Commerce Park shall be similarly computed and new percentages of value shall be assigned to each Unit in each phase by recording an Amendment to the Master Deed.

3) Article IV, Section 3(c) is deleted and replaced with following new Article IV, Section 3(c):

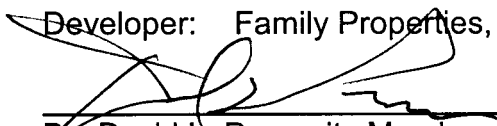
(c) Common Lighting. The costs of electricity for common lighting located within general common elements including the lighted walkways and common signs will be a cost of the Association and part of the budgeted costs. Said fixtures shall be maintained, repaired and replaced and light bulbs furnished by the Association. The size and nature of the bulbs to be used in the fixtures shall also be determined by the Association in its discretion. No Co-owner shall modify or change such fixtures in any way and shall not cause the electrical flow for operation thereof to be interrupted at any time. Said fixtures shall operate on photoelectric cells, the timers of which shall be set by and at the discretion of the Association, and shall remain lit at all times determined by the Association for the lighting thereof. Provided, however, the owner of Unit 25 (formerly Units 21-42) shall install a street light at the main entrance to its development off from Stadium Drive (formerly Enterprise Street). The cost of erecting the light shall be solely that of the Co-Owner of Unit 25. The light pole and fixture to be installed at that location shall be similar in design to the other street lights in the Project. The size and nature of the bulbs to be used in this fixture shall also be determined by the Association in its discretion.

4) Article IV, Section 3(h) is deleted and replaced with the following new Article IV, Section 3(h):

(h) Maintenance of Drainage Easements. There are a number of drainage easements located within Units as shown on the Condominium Subdivision Plan attached hereto as Exhibit B. Although the Association is responsible for maintenance of the drainage easement itself, the owner of each Unit within which a drainage easement is contained shall have the obligation of installing and operating an irrigation system which provides for irrigation to the top ten (10) feet of the slope of the drainage easement area. When a drainage easement is common between two Units, each Unit owner shall have the obligation to install and operate an irrigation system as required above on that portion of the drainage easement within their Unit. Provided, however, with respect to the drainage easement located northwest of Unit 43, the Co-Owner of Unit 25 (formerly Units 21 - 42) shall have the exclusive obligation to install and maintain the required irrigation system and landscaping located within such drainage area.

Signed in the presence of:

Developer: Family Properties, LLC



By: David L. Prevo, its Member

STATE OF MICHIGAN

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GRAND TRAVERSE COUNTY

On the 18th day of October, 2004, before me appeared David L. Prevo, Member on behalf of Family Properties, LLC to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be their free act and deed.

SABRINA GAYLORD
NOTARY PUBLIC
GRAND TRAVERSE COUNTY, MICHIGAN
ACTING IN GRAND TRAVERSE COUNTY
MY COMMISSION EXPIRES: MARCH 11, 2008



Notary Public
County of _____
My Commission Expires: _____

Prepared by:
Land & Estate Planning Services, P.C.
Jeffrey J. McManus, Attorney
3335 South Airport Road West
Suite 5B
Traverse City, MI 49684
(231) 947-0550

C10:Chums Village-MD Amendment 1

NOTE: THE ASTERISK (*) INDICATES AMENDED OR SUPPLEMENTAL SHEETS WHICH ARE REVISED OR ARE NEW SHEETS DATED OCTOBER 12, 2004. THESE SHEETS WITH THIS SUBMISSION ARE TO REPLACE OR BE SUPPLEMENTAL SHEETS TO SHEETS PREVIOUSLY RECORDED.

Replat No. 2
 Grand Traverse County Condominium
 Subdivision Plan No. 149
 Exhibit B to the Master Deed of
CHUM'S VILLAGE COMMERCE PARK
 Blair Township
 Grand Traverse County, Michigan

SHEET INDEX	SHEET TITLE
*1	COVER SHEET
2	SURVEY PLAN
3	SURVEY PLAN 2
4	SURVEY PLAN 3
5	SITE PLAN
6	SITE PLAN 2
7	UTILITY PLAN
*8	SURVEY PLAN UNIT 25
*9	SITE/UTILITY PLAN UNIT 25

DEVELOPER
 FAMILY PROPERTIES, LLC
 9572 BINGHAM ROAD
 TRAVERSE CITY, MICHIGAN 49684

SURVEYOR



Michael K. Geisert
 MICHAEL K. GEISERT
 PROFESSIONAL SURVEYOR NO. 40804
 WELLS MANSFIELD, INC.
 1212 VETERANS DRIVE
 TRAVERSE CITY, MICHIGAN 49684

COVER SHEET	Sheet No. *1
Proposed: October 18, 2004	
Drawn: WMC	
APPROVED: MKC	
Wells Mansfield, Inc. 1212 Veterans Drive • Traverse City, Michigan 49684 Phone: (231) 946-9310 • Fax: (231) 946-9995	

PROPERTY DESCRIPTION (AS PREVIOUSLY DESCRIBED IN REPLAT NO. 1)

Part of Section 5, Town 26 North, Range 11 West, Blair Township, Grand Traverse County, Michigan, more fully described as follows:

Commencing at the East 1/4 corner of said Section 5; thence S 00°01'42" E, 427.88 feet along the East line of said Section 5 to the POINT OF BEGINNING; thence N 89°37'33" W, 699.75 feet; thence S 00°01'14" W, 248.37 feet; thence S 53°27'56" W, 333.06 feet; thence along a 416.00 foot radius curve to the left (central angle = 61°19'28", chord bearing = N 03°09'44" E, chord dist. = 45.89 feet) for 45.91 feet; thence North, 199.59 feet; thence N 89°59'52" W, 382.45 feet; thence N 00°26'14" E, 395.61 feet; thence along a 25.00 foot radius curve to the left (central angle = 90°20'29", chord bearing = N 44°44'01" W, chord dist. = 35.46 feet) for 38.42 feet; thence N 89°54'16" W, 524.35 feet; thence along a 25.00 foot radius curve to the left (central angle = 90°05'44", chord bearing = S 45°02'52" W, chord dist. = 35.38 feet) for 39.31 feet; thence South, 30.03 feet; thence N 89°37'42" W, 252.25 feet; thence North, 37.84 feet; thence S 87°32'11" W, 91.64 feet; thence N 89°33'09" W, 315.32 feet; thence along a 55.00 foot radius curve to the left (central angle = 90°34'55", chord bearing = S 45°09'23" W, chord dist. = 78.18 feet) for 86.95 feet; thence N 00°08'05" W, 416.04 feet along the North & South 1/4 line of said Section 5; thence S 89°34'58" E, 108.90 feet; thence N 00°08'05" W, 200.00 feet; thence N 89°34'58" W, 108.90 feet; thence continuing along the North & South 1/4 line N 00°08'05" W, 1002.15 feet to said North 1/8 line; thence S 89°25'48" E, 1978.22 feet along the North 1/8 line; thence S 00°01'29" E, 1316.88 feet; thence N 89°34'23" W, 41.22 feet along the East & West 1/4 line of said Section 5; thence S 00°01'14" W, 362.44 feet; thence S 89°37'33" E, 699.69 feet; thence S 00°01'42" E, 66.00 feet along said East Section line to the POINT OF BEGINNING.

Containing 77.72 Acres.

Subject to a 100' wide utility easement recorded in Liber 430, Page 972.

Subject to the right-of-way of U.S. 31/M-37 over the eastern most portion thereof.

Subject to other restrictions or easements, if any.

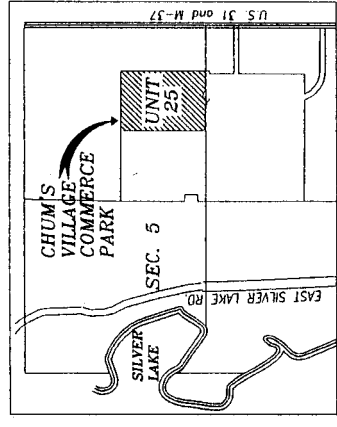
Together with an easement located in part of Section 5, Town 26 North, Range 11 West, Blair Township, Grand Traverse County, Michigan, more fully described as follows:

Commencing at the East 1/4 corner of said Section 5; thence S 00°01'42" E, 427.88 feet along the East line of said Section 5; thence N 89°37'33" W, 41.18 feet to the West right-of-way of US-31/M-37 and the POINT OF BEGINNING; thence S 00°22'27" W, 45.00 feet along said right-of-way; thence N 89°37'33" W, 44.83 feet; thence N 00°01'29" W, 25.00 feet; thence N 89°37'33" W, 613.58 feet; thence N 00°01'14" E, 20.00 feet; thence S 89°37'33" E, 658.57 feet to the POINT OF BEGINNING.



LEGEND

- Major Boundary Monument
- Set Minor Boundary Monument
- Found Minor Monument
- Cap Number 30074 or 36000
- Curve Numbers
- Record (Replat #1)
- (R) Measured
- (M)
- N=5000.00 Northing Coordinate Value
- E=5000.00 Easting Coordinate Value



LOCATION MAP
NO SCALE

BEARING BASIS
Chum's Village Commerce Park (Replat No. 1)

SURVEYOR

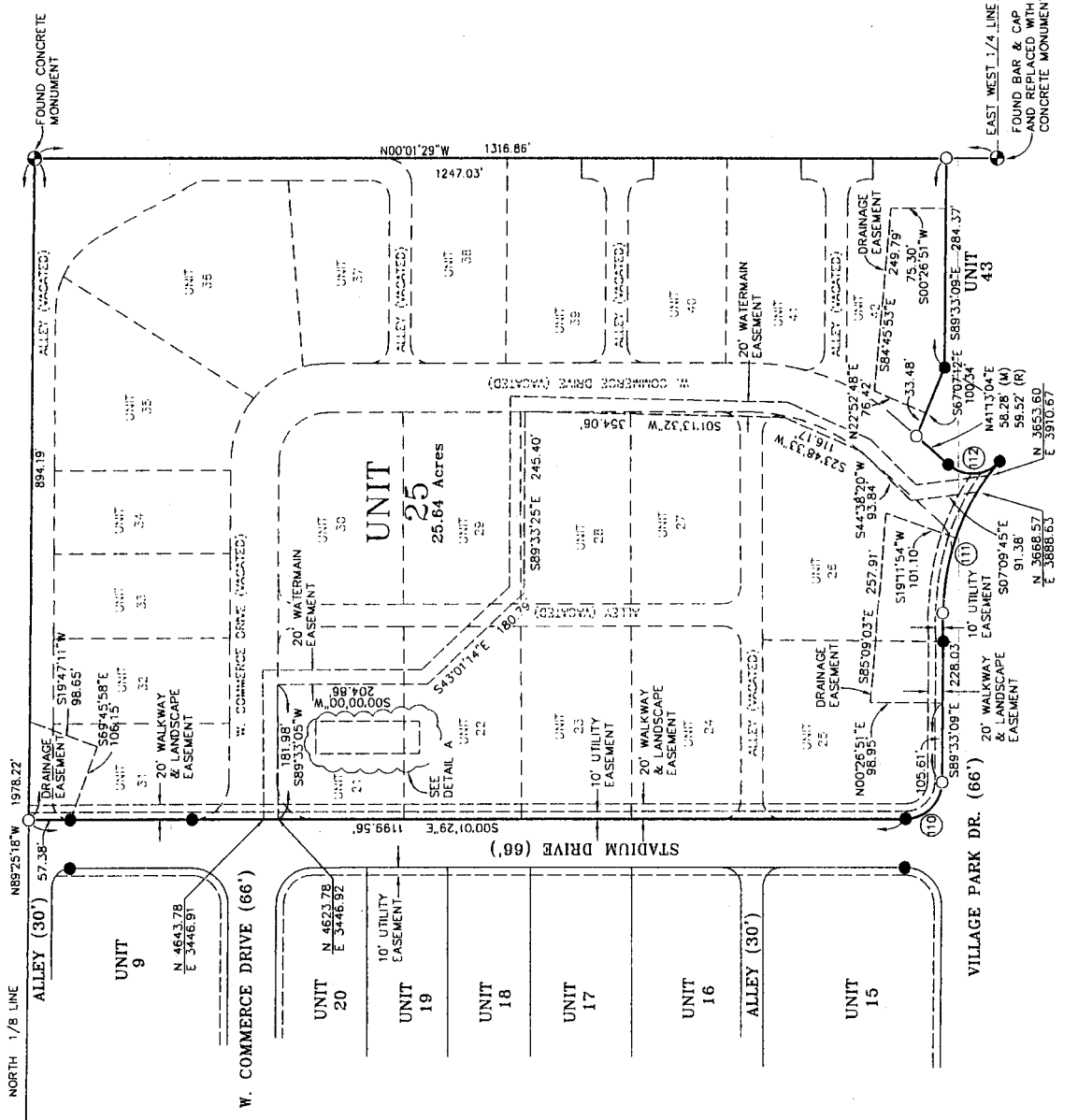
Michael K. Gesert
MICHAEL K. GESERT
PROFESSIONAL SURVEYOR NO. 46666
WELLS MARSHFIELD INC.
1212 VETERANS DRIVE
TRAVERSE CITY, MICHIGAN 49684



CHUM'S VILLAGE COMMERCE PARK

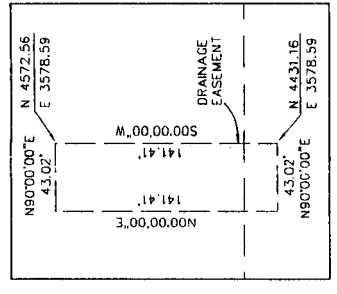
SURVEY PLAN

Proposed: October 18, 2004
Sheet No. **#8**
Drawn: RMR
Approved: MKG
28604102



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CH BEARING	CH DIST	CH DIST (R)
110	78.13	50.00'	89°31'41"	S44°47'19"E	70.42	70.42
111	224.98	312.47'	41°15'10"	N65°15'11"W	220.15	220.15
112	78.62'	50.00'	90°05'41"	S03°35'59"E	70.77	70.48



DETAIL A
Not to Scale

