

# BARCLAY PARK

## THIRD AMENDMENT TO MASTER DEED

On this 9<sup>th</sup> day of January 2003, Barclay Development Company, a Michigan Corporation, whose address is 2025 W. Long Lake Road, Suite 104, Troy, Michigan 48098, Developer of Barclay Park, a Condominium Project established pursuant to the Master Deed thereof, recorded in Liber 3789, Pages 42-130, inclusive, as amended by First Amendment to Master Deed recorded at Liber 3948, Page 509 (Pages 1-25 thereof), inclusive, as amended by Second Amendment to Master Deed recorded at Liber 4064, Page 959 (Pages 1- 34 thereof), inclusive, Washtenaw County Records, and known as Barclay Park, Washtenaw County Condominium Subdivision Plan No. 305, hereby amends the Master Deed of Barclay Park, pursuant to a vote of approval of at least 2/3 of the Co-owners at an action without a meeting concluded on May 30, 2002, and pursuant to the approval of at least 2/3 of the first mortgagees pursuant to MCL 559.190a, for the purpose of increasing the maximum number of Units to which this Condominium may be expanded to two hundred and ninety-one (291), and to restrict the installation of hardwood floors in certain Units. Said Master Deed is amended in the following manner:

### MASTER DEED AMENDMENT

1. First Amended Article VI, Section 1 of the Master Deed of Barclay Park as set forth below, shall, upon recordation in the office of the Washtenaw County Register of Deeds of this Amendment, replace and supersede Article VI, Section 1 of the Master Deed as recorded, and the originally recorded and amended Article VI, Section 1, shall be of no further force or effect.

### FIRST AMENDED ARTICLE VI, SECTION 1 OF THE MASTER DEED OF BARCLAY PARK

## ARTICLE VI

### EXPANSION OF CONDOMINIUM

Section 1. Area of Future Development. The Condominium Project established pursuant to the initial Master Deed of Barclay Park and consisting of seventy-nine (79) Units is intended to be the first phase of an expandable Condominium under the Act to contain two hundred ninety-one (291) Units in its entirety. Additional Units, if any, will be constructed upon all or some portion or portions of the following described land:

*(original legal description in initial recorded Master Deed does not change and is repeated as follows:)*

Commencing at the S 1/4 corner of Section 10, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, thence N 89°56'13" E 1316.52 feet along the South line of said Section 10, thence N 00°11'20" W 1027.27 feet along the centerline of Nixon Road (66.00 feet wide) and along the West line of the E 1/2 of the SE 1/4 of said Section 10 to the POINT OF BEGINNING, thence N 00°11'20" W 290.34 feet along the centerline of Nixon Road (66.00 feet wide) and along the west line of E 1/2 of the SE 1/4 of said Section 10; thence N 89°29'37" E 1319.16 feet along the North line of the N 1/2 of the SE 1/4 of the SE 1/4 of said Section 10; thence S 89°44'53" E 829.34 feet along the North line of the N 1/2 of the SW 1/4 of the SW 1/4 of Section 11, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence S 00°00'00" E 294.21 feet; thence S 51°29'37" W 89.98 feet; thence S 38°30'23" E 20.94 feet; thence N 51°56'51" E 83.52 feet; thence Southeasterly 51.47 feet along the arc of a circular curve to the right, radius 44.87 feet, central angle 65°43'53", long chord S 85°19'04" E 48.69 feet; thence S 52°27'08" E 37.51 feet; thence S 26°06'40" E 92.82 feet; thence S 51°29'37" W 176.15 feet; thence N 90°00'00" W 155.43 feet; thence S 00°00'00" E 133.03 feet; thence N 89°36'10" W 662.48 feet; thence N 00°04'50" E 0.85 feet; thence S 89°55'10" W 33.44 feet; thence N. 00°04'50" W 142.50 feet; thence S 89°55'10" W 173.53 feet; thence N 50°33'38" W 23.66 feet; thence N 05°53'43" W 178.22 feet; thence S 81°39'12" W 140.00 feet; thence N 84°02'35" W 247.14 feet; thence S 85°40'18" W 265.00 feet; thence N 79°37'49" W 250.00 feet; thence S 89°48'40" W 181.06 feet to the POINT OF BEGINNING. Together with the following parcel of land, described as follows: Commencing at the S 1/4 corner of Section 10, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, thence N 89°56'13" E 1316.52 feet along the South line of said Section 10, thence N 00°11'20" W 661.18 feet along the centerline of Nixon Road (66 feet wide), and along the west line of the E 1/2 of the SE 1/4 of said Section 10; thence N 89°55'10" E 1248.02 feet to the POINT OF BEGINNING; thence N 05°53'43" W 115.69 feet; thence S 50°33'38" E 4.08 feet; thence N 89°55'10" E 154.31 feet; thence S 00°04'50" E 112.50 feet; thence S 89°55'10" W 145.74 feet to the POINT OF BEGINNING. Being a part of the E 1/2 of the SE 1/4 of said Section 10, T2S, R6E, and a part of the W 1/2 of the SW 1/4 of said Section 11, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan, containing 23.89 acres of land more or less, being subject to the rights of the public and any governmental unit over the westerly 33.00 feet and any other portion of the subject property used as Nixon Road, subject to all other lawful easements, restrictions, and right-of-ways of record and all governmental limitations, and subject to rights, if any, of the State of Michigan, as

to any part of the subject property, lying in the bed of bodies of water located on the subject property, as disclosed by the Washtenaw County Equalization Department Airflight Maps, and of the riparian owners and the public to use the surface, subsurface of said bodies of water, for purposes of navigation and recreation.

(hereinafter referred to as "Area of Future Development").

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**BYLAW AMENDMENT  
(EXHIBIT "A" TO THE MASTER DEED)**

2. Article VI, Section 20 of the Bylaws (Exhibit "A" to the Master Deed) of Barclay Park, as set forth below, shall, upon recordation in the Office of the Washtenaw County Register of Deeds of this Amendment, be added to Article VI Bylaws (Exhibit "A" to the Master Deed) of Barclay Park, as recorded and amended.

**ARTICLE VI, SECTION 20 OF THE BYLAWS  
(EXHIBIT "A") OF BARCLAY PARK MASTER DEED**

**ARTICLE VI  
RESTRICTIONS**

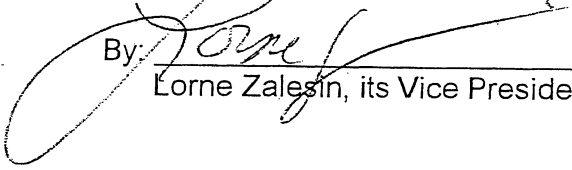
\* \* \*

Section 20. Hardwood Floors. No hardwood floors shall be permitted to be installed or maintained in any Upper Level Unit which is located above another Unit (i.e. Unit Type "Town Over Flat" as depicted on the Condominium Subdivision Plan attached as Exhibit "B" to the Master Deed) to aid in noise control and soundproofing between upper and lower level Units; except such hardwood floor as have been installed by the Developer. The Co-owners of any Upper Level Units in which hardwood floors have already been installed as of the effective date of this amendment which were approved in accordance with the Condominium Documents shall not by this amendment be required to remove their hardwood flooring.

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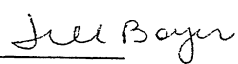
In all other respects, other than as hereinabove indicated, the initial Master Deed of Barclay Park, including the Bylaws and the Condominium Subdivision Plan respectively attached thereto as Exhibits "A" and "B", recorded and amended as aforesaid, is hereby ratified, confirmed and redeclared.

**BARCLAY DEVELOPMENT COMPANY,**  
a Michigan Corporation

By:   
Lorne Zalesin, its Vice President

STATE OF MICHIGAN            )  
  ) ss.  
COUNTY OF OAKLAND        )

On this 9<sup>th</sup> day of January 2003, the foregoing Third Amendment to Master Deed was acknowledged before me by Lorne Zalesin, Vice President of Barclay Development Company, a Michigan Corporation, on behalf of said corporation.

**JILL J. BOYER**  
**NOTARY PUBLIC OAKLAND CO., MI**   
**MY COMMISSION EXPIRES ON 21, 2004** \_\_\_\_\_, Notary Public  
Oakland County, Michigan  
My Commission Expires: \_\_\_\_\_

Third Amendment to Master Deed  
Drafted by and when Recorded Return to:  
ROBERT M. MEISNER, ESQ.  
MEISNER & ASSOCIATES, P.C.  
30200 Telegraph Road, Suite 467  
Bingham Farms, Michigan 48025-4506  
(248) 644-4433