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LENAWEE COUNTY TREASURER
TAX CERTIFICATE NO. 1651

IBER 2567 PAGE 0654 1 of 20
STATE OF MICHIGAN - LENAWEE COUNTY
RECORDED 08/16/2018 01 43 13 PM D MAAM
Carolyn S Bater REGISTER OF DEEDS \$30 00

AUG 16 2018

MARILYN J. WOODS

# THIRD AMENDMENT TO THE MASTER DEED OF THE PONDS OF BONNER HILLS

This Third Amendment to the Master Deed of The Ponds of Bonner Hills, along with the attached Exhibit "A" (the Third Amendment to the Condominium Bylaws) and Exhibit "B" (Replat No. 3 of the Condominium Subdivision Plan), is made on this 4 day of August, 2018 by Bon-Tec Development Company, LLC, a Michigan limited liability company, whose address is 28135 Groesbeck Highway, Roseville, MI 48066 ("Developer"), pursuant to the provisions of the Michigan Condominium Act (being Act 59 of the Public Acts of 1978, as amended) (the "Act").

## RECITALS

WHEREAS, The Ponds of Bonner Hills, is a condominium project established by the Developer pursuant to the Master Deed (including all Exhibits) recorded on the 15<sup>th</sup> day of October, 2013 in Liber 2477, Page 0136, Lenawee County Records and known as Lenawee County Condominium Subdivision Plan No. 70 (the "Condominium").

WHEREAS, a First Amendment to Master Deed, Amended Exhibit "A", containing the First Amended Condominium Bylaws and Replat No. 1 of the Condominium Subdivision Plan, Exhibit "B", was recorded on the 22<sup>nd</sup> day of May, 2015, in Liber 2507, Page 0865, Lenawee County Records.

20pgs/ Helen Habrida 1 20pgs/ 20135 Grossbeck Huy Poseville, MI 48041



WHEREAS, a Second Amendment to Master Deed, Amended Exhibit "A", containing the Second Amended Condominium Bylaws and Replat No. 2 of the Condominium Subdivision Plan, Exhibit "B", was recorded on the 17<sup>th</sup> day of January, 2018, in Liber 2557, Page 0232, Lenawee County (Michigan) Records.

WHEREAS, pursuant to Articles XIII and XIV of the Master Deed, as amended, and the Act, the Developer has retained the right to amend the Master Deed to accomplish the purposes set forth herein.

WHEREAS, by recording this Third Amended Master Deed together with the Third Amended Condominium Bylaws (attached hereto as Exhibit "A") and with Replat No. 3 of the Condominium Subdivision Plan (attached as Exhibit "B")(both of which are incorporated herein by reference and made a part hereof), the Developer desires to reaffirm the establishment of the Condominium as a residential condominium project under the provisions of the Act and expand the Condominium to include a total of eighty five (85) Units.

NOW, THEREFORE, upon the recording of this Third Amendment to the Master Deed, the Developer reaffirms the establishment of the Ponds of Bonner Hills as a Condominium under the Act as follows:

# 1. Amendment of Master Deed.

(a)

(i) Pursuant to the rights reserved in Articles XIII and XIV of the Master Deed, as amended, and MCL 559.132, the Condominium is expanded to include an

- additional 54 units, as depicted in Exhibit B, attached hereto, bringing the total number of units to 85;
- (ii) Pursuant to the rights reserved in the Master Deed, as amended, and MCL 559.132, the legal description contained in Article II, Sec.1, is hereby amended to add the following land as Phase II of the Ponds of Bonner Hills Condominium:

PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 35, T.5S., R.4E., CITY OF TECUMSEH, LENAWEE COUNTY, MICHIGAN, AND ALSO THAT PART OF LOT 59 OF "ASSESSOR'S PLAT NO. 6" AS RECORDED IN LIBER 14 OF PLATS, PAGE 15 LENAWEE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 35; THENCE S88°04'17"W 407.60 FEET ALONG THE SOUTH LINE OF LOT 59 OF "ASSESSOR'S PLAT NO. 6". THENCE N01°12'43"W 66.00 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF ROGERS HIGHWAY: THENCE N88°04'17" EAST 407.39 FEET: THENCE N01°23'43"W 592.28 FEET; THENCE N88°36'17"E 186.88 FEET; THENCE \$79°50'38"E 53.36 FEET; THENCE \$82°30'39"E 37.22 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT 19.43 FEET, SAID CURVE HAVING A RADIUS OF 113.71 FEET, A CENTRAL ANGLE OF 09°47'26" AND A CURVE BEARING AND DISTANCE OF S87°24'22"E 19.41 FEET: THENCE S48°30'57"E 140.26 FEET; THENCE N60°10'40"E 239.00 FEET; THENCE N05°49'48"W 31.97 FEET; THENCE N60°10'40"E 11.00 FEET; THENCE S71°29'43"E 39.10 FEET; THENCE N60°10'40"E 131.17 FEET; THENCE N06°46'01"E 45.01 FEET; THENCE N60°10'40"E 111.29 FEET; THENCE S40°04'18"E 28.89 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT 38.02 FEET, SAID CURVE HAVING A RADIUS OF 138.00 FEET, A CENTRAL ANGLE OF 15°47'08" AND CHORD BEARING AND DISTANCE OFS47°57'52"E 37.90 FEET; THENCE S55°51'25"E 13.30 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT 131.90 FEET, SAID CURVE HAVING A RADIUS OF 330.35 FEET, A CENTRAL ANGLE OF 22°52'33" AND A CHORD BEARING AND DISTANCE OF N41°14'27"E 131.02 FEET: THENCE ALONG THE ARC OF A CURVE TO THE LEFT 31.49 FEET, SAID CURVE HAVING A RADIUS OF 109.48 FEET, A CENTRAL ANGLE OF 16°28'42" AND A CHORD BEARING AND DISTANCE OF N44°26'22"E 31.38 FEET: THENCE S58°58'13"E 48.27 FEET: THENCE S37°15'32"W 46.48 FEET: THENCE S48°14'24"W 34.48 FEET; THENCE S01°24'02"E 813.33 FEET TO THE SOUTH LINE OF SAID SECTION 35' THENCE S88°13'53"W 1025.04 ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. CONTAINING 16.80 ACRES.

The land comprising the Condominium Project, as expanded by this Amendment, now consists of a total of 24.77 acres and is described as follows:

PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 35 T.5S.. R.4E., CITY OF TECUMSEH, LENAWEE COUNTY, MICHIGAN, AND ALSO THAT PART OF LOT 59 OF "ASSESSOR'S PLAT NO. 6" AS RECORDED IN LIBER 14 OF PLATS, PAGE 15 LENAWEE COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 35; THENCE S88°04'17"W 407.60 FEET ALONG THE SOUTH LINE OF LOT 59 OF "ASSESSOR'S PLAT NO. 6: THENCE N01°12'43"W 66.00 FEET ALONG THE EASTERLY R.O.W. LINE OF ROGERS HIGHWAY; THENCE N88°04'17"E 407.39 FEET; THENCE N01°23'43"W 874.45 FEET; THENCE N88°04'17"E, 215.89 FEET; THENCE S84°24'40"E, 61.96 FEET; THENCE N33°50'18"E, 106.96 FEET; THENCE N60°35'35"E. 126.57 FEET; THENCE N76°04'11"E, 139.63 FEET; THENCE N85°17'50"E, 170.34 FEET; THENCE S41°26'23"E 73.24 FEET; THENCE N88°32'47"E, 123.33 FEET; THENCE S01°27'13"E, 102.54 FEET; THENCE S63°41'07"E, 124.39 FEET; THENCE S58°58'13"E, 50.21 FEET; THENCE S37°15'32"W, 46.48 FEET; THENCE S48°14'24"W, 34.48 FEET; THENCE S01°24'02"E 813.33 FEET TO THE SOUTH LINE OF SAID SECTION 35; THENCE S88°13'53" W ALONG SAID SOUTH LINE, 1025.04 FEET TO THE POINT OF BEGINNING. CONTAINING 24.77 ACRES.

- (b) Pursuant to the rights reserved in the Master Deed, as amended, Article III of the Master Deed, as amended, is hereby amended to read as follows:
  - Project Title and Nature of Project. The condominium project shall be known as THE PONDS OF BONNER HILLS and designated as Lenawee County Condominium Subdivision Plan No. 70. The engineering plans, architectural plans and specifications including plans for all dwellings, condominium units, and improvements to be constructed in the project, were or will be approved by and are or will be on file with City of Tecumseh and Lenawee County. improvements contained in the condominium project, including the number, boundaries, dimensions and area of each of the eighty five (85) single family residential site condominium units are set forth in THE PONDS OF BONNER HILLS Condominium Subdivision Plan attached as Exhibit B. The condominium project is being developed in two phases and shall be known as THE PONDS OF BONNER HILLS. THE PONDS OF BONNER HILLS is a residential community consisting of eighty five (85) single family site condominium units to be used as building sites for single family residences. Each unit of THE PONDS OF BONNER HILLS has been designed and is intended for separate ownership and individual use with each unit having direct access to a Shared Common Element of the condominium project for ingress and egress. Each Co-Owner in the condominium project shall enjoy the exclusive right to occupy their unit and shall have undivided and inseparable rights to share the Shared General Common Elements of the condominium project with other Co-Owners as designed by this Master Deed.

- (c) Article X of the Master Deed, as amended, entitled "Expansion of Condominium (Reincorporation of Land Withdrawn)", is hereby deleted in its entirety, as the land has now been added to the Condominium Project by this Amendment.
- (d) Article XI of the Master Deed entitled "Contraction of Condominium", is hereby deleted in its entirety.
- (e) Article XII of the Master Deed entitled "Convertible Areas", is hereby deleted in its entirety.
- 2. <u>Amendment to Exhibit A, Condominium By-Laws</u>. Exhibit A, the Condominium By-Laws, are amended per the Attached Exhibit A.
- 3. Amended Sheets to Exhibit B, Condominium Subdivision Plan, Replat No. 3. Sheets No. C-01 Cover Sheet, C-02 Survey Plan, C-03 Easement Plan, C-04 Site Plan, C-05 Site Plan, C-06 Utility Plan, C-07 Coordinates and C-08 Floor Plans and Selections, of Replat No. 3 of the Condominium Subdivision Plan, as attached to this Third Amendment to Master Deed, shall replace and supersede Sheets No. C-01 Cover Sheet, C-02 Survey Plan, C-03 Easement Plan, C-04 Site Plan, C-05 Utility Plan and C-06 Coordinates, of the Condominium Subdivision Plan in Replat No. 2, as previously recorded on January 17<sup>th</sup>, 2018, at Liber 2557, Page 0232, Lenawee County (Michigan) Records.

In all other respects, except as set forth in this Third Amendment to Master Deed, the Master Deed of The Ponds of Bonner Hills, including the By-Laws and Condominium Subdivision Plan, as previously amended, recorded as set forth above, is ratified, confirmed and re-declared.

5

IN WITNESS WHEREOF, the Developer has caused this Third Amendment to the Master Deed of The Ponds of Bonner Hills to be executed the day and year first above written.

Bon Tech Development Company, LLC, a Michigan limited liability company

its: owner/member

STATE OF MICHIGAN )

(SS)

COUNTY OF Maconity

The foregoing instrument was acknowledged before me this 2th day of August, 2018, by Quiring D'Olessandro, Owner/member of Bon Tech Development Company, LLC, a Michigan limited liability company.

ADELAIDE ZALEWSKI NOTARY PUBLIC, STATE OF MI COUNTY OF MACOMB MY COMMISSION EXPIRES Jan 29, 2025 ACTING IN COUNTY OF

ארני בעל ארני County, Michigan My commission expires: ארני ארני אוני איני

(acting in \_\_\_\_ County)

Drafted by and when recorded Return to:

Seglund Gabe Pawlak & Groth, PLC 28345 Beck Road, Suite 301 Wixom, MI 48393

Attn: Gerald A. Pawlak

LIBER 2567 PAGE 0654 6 of 20



# **EXHIBIT A**

# **EXHIBIT "A"**

# THIRD AMENDMENT TO CONDOMINIUM BY-LAWS OF THE PONDS OF BONNER HILLS

Bon-Tec Development Company, LLC, a Michigan limited liability company, whose address is 28135 Groesbeck Highway, Roseville, Michigan 48066 (the "Developer"), pursuant to the Master Deed of The Ponds of Bonner Hills, as amended, and the provisions of the Michigan Condominium Act (Act 59 of the Public Acts of 1978, as amended)(the "Act") does hereby amend the Condominium By-Laws of the Ponds of Bonner Hills, established pursuant to the Master Deed thereof, recorded on the 15th day of October, 2013, beginning at Liber 2477, Page 0136, Lenawee County Records and known as Lenawee County Condominium Subdivision Plan No. 70 (the "Condominium"), and thereafter amended by the First Amendment to the Master Deed of The Ponds of Bonner Hills, recorded on May 22, 2015, beginning at Liber 2507, Page 0865, Lenawee County Records and the Second Amendment to Condominium By-Laws of the Ponds of Bonner Hills, recorded on the 17th day of January, 2018, beginning at Liber 2557, Page 0232, Lenawee County Records.

Pursuant to the authority provided for in Articles XIII and XIV of the Master Deed, as amended, the Developer hereby amend the Second Amended Condominium Bylaws of the Ponds of Bonner Hills Condominium, to be effective upon recording of this Third

Amendment to the Condominium Bylaws of the Ponds of Bonner Hills Condominium in the Office of the Lenawee County Register of Deeds, as follows:

# ARTICLE I ASSOCIATION OF CO-OWNERS

1. Organization. THE PONDS OF BONNER HILLS is a residential condominium project located in City of Tecumseh, Lenawee County, Michigan and shall be administered by an Association of Co-Owners organized as a non-profit corporation under the laws of the State of Michigan. The Condominium Association will be responsible for the management, maintenance, operation and administration of the common elements, easements and affairs of the condominium in accordance with the Master Deed. Condominium By-Laws of THE PONDS OF BONNER HILLS. BONNER HILLS CONDOMINIUM Condominium By-Laws of COMMUNITY **ASSOCIATION**, Michigan Condominium Act (MCL 559.101, et seq.) and the laws of the State of Michigan. The Condominium Project is a two phase development and consists of eighty five (85) single family site condominium units.

# 2. [Unchanged]

3. Purpose of By-Laws of THE PONDS OF BONNER HILLS These Condominium By-Laws of THE PONDS OF BONNER HILLS shall govern the general operation, maintenance, administration, use and occupancy of the eighty five (85) single family site condominium units located in the condominium project and all activities shall be performed in accordance with the provisions of these Condominium By-Laws of THE PONDS OF BONNER HILLS and the condominium documents.

# ARTICLE II DEFINITIONS

- 1. <u>General</u>. There are terms utilized in the Master Deed and in various other documents relating to the condominium project such as the Articles of Incorporation of THE PONDS OF BONNER HILLS, Condominium By-Laws of THE PONDS OF BONNER HILLS, Condominium By-Laws of BONNER HILLS CONDOMINIUM COMMUNITY ASSOCIATION, deeds, mortgages, liens, land contracts, easements and other documents affecting the real property interests in the project. As used in such documents, the following definitions apply unless the context clearly indicates to the contrary.
  - (a) "ACT" means the Michigan Condominium Act, as amended (MCL 559.101, et seq.; Public Act 59 of the Public Acts of 1978, as amended).

2

- (b) "Association", "Associations", "Condominium Association" or "Condominium Associations" mean the non-profit corporation or non-profit corporations organized under Michigan law for governance of the condominium project and are more specifically identified as follows:
- (1) THE PONDS OF BONNER HILLS is a non-profit corporation organized under Michigan law of which all the Co-Owners of the eighty five (85) single family site condominium units shall be members. This Association shall operate, manage and maintain the eighty five (85) single family site condominium units in the condominium project. Any action required of or permitted to the THE PONDS OF BONNER HILLS shall be exercised by its Board of Directors unless specifically reserved to its members by the Condominium Documents or Michigan law.
- (2) BONNER HILLS CONDOMINIUM COMMUNITY ASSOCIATION is a non-profit corporation organized under Michigan law of which the eighty five (85) single family site condominium unit Co-Owners of THE PONDS OF BONNER HILLS and the forty seven (47) single family site condominium unit Co-Owners of BONNER HILLS ESTATES and the attached condominium unit Co-Owners of BONNER HILLS VILLAS condominium project shall be members. This Association shall operate, manage and maintain the Shared General Common Elements as defined in the Master Deed. Any action required of or permitted to the BONNER HILLS CONDOMINIUM COMMUNITY ASSOCIATION shall be exercised by its Board of Directors unless specifically reserved to its members by the Condominium Documents or Michigan law.
- "Building Envelope for THE PONDS OF BONNER HILLS" means that portion of each of the eighty five (85) single-family site condominium units located in the condominium project and within which the Co-Owner may construct improvements such as a residence. There shall not be any structures built outside of the Building Envelope within each single-family condominium unit as shown on the THE PONDS OF BONNER HILLS Condominium Subdivision Plan attached as Exhibit B without the advance written approval of THE PONDS OF BONNER HILLS and City of Tecumseh, if applicable.

In all other respects, the Condominium By-Laws of The Ponds of Bonner Hills, as previously amended, are hereby ratified, re-affirmed and re-declared and remain in full force and effect.

3

Bon-Tec Development Company, LLC, a Michigan limited liability company

Quirino D'Alessandro

Its: Managing Member

STATE OF MICHIGAN )
)SS
COUNTY OF MACOMB )

The foregoing instrument was acknowledged before me this **4** day of August, 2018, by Quirino D'Alessandro, Managing Member of Bon-Tec Development Company, LLC, a Michigan limited liability company.

NOTARY PUBLIC: STATE OF MI COUNTY OF MACOMB MY COMMISSION EXPIRES Jan 29, 2025 ACTING IN COUNTY OF

, Notary Public

Y/kconut- County, Michigan
My commission expires: 1-29-2025

(acting in County)

Drafted by and when recorded Return to:

Seglund Gabe Pawlak & Groth, PLC 28345 Beck Road, Suite 301 Wixom, MI 48393

Attn: Gerald A. Pawlak

# **EXHIBIT B**

# LENAWEE COUNTY CONDOMINIUM PLAN NO. 70 **REPLAT NO. 3**

THE CONCOMMUM PLAN NUMBER MUST BE ASSIGNED IN CONSECUTIVE SEQUEPACE, WHEN A NUMBER MUST BE ASSIGNED TO THIS PROJECT IT MUST BE PROPERLY SHOWN IN THE TITLE ON THIS SHEET CAOL IN THE SURVEYOR'S CERTIFICANE ON SHEET CAOL IN THE SURVEYOR'S CERTIFICANE ON SHEET CAOL

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ATTENTION COUNTY REGISTER OF DEEDS

EXHIBIT "B" TO THE MASTER DEED OF

# THE PONDS OF BONNER HILLS

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CITY OF TECHNISE! LEAWNEE COMMITY AUDIGNAM, AND ASO THAT PART DE LOT 90:
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# EGAL DESCRIPTION

# THE PONDS OF BONNER HILLS PHASE 1 (31 UNITS)

PART OF THE SOUTH Y, OF THE SOUTHWEST Y, OF SECTION 15, T.S., R.E., CITY OF TECHNISEN LENAMEE COUNTY, INCHORAN, AND ALSO THAT PART OF TOT 19 OF YASSESON'S PLAT NOW TA SECONDED IN 1881 H. OF PARTS, PAGE SILENAMEE COUNTY RECORDS. BEHAVIORS OF PARTS, PAGE SILENAMEE COUNTY RECORDS. BEHAVIORS OF PARTS, PAGE SILENAMEE COUNTY RECORDS. BEHAVIORS OF PARTS, PAGE SILENAME COUNTY RECORDS. BEHAVIORS OF PARTS OF THE PAGE SILENAME COUNTY RECORDS. BEHAVIORS OF PAGE SILENAME COUNTY PAGE SILENAME COUNT

# THE PONDS OF BONNER HILLS PHASE 2

PART OF THE SOUTH Y, OF THE SOUTHWEST Y, OF SECTION 15, T.S. R.P.E. CHYON TECHNISH LENAMES COUNTY MICHIGAN, AND ALSO THAT PART OF LOTI 59 OF SISSESONES PLATFOR & SERGEORDES IN HIBBERT 4. OF PART 25 PAGE 18 HIGHCAN, AND ALSO THAT PART OF LOTI 59 OF SISSESONES PLATFOR & SERGEORDES IN HIBBERT 4. OF PART 25 PAGE 18 HIGHCAN AND ALSO THAT PART OF LOTI 59 OF SISSESONES PLATFOR AND ALSO THAT PART OF LOTI 59 OF SISSESONES PLATFOR AND ALSO THAT PART OF THE ALD THAT PART OF THE

# SITE VICINITY MAP

# OWNER / DEVELOPER:

BON-TEC DEVELOPMENT COMPANY, LLC BONNER HILLS BUILDING CO., LLC QUIRINO D'ALESSANDRO 28135 GROESBECK HWY. ROSEVILLE, MI. 48066





RENCH MARK NO 2 BLEV, 794,94 (USIOS) SPAKE IN 19 INCH (1944 TPEE, EAST SIDE DE ROGERA HIGHVAN (1936 NORTH OF BLOOD ROAD)

SPIKE IN POWER FOLE EAST SIDE OF ROCKINS

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# SHEET NO. CON

THE PONDS OF BONNER HILLS LENAWEE COUNTY, MICHIGAN CITY OF TECUMSEH

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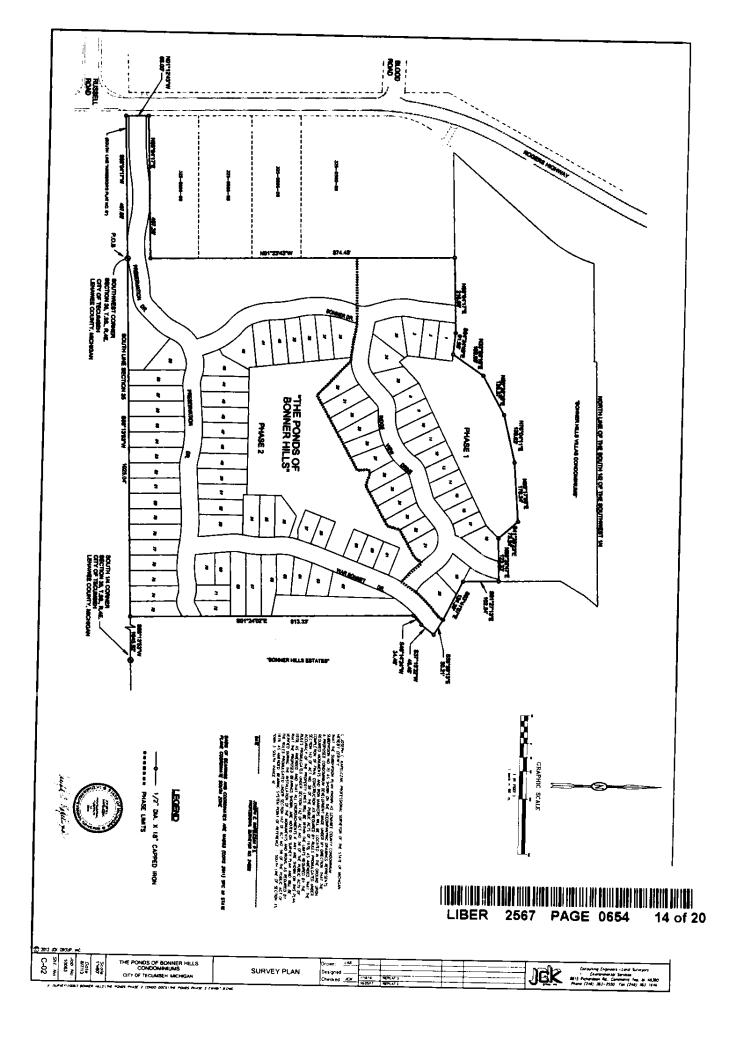
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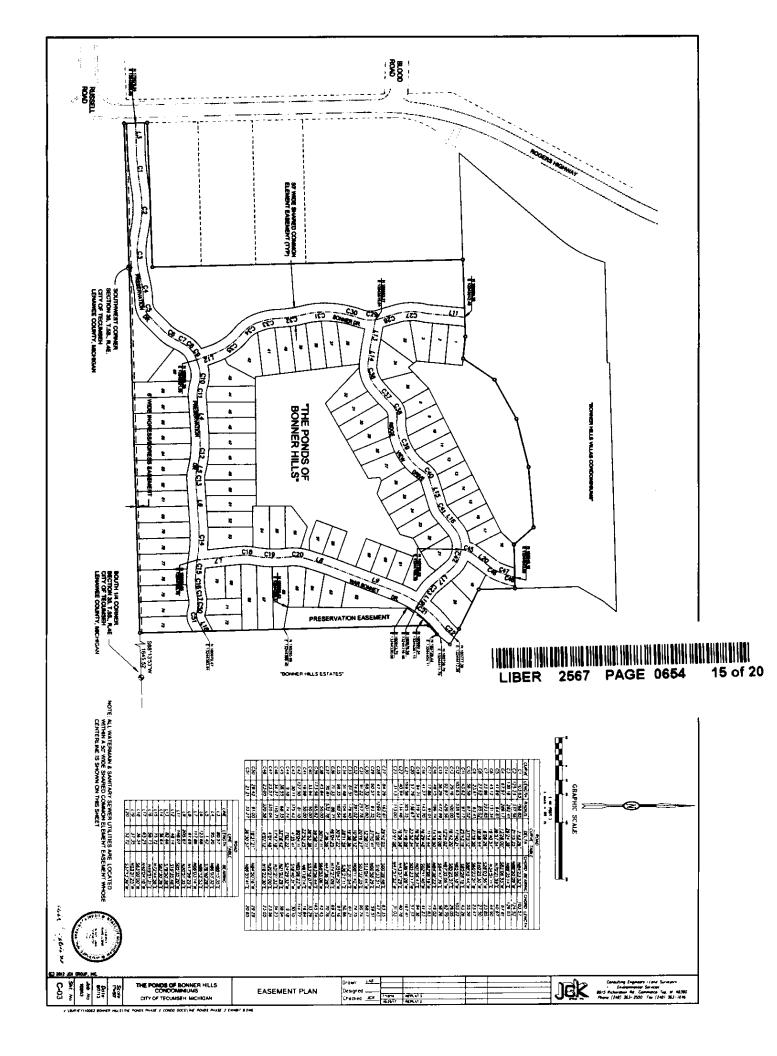
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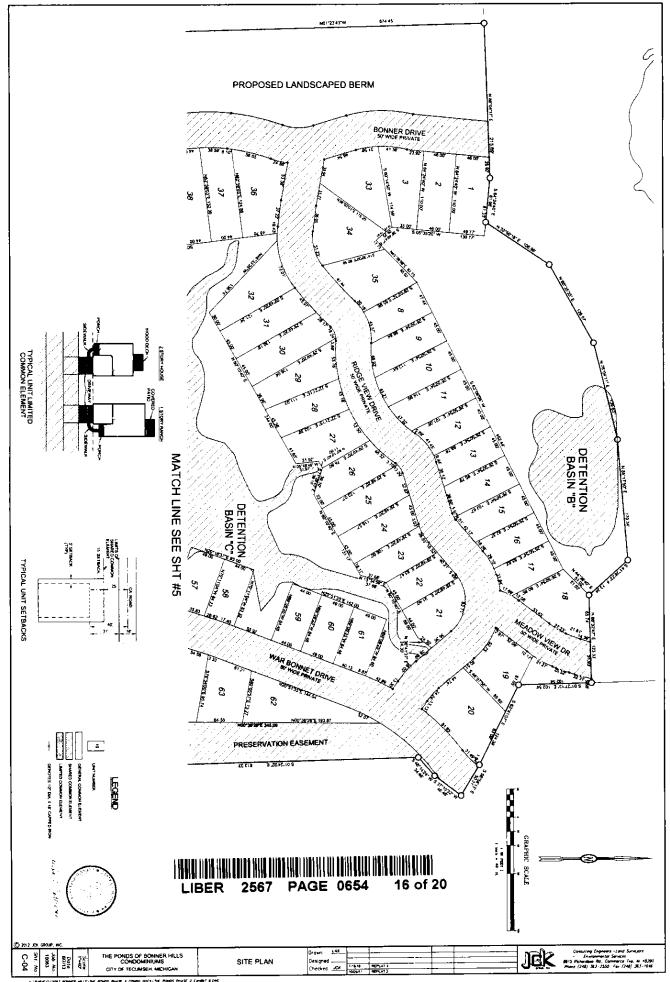
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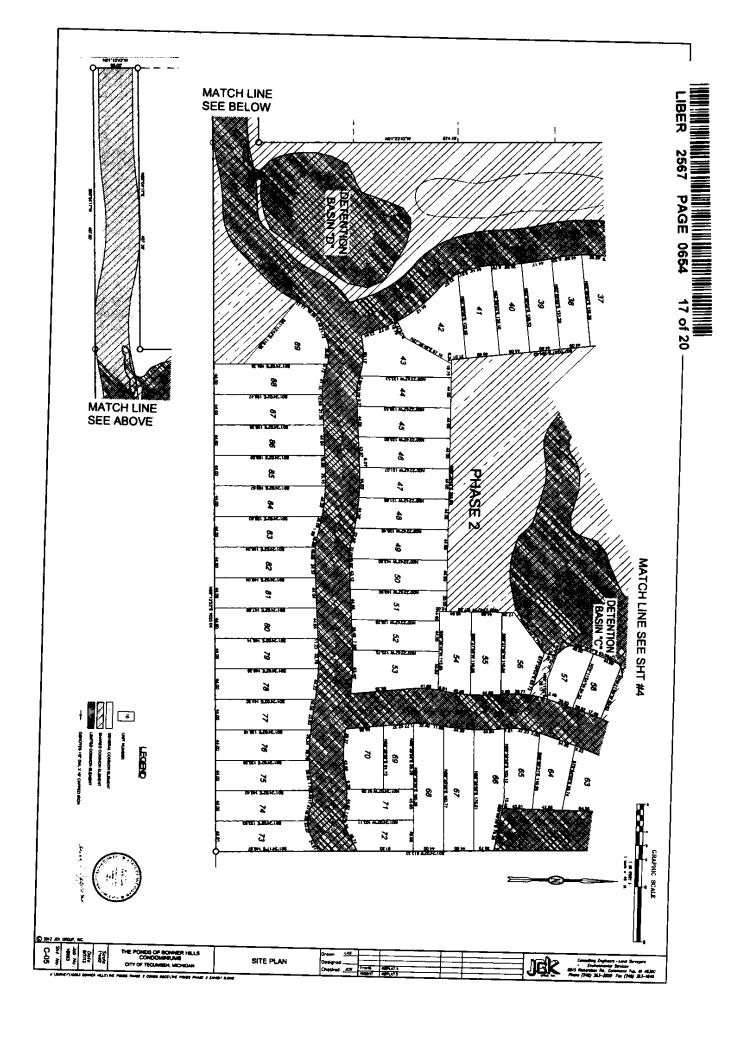
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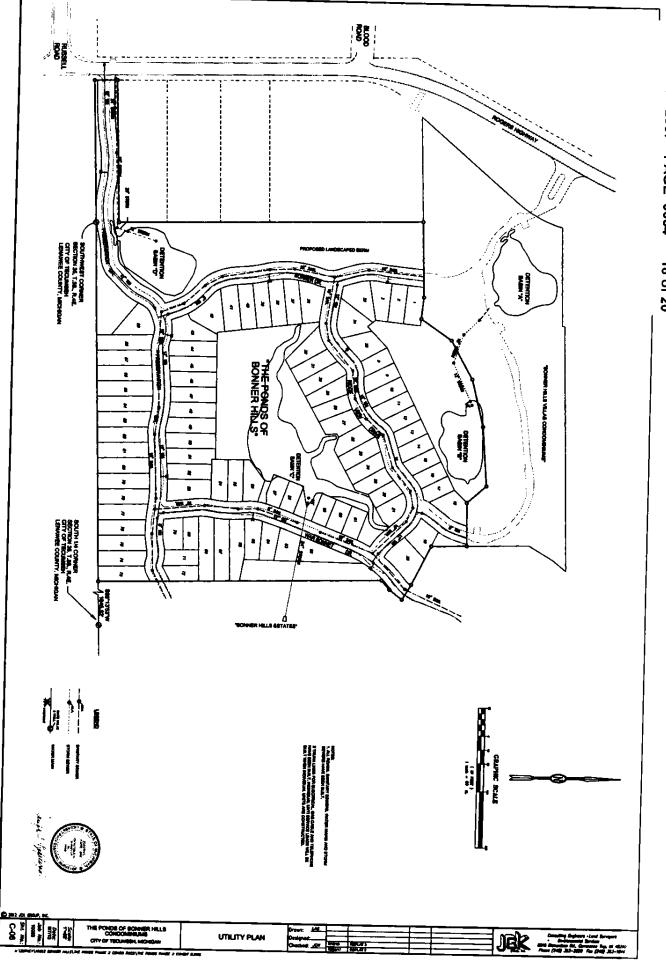












LIBER 2567 PAGE 0654 18 of 20

