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HEGISTER OF DEEDS TOWER HARBOR CONDOMINIUM

ALLEGAN COUNTY MICH TOWER HARBOR CONDOMINIUM

The Mariner's Cove Development Company, a Michigan Corporation, being the successor developer of Tower Harbor Condominium, a condominium project, located in the Village of Douglas, County of Allegan, and State of Michigan, established pursuant to the Master Deed recorded in Liber 1030 on Pages 376 through 417, Allegan County Records, hereby amends the Master Deed of Tower Harbor Condominium for purposes of enlarging the condominium project from 16 units to 32 units, converting a portion of the convertible area, and amending Exhibit "B" as originally attached to the Master Deed pursuant to authority reserved in Article VII thereof. Said Master Deed is amended in the following manner:

- A. The 16 original units of Tower Harbor Condominium eight (8) of which have been constructed, are supplemented by the conversion of a portion of the convertible area as shown in the original Exhibit "B" to the Master Deed, for the purposes of including units 17 through 32.
- B. The location of units 17 through 32 is indicated on the attachments to this First Amendment to the Master Deed for Tower Harbor Condominium.
- C. The following sheets of the original Exhibit "B" to the Master Deed for Tower Harbor Condominium are hereby superceded, amended and replaced, effective upon the recording of the amended sheets to Exhibit "B" attached hereto:

Sheets One (1), Three (3) and Four (4).

D. The following sheets are hereby added to Exhibit "B" to the Master Deed for Tower Harbor Condominium, effective upon the recording of said sheets, attached hereto:

Additional Sheets Twelve (12), Thirteen (13) and Fourteen (14).

IN WITNESS WHEREOF, The Developer has duly executed this Indenture the $\frac{29}{100}$

Steve Hurt - Will Pickup

No. of the state o

day of Cotales, 1985.

THE MARINER'S COVE DEVELOPMENT COMPANY, a Michigan Corporation Its President In the Presence of: Its Secretary REENDERS DENNIZ STATE OF MICHIGAN) COUNTY OF ALLEGAN) On this $\frac{\partial f}{\partial x}$ day of $\frac{October}{October}$, 1985, before me, a Notary Public, within and for said County, personally appeared $\frac{f}{\partial x} \frac{\partial x}{\partial x} \frac{\partial$, to me personally known, who, being by me duly sworn, did each for himself say that they are respectively the President and Secretary d'The Mariner's Cove Development Company, the Corporation named in the foregoing instrument, and that said instrument was signed and scaled in behalf of said Corporation by authority of its Board of Directors; and said frees, dear from and Steeke free. SLERE THRY and acknowledged said instrument to be the free act and deed of said Corporation. Notáry Public, Allegan County, Michigan My commission expires:

JEANNE E. PENDOT: Notary Public, Albacan My Comm. Expires April G. Jan

100

THIS INSTRUMENT PREPARED BY:
Stephen B. McKown (P25675)
Orton, Tooman, Hale & McKown, P. C.
Attorneys at Lav
P. O. Drawer 239
Court House Square, North
Allegan, Michigan 49010
616/673-2136

SBM:dd

SUBDIVISION PLAN Nº 16 ALLEGAN COUNTY CONDOMINIUM

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EXHIBIT B TO THE MASTER

TOWER HARBOR CONDOMINIUM

VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN

CEVELOPERS

ENGINEER

Grand Haven, Michigan 49417 W50 Taylor Avenue W/o A. Reenders & Sons, Inc. The Mariner's Cove Development Company

347 N MAIN ST. PO BOX 172 STERNAMAN & ASSOCIATES WATERVLIET, MICHIGAN 49098

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2--- SURVEY PLAN *

1 -- BASE MY FLOOR PLAN - BUILDING 1
5-- SECTIONS
5-- SECTIONS --- BASEMENT FLOOR PLAN-BUILDINGS 2,384

IL... SECTIONS
H.... SECTION FLAN RELATIONSHIPS
12--First Floor Plan 14--Sections l3--Second Floor Plan

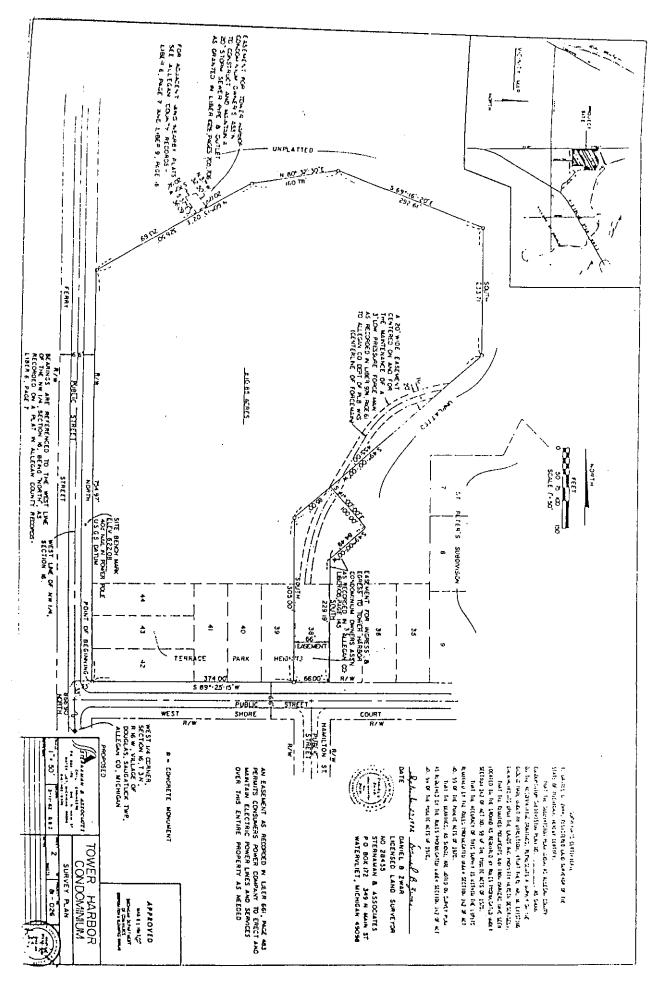
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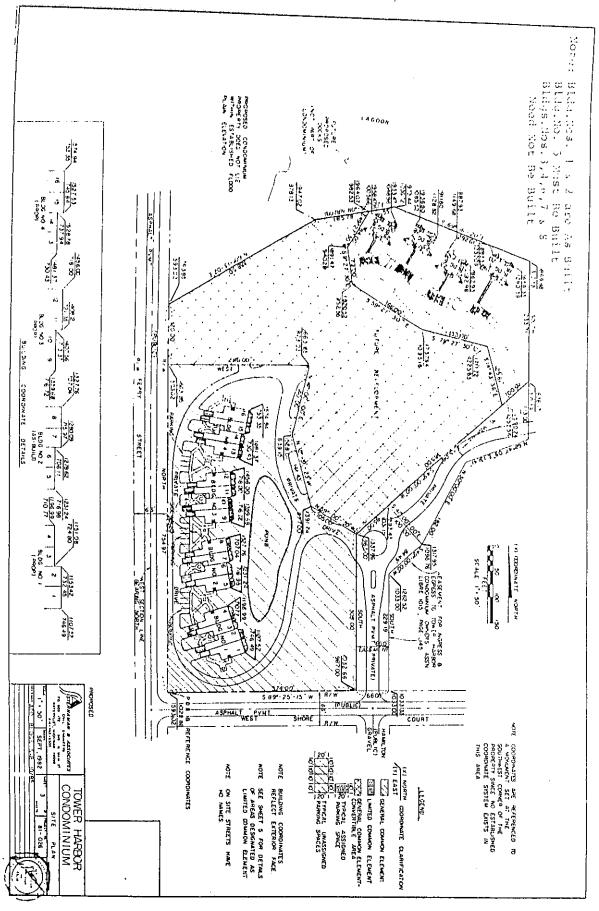
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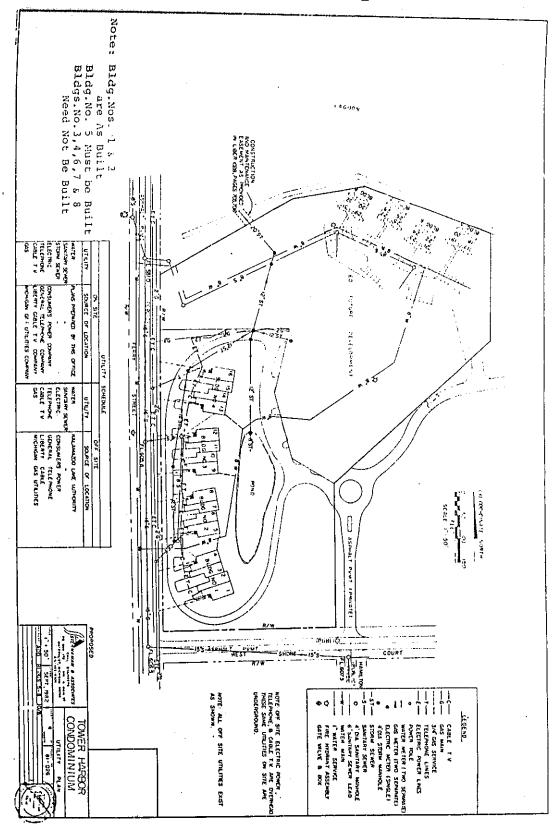
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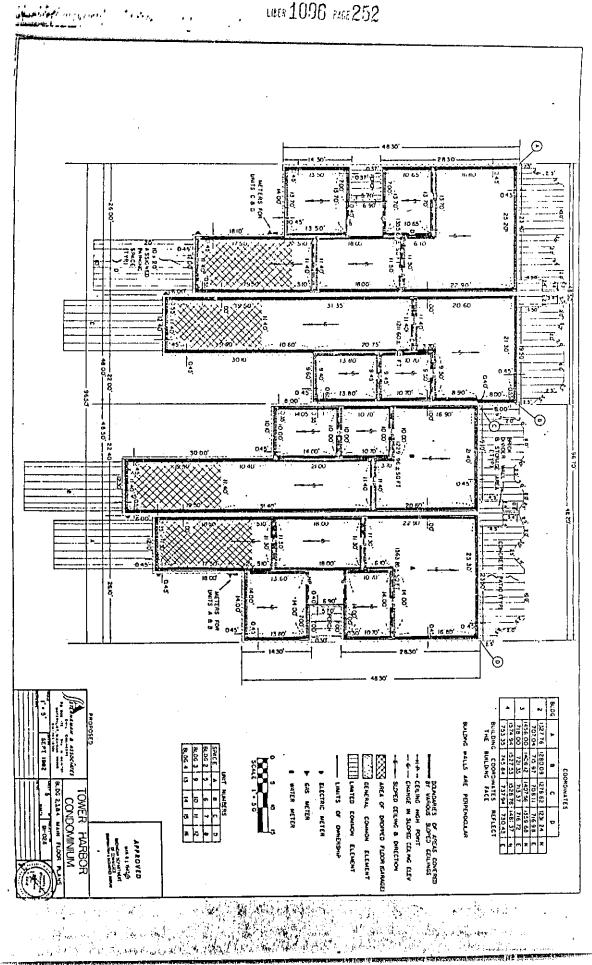
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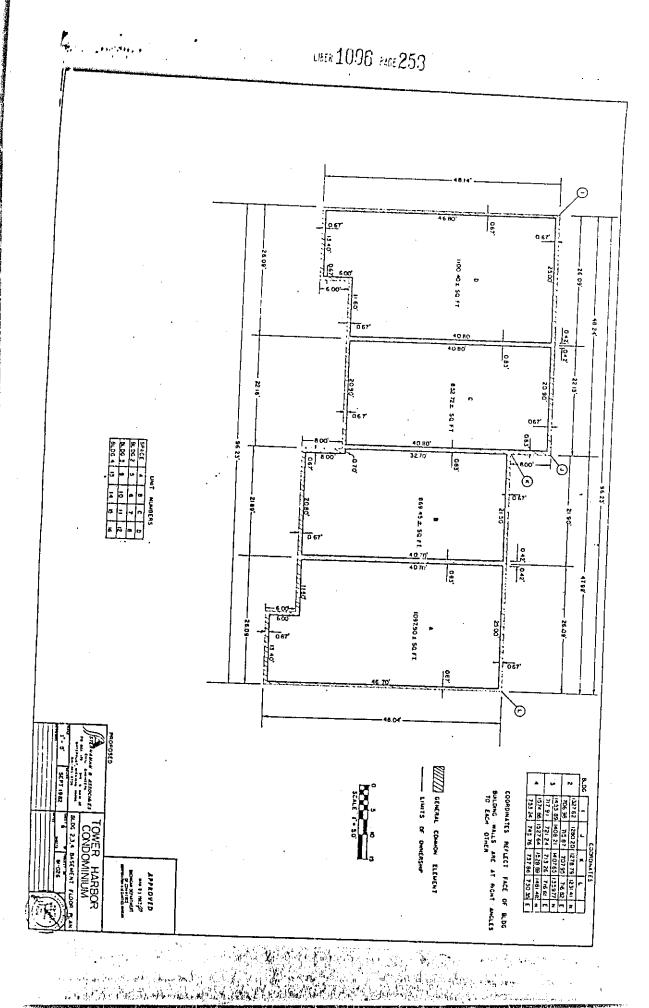
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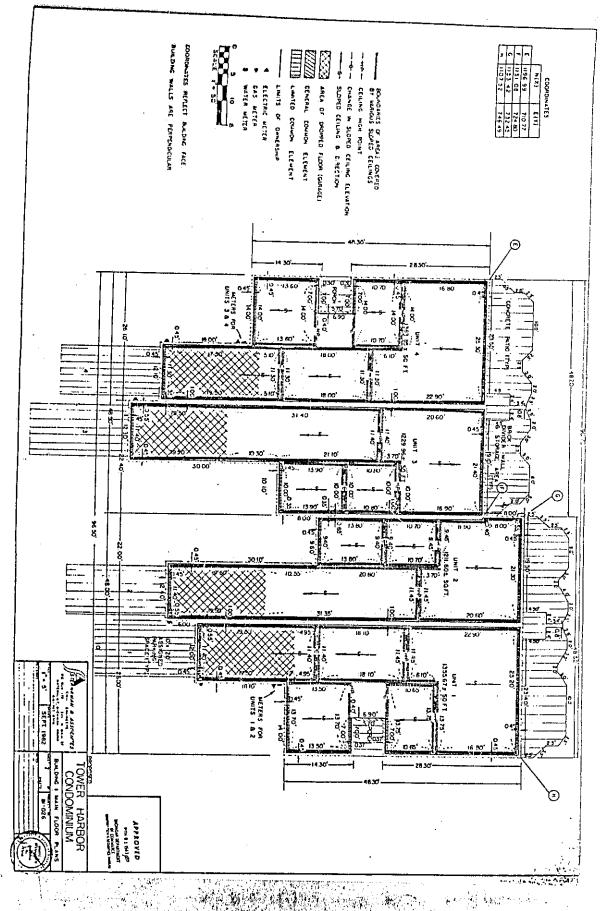


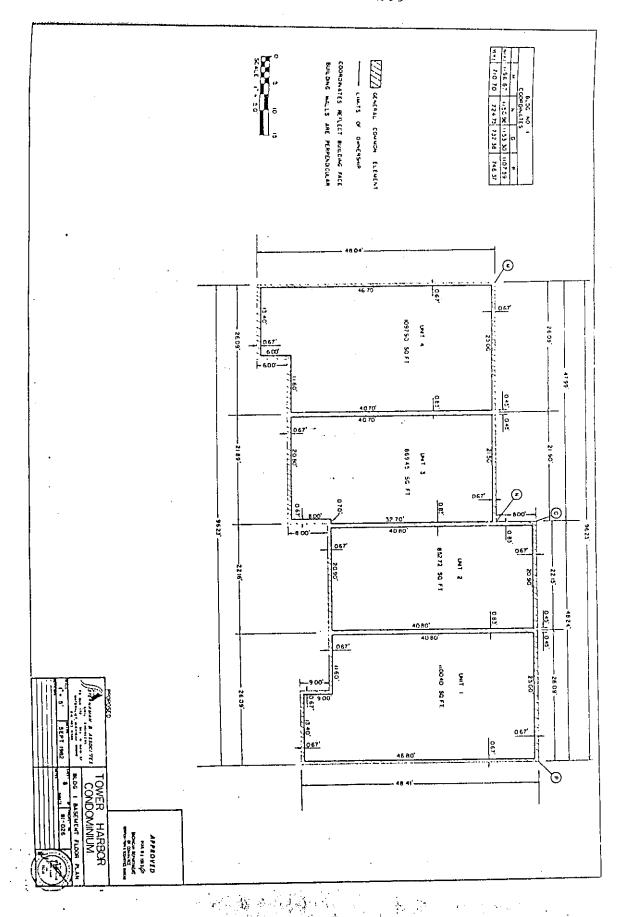


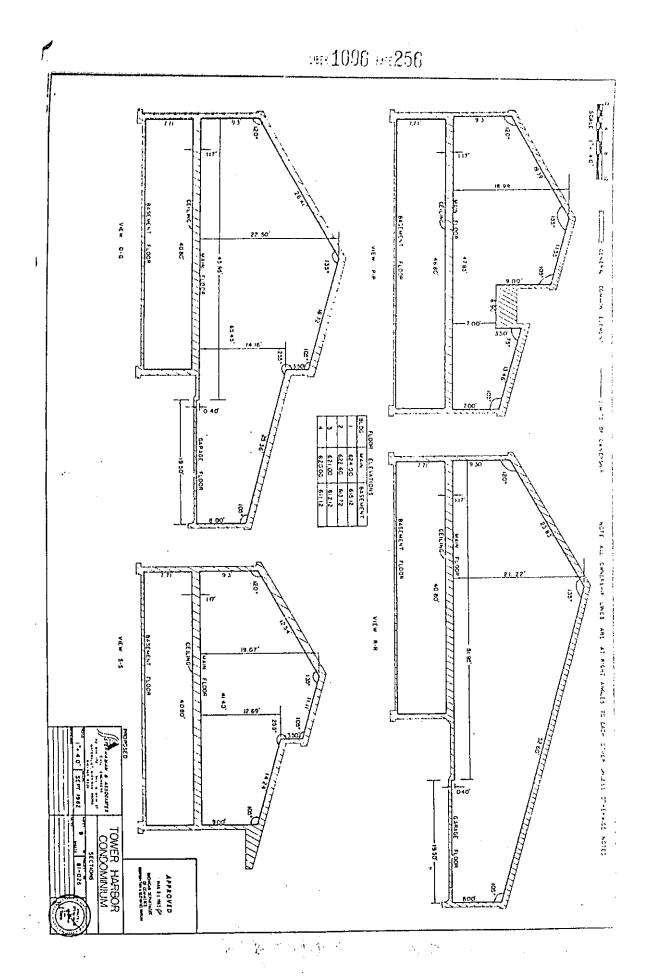


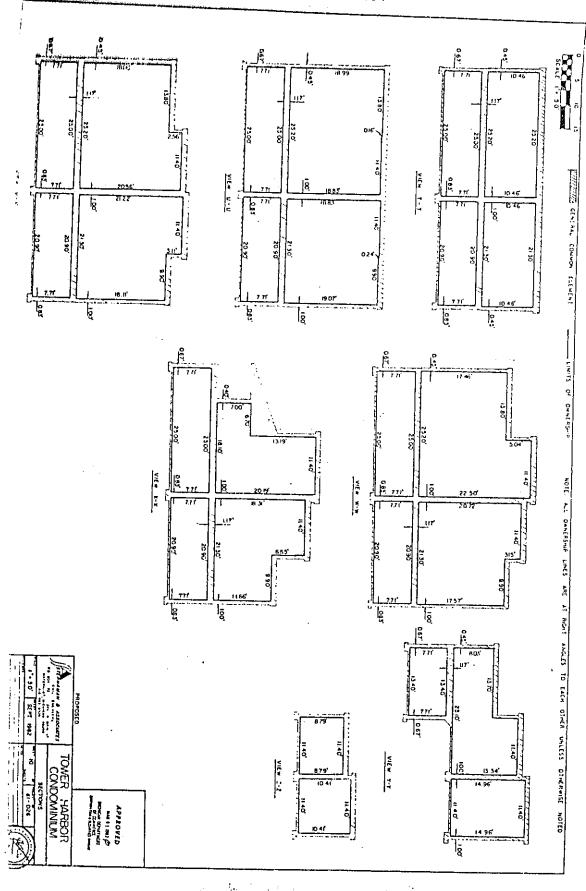


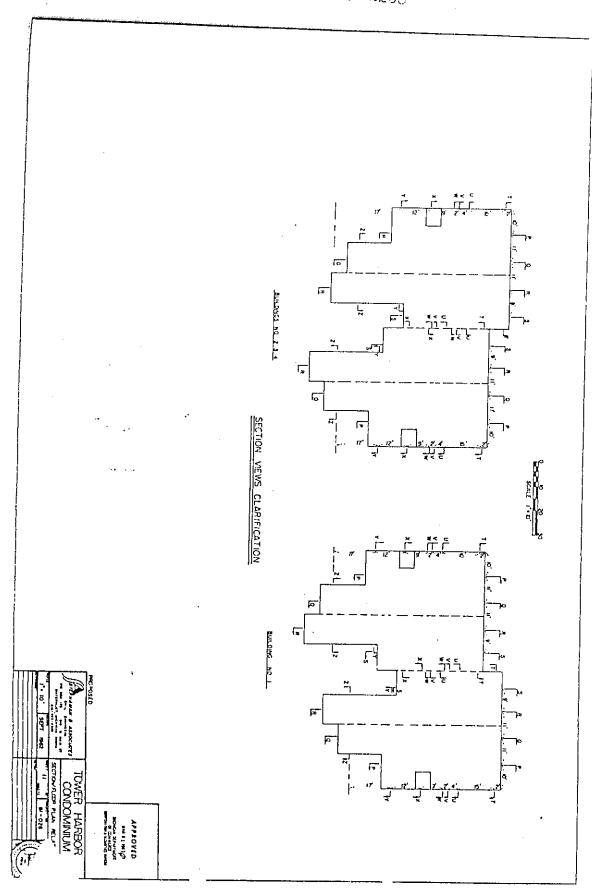


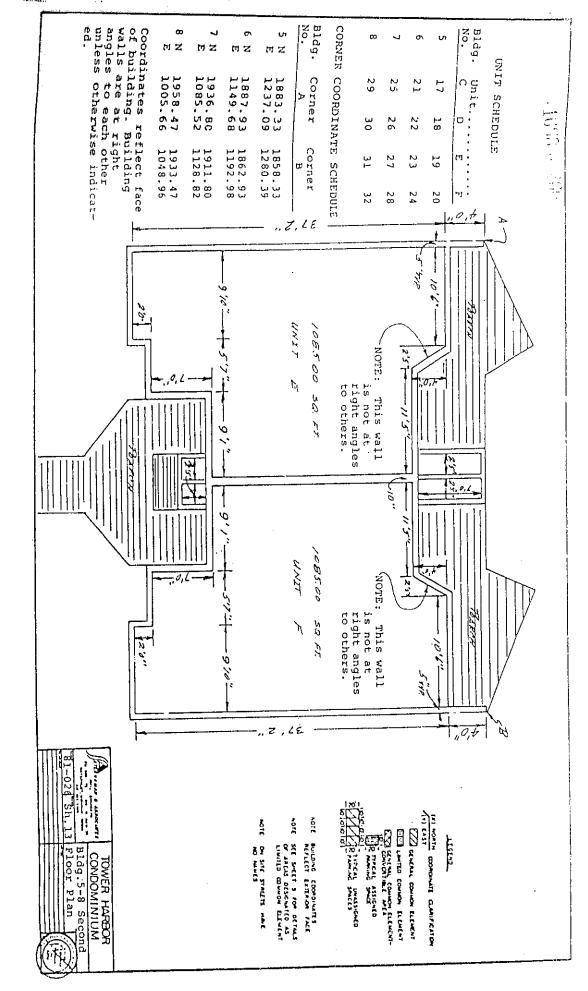


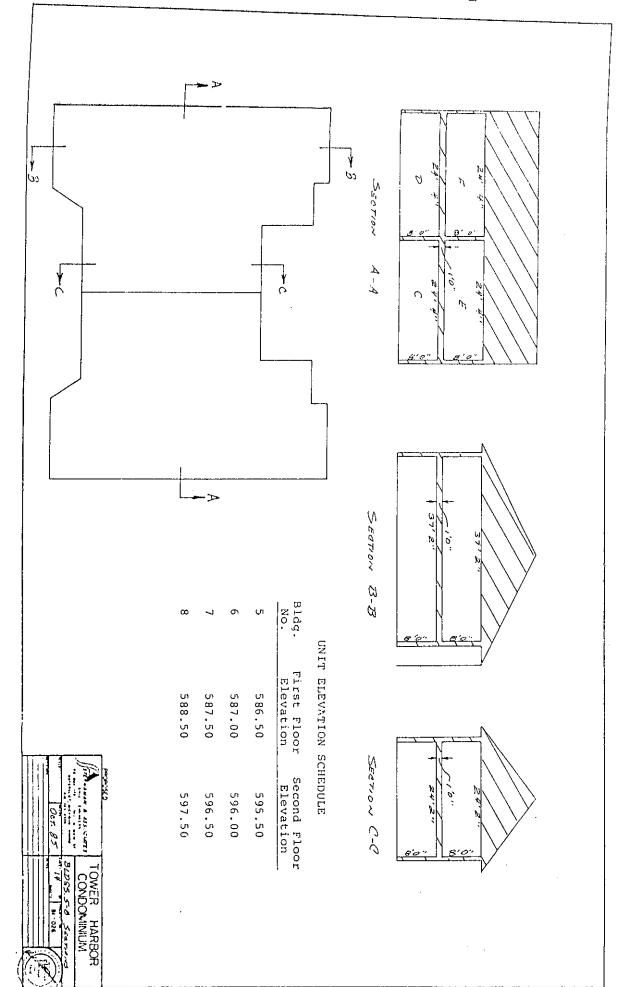












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Chillian Consigned Robuta Was Not Available for Examination.

LIBER 1179 PAGE 204

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PEGISTER GI GETES MASTER DEED LEAR COUNT CHICH

SECOND AMENDMENT TO MASTER DEED POR TOWER HARBOR CONDOMINIUM

The Mariner's Cove Development Company, a Michigan corporation, being the successor developer of Tower Harbor Condominium, a condominium project, located in the Village of Douglas, County of Allegan, and State of Michigan, established pursuant to the Master Deed recorded in Liber 1030 on Pages 376 through 417, Allegan County Records, and thereafter amended by a First Amendment to Master Deed recorded in Liber 1096 on Page 246, et. seq. for purposes of enlarging the condominium project from sixteen (16) units to forty-four (44) units, and amending Exhibit "B", hereby further amends the Master Deed of Tower Harbor Condominium for purposes of including an additional parcel of real property within the condominium project, converting a portion of the convertible area, and amending Exhibit "B" as originally attached to the Master Deed pursuant to authority reserved in Article VII thereof. Said Master Deed is amended in the following manner:

A. The following described real property is included within Tower Harbor Condominium:

Commencing at a point which is 866.90 feet North and 33.00 feet East of the West 1/4 corner of Section 16, Town 3 North, Range 16 West, being a point on the Easterly right of way of Ferry Street and the Northerly right of way of West Shore Court and with bearings referenced to the West line of said Northwest 1/4 as North, thence North along said Easterly right of way of Ferry Street 754.97 feet to the Place of Beginning of this description, thence North 60°-13'-02" East 328.50 feet, thence South 65°-41'-05" West 312.86 feet to said Easterly right of way, thence South along said right of way 34.17 feet to the Place of Beginning.

LIBER 1179 PAGE 205

B. The location of Buildings Nine (9), Ten (10), and Eleven (11), containing Units Thirty-three (33) through Forty-four (44) is indicated on the attachments to this Second Amendment to the Master Deed for Tower Harbor Condominium.

C. The following sheets of the original Exhibit "B" to the Master Deed for Tower Harbor Condominium and the First Amendment to said Master Deed are hereby superceded, amended and replaced, effective upon the recording of the amended sheets to Exhibit "B" attached hereto:

Sheets One (1), Two (2), Three (3), Four (4), Twelve (12), Thirteen (13), and Fourteen (14).

IN WITNESS WHEREOF, The Successor Developer has duly executed this Indenture the 23 day of March, 1987.

In the Presence of:

7

THE MARINER'S COVE DEVELOPMENT COMPANY, a Michigan corporation

By Howard D. Reender

Howard D. Reenders
Its President

Howard D. Reenders
Its Secretary

Stephen F. Hurt

STATE OF MICHIGAN)

County of Allegan)

On this 23 day of March, 1987, before me, a Notary Public, within and for said County, personally appeared /toward and Defendance and

to me personally known, who, being by me duly sworn, did each for himself say that they are respectively the President and Secretary of The Mariner's Cove Development Company, the Corporation named in the foregoing instrument, and that said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors; and said fround O. Reenders

LIBER 1179 PAGE 206

| Corporation. | to be the free act and deed of said |
|--|---|
| | Jeanne & Bekken |
| | Notary Public, Allegan County, MI My commission expires: |
| THIS INSTRUMENT PREPARED BY: STEPHEN B. MCKOWN OF - ORTON, TOOMAN, HALE & MCKOWN, Attorneys at Law P. O. Drawer 239 Allegan, MI 49010-0239 616/673-2136 | Notary Public, Allegan County, Mi My Commission Expires Fee, 25, 1992 P. C: |
| Tower Development Corpora | tion, a Michigan corporation, joins |
| | ster Deed for Tower Harbor Condo- |
| | larging the condominium project and |
| for adding the real property d | |
| In the presence of: | TOWER DEVELOPMENT CORPORATION |
| MARK A. GUZICKI | By: ROLARD J. PEZESSON |
| Margaret N. Jatt | Its: Prev. |
| STATE OF MICHIGAN.) | · |
| COUNTY OF BERRIEN) | |
| On the <u>29th</u> day of Februin and for said County, personaby me known to be the <u>PRESIDENT</u> | mary, 1988, before me, a Notary Public ally appeared ROLAND J. PETERSON |
| Corporation, the corporation de on behalf of said corporation a free act and deed of said corpo | escribed in, who executed the foregoing |
| The second secon | Mala |
| | MARK A. GUZZGZZ Notary Public |
| | Berrien County, Michigan My comm. exp. 8.10-82 |

LIBER 1179 PAGE 207

ENGINEER

ASSOCIATES 347 N MAIN ST, PO BOX 172 ಯ STERNAMAN

The Mariner's Cove Development Company

DEVELOPERS

c/o A. Reenders & Sons, Inc. Grand Haven, Michigan 49417

950 Taylor Avenue

616/842-2425

WATERVLIET, MICHIGAN 49098

PEVISED PROPERTY DESCRIPTION:

A description of part of Government Lot 5, Northwest 1,4, Section 16, Town 3
North, Kange 16 West, Village of Douglas, Saugatuck Township, Allegan County,
Hichigan, including also Lots 40 through 44 and part of Lot 39 of Terrace Park
Heights, according to the recorded plat thereof, more exactly described as:

Commencing at a point which is 866.90 feet North and 33.00 feet East of the West 1/4 corner of said Section 16, being a point on the Easterly right of way of Ferry Street and the Northerly right of way of North Stone Fourt and with bearlings referenced to the West line of said Northwest 1/4 as North; thence proceeding North along said Easterly right of way, which is parallel to and 33 feet. thence N.80°-32'-30°E, 160'78 feet; thence N.60°-13'-02"E, 128.50 feet; thence N.80°-32'-30°E, 292.61 feet; thence South, parallel to said Section Line, 233.71 feet; thence S.49°-60'-00"W, 455.00 feet; thence South, parallel to said Section Line, 305.00 feet; to a point on said North-parallel to said Section Line, 305.00 feet; to a retry right of way; thence S.89°-25'-15"W, along said North-more or less. Parcel A

Also commencing at the Place of Beginning of "Parcel A"; thence North along and Easterly right of way to Ferry Street, 754,97 feet for a place of beginning of "Parcel B"; thence N.60"-13"-02"E., 328.50 feet; thence S.65"-41"-05"H., 312.86 feet to said Easterly right of way; thence North along said right of way. 34.17 feet to the Place of Beginning. Containing 0.11 acres more or less. Parcel B -

SHEET

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3--- SIE R.M. * * 2 4--- Uill T PAN* * 2 5--- MAN 'LOG PLAN BULDHGS 2,3 B.4 6.-- DASK ENT FLOOR PLAN BULDHG 1 7.-- MAN 'LCOR PLAN BULDHG 1 8.-- SCT 3-K M. - SCT 3-K M. - SCT 3-K

12--Fifst Floor Plan *2 13--Se cond Floor Plan *2 12 -- First Floor Plan 14--Sestions

Revised Sheets 8-85 Revised Sheets 10-86

HARBOR TOWER HARBOR CONDOMINIUM COVER SHEET

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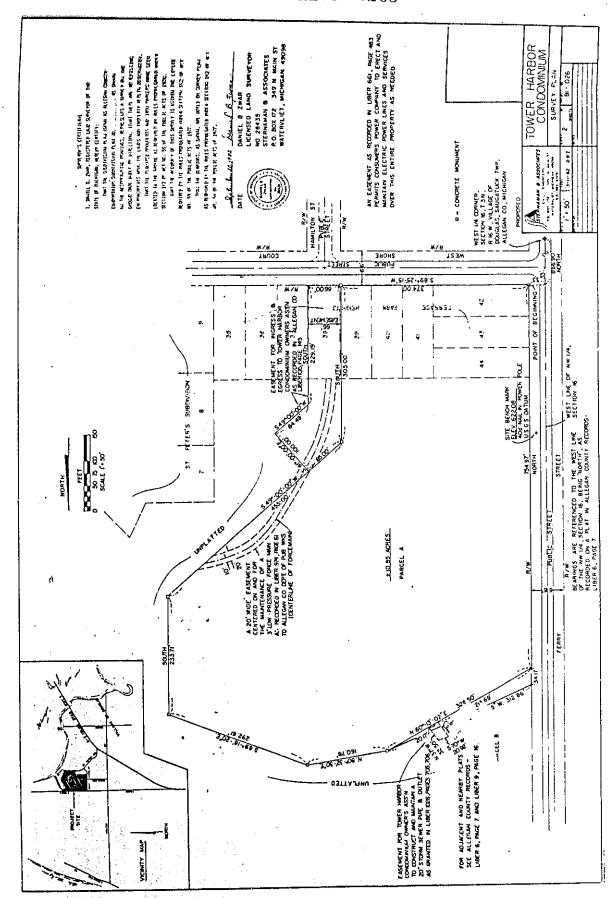
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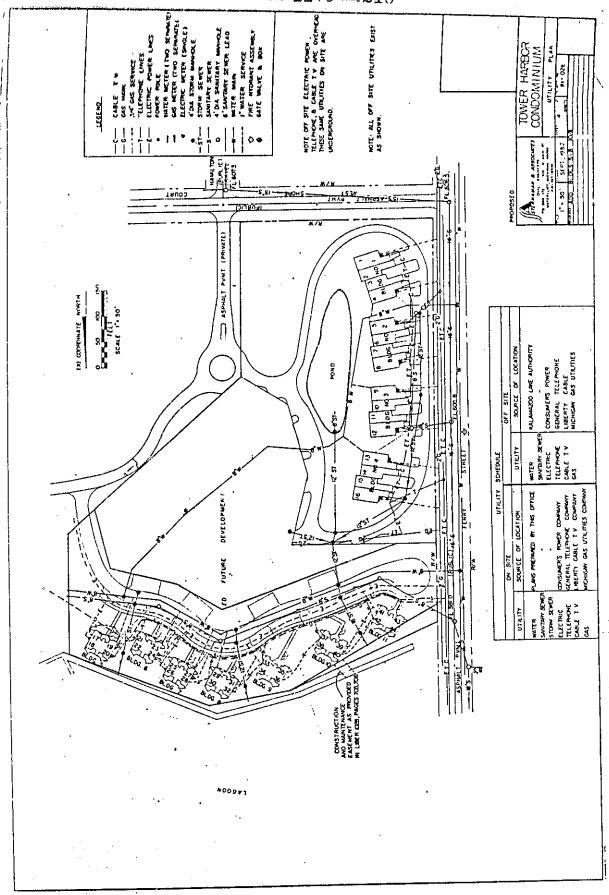
EXHIBIT B TO THE MASTER DEED OF SUBDIVISION PLAN

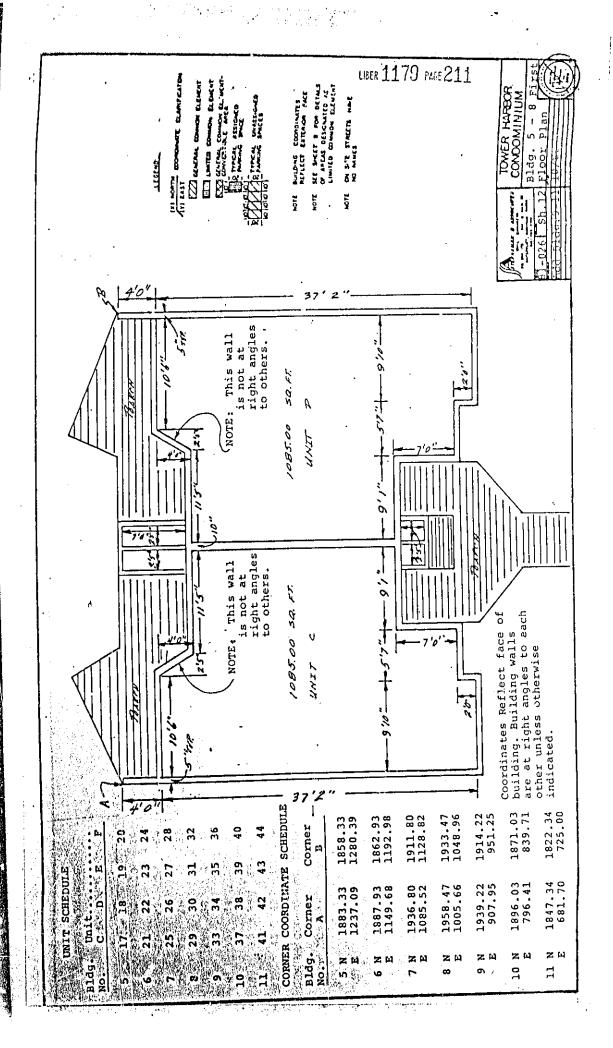
TOWER HARBOR CONDOMINIUM

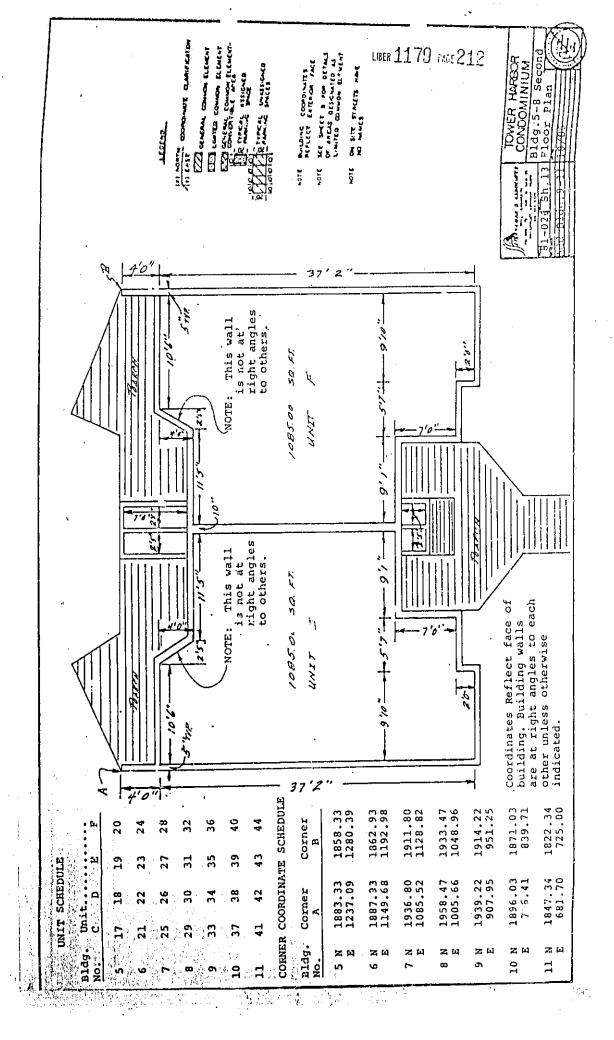
VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN

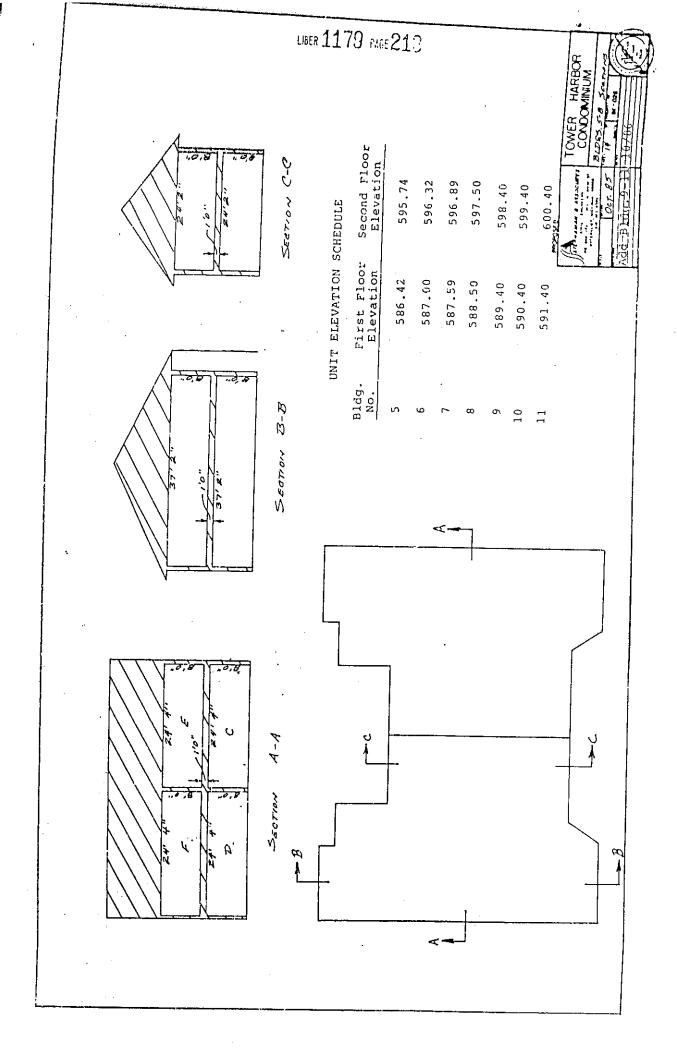
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REGISTER OF PEROS

ALLEGAN COUNTY MICH

THIRD AMENDMENT TO MASTER DEED OF TOWER HARBOR CONDOMINIUM

THIS THIRD AMENDMENT TO MASTER DEED is made and executed on the 20 day of ERDUARY, 1989, by Tower Development Company, a Michigan Corporation, of 216 St. Peters Drive, Douglas, Michigan 49406, and by The Mariner's Cove Development Company, a Michigan Corporation (hereafter both collectively referred to as "Developer"), in pursuance of the provisions of the Michigan Condominium Act (being Act 59 of the Public Acts of 1978, as amended, hereafter the Act).

WITNESSETH

WHEREAS, the Developer of Tower Harbor Condominium, a Condominium project established pursuant to the Master Deed thereof recorded March I, 1983, in Liber 1030, pages 376-417, Allegan County Records, amended by First Amendment to Master Deed recorded in Liber 1096, page 246, et: seq., and amended by Second Amendment to Master Deed recorded in Liber 1179, Pages 204-213, and known as Tower Harbor Condominium Subdivision Plan No. 16 for the purposes of: amending said Master Deed pursuant to the authority reserved in Article VII; enlarging the condominium project from forty-fcur (44) units to sixty-six (66) units; pursuant to the authority reserved in Article VII; reallocating the percentages of values pursuant to Article V. thereof; and, to comply with the act:

NOW, THEREFORE, the Developer does, upon the recording hereof establish the condominium units upon that property which has, from the inception, been a dedicated part of the project, but which was previously designated as Future Development. The Developer declares that said future development area shall, after such establishment, be held, conveyed, hypothecated, encumbered,

leased, rented, occupied, improved, or in any other manner utilized, subject to the provisions of the Act, and to the covenants, conditions, restrictions, uses, limitations and affirmative obligations set forth in this Master Deed and its Exhibits, all of which shall be deemed to run with the land and shall be a burden and a benefit to the Developer, its successors and assigns, and any persons, acquiring or owning an interest in the said real property, their grantees, successors, heirs, executors, administrators and assigns. In furtherance of the establishment of said property as part of said Condominium project, the Master Deed is hereby amended as follows:

Article I of Amendment

That small triangular portion of real property added to the condominium project to facilitate proposed future expansion is hereby deleted from the project as unnecessary in light of the actual, recorded expansion as reflected in this Third Amendment. The portion to be deleted is legally described as follows:

Commencing at a point which is 866.90 feet North and 33.00 feet East of the West 1/4 corner of Section 16, Town 3 North, Range 16 West, being a point on the Easterly right of way of Ferry Street and the Northerly right of way of West Shore Court and with bearings referenced to the West line of said Northwest 1/4 as North, thence North along said Easterly right of way of Ferry Street 754.97 feet to the Place of Beginning of this description, thence North 60° 13' 02" East 328.50 feet, thence South 65° 41' 05" West 312.86 feet to said Easterly right of way, thence South along said right of way 34.17 feet to the Place of Beginning.

Article II of Amendment

Article II of the Master Deed, as amended, of Tower Harbor Condominium shall upon recordation of this Amendment in the office of the Allegan County Register of Deeds be replaced by the following:

ARTICLE II

LEGAL DESCRIPTION

Commencing at a point which is 866.90 feet North and 33.00 feet East of the West 1/4 corner of said Section 16, being a point on the Easterly right of way of Ferry Street and the Northerly right of way of West Shore court and with bearings referenced to the West line of said Northwest 1/4 as North; thence proceeding North along said Easterly right of way, which is parallel to and 33 feet East of said Section Line, 754.97 feet;

thence N. 60° 13' 02" E., 328.50 feet; thence N. 80° 32' 30" E., 160.78 feet; thence S. 69° 16' 20" E., 292.61 feet; thence South, parallel to said Section Line, 233.71 feet; thence S. 49° 00' 00" W., 455.00 feet; thence South, parallel to said Section Line, 305.00 feet to a point on said Northerly right of way; thence S. 89° 25' 15" W., along said Northerly right of way, 374.00 feet to the Point of Beginning.

Article III of Amendment

Article V of the Master Deed shall be amended to read as follows:

A. Each unit in the project is described in this paragraph with reference to the Condominium Subdivision Plan of Tower Harbor Condominiums as surveyed by Sternaman & Associates and attached hereto as Exhibit "B". The dimensions shown on unit plans in Exhibit "B" have been, or will be physically measured by a registered engineer. In the event that the dimensions on the measured plan of any specific unit differ from the dimensions from a typical floor plan for such unit shown in Exhibit "B", then the typical floor plan for such unit shall be deemed to be automatically changed for such specific unit in the same manner and to the same extent as the measured plan. The Project consists , same extent as the measured plan. The Project consists of 66 units.

Article IV of Amendment

This replat of the Condominium Subdivision Plan of Tower Harbor Condominiums, shall, upon recordation of this Amendment, respectively replace and supersede said original Condominium Subdivision Plan and the replat attached to the Second Amendment of said Master Deed, and said replaced or superseded pages shall be of no further force nor effect. The replat of the Condominium Subdivision Plan is hereby added to the Master Deed upon recordation of this Amendment, which shall include recordation of the said replat.

IN WITNESS WHEREOF, the Developer executed this Third Amandment to Master Dead on the day and date first above written.

Signed in the presence of:

TOWER DEVELOPMENT COMPANY

Tamiko Moroney

Tamiko Moroney

By:

Roland J. Peterson

Its: President

Marlene P. Dalman

Signed in the presence of:

THE MARINER'S COVE DEVELOPMENT

amileo Moroney

4111

Erik L. Peterson

COMPANY

By:

Frederick C. Riebel

Its: President

STATE OF MICHIGAN

COUNTY OF ALLEGAN

ss.

On this 26 day of Fibrary, 1989, before me, a Notary Public, in and for said county, appeared Roland J. Peterson, to me personally known, and, who being by me duly sworn, did say that he is the President of TOWER DEVELCEMENT COMPANY, a Michigan Corporation, the corporation named in and which executed the within instrument, and that said instrument was signed on behalf of said corporation, and acknowledged said instrument to be the free act and deed of said corporation.

, Notary Public

Allegan County, Michigan

My Comm. Exp.:

JEANNE E. BEKKEN Notary Public, Allegan County, MI My Commission Expires Feb. 25, 1990

STATE OF MICHIGAN

ss.

COUNTY OF ALLEGAN

On this 26 day of Fehreney, 1989, before me, a Notary Public, in and for said County, appeared Frederick C. Riebel, to me personally known, and, who being by me duly sworn, did say that he is the President of THE MARINER'S COVE DEVELOPMENT COMPANY, a Michigan Corporation, the corporation named in and which executed the within instrument, and that said instrument was signed on behalf of said corporation, and acknowledged said instrument to be the free act and deed of said corporation.

, Notary Public

Allegan County, Michigan

My Comm. Exp.:

JEANNE E. BEKKEN Notary Public, Affects County, M' My Commission Francis 15, 15

Drafted by:
Gretchen Detgen
Kinney, Cook, Lindenfeld & Kelley
811 Ship Street, P.O. Box 24
St. Joseph, Michigan 49085
(616) 983-0103
7/L/2/54/3RDAMEND.TD

EXHIBIT B TO THE MASTER DEED

TOWER HARBOR CONDOMINIUM

VILLAGE OF DOUGLAS ALLEGANI CO SUBDIVISION PLAN Nº 16 ALLEGAN COUNTY CONDOMINIUM

OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN

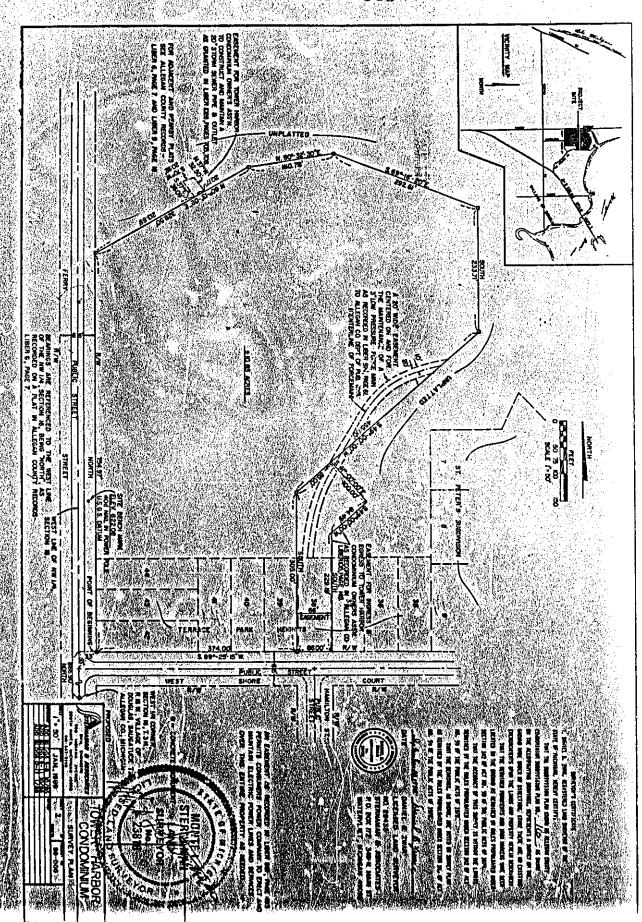
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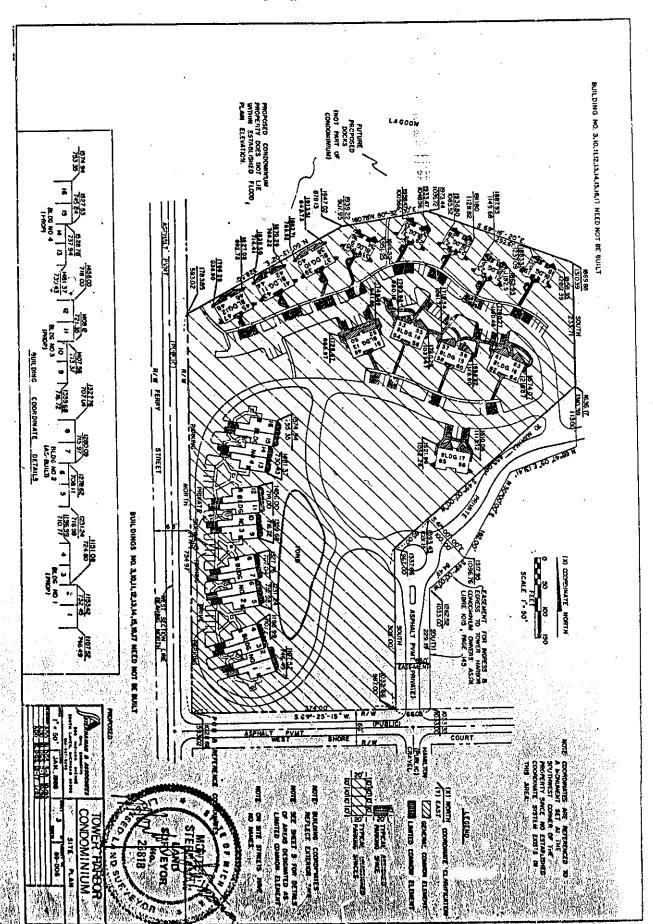
DOUGLAS, MICHIGAN 49406 (616) 857-2151 TOWER DEVELOPMENT INC.

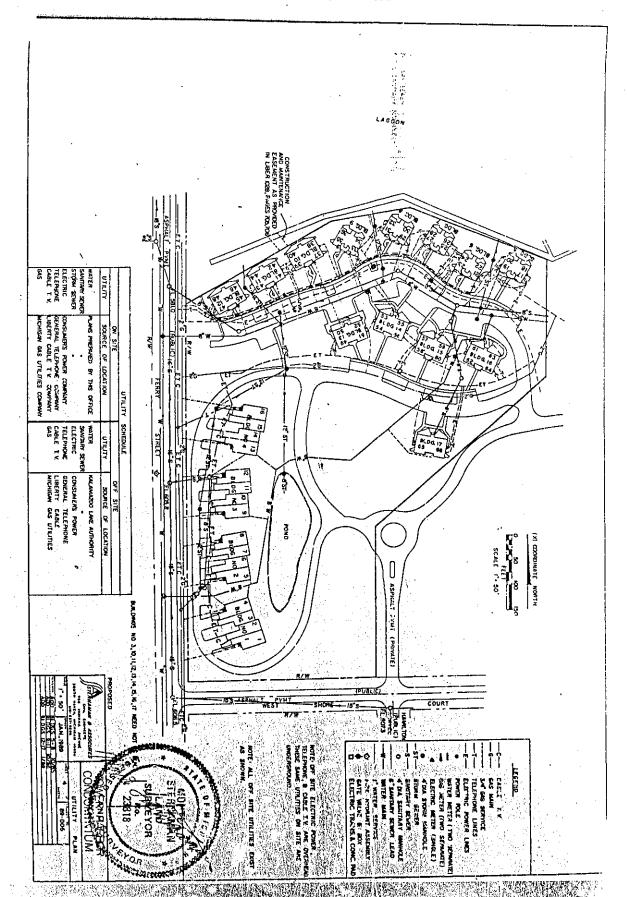
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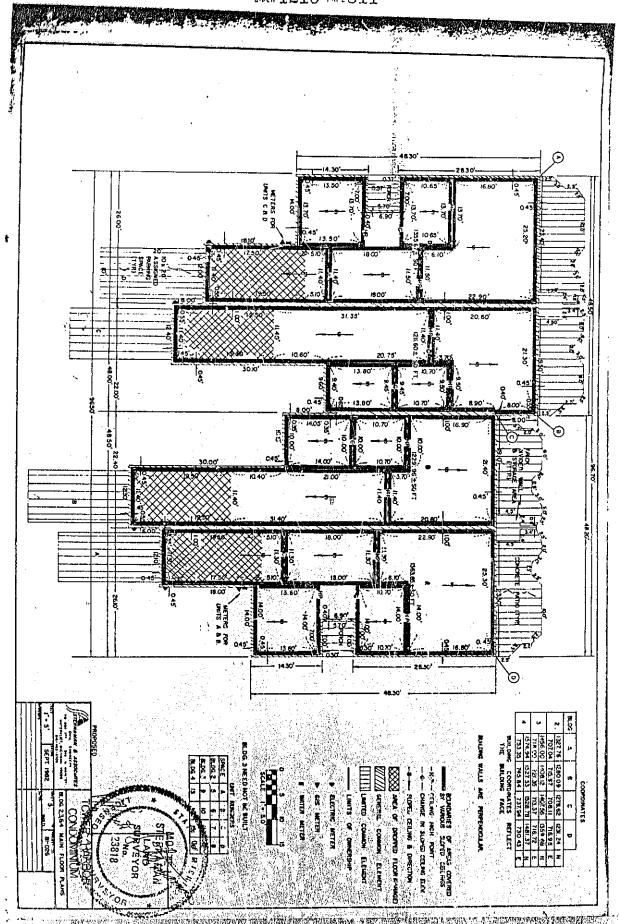
900 INDIANA AVENUE
SOUTH HAVEN, MICHIGAN 49090 (616) 637-9205 STERNAMAN & ASSOCIATES

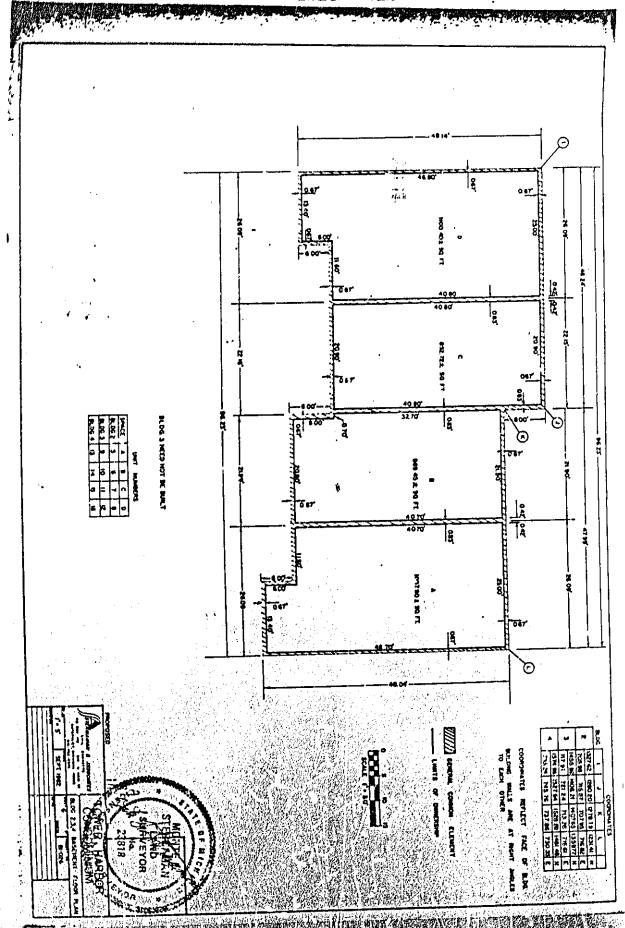
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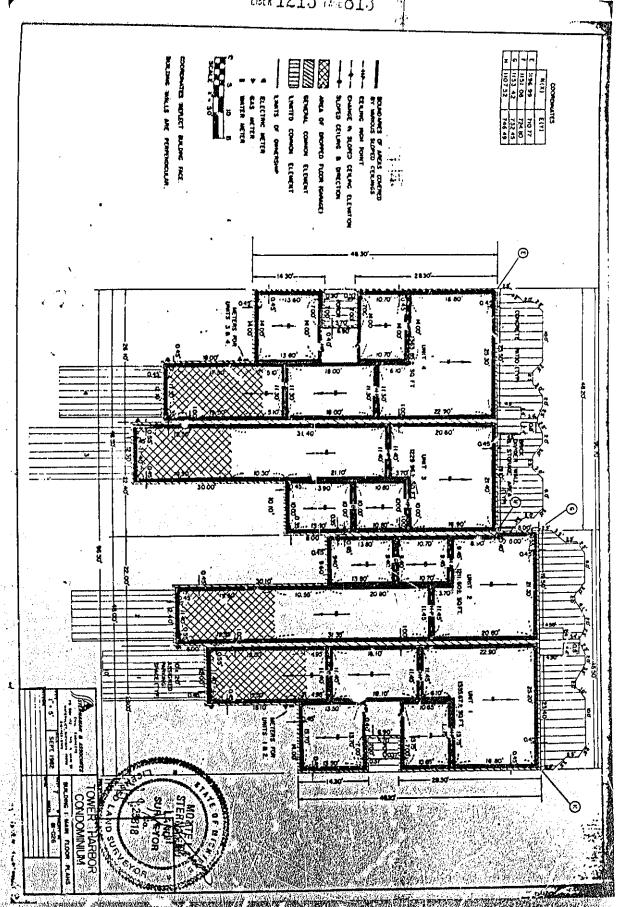


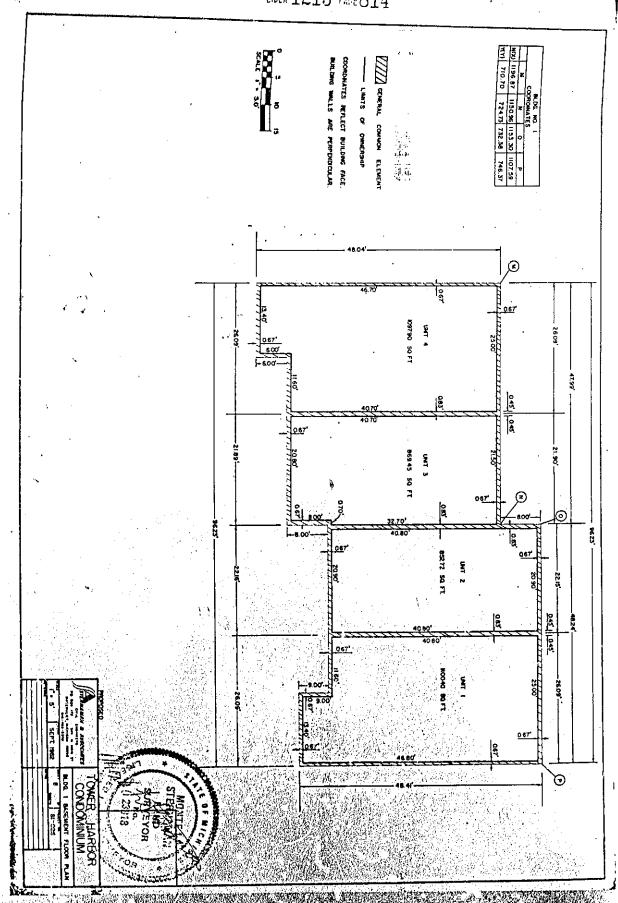


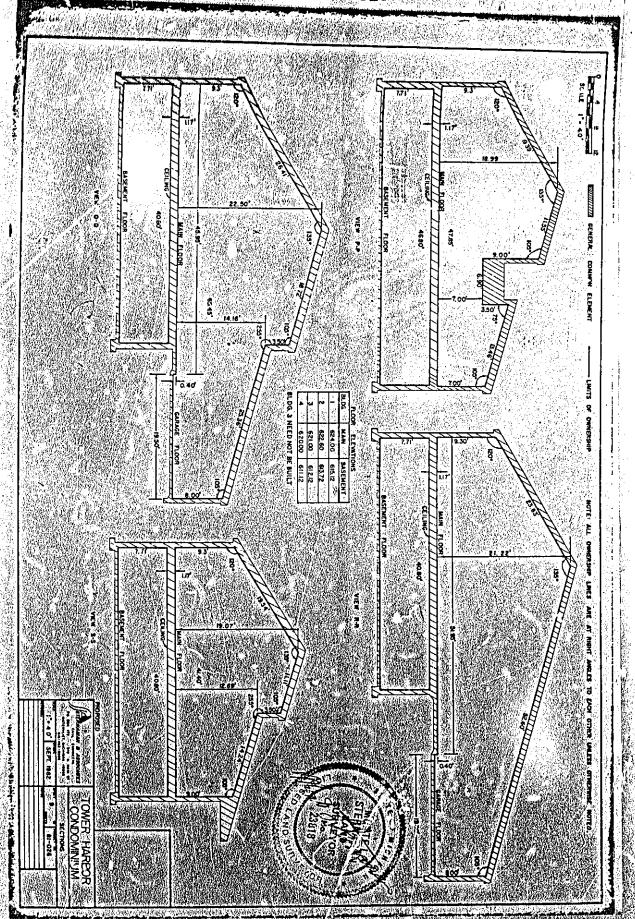


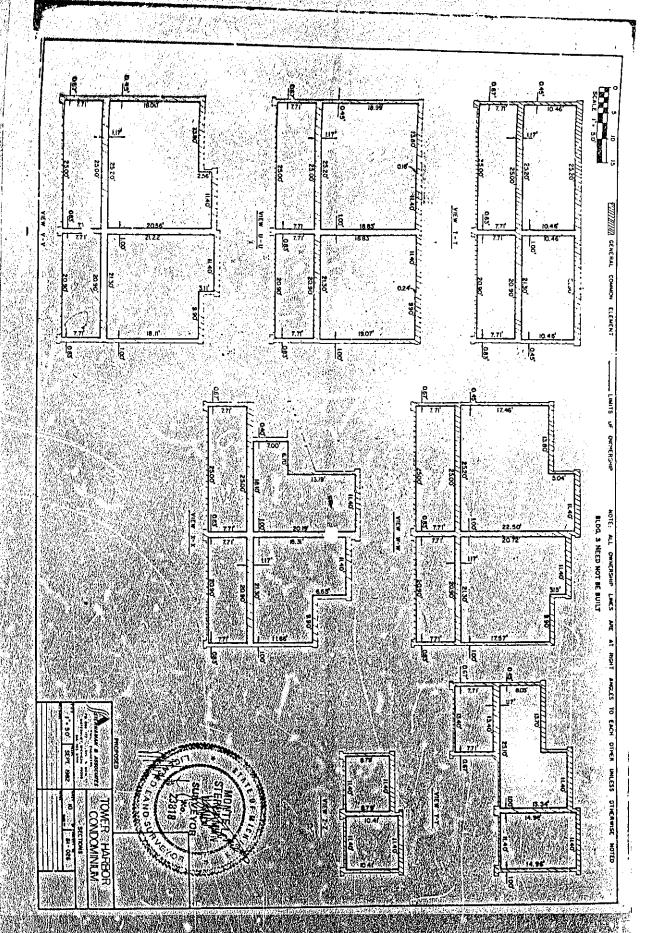


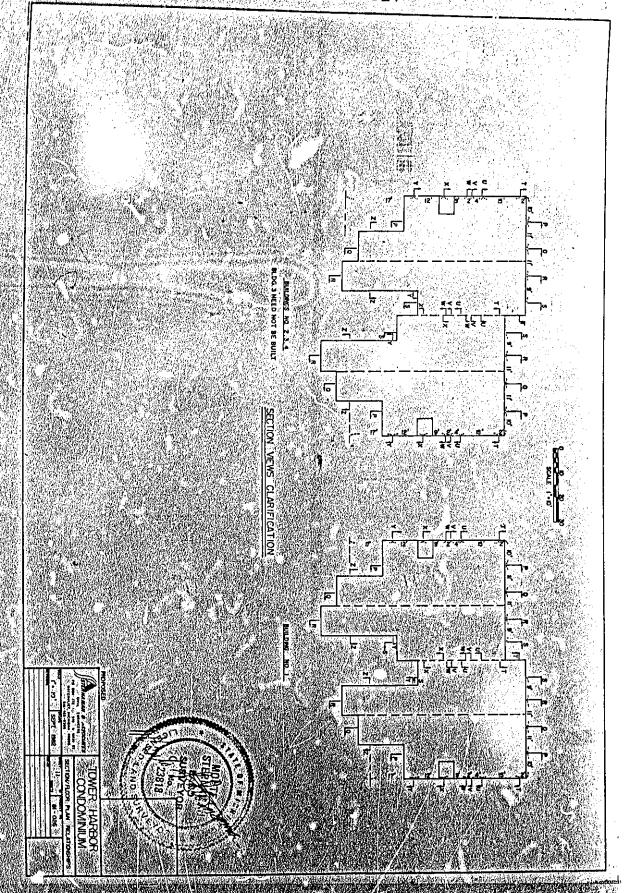


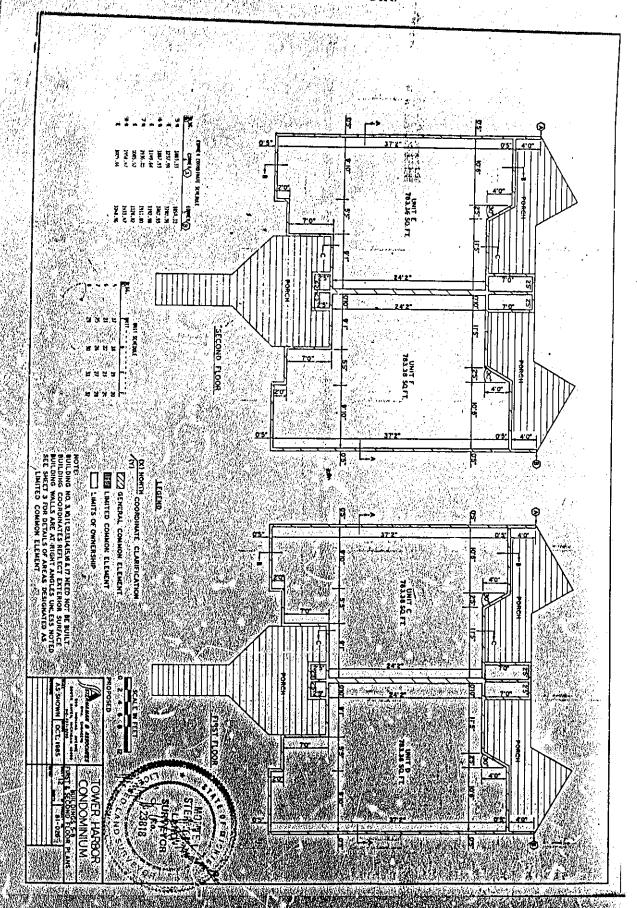


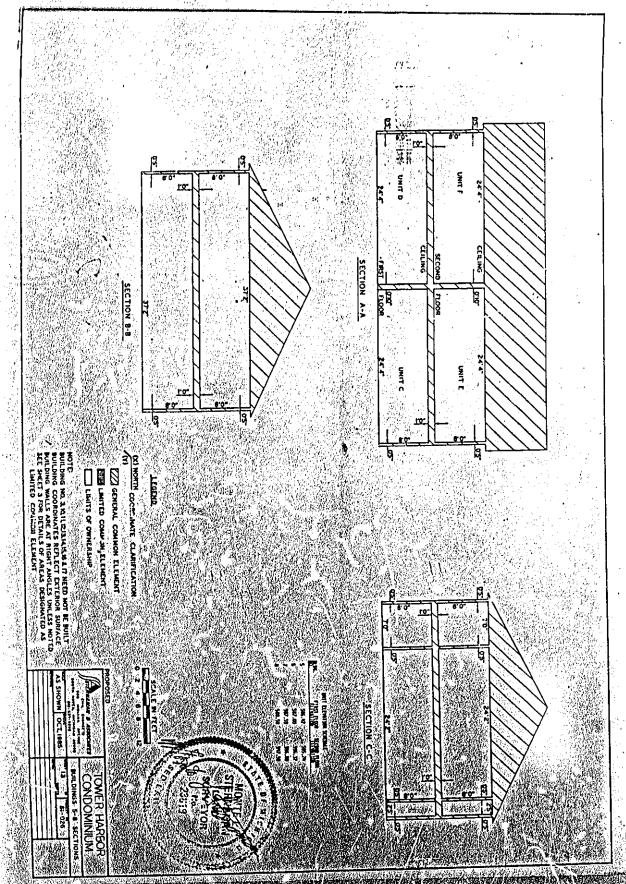


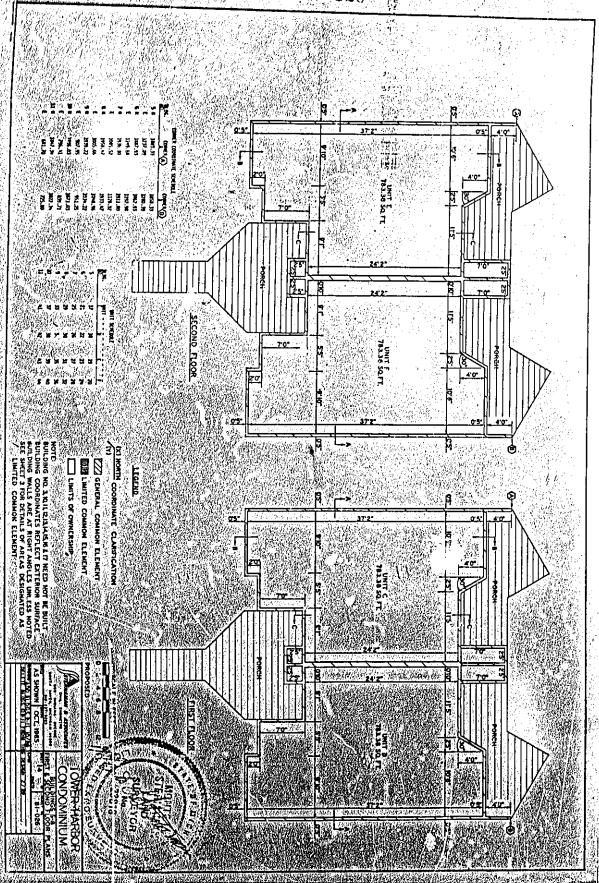


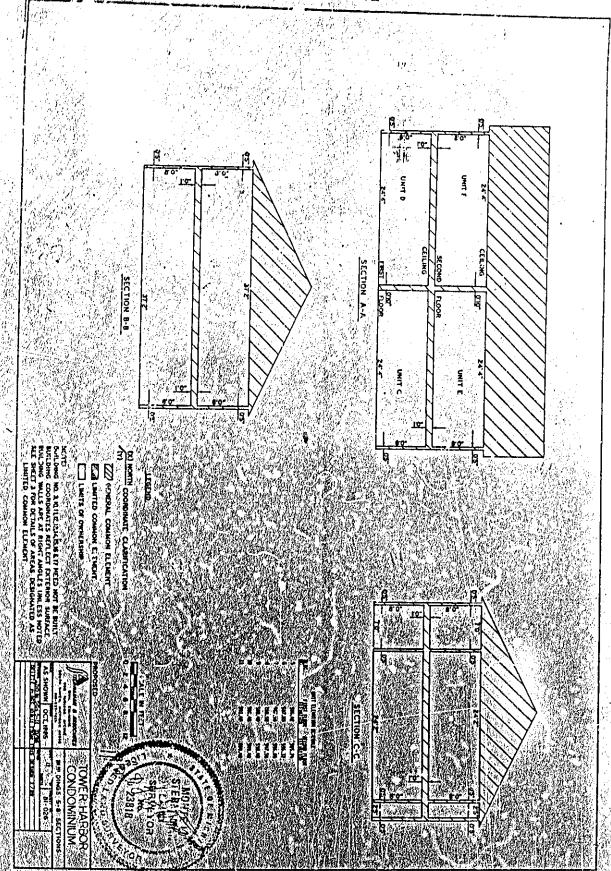


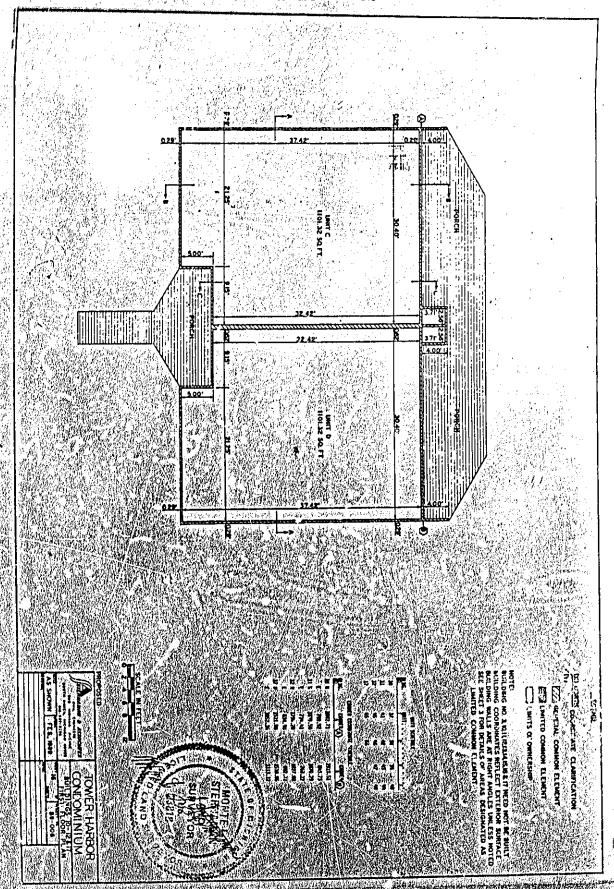


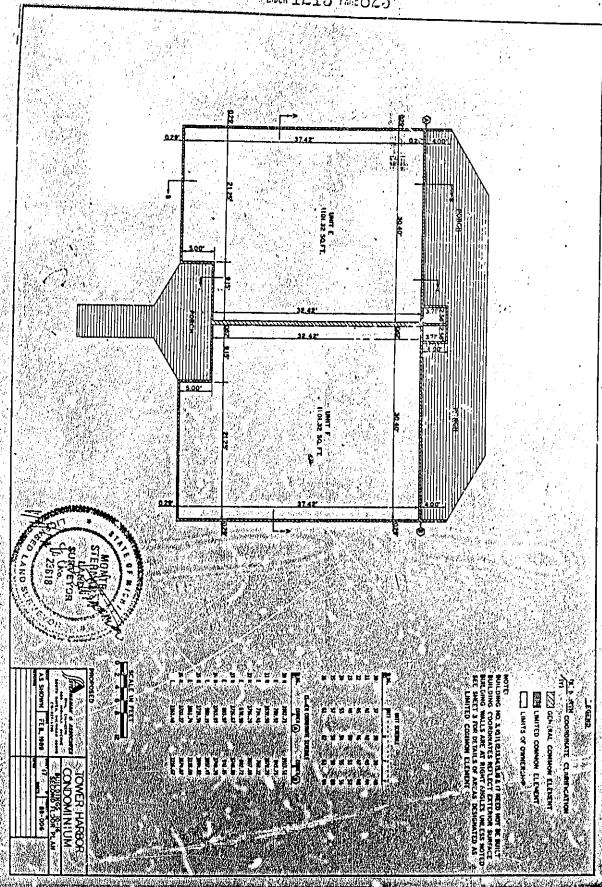


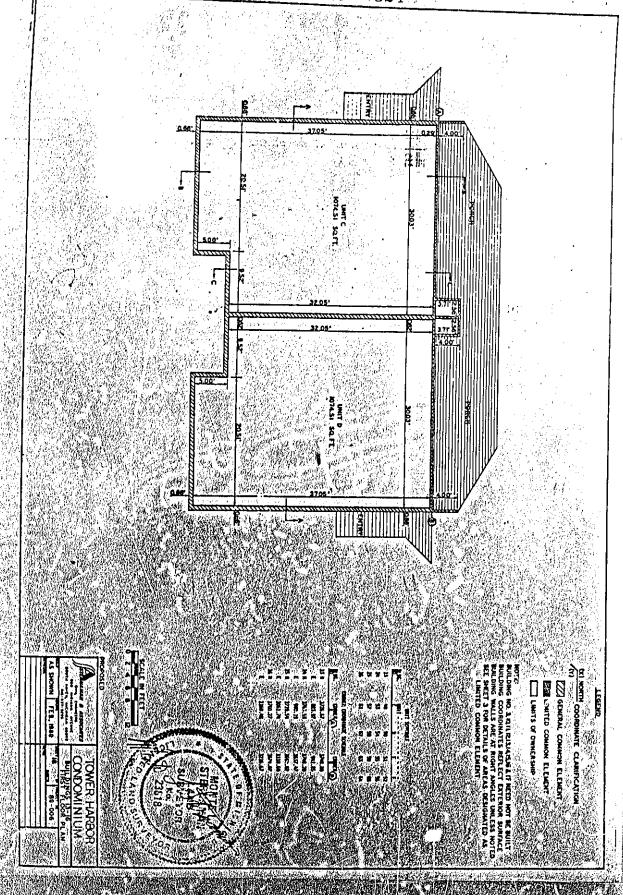


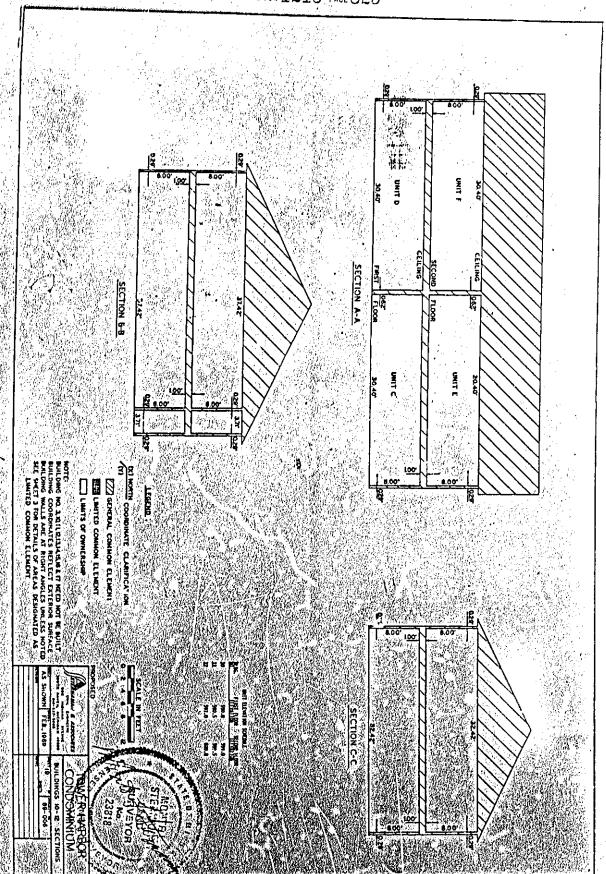


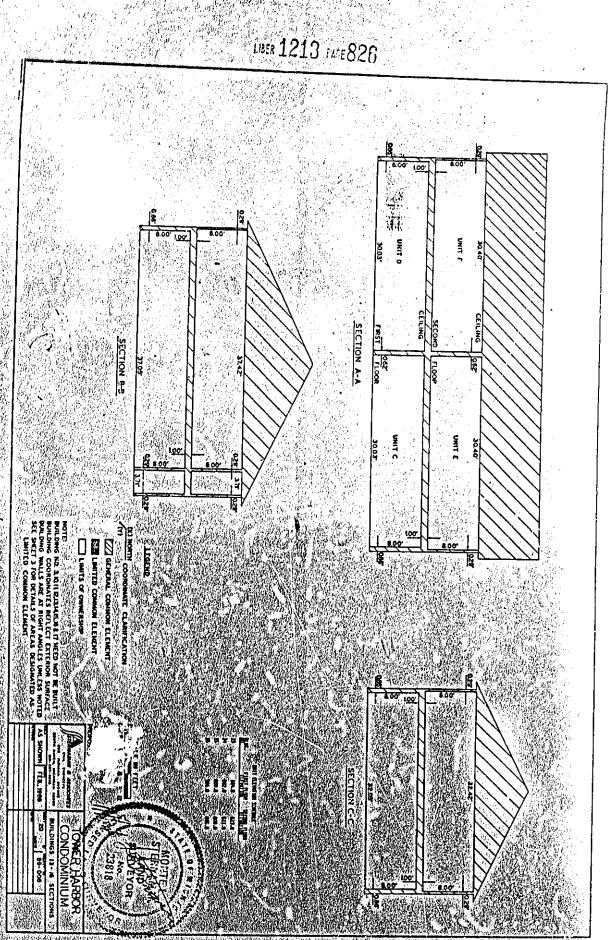




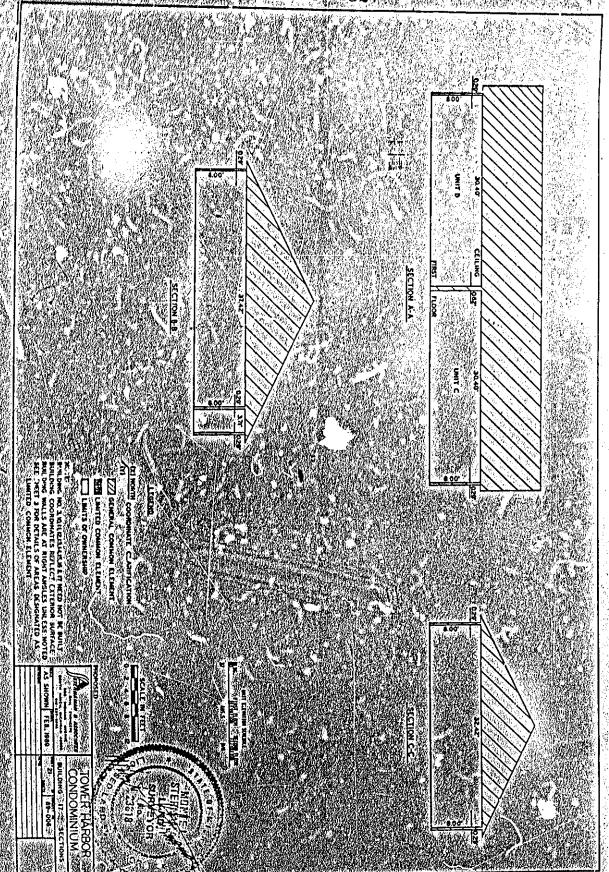








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1430 PAGE 762

FOURTH AMENDMENT TO MASTER DEED TOWER HARBOR CONDOMINIUM

Tower Development Company, a Michigan corporation, and The Mariner's Cove Development Company, a Michigan corporation, both of P.O. Box 638 Douglas, Michigan 49406 (collectively the "Developers"), being the Developers of Tower Harbor Condominium, a condominium project established pursuant to the Master Deed thereof recorded March 10, 1983, in Liber 1030, Pages 375-417, inclusive, Allegan County Records (the "Master Deed"), with the consent of the Tower Harbor Condominium Association pursuant to Section 90 of the Michigan Condominium Act, being Act 59 of the Public Acts of 1978, as amended, MCLA 559.190(2), hereby amend the Master Deed of Tower Harbor Condominium as set forth herein.

ARTICLE I AMENDMENT OF MASTER DEED

The Developers, upon the recording hereof, establish 15 condominium units upon property previously dedicated to the condominium for future development. These additional units shall be located as indicated on the Amended Condominium Subdivision Plan referenced in Article II below. The Developers also hereby establish 36 detached garages as indicated on the Amended Condominium Subdivision Plan referenced in Article II below. Spaces in these garages may be sold to owners of units in the Condominium only by being assigned as a limited common element appurtenant to a unit. The foundations, supporting columns, walls, shown on the Amended Condominium Subdivision Plan referenced in Article II below (including windows and doors therein), roof. coilings and floors shall be general common elements. The interior surfaces of the walls, ceilings, and floors of such garages and the space contained within the garages and the parking space in front of each garage shall be limited common elements appurtenant to the unit to which each garage is assigned by the Developers. With the consent of the Board of Directors, the owner of the unit to which a garage is appurtenant shall have the right to sell to any other co-owner the garage appurtenant to his or her unit or any entire stall of it if the garage consists of more than one stall by having such garage space reassigned as a limited common element appurtenant to another unit. Space in a garage may be rented but only to another co-owner in the Condominium. The percentages of value of each unit in the condominium shall all continue to be equal to each other as provided by Article V of the Master Deed. Nothing in this Amendment impairs the Association's power in any way to amend the Condominium Documents in the future. Developers acknowledge having no further right to amend the Condominium Documents without the approval of the Association.

1959**1430**PAGE 763

ARTICLE II AMENDMENT OF CONDOMINIUM SUBDIVISION PLAN

Allegan County Condominium Subdivision Plan #16, attached as Exhibit B to the Master Deed is hereby replaced and superseded by replat no. 1 of Allegan County Condominium Subdivision Plan #16, attached hereto.

| Dated: <u>JUNE 10, 1993</u> | | |
|---|---|--|
| WITNESSES: | TOWER DEVELOPMENT COMPANY | |
| Randall S. Schipper | By: Roland J. Peterson Its Fresing of | |
| Kris Kalmbaugh | THE MARINER'S COVE DEVELOPMENT COMPANY | |
| Randall S. Schipper Kris Kalmbaugh | By: Roland J. Peterson Its Posiclus | |
| STATE OF MICHIGAN)) ss. | | |
| COUNTY OF OTTAWA) | | |
| On this 10 day of June, 1993, before me, a Notary Public in and for said County, personally appeared Roland J. Peterson the President of Tower Development Company, a Michigan corporation on behalf of said corporation. | | |
| Kris Kalmbaugh Notary Public, Ottawa County, MI | | |
| My Commission Expires: 9-22-96 | | |

1859 1430 PAGE 764

On this O day of O your of Tone of The Mariner's Cove Development Company, a Michigan corporation on behalf of said

Kris Kalmbaugh
Notary Public, Ottawa County, MI
My Commission Expires: 9-33-96

This instrument prepared by:

corporation.

Randall S. Schipper
Cunningham Dalman, P.C.
321 Settlers Road
P.O. Box 1767
Holland, Michigan 49422 1767
(616) 392-1821

1917-1430 PAGE 765

CERTIFICATE OF CONSENT TO

MASTER DEED OF

TOWER HARBOR CONDOMINIUM

Tower Harbor Condominium Association, a Michigan non-profit corporation, having obtained the consent of two-thirds or more of the Co-owners of condominium units in the Tower Harbor-Mariner Cove Condominium project (Allegan County Condominium Subdivision Plan No. 16), hereby consents to the amendment of the Master Deed of Tower Harbor Condominium pursuant to the provisions of Article VII.B thereof, in the following respects:

- (1) To the adoption of a revised site plan for the development of Tower Harbor Condominium, in the form presented to and accepted by the Village of Douglas Planning Commission at its meeting of April 17, 1993; and
- (2) To the recording of a Fourth Amendment to the Master Deed of Tower Harbor Condominium incorporating the changes noted above.

Dated: July 46, 1993

Witness:

·

TOWER HARBOR CONDOMINIUM ASSOCIATION

Harr Hanak

Mary Rynak

William F. Goodrich, Director

11572 1430 PAGE 766

AFFIDAVIT

| STATE OF MICHIGAN |) | |
|-------------------|---|----|
| |) | SS |
| COUNTY OF OTTAWA |) | |

Roland J. Peterson being duly sworn deposes and says as follows:

- 1. I am the President of Tower Harbor Development Corporation, the Developer of Tower Harbor Condominium.
- 2. All of the mortgagees of units and Tower Herbor Condominium have consented to the Fourth Amendment of the Master Deed of Tower Harbor Condominium to which this Affidavit is attached.

Deponent further sayeth not.

Rolawd J. Peterson

Notary Public, Ottawa County MI My Commission Expires: 4-15-97

SUBDIVISION PLAN ALLEGAN COUNTY Nº 16 CONDOMINIUM

EXHIBIT B TOWER HARBOR CONDOMINIUM TO THE MASTER DEED OF

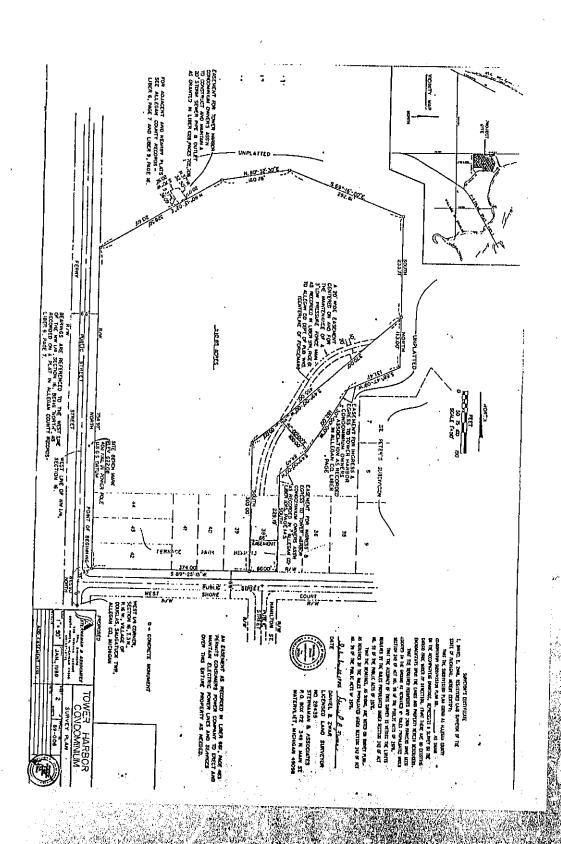
VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN

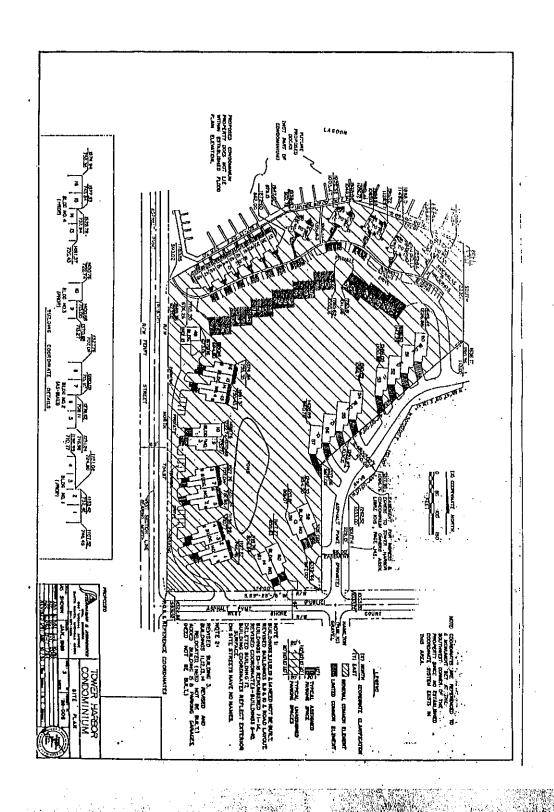
DEVELOPERS:

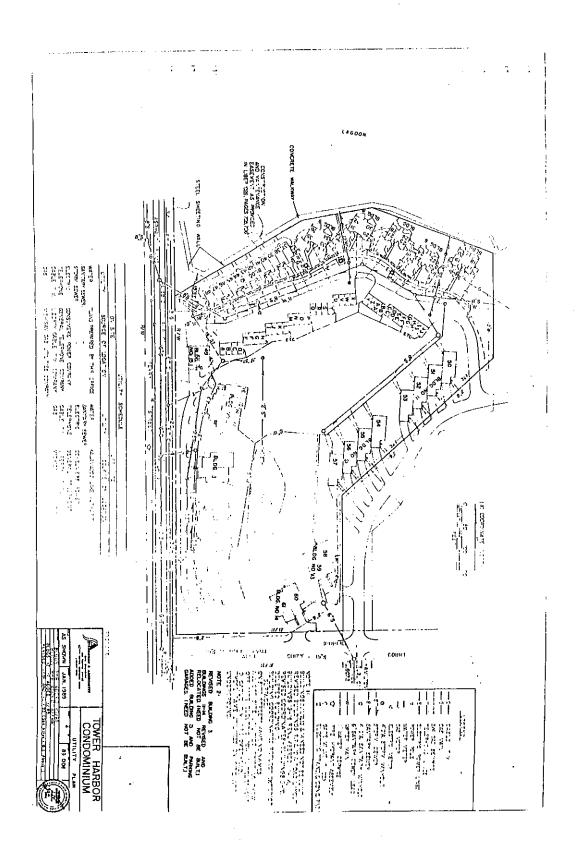
TOWER DEVELOPMENT INC. PO BOX 12
DOUGLAS, MICHIGAN 49406
(616) 857-2151

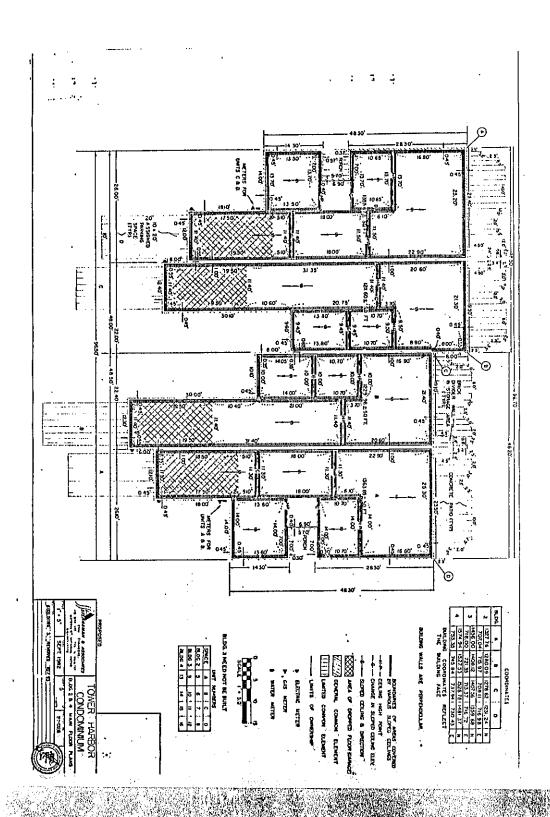
ENGINEER:

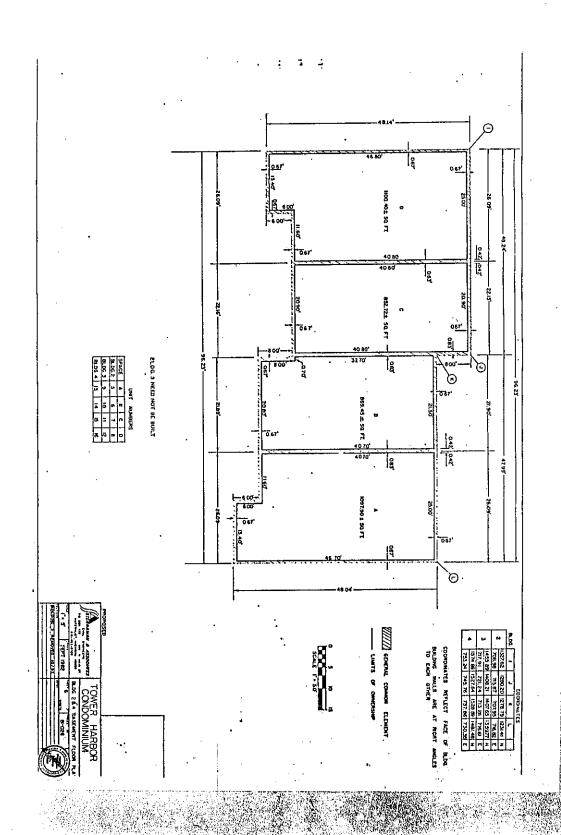
STERNAMAN & ASSOCIATES 900 INDIANA AVENUE SOUTH HAVEN, MICHIGAN 49050

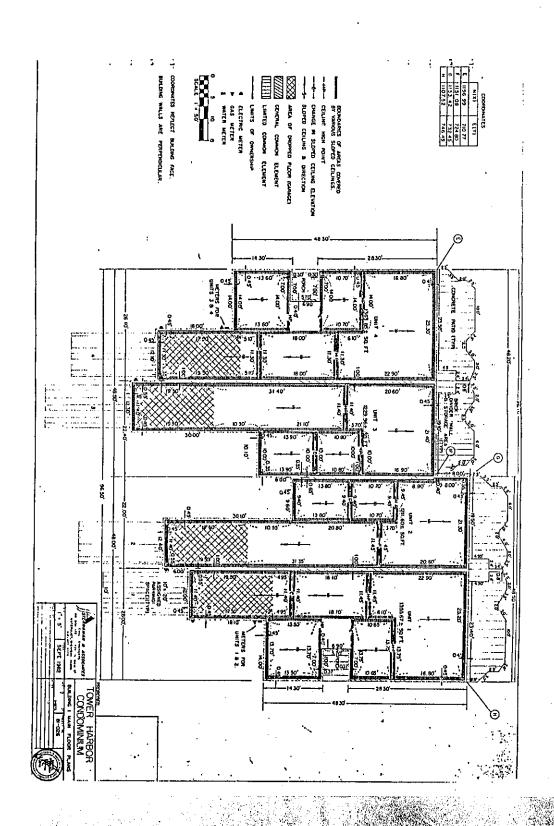


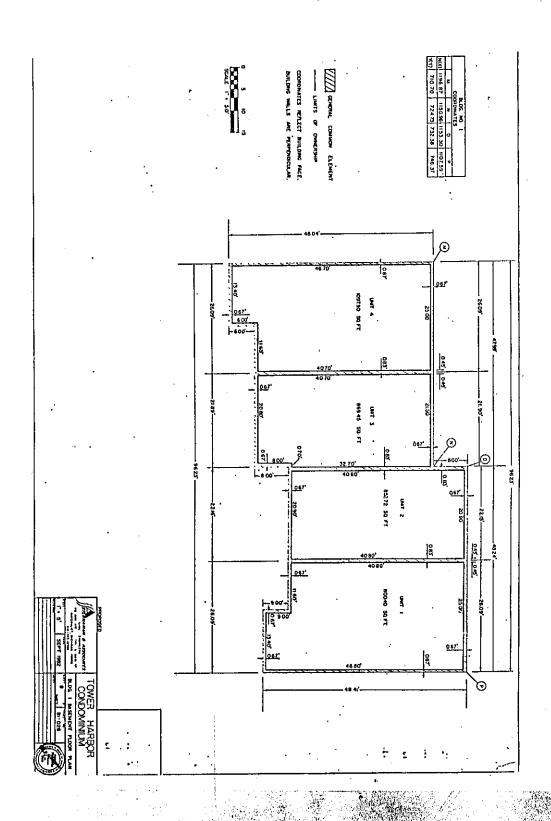


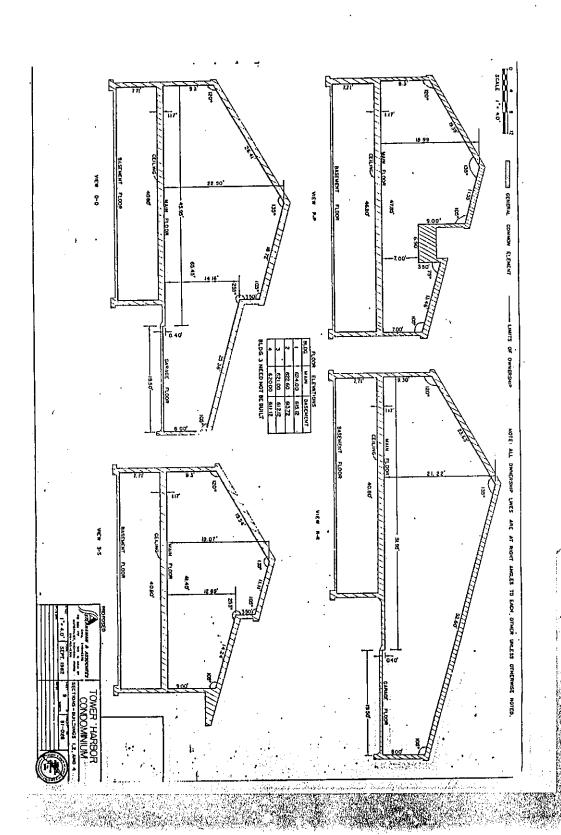


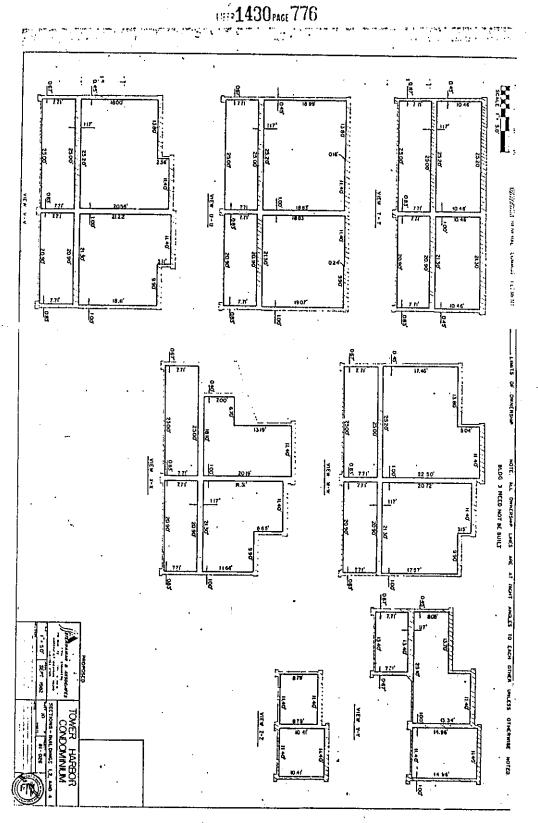


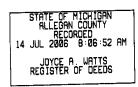












FIFTH AMENDMENT TO MASTER DEED OF

TOWER HARBOR CONDOMINIUM

TOWER HARBOR CONDOMINIUM ASSOCIATION (the "Association"), a Michigan nonprofit corporation representing the co-owners of the TOWER HARBOR CONDOMINIUM, which is a Condominium Project established pursuant to the Master Deed recorded on March 10, 1983, in Liber 1030, Pages 375 through 417, inclusive, Allegan County records; as amended by the First Amendment to Master Deed recorded on October 31, 1985, in Liber 1096, Pages 246 through 261, inclusive; as amended by the Second Amendment to Master Deed recorded on March 9, 1988, in Liber 1179, Pages 204 through 213, inclusive; as amended by the Third Amendment to Master Deed recorded on February 28, 1989, in Liber 1213, Pages 803 through 827, inclusive; and as amended by the Fourth Amendment to Master Deed recorded on October 10, 1993, in Liber 1430, Pages 762 through 793, inclusive (the "Condominium"), hereby amends the Master Deed of the Condominium. This amendment is being made pursuant to the authority contained in Article VII of the Master Deed and pursuant to the authority contained in Section 90(2) of the Michigan Condominium Act for the purpose of:

- Allowing for building additions to be constructed to certain Units; Α.
- Converting certain lawn areas in the General Common Elements to building В. structural components that constitute General Common Elements or parts of existing Units; and
- Providing for the Unit owners to assume certain maintenance responsibilities C. with respect to these building additions.

The Master Deed, therefore, is amended in the following manner:

The Condominium Subdivision Plan attached as Exhibit B to the Master Deed of the Condominium, as previously amended, is further amended by substituting for original Sheets No. 1, 3, 12, 13, 14, and 15 of the Condominium Subdivision Plan the attached Sheets No. 1 through 5 of Replat No. 5 of Allegan County Condominium Subdivision Plan No. 16.

2. The purpose of the amended sheets of Replat No. 5 of the Condominium Subdivision Plan is to amend Units 17 through 36, which are located in buildings 5, 6, 7, 8, and 9. The Association by the requisite vote of the Unit owners of the Condominium at a duly constituted meeting held on June 29, 2002, authorized the construction of two story additions on each end of these buildings to convert existing patios and decks to enclosed rooms that become part of the affected Units listed above. The authorized additions also result in the conversion of a minimal amount of General Common Element lawn areas to

General Common Element structural components of the buildings and Units.

- 3. This Fifth Amendment to Master Deed implements the building additions authorized by the Unit owners at the June 29, 2002, meeting of the Unit owners, and the owners of Units 17 through 36 are hereby authorized to construct additions at the Unit owners' expense in accordance with the general construction plans previously approved by the Association. The specific construction plans for any building additions that have not yet been constructed shall be approved prior to construction by the Association Board of Directors, whose approval shall not be unreasonably withheld or delayed as long as the specific construction plans for each Unit are substantially the same as the additions that have already been constructed in accordance with the general construction plans previously approved by the Association. The Association Board of Directors also has previously authorized installation of rooftop dormer windows in certain Units and has authorized the installation of patio window/screen enclosures in certain lower level Units underneath existing decks.
- 4. Notwithstanding the existing provisions of the Master Deed with respect to maintenance and repair of the General Common Elements of the Condominium, each Unit owner who has constructed or who constructs a building addition in accordance with this amendment, or who has installed or installs a rooftop dormer window or patio window/screen enclosure shall be responsible for all maintenance and repair obligations and costs associated with the building additions, rooftop dormer windows, or patio window/screen enclosure, including, but not limited to, structural elements, exterior siding, roofing, windows, insulation, drywall, and any electrical or plumbing components. Each Unit owner shall maintain these components in good condition and repair and in a manner that conforms to the exterior appearance of the buildings of which these Units are a part.

The foregoing Fifth Amendment to Master Deed has been approved by the requisite number of Unit owners as required by the Michigan Condominium Act, and is being executed on behalf of the Unit owners by the TOWER HARBOR CONDOMINIUM ASSOCIATION effective on June 19, 2006.

TOWER-HARBOR CONDOMINIUM ASSOCIATION

Patricia Drewitz, President

LIBER 3009 PAGE 898

STATE OF MICHIGAN) ss. COUNTY OF OTTAWA)

The foregoing instrument was acknowledged before me on June 19, 2006, by Patricia Drewitz, as President and on behalf of TOWER HARBOR CONDOMINIUM ASSOCIATION.

Douglas R. MacDonald

Notary Public, Ottawa County, Michigan My Commission Expires: 11/30/2006 Acting in Ottawa County, Michigan

Prepared by and Return to:
Douglas R. MacDonald
McDowell Buckman & MacDonald PC
44 East-8th Street, Suite 215 217 East 24th Street, #20
Holland, Michigan 49423
(616) 394-4276

ORIGINAL DEVELOPER:

REPLAT NO. 5 OF

ALLEGAN COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 16

EXHIBIT "B" TO THE MASTER DEED OF:

VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN OWER HARBOR CONDOMINIUMS

REPLAT
TOWER HARBOR CONDO. ASSOC.
C/O KEYSTONE PROPERTIES INC.
491 CHICAGO DRIVE
HOLLAND, MI 49423 TOWER DEVELOPMENT INC. P.O. BOX 12 DOUGLAS, MI 49406

ORIGINAL
SURVEYOR & ENGINEER:
STERNAMAN & ASSOCIATES
900 INDIANA AVENUE
SOUTH HAVEN, MI 49090

REPLAT
SURVEYOR & ENGINEER:
DRIESENGA & ASSOCIATES, INC.
455 EAST 8TH STREET, SUITE 100
HOLLAND, MICHIGAN 49423

Commencing at a point which is 866.90 feet North and 33,00 feet East of the West 1/4 corner of sold Section 16, being a point on the Easterly right of very of Fray Street and the Northerly right of very of Fray Street and the Northerly right of very of Fray Street Stare Court and with beanings referenced as the Merit of the Street Street and 25 period to an advantage of the Street Part of the Very North is provided to and 3 thet Earth 808.25% East, 160.33 etc. thence North 809.25% etc. thence North 909.25% etc. the Street Street Street East, 160.33 etc. the Street Street Street East, 160.33 etc. the Street East 160.33 etc. the Street

A description of part of Government Lot 5, Northwest 1/4, Section 16, Town 3 North, Range 16 West, Village of Douglas, Saugatuck Township, Allegan County, Michigan, including also Lots 40 through 44 and part of Foracce Park Heights, according to the recorded plot thereof, more exactly described as:

LEGAL DESCRIPTION OF TOWER HARBOR CONDOMINIUMS

SHET INDEX

1. COVER SHEET

2. SUPVEY PLAN

2. SUPVEY PLAN

3. SITE PLAN

4. UTILITY PATA

5. MAIN FLOOR PLAN — BUILDINGS 2 & 4

6. MAIN FLOOR PLAN — BUILDINGS 2 & 4

7. MAIN MICHOR POOR PLAN — BUILDINGS 1 & 4

8. SECTIONS — BUILDINGS 1, 2 & 4

10. SECTIONS — BUILDINGS 1, 2 & 4

11. SECTIONS — BUILDINGS 1, 2 & 4

12. FRIST & SECOND FLOOR PLANS — BUILDINGS 5-7

14. REST & SECOND FLOOR PLANS — BUILDINGS 8 & 9

15. SECTIONS — BUILDINGS 10

15. SECTIONS — BUILDINGS 10

16. SECTIONS — BUILDINGS 10

17. SECTIONS — BUILDINGS 10

18. SECTIONS — BUILDING 10

19. FLOOR PLANS — BUILDING 10

20. SECTIONS — BUILDING 10

21. SECTIONS — BUILDING 10

22. SECTIONS — BUILDING 11

23. SECTIONS — BUILDING 11

24. SECTIONS — BUILDING 15

25. SECTIONS — BUILDING 15

26. SECTIONS — BUILDING 15

27. GARAGE UNITS A THRU JJ

10. SUPPLY SECTIONS — BUILDING 15

27. GARAGE UNITS A THRU JJ

10. SUPPLY SECTIONS — BUILDING 15

27. GARAGE UNITS A THRU JJ

10. SUPPLY SECTIONS — BUILDING 15

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10. SUPPLY SECTIONS — BUILDING 15

27. GARAGE UNITS A THRU JJ

10. SUPPLY SECTIONS — BUILDING 15

10. SUPPLY SECTIONS — BU

CHRIS R. CLINE P.S.
DRIESENGA & ASSOCIATES, II
455 EAST EIGHTH STREET, S
HOLLAND, MICHEGAN 49423 P.S. #45495 ES, INC. ET, SUITE 100 200 6 DATE

PROPOSED RE-PLAT NO. 5 DATED: 6-21-06

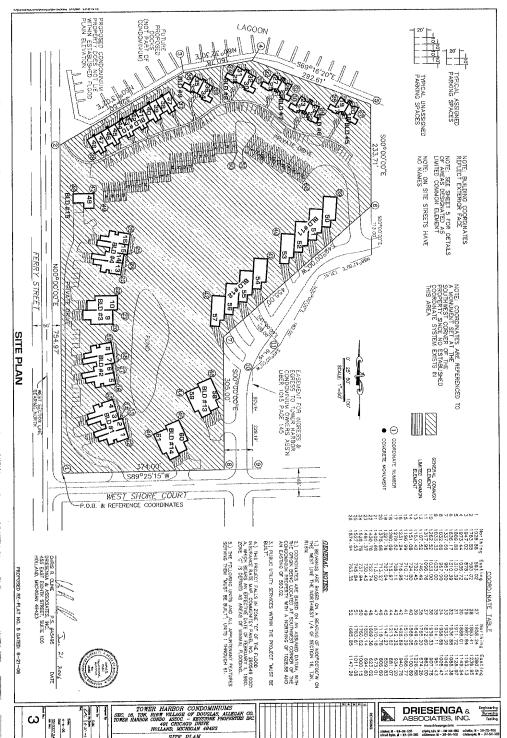
TO WER HARBOR CONDOMINIUMS
SEC. 16. T3M. RIGH VILLAGE OF DOUGLAS, ALISGAN CO.
TOWER HARBOR CONDO. ASSOC. — RETSTONE PROPERTIES INC.
491 CHICAGO DRIVE
HOLLAND. MCHIGAN 49423

DRIESENGA & ASSOCIATES, INC.

Surveying Yesting Distance M = 015-380-0055 Distance Late, M = 316-566-1650 Distance M = 217-775-7869 Distance M = 576-218-3000 palance M = 289-544-1652 Distance M = 177-478-3

ATTENTION COUNTY REGISTER OF DEEDS:
THE ASTERISK (*) INDICATES THAT THE
SHEETS ARE AMENDED WHICH ARE DATED
JUNE 21, 2006. THESE SHEETS ARE TO
REPLACE THOSE PREVIOUSLY RECORDED.

V5-C230190



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