



Third Amendment to Master Deed of Fenner Glen, a Site Condominium

Effective April 1, 2009, **Fenner Glen Property Management, Inc.**, a Michigan non-profit corporation ("**Association**") is the association that manages **Fenner Glen, A Site Condominium** ("Condominium"), a residential site condominium project established pursuant to the Master Deed dated October 28, 1997, and recorded in Muskegon County Records on January 19, 1998, at Liber 2056, Pages 353 through 393, inclusive, as Muskegon County Condominium Subdivision Plan No. 57, and re-recorded in Muskegon County Records on January 18, 2000, at Liber 3006, Pages 525 through 573, inclusive, as amended by a First Amendment to the Master Deed of Fenner Glen, A Site Condominium, dated September 12, 2003, and recorded on September 17, 2003 in Liber 3566, Page 770 and further amended by a Second Amendment to the Master Deed of Fenner Glen, A Site Condominium, dated July 26, 2004 and recorded on July 28, 2004 in Liber 3613, Page 77 (the "Master Deed"). Pursuant to the authority reserved in Article XI of the Master Deed, the Association amends the Master Deed as follows:

1. **Amendment to Master Deed.** The Master Deed is amended to:
 - a. Eliminate the General Common Area located between Units 70 and 71, provided the Association reserves an easement over the area of such General Common Area for the limited purpose of providing a second entrance for ingress and egress into the subdivision by emergency vehicles. Provided, this reservation may be terminated by either the Association or the owner of either Unit 70 or 71 at such time as another entrance is established for ingress and egress into the subdivision by emergency vehicles;
 - and,
 - b. Units 7, 8 and 72 shall remain separate units and the current owner shall pay association dues as if the units were combined as a single unit, provided in the event the units are sold collectively or separately, all subsequent owners shall be required to pay association dues on each of the units. In addition, in the event a residence is built on the vacant units, the owner shall be responsible to pay any connection fees required by Laketon Township.


2. **Amendment to Exhibit D of Master Deed.** Exhibit D, Condominium Subdivision Plan with Additional Information is deleted in its entirety and replaced with Exhibit D, Condominium Subdivision Plan with Additional Information attached hereto as **Exhibit 1** to reflect the changes described in paragraph 1.

3. **No Material Change.** Except for the owners of Units 7, 8, 70, 71 and 72 this amendment to the Master Deed does not materially alter or change the rights of a co-owner or mortgagee. The owners of Units 7, 8, 70, 71 and 72 consent to this Third Amendment as set forth on **Exhibit 2**.

4. **Affidavit of Mailing.** An affidavit of mailing of notices to co-owners is attached as **Exhibit 3**.


5. **Full Force and Effect.** In all other respects, the provisions of the Master Deed are ratified and confirmed.

Association – Fenner Glen Property Management, Inc., a Michigan non-profit corporation

By: 
Name: Domenico Fornaro
Title: President
Date: March 20, 2009

STATE OF MICHIGAN
COUNTY OF MUSKEGON

This instrument was acknowledged before me this 20th day of March 2009 by **Domenico Fornaro**, President of Fenner Glen Property Management, Inc., a Michigan corporation.


Nancy L. Delury Notary Public
MUSKEGON County, Michigan
My Comm. Expires: 12-11-2012
Acting in MUSKEGON County

Prepared by and when
recorded return to:
Christopher L. Kelly
Parmenter O'Toole

Business Address:
601 Terrace Street
P.O. Box 786
Muskegon, MI 49443-0786

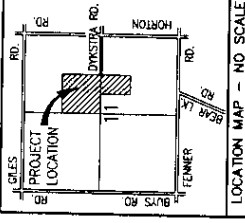


Mark Fairchild, Muskegon Co ROD D11

Exhibit 1

**Exhibit "D" to Master Deed
Condominium Subdivision Plan with Additional Information**

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Mark Fairchild, Muskegon Co ROD 011 05/14/2009 10:31A
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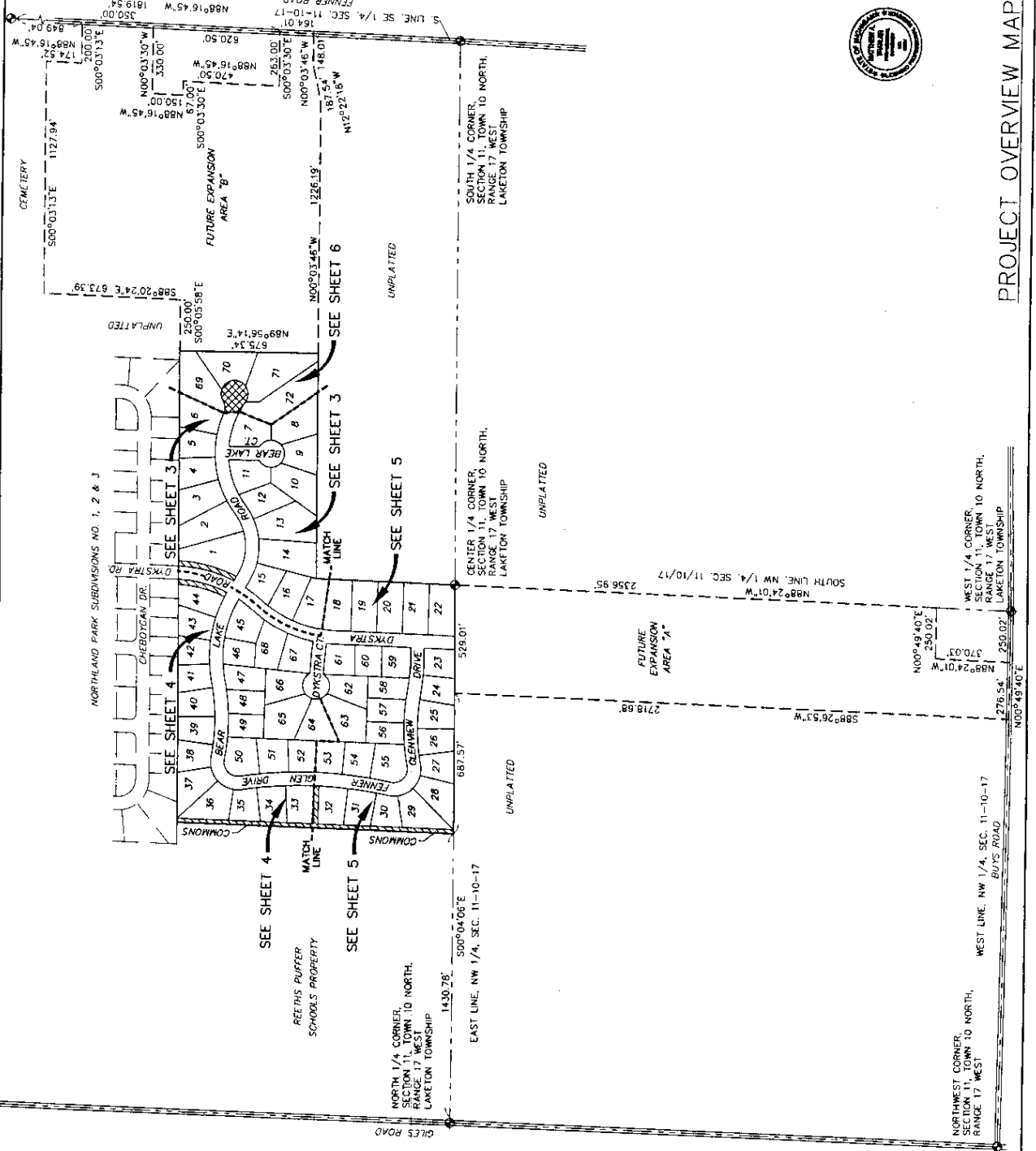


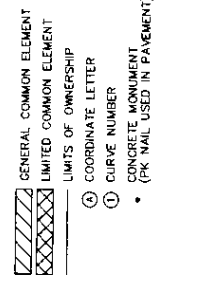
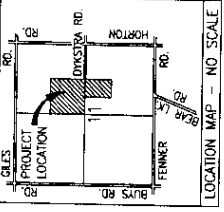
- NOTES: THE FOLLOWING UNITS AND THE ROADS AND UTILITIES SERVING THEM ARE "AS-BUILT": UNITS 1 THRU 68.
- ALL ROADS AND THE AREA WITHIN THE ROAD RIGHT OF WAY HAVE BEEN DEDICATED TO THE PUBLIC EXCEPT AS SHOWN ON SHEET 6 OF 6.
 - THE "COMMONS" AREAS AS SHOWN ON THE PLANS ARE GENERAL COMMON.
 - THIS PROJECT DOES NOT FALL WITHIN A DESIGNATED FLOODPLAIN.
 - THIS PROJECT IS EXPANDABLE AND MAY INCLUDE "FUTURE EXPANSION" AREAS NOT SHOWN ON THIS PLAN. ANY "FUTURE EXPANSION" AREA SHALL ALSO BE CONSIDERED TO BE CONVERTIBLE AND RETRACTABLE FROM THE PROJECT.
 - THE FOLLOWING UNITS AND THE ROADS AND UTILITIES SERVING THEM "MUST BE BUILT": UNITS 69 THRU 72.

S-4-09
 DATE: 05/11/2004
 REPEAT NO. 2 DATED: 05/04/09
 REPEAT NO. 1 DATED: 05/11/2004
 AS-BUILT DATED: 8/24/98

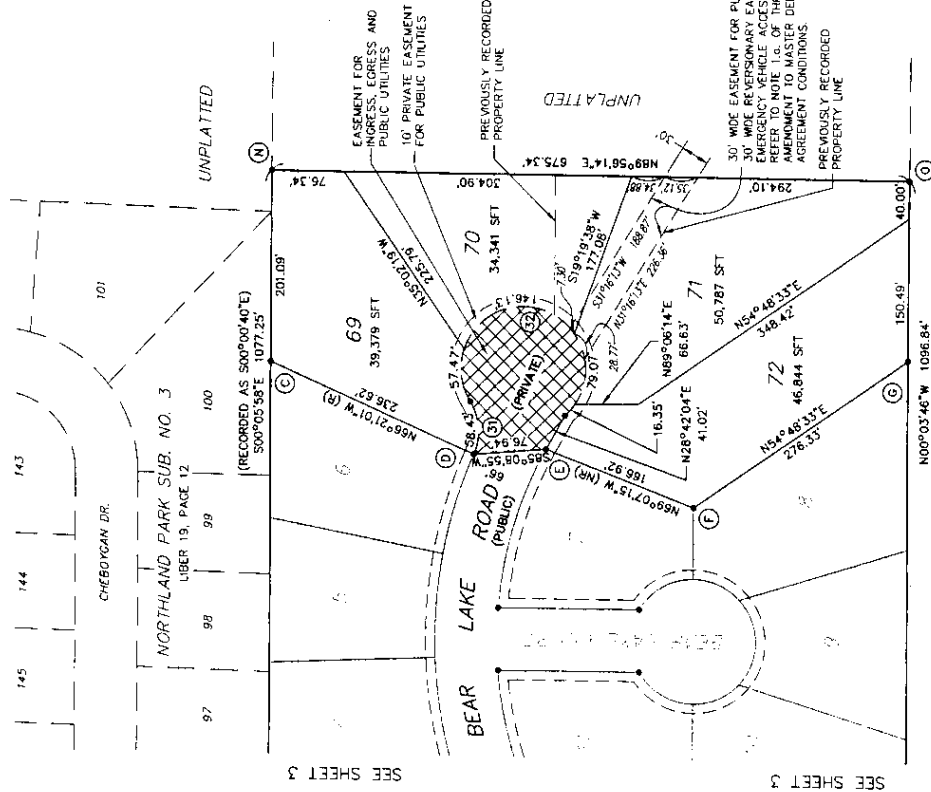
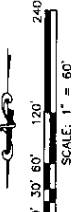


PROJECT OVERVIEW MAP





- NOTES:
- THE FOLLOWING UNITS AND THE ROADS AND UTILITIES SERVING THEM ARE "AS-BUILT": UNITS 1 THRU 60.
 - ALL ROADS AND THE AREA WITHIN THE ROAD RIGHT OF WAY HAVE BEEN DEDICATED TO THE PUBLIC EXCEPT AS SHOWN HEREON.
 - THE "COMMONS" AREAS AS SHOWN ON THE PLANS ARE GENERAL COMMON ELEMENTS.
 - THIS PROJECT DOES NOT FALL WITHIN A DESIGNATED FLOODPLAIN.
 - BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 17, TOW. 17W, RANGE 17E, AS RECORDED ON THE PLAT OF ZONING SUBDIVISION IN LIBER 17 OF PLATS, PAGE 12. (SEE SHEET 5)
 - COORDINATES ARE BASED ON AN ASSUMED DATUM.
 - PUBLIC UTILITY SERVICES HAVE BEEN BUILT AND ARE READY FOR SERVICE. THEY HAVE NOT BEEN SHOWN ON THE PLANS FOR CLARITY.
 - WATER, SANITARY SEWER, STORM SEWER & GAS SERVICES ARE LOCATED WITHIN THE PUBLIC ROAD RIGHT OF WAY.
 - ELECTRIC, TELEPHONE & CABLE TV SERVICES ARE LOCATED WITHIN THE 10' PRIVATE EASEMENT FOR PUBLIC UTILITIES.
 - THE FOLLOWING UNITS AND THE ROADS AND UTILITIES SERVING THEM "MUST BE BUILT": UNITS 69 THRU 72.



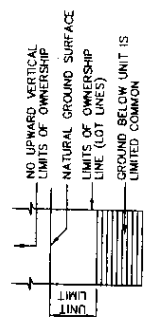
SURVEYOR'S CERTIFICATE:
 SEE SHEET 3 FOR SURVEYOR'S CERTIFICATE.

BENCHMARK INFORMATION:

- BM NO. 1 - ELEVATION 626.00 (NOV 08)
TWN 12' OAK LOCATED 13' NE OF THE SW CORNER OF LOT 44 & 33' EAST OF THE C/A OF BEAR LAKE ROAD, RR SPIKE IN WEST SIDE.
- BM NO. 6 - ELEVATION 624.89 (NOV 08)
HYDRANT AT SW CORNER OF DYSTRA ROAD & DYSTRA COURT. TOP OF FLANGE BOLT UNDER "E" IN E.A.W.
- BM NO. 7 - ELEVATION 624.24 (NOV 08)
HYDRANT AT NW CORNER OF LOT 3, EAST SIDE OF BEAR LAKE ROAD, 230' NORTH OF CENTERLINE OF BEAR LAKE COURT. TOP OF FLANGE BOLT UNDER "E" IN E.A.W.
- BM NO. 8 - ELEVATION 623.26 (NOV 08)
CORNER OF LOT 6, EAST SIDE OF BEAR LAKE ROAD. INTERSECTION OF BEAR LAKE COURT. TOP OF FLANGE BOLT UNDER "E" IN E.A.W. (NOTE: THIS HYDRANT MAY GET DISTURBED DURING CONSTRUCTION OF UNITS 69 THRU 72. CHECK AGAINST BM NO. 7).

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
CURVE 31	60.00'	58.43'	58.14'	N04°14'38"W	55°47'32"
CURVE 32	66.00'	299.02'	101.43'	N82°20'53"W	258°35'03"

P.T.	NORTHING	EASTING
C	6816.783	3650.646
D	6913.712	3433.900
E	6907.204	3367.231
F	6886.684	3201.270
G	6802.446	2975.463
N	6817.700	3650.646
O	6816.928	2975.654



TYPICAL UNIT SECTION - NO SCALE

REPEAT NO. 2 DATED: 05/04/09
 REPEAT NO. 1 DATED: 05/11/2004
 AS-BUILT DATED: 9/24/98

SURVEY, SITE, FLOODPLAIN & UTILITY PLAN

MATTHEW A. TRAXLER P.S. #46694 DATE 5-4-09
 ENGINEER
 455 E. 10TH STREET
 HOLLAND, MI 49423



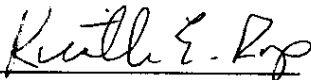
Exhibit 2

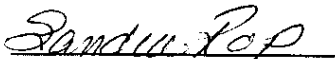
Consent to Amendment by Co-Owners Affected by Amendment

The undersigned are the current Co-owners of Units 7, 8, 70, 71 and 72. Each has reviewed this Third Amendment to Master Deed of Fenner Glen and had the opportunity to consider and discuss with counsel. Each Co-Owner has no objection and expressly consents to this Third Amendment to the Master Deed of Fenner Glen.

Unit 70
838 Bear Lake Road
Muskegon MI 49445

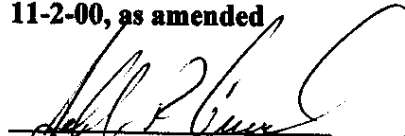
**Keith E. Rop and
Sandra Rop,
Husband and Wife**



Name: Keith E. Rop
Date: 3-18-09


Name: Sandra Rop
Date: 3-18-09

Unit 71
851 Bear Lake Road
Muskegon MI 49445


**Jeffrey R. Grevel and
Laura L. Grevel, Trustees
of the Grevel Trust dated
11-2-00, as amended**

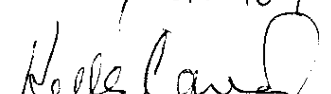

Name: Jeffrey R. Grevel
Title: Trustee
Date: 3-18-09


Name: Laura L. Grevel
Title: Trustee
Date: 3-18-09

Units 7, 8 and 72
879 Bear Lake Road
Muskegon MI 49445

**Gerald W. (Jerry) Conrad
and Kelley L. Conrad,
Husband and Wife**


Name: Gerald W. Conrad
Date: 3/18/09


Name: Kelley L. Conrad
Date: 3/18/09


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Exhibit 3
Affidavit Of Mailing

Affidavit Of Mailing Third Amendment
To Master Deed Of Fenner Glen, A Site Condominium

STATE OF MICHIGAN
COUNTY OF MUSKEGON

I, **Nancy L. Dobry**, certify that I have sent a copy of the Third Amendment to the Master Deed of Fenner Glen, A Site Condominium to all co-owners of record as of _____, 2009.

Name: Nancy L. Dobry

Date: _____

The foregoing instrument was signed and acknowledged before me in the County of Muskegon, State of Michigan, this _____ day of _____, 2009, by **Nancy L. Dobry**.

Briona Seaver, Notary Public
Muskegon County, Michigan
My Comm. Expires: 11/19/2013
Acting in Muskegon County



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