

Section 5

**Fourth Amendment
To
Master Deed**

**Section
5**

JV 0 2 2001

\$4.00 RECONUMENTATION
Receipt #93622

RECORDED
BERNARD J. YOUNGBLOOD, REGISTER OF DEED
WAYNE COUNTY, MI

Liber-34762
Page-3
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11/02/2001
Bernard J. Youngblood, W.C. Rod

\$51.00 DEED

**FOURTH AMENDMENT TO MASTER DEED OF
EMERALD POINTE NORTH CONDOMINIUM**

This Fourth Amendment to Master Deed is made and executed this 30th day of April, 2001, by E.B.Y. Development, Inc., a Michigan Corporation, Developer, whose address is 9738 Gratiot Road, Columbus, MI 48063.

WITNESSETH:

WHEREAS, E.B.Y. Development, Inc., a Michigan Corporation, successor Developer for Emerald Pointe North Condominium, which Master Deed is dated January 21, 1992, and recorded July 7, 1992, in Liber 25875, Pages 799 through 841 and known as Wayne County Condominium Subdivision Plan No. 316, desires to amend said Master Deed pursuant to the authority reserved in Article VIII contained therein;

NOW THEREFORE, E.B.Y. Development, Inc., does, upon the recording hereof, amend the Master Deed to effectuate a change in the method of describing the ownership of the units from "building footprint" type descriptions for unit ownership to "building envelope" type descriptions, among other things, as follows:

1. Article III - Definitions, Subsection "L" shall be deleted and shall have the following substituted in its stead:

"L". 'Common Elements' means those portions of the Condominium other than the Condominium Units and where used without modification, the term "Common Elements' shall refer both to the general and limited common elements described in Article IV hereof".
2. Article III - Definitions, Subsection "N" shall be relabeled, and shall hereafter be entitled and referred to as Article III - Subsection "O".
3. Article III - Definitions, shall have the following new definition inserted therein:

EMERALD POINTE NORTH
FOURTH AMENDMENT TO
MASTER DEED

EXAMINED AND APPROVED
DATE OCT 29 2001
BY D.P. PLANE
DANIEL P. PLANE
PLAT ENGINEER

N/C

WAYNE COUNTY TREASURER
C. J. N/C 10-30-01

MDA 51 4R 15RAN (A) CL

"N". 'Limited Common Elements' means a portion of the Common Elements reserved in this Master Deed for the exclusive use of less than all of the Co-Owners as described in 'Exhibit B', as previously recorded, or hereby amended by this submission.

4. Article V - Unit Description and Percentage of Value, Subsection "A" shall be deleted and shall have the following substituted in its stead:

"A. A description of each unit, with elevations therein referenced to an official benchmark of the United States Geological Survey sufficient to relocate accurately the space enclosed by the description without reference to any structure, is set forth in the Condominium Subdivision Plan as surveyed by Tri-County Engineering, Inc., 17800 Northland Park Court, Suite 2, Southfield, Michigan 48075; Warner, Cantrell & Padmos, Inc., Civil Engineers and Land Surveyors, 27300 Haggerty Road, Suite F-2, Farmington Hills, Michigan 48331; and David C. Adams & Son, Registered Land Surveyors, Inc., 25517 Five Mile Road, Detroit, Michigan 48239-3228, and attached hereto as 'Exhibit B'. Each unit shall consist of the land located within Unit boundaries as shown on 'Exhibit B', together with all appurtenances thereto. Detailed architectural plans for the Condominium Project will be placed on file with the City of Westland."

5. Article VI - "Easement for Maintenance of Encroachments and Utilities" shall have the following paragraphs added at the conclusion of the existing paragraph:

"Developer grants a permanent easement for the water main system throughout the Project, which consists of the following land legally described as:

PART OF THE NORTHWEST 1/4 OF SECTION 6, T. 2 S., R. 9 E., CITY OF WESTLAND, WAYNE COUNTY, MICHIGAN, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER 1/4 CORNER OF SECTION 6, T. 2 S., R. 9 E., CITY OF WESTLAND, WAYNE COUNTY, MICHIGAN AND RUNNING THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST, ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 6, SAID LINE BEING THE CENTER LINE OF KOPPERNICK ROAD (86 FEET WIDE), A DISTANCE OF 687.00 FEET TO A POINT; THENCE NORTH 01 DEGREE 50 MINUTES 30 SECONDS EAST A DISTANCE OF 43.00 FEET TO A POINT ON

THE NORTH LINE OF SAID KOPPERNICK ROAD AND THE POINT OF BEGINNING OF THE CENTER LINE OF THE TWELVE FOOT WIDE EASEMENT HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING NORTH 01 DEGREE 50 MINUTES 30 SECONDS EAST A DISTANCE OF 301.00 FEET TO A POINT; THENCE NORTH 21 DEGREES 12 MINUTES 08 SECONDS WEST A DISTANCE OF 159.67 FEET TO REFERENCE POINT "A"; THENCE NORTH 21 DEGREES 12 MINUTES 08 SECONDS WEST A DISTANCE OF 11.00 FEET TO A POINT; THENCE NORTH 68 DEGREES 14 MINUTES 32 SECONDS WEST A DISTANCE OF 85.65 FEET TO A POINT; THENCE NORTH 44 DEGREES 35 MINUTES 54 SECONDS WEST A DISTANCE OF 68.32 FEET TO A POINT; THENCE NORTH 21 DEGREES 25 MINUTES 28 SECONDS WEST A DISTANCE OF 136.29 FEET TO REFERENCE POINT "B"; THENCE NORTH 21 DEGREES 25 MINUTES 28 SECONDS WEST A DISTANCE OF 33.00 FEET TO A POINT; THENCE NORTH 67 DEGREES 05 MINUTES 22 SECONDS WEST A DISTANCE OF 32.78 FEET TO A POINT; THENCE NORTH 75 DEGREES 21 MINUTES 09 SECONDS WEST A DISTANCE OF 90.96 FEET TO A POINT; THENCE NORTH 67 DEGREES 29 MINUTES 47 SECONDS WEST A DISTANCE OF 75.77 FEET TO A POINT; THENCE NORTH 19 DEGREES 34 MINUTES 18 SECONDS WEST A DISTANCE OF 68.33 FEET TO A POINT; THENCE NORTH A DISTANCE OF 103.00 FEET TO REFERENCE POINT "C"; THENCE NORTH A DISTANCE OF 226.00 FEET TO A POINT; THENCE NORTH 54 DEGREES 29 MINUTES 26 SECONDS EAST A DISTANCE OF 59.80 FEET TO A POINT; THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 917.00 FEET TO A POINT; THENCE SOUTH 43 DEGREES 25 MINUTES 08 SECONDS EAST A DISTANCE OF 44.44 FEET TO A POINT; THENCE SOUTH A DISTANCE OF 465.59 FEET TO REFERENCE POINT "D"; THENCE SOUTH A DISTANCE OF 412.96 FEET TO A POINT; THENCE SOUTH 46 DEGREES 25 MINUTES 15 SECONDS WEST A DISTANCE OF 52.43 FEET TO A POINT; THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST A DISTANCE OF 228.00 FEET TO A POINT; THENCE SOUTH 47 DEGREES 49 MINUTES 52 SECONDS WEST A DISTANCE OF 107.25 FEET TO A POINT; THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST A DISTANCE OF 193.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "A" AND PROCEEDING THENCE NORTH 72 DEGREES 21 MINUTES 12 SECONDS EAST A DISTANCE OF 80.39 FEET TO A POINT; THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 515.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "B" AND PROCEEDING THENCE NORTH 68 DEGREES 34 MINUTES 32 SECONDS EAST A DISTANCE OF 89.61 FEET TO A POINT; THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 689.56 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "C" AND PROCEEDING THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 996.27 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "D" AND PROCEEDING THENCE EAST A DISTANCE OF 99.00 FEET TO A POINT OF ENDING.

THE SIDE LINES OF THE ABOVE DESCRIBED 12 FEET WIDE EASEMENT ARE TO BE EXTENDED OR SHORTENED TO BEGIN ON THE NORTH LINE OF KOPPERNICK ROAD AND TO MEET AT ANGLE POINTS.

Developer grants a permanent easement for the Sanitary Sewer System throughout the Project which consists of the following land legally described as:

PART OF THE NORTHWEST 1/4 OF SECTION 6, T. 2 S., R. 9 E., CITY OF WESTLAND, WAYNE COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER 1/4 CORNER OF SECTION 6, T. 2 S., R. 9 E., CITY OF WESTLAND, WAYNE COUNTY, MICHIGAN AND RUNNING THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST, ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 6 SAID LINE BEING THE CENTER LINE OF KOPPERNICK ROAD (86 FEET WIDE), A DISTANCE OF 711.26 FEET TO A POINT; THENCE NORTH 01 DEGREE 50 MINUTES 30 SECONDS EAST A DISTANCE OF 43.00 FEET TO A POINT ON THE NORTH LINE OF SAID KOPPERNICK ROAD AND THE POINT OF BEGINNING OF THE CENTER LINE OF THE TWENTY FOOT WIDE EASEMENT HEREIN BEING DESCRIBED; PROCEEDING

THEENCE FROM SAID POINT OF BEGINNING NORTH 20 DEGREES 25 MINUTES 53 SECONDS EAST A DISTANCE OF 207.84 FEET TO REFERENCE POINT "A"; THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 135.00 FEET TO A POINT; THENCE NORTH 33 DEGREES 37 MINUTES 39 SECONDS EAST A DISTANCE OF 83.37 FEET TO A POINT; THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 272.00 FEET TO A POINT; THENCE NORTH A DISTANCE OF 249.02 FEET TO REFERENCE POINT "B"; THENCE NORTH A DISTANCE OF 220.00 FEET TO REFERENCE POINT "C"; THENCE NORTH A DISTANCE OF 220.00 FEET TO REFERENCE POINT "D"; THENCE NORTH A DISTANCE OF 178.26 FEET TO A POINT; THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST A DISTANCE OF 905.00 FEET TO A POINT OF BEGINNING.

ALSO BEGINNING AT SAID REFERENCE POINT "A" AND PROCEEDING THENCE NORTH 04 DEGREES 04 MINUTES 40 SECONDS WEST A DISTANCE OF 152.00 FEET TO A POINT OF BEGINNING.

ALSO BEGINNING AT SAID REFERENCE POINT "B" AND PROCEEDING THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST A DISTANCE OF 571.00 FEET TO A POINT; THENCE NORTH 57 DEGREES 40 MINUTES 00 SECONDS WEST A DISTANCE OF 90.00 FEET TO A POINT; THENCE NORTH 21 DEGREES 50 MINUTES 00 SECONDS WEST A DISTANCE OF 83.00 FEET TO A POINT OF BEGINNING.

ALSO BEGINNING AT SAID REFERENCE POINT "C" AND PROCEEDING THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST A DISTANCE OF 756.00 FEET TO A POINT; THENCE NORTH 74 DEGREES 38 MINUTES 44 SECONDS WEST A DISTANCE OF 116.00 FEET TO A POINT; THENCE NORTH 39 DEGREES 08 MINUTES 50 SECONDS WEST A DISTANCE OF 80.20 FEET TO A POINT OF BEGINNING.

ALSO BEGINNING AT SAID REFERENCE POINT "D" AND PROCEEDING THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST A DISTANCE OF 912.26 FEET TO A POINT; THENCE NORTH A DISTANCE OF 123.00 FEET TO A POINT OF BEGINNING.

THE SIDE LINES OF THE ABOVE DESCRIBED 20 FEET WIDE EASEMENT ARE TO BE EXTENDED OR SHORTENED TO BEGIN ON THE NORTH LINE OF KOPPERNICK ROAD AND TO MEET AT ANGLE POINTS.

Developer grants a permanent easement for the Storm Sewer System throughout the Project which consists of the following land legally described as:

PART OF THE NORTHWEST 1/4 OF SECTION 6, T. 2 S., R. 9 E., CITY OF WESTLAND, WAYNE COUNTY, MICHIGAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER 1/4 CORNER OF SECTION 6, T. 2 S., R. 9 E., CITY OF WESTLAND, WAYNE COUNTY, MICHIGAN AND RUNNING THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST, ALONG THE EAST-WEST 1/4 LINE OF SAID SECTION 6, SAID LINE BEING THE CENTER LINE OF KOPPERNICK ROAD (86 FEET WIDE), A DISTANCE OF 735.14 FEET TO A POINT; THENCE NORTH 01 DEGREE 50 MINUTES 30 SECONDS EAST A DISTANCE OF 43.00 FEET TO A POINT ON THE NORTH LINE OF SAID KOPPERNICK ROAD AND THE POINT OF BEGINNING OF THE CENTER LINE OF THE TWENTY FOOT WIDE EASEMENT HEREIN BEING DESCRIBED; PROCEEDING THENCE FROM SAID POINT OF BEGINNING NORTH 71 DEGREES 44 MINUTES 01 SECOND EAST A DISTANCE OF 109.01 FEET TO A POINT; THENCE NORTH 54 DEGREES 21 MINUTES 44 SECONDS EAST A DISTANCE OF 88.00 FEET TO A POINT; THENCE NORTH 03 DEGREES 08 MINUTES 57 SECONDS EAST A DISTANCE OF 85.00 FEET TO REFERENCE POINT "A" THENCE NORTH 01 DEGREE 54 MINUTES 31 SECONDS EAST A DISTANCE OF 169.02 FEET TO REFERENCE POINT "B"; THENCE NORTH 33 DEGREES 12 MINUTES 39 SECONDS WEST A DISTANCE OF 80.00 FEET TO A POINT; THENCE NORTH 07 DEGREES 15 MINUTES 30 SECONDS WEST A DISTANCE OF 86.34 FEET TO REFERENCE POINT "C" THENCE NORTH 02 DEGREES 04 MINUTES 53 SECONDS EAST A DISTANCE OF 220.16 FEET TO A POINT; THENCE NORTH 05 DEGREES 42 MINUTES 46 SECONDS WEST A DISTANCE OF 110.00 FEET TO REFERENCE POINT "D" THENCE NORTH 01 DEGREE 34 MINUTES 00 SECONDS WEST A DISTANCE OF 111.31 FEET TO REFERENCE POINT "E"; THENCE NORTH 01 DEGREE 50 MINUTES 30 SECONDS EAST A DISTANCE OF 110.00 FEET TO REFERENCE POINT "F". THENCE NORTH 01 DEGREE 50 MINUTES 30 SECONDS EAST A DISTANCE OF 110.16 TO

REFERENCE POINT "G"; THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 260.00 FEET TO A POINT THENCE NORTH 01 DEGREE 50 MINUTES 30 SECONDS EAST A DISTANCE OF 102.00 FEET TO A POINT; THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 280.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "A" AND PROCEEDING THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST A DISTANCE OF 105.00 TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "B" AND PROCEEDING THENCE NORTH 82 DEGREES 59 MINUTES 27 SECONDS EAST A DISTANCE OF 155.00 FEET TO A POINT; THENCE SOUTH 01 DEGREE 44 MINUTES 17 SECONDS WEST A DISTANCE OF 122.00 FEET TO A POINT; THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 184.94 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "B" AND PROCEEDING THENCE SOUTH 85 DEGREES 13 MINUTES 25 SECONDS WEST A DISTANCE OF 118.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "C" AND PROCEEDING THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 440.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "C" AND PROCEEDING THENCE NORTH 83 DEGREES 34 MINUTES 02 SECONDS WEST A DISTANCE OF 223.19 FEET TO A POINT; THENCE NORTH 23 DEGREES 34 MINUTES 42 SECONDS WEST A DISTANCE OF 225.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "D" AND PROCEEDING THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 185.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "D" AND PROCEEDING THENCE NORTH 88 DEGREES 09 MINUTES 30

SECONDS WEST A DISTANCE OF 290.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "E" AND PROCEEDING THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 456.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "E" AND PROCEEDING THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST A DISTANCE OF 330.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "F" AND PROCEEDING THENCE SOUTH 88 DEGREES 09 MINUTES 30 SECONDS EAST A DISTANCE OF 165.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "F" AND PROCEEDING THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST A DISTANCE OF 225.00 FEET TO A POINT OF ENDING.

ALSO BEGINNING AT SAID REFERENCE POINT "G" AND PROCEEDING THENCE NORTH 88 DEGREES 09 MINUTES 30 SECONDS WEST A DISTANCE OF 330.00 FEET TO A POINT OF ENDING.

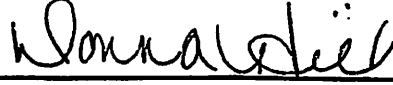
THE SIDE LINES OF THE ABOVE DESCRIBED 20 FEET WIDE EASEMENT ARE TO BE EXTENDED OR SHORTENED TO BEGIN ON THE NORTH LINE OF KOPPERNICK ROAD AND TO MEET AT ANGLE POINTS.

6. The original Condominium Subdivision Plan, "Exhibit B", first recorded as an attachment to the Master Deed, as surveyed by Tri-County Engineering, Inc., 17800 Northland Park Court, Suite 2, Southfield, Michigan 48075, shall be superseded with Exhibit "B", attached hereto to this submission, Wayne County Condominium Subdivision Plan No. 316, as supplied by Warner, Cantrell & Padmos, Inc., Civil Engineers and Land Surveyors, 27300 Haggerty Road, Suite F-2, Farmington Hills, Michigan 48331; and David C. Adams & Son, Registered Land Surveyors, Inc., 25517 Five Mile Road, Detroit, Michigan 48239-3228.

IN ALL OTHER RESPECTS, other than as herein above indicated, the original Master Deed of Emerald Pointe North Condominium, as recorded, including subsequent First, Second and Third Amendments to Master Deed, are hereby ratified and shall be read and interpreted in all other respects as provided herein.


WITNESSES:

E.B.Y. DEVELOPMENT, INC., Developer



Donna Hill

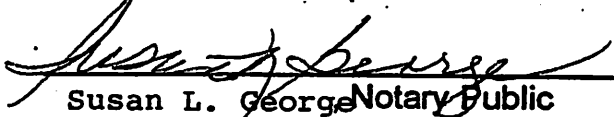
By: 
ROBERT G. EISENHARDT
Its: President



Susan L. George

STATE OF MICHIGAN)
) SS.
COUNTY OF OAKLAND)

On this 30th day of April, 2001, before me personally appeared Robert G. Eisenhardt, who being duly sworn, did say that he is President of E.B.Y. Development, Inc., a Michigan Corporation, and that this instrument was signed on behalf of said corporation by authority of its Board of Directors, and the said Robert G. Eisenhardt, on behalf of the corporation, acknowledged this instrument to be the free act and deed of said corporation.



Susan L. George Notary Public
Macomb County, Michigan
My Commission Expires: 9/12/05

PREPARED BY AND WHEN
RECORDED RETURN TO:

Martin H. Neumann, Esq.
NEUMANN & CANJAR
6810 South Cedar, Suite 16
Lansing, MI 48911