

RECORDED

RECORDED April 4, 2001
AT 9:16 O'CLOCK A.M.
NANCY HAVILAND
REGISTER OF DEEDS
LIVINGSTON COUNTY

2001 FEB 15 10:21

NANCY HAVILAND
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI.
48843~~EXHIBIT "A"~~ *17/2/11*

✓HE

FIRST AMENDMENT TO
BYLAWS OF THE TIMBERS SITE CONDOMINIUM

By execution and recording of this document the Exhibit "A" Bylaws of The Timbers Site Condominium are amended as follows:

THIS AMENDMENT to the MASTER DEED and EXHIBIT "B" of THE TIMBERS SITE CONDOMINIUM is executed on the 15th day of February, 2001, by CREATIVE LAND DEVELOPMENT I, L.L.C., hereinafter referred to as "Developer" whose address is 1088 Victory Drive, Howell, Michigan 48843 and is made in accordance with the Condominium Act, that is, Act 59 of the Public Acts of 1978, as amended.

W I T N E S S E T H:

This Amendment is made for the purposes of amending certain sections of Article VI of the Bylaw of The Timbers Site Condominium Plan No. 168 as recorded on April 26, 1999 in Liber 2570 pages 362-435, Livingston County Records.

NOW, THEREFORE, the Developer does, upon the recording hereof, establish the First Amendment to Bylaws of The Timbers Site Condominium and the Condominium shall, after such establishment, be held, conveyed, hypothecated, encumbered, leased, rented, occupied, improved, or in any other matter utilized, subject to the provisions of the Condominium Act, and to the covenants, conditions, restriction, uses, limitations and affirmative obligations set forth in the Master Deed recorded at Liber 2570, pages 362-379 and this First Amendment to The Timbers Site Condominium Plan No. 168 Master Deed and Exhibit "A" ~~attached hereto~~, 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 Condominium Premises, their grantees, their successors, personal representatives, heirs and assigns. In furtherance of the establishment of the Condominium, it is provided as follows: (continued on page 2)

*THIS DOCUMENT IS BEING RE-RECORDED FOR THE PURPOSE OF CORRECTING A SCRIVENER'S ERROR IN ARTICLE VI, SECTION 6(c).

By execution and recording of this document the said Exhibit "A", Bylaws is amended and the following numbered sections replace the correspondingly numbered sections of the recorded Bylaws:

ARTICLE VI
RESTRICTIONS

In order to provide for congenial occupancy of the Condominium, all of the units in the Condominium shall be held, used and enjoyed subject to the following limitations and restrictions:

Section 5. Minimum Floor Space and Size. No Dwelling shall be built on any unit which has living area floor space of less than the following:

- (a) One Story Dwelling - 2000 square feet.
- (b) One and one-half story dwelling - 2400 square feet.
- (c) Two story dwelling - 2600 Square feet.

(e) "Living Area" includes the actual area within the outer surfaces of the outside walls, including any finished living area which is above an enclosed porch or garage but excluding a garage, basement or unheated porch.

Section 6. Health Department Restrictions. Each dwelling constructed upon a Unit shall be served by municipal wastewater disposal and municipal water supply services.

(a) No unit shall be used for other than single family dwelling.

(b) There shall be no future subdividing of any building units which would utilize individual onsite water supply systems.

(c) "THE TIMBERS" Site Condominium Project has been approved for ~~*16~~ individual Units as described in Advantage Civil Engineering, Inc. Site Plan Job No. 96094 dated June 18, 1996. The wells shall be located in the exact area as indicated on the preliminary site plan. * **NINETEEN (19)**.

(d) There shall be no activity within the regulated wetlands (if any) unless permits have been obtained from the Michigan Department of Environmental Quality.

(e) All restrictions placed on "The Timbers" Site Condominium Community by the Livingston County Health Department are not severable and shall not expire under any circumstances unless otherwise amended or approved by the Livingston County Health Department.

Section 8. Foundations. All structures shall be erected upon a foundation constructed on suitably permanent material extending below the frost line. Exposed exterior foundation on the front and two sides of the residence shall be faced with brick, stone, or cultured stone.

Section 9. Garages/Outbuildings. All single family dwellings shall be constructed with a garage that shall be attached to the dwelling. A side entry garage is preferred whenever possible. No carports shall be constructed on any unit. The garage area shall be at least 400 square feet in size. One outbuilding, not to exceed 900 square feet in area, may be constructed on Units 4, 5, 6, 7, 8, 9, 12, 14, 15 and 16. An outbuilding, not to exceed 1200 square feet in area may be constructed on Unit 11. Outbuildings will be permitted providing (a) the outbuilding is constructed behind the rear of the residence constructed or to be constructed on the unit, (b) the pitch of the roof is 8-12, (c) the maximum height of the exterior sidewall is twelve feet, (d) the siding and shingles are the same color, style and quality as installed on the residence located or to be located on the unit, (e) the outbuilding includes five windows, one on the front and two on each side, (f) the driveway to the outbuilding, if any, is extended from the existing driveway, (g) setbacks are at a minimum 25 feet for the side yards and rear yard, and 60 feet from the rear building line of the home constructed not including any deck extension, (h) the outbuilding shall have a cement floor, (i) exposed exterior foundation on the front and sides of the outbuilding shall be faced with brick, stone or cultured stone, (j) Twenty-five percent of the facade shall be covered with brick, stone or cultured stone product, (k) the construction plans and materials for the outbuilding and its location on the unit are aesthetically pleasing and in harmony with the Development and approved by the Architectural Control Committee. In addition to the foregoing requirements outbuildings shall be erected in accordance with Township ordinances.

Section 11. Roof Pitch/Shingles. Sloping roof pitches are to be a minimum of 8/12 on main roof lines. All units shall have dimensional shingles.

Section 12. Construction Materials/Facade. Only new materials and no used materials shall be used in the construction of a residential structure. Each dwelling shall have a minimum of twenty-five percent of the facade covered with brick, stone, or cultured stone product.

Section 15. Antenna. The Developer, during the construction and sales period, and the Association after control of the Association is assumed by the Co-owners, shall approve the height and location on an unit of:

(a) An antenna that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter or less in diameter; or

(b) An antenna that is designed to receive video programming service via multipoint distribution service, including multichannel multipoint distribution services, instructional television fixed services, and local multipoint distribution services, and that is one meter or less in diameter or diagonal measurement; or

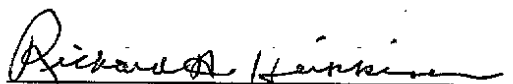
(c) An antenna that is designed to receive television broadcast signals,

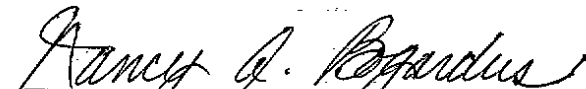
The approval of the request for the style and siting of an antenna shall not be unreasonably delayed, it shall not unreasonably prevent installation, maintenance or use, unreasonably increase the cost of installation, maintenance or use or preclude reception of an acceptable quality signal. No antenna, other than as described in (a), (b) and (c) shall be allowed.

In all respects, other than as modified and supplemented by the First Amendment, the terms of the original Master Deed and Bylaws of The Timbers Site Condominium remain in force and effect.

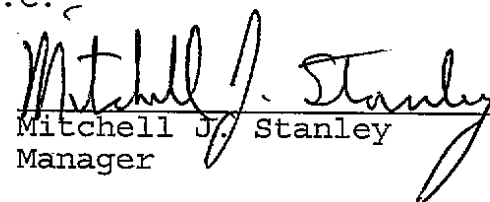
IN WITNESS WHEREOF, the Developer, Co-owners and Mortgagees have executed this First Amendment to the Bylaws of the Master Deed of The Timbers Site Condominium Plan No. 168 for the express purpose of amending the said Master Deed and Bylaws, on the day and year hereafter indicated.

WITNESSES:


Richard A. Heikkinen


Nancy A. Bogardus

CREATIVE LAND DEVELOPMENT I,
L.L.C.

By: 
Mitchell J. Stanley
Its Manager

WITNESSES:

NATURAL SURROUNDINGS, INC.

Richard A. Heikkinen
Richard A. Heikkinen

By:

C.J. Turner
C.J. Turner

Its President

Nancy A. Bogardus
Nancy A. Bogardus

STATE OF MICHIGAN]
] ss
COUNTY OF LIVINGSTON]

The foregoing instrument was acknowledged before me this 15th day of February, 2001, by C.J. Turner, President of Natural Surroundings, Inc., a Michigan Corporation, on behalf of said corporation.

Richard A. Heikkinen
Richard A. Heikkinen
Notary Public
Livingston County, Michigan
My commission expires: 10/24/2001

DRAFTED BY and RETURN TO:

Richard A. Heikkinen ✓
THE HEIKKINEN LAW FIRM, P.C.
110 North Michigan Avenue
Howell MI 48843