

2000 AUG 14 11:42

NANCY HAVILAND  
 REGISTER OF DEEDS  
 LIVINGSTON COUNTY, MI.  
 48843

**FIRST ADDENDUM TO DEVELOPMENT AGREEMENT -  
 HOMETOWN VILLAGE OF MARION**

1512

This First Addendum to Development Agreement – Hometown Village of Marion, is made and entered into this 8<sup>th</sup> day of August, 2000, by and between HVM, L.L.C., a Michigan limited liability company, with a principal place of business located at 2195 S. Milford Road, Milford, MI 48381 (“HVM”) and Delcor Homes – Hometown Village of Marion, Ltd., a Michigan corporation, with a principal place of business located at 2195 S. Milford Road, Milford, MI 48381 (“Delcor Homes”).

**RECITALS:**

**WHEREAS**, HVM is the owner of certain located in the Township of Marion, Livingston County, Michigan described on Exhibit “A” hereto (“Phase I Land”); and

**WHEREAS**, HVM has the option to purchase certain land contiguous to the Phase I Land more fully described in Exhibit “B” hereto (“Phases II and III Land”); and

**WHEREAS**, Delcor Homes has received final site plan approval from the Township of Marion for the Phase I Land and the Phases II and III Land (collectively, “Hometown Village of Marion”) for the development thereon of a certain 267 unit single-family site condominium project with appurtenant amenities and open spaces as set forth on the approved site plan; and

**WHEREAS**, HVM and Delcor Homes entered into a certain Development Agreement-Hometown Village of Marion, dated July 11, 2000 regarding the development of Hometown Village of Marion on the aforementioned land; and

**WHEREAS**, HVM and Delcor Homes wish to amend said Development Agreement to reference that the Township of Marion is an intended beneficiary of said Development Agreement.

**NOW, THEREFORE**, it is hereby agreed that the July 11, 2000 Development Agreement – Hometown Village of Marion is hereby amended to specifically provide that the Township of Marion is an intended beneficiary of said Development Agreement with concomitant rights to enforce said Agreement.

In all other respects, the terms and provisions of said Development Agreement remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Addendum to Development Agreement – Hometown Village of Marion on the day and year first above written.

HVM, L.L.C., a Michigan limited liability company

Samuel K. Hodgson  
SAMUEL K. HODGSON  
Christine E. Krusinski  
Christine E. Krusinski

By: [Signature]  
Phillip W. McCafferty  
Its: Manager

Delcor Homes – Hometown Village of Marion, Ltd., a Michigan corporation

Samuel K. Hodgson  
SAMUEL K. HODGSON  
Christine E. Krusinski  
Christine E. Krusinski

By: [Signature]  
Phillip W. McCafferty  
Its: President

STATE OF MICHIGAN

COUNTY OF OAKLAND

This instrument was acknowledged before me this 8<sup>th</sup> day of August, 2000, by Phillip W. McCafferty, the Manager of H.V.M., L.L.C., a Michigan limited liability company, on behalf of the limited liability company.

CHRISTINE E. KRUSINSKI  
Notary Public, Oakland County, MI  
My Commission Expires 01/27/2003

Christine E. Krusinski  
Notary Public  
Oakland County, Michigan  
My commission expires: 1/27/03

STATE OF MICHIGAN

COUNTY OF OAKLAND

This instrument was acknowledged before me this 8<sup>th</sup> day of August, 2000, by Phillip W. McCafferty, the President of DELCOR HOMES – HOMETOWN VILLAGE OF MARION, LTD., a Michigan corporation, on behalf of the corporation.

CHRISTINE E. KRUSINSKI  
Notary Public, Oakland County, MI  
My Commission Expires 01/27/2003

Christine E. Krusinski  
Notary Public  
Oakland County, Michigan  
My commission expires: 1/27/03

DRAFTED BY ANA WHEN RECORDED RETURN TO!  
SAMUEL K. HODGSON  
DELCOR HOMES- HOMETOWN VILLAGE OF MARION, LTD.  
P.O. BOX 308  
NEW HUDSON, MI 48165

A parcel of land in the Northeast 1/4 of Section 11, T2N, R4E, Marion Township, Livingston County, Michigan; the boundary of said parcel described as: Commencing at the Northeast corner of said Section 11; thence S02°53'24"E along the East line of said Section 11 a distance of 702.09 feet to the point of beginning of this description; thence S02°53'24"E continuing along said East line a distance of 1269.83 feet; thence S87°41'26"W 1056.89 feet; thence N02°18'35"W 183.52 feet; thence S87°41'26"W 27.73 feet; thence N02°18'34"W 60.00 feet; thence Northwesterly 140.42 feet along a curve to the left, said curve having a radius of 383.50 feet, a delta angle of 20°58'44", and a chord of 139.64 feet bearing N11°49'24"W; thence Northwesterly 103.03 feet along a curve to the right, said curve having a radius of 733.00 feet, a delta angle of 08°03'11", and a chord of 102.94 feet bearing N18°17'11"W; thence N11°54'51"W 60.00 feet; thence S78°05'09"W 101.48 feet; thence Northwesterly 190.61 feet along a curve to the right, said curve having a radius of 105.00 feet, a delta angle of 104°00'34", and a chord of 165.49 feet bearing N49°54'33"W; thence Northwesterly 97.07 feet along a curve to the left, said curve having a radius of 1134.00 feet, a delta angle of 04°54'16", and a chord of 97.04 feet bearing N00°21'24"W; thence N87°11'06"E 108.50 feet; thence Northwesterly 333.52 feet along a curve to the left, said curve having a radius of 1242.50 feet, a delta angle of 15°22'47", and a chord of 332.52 feet bearing N10°30'17"W; thence Northeasterly 14.72 feet along a curve to the right, said curve having a radius of 638.50 feet, a delta angle of 01°19'17", and a chord of 14.72 feet bearing N62°47'29"E; thence Northeasterly 145.85 feet along a curve to the right, said curve having a radius of 186.50 feet, a delta angle of 44°48'26", and a chord of 142.16 feet bearing N84°32'03"E; thence N16°56'17"E 168.50 feet; thence Southeasterly 15.78 feet along a curve to the right, said curve having a radius of 355.00 feet, a delta angle of 02°32'49", and a chord of 15.78 feet bearing S71°47'19"E; thence N19°29'06"E 217.36 feet; thence N88°25'06"E 31.80 feet; thence S02°53'24"E parallel to said East line a distance of 169.96 feet; thence N87°06'36"E 123.56 feet; thence S39°14'52"W 1.35 feet; thence N87°06'36"E 80.91 feet; thence N39°14'52"E 1.35 feet; thence N87°06'36"E 746.78 feet to the point of beginning; said parcel containing 34.50 acres more or less; said parcel subject to all easements and restrictions if any.

EXHIBIT "A"

## PHASE 2

A parcel of land in the Northeast 1/4 of Section 11, T2N, R4E, Marion Township, Livingston County, Michigan; the boundary of said parcel described as: Commencing at the Northeast corner of said Section 11; thence S02°53'24"E along the East line of said Section 11 a distance of 1971.92 feet; thence S87°41'26"W 1056.89 feet to the point of beginning of this description; thence S87°41'26"W 497.02 feet; thence N22°37'31"E 247.17 feet; thence Northwesterly 273.48 feet along a curve to the right, said curve having a radius of 440.00 feet, a delta angle of 35°36'42", and a chord of 269.10 feet bearing N49°41'29"W; thence S57°56'59"W 107.96 feet; thence Northwesterly 313.76 feet along a curve to the right, said curve having a radius of 552.00 feet, a delta angle of 32°34'01", and a chord of 309.55 feet bearing N15°48'45"W; thence Northwesterly 319.98 feet along a curve to the left, said curve having a radius of 688.50 feet, a delta angle of 26°37'40", and a chord of 317.10 feet, bearing N10°01'14"W; thence N20°03'21"W 106.42 feet; thence S79°59'30"E 44.92 feet; thence N20°01'37"E 116.86 feet; thence N27°57'02"E 60.22 feet; thence Southeasterly 84.72 feet along a curve to the left, said curve having a radius of 470.00 feet, a delta angle of 10°19'40", and a chord of 84.60 feet bearing S71°44'31"E; thence N13°05'39"E 257.49 feet; thence N88°25'06"E 624.95 feet; thence S19°29'06"W 217.36 feet; thence Northwesterly 15.78 feet along a curve to the right, said curve having a radius of 355.00 feet, a delta angle of 02°32'49", and a chord of 15.78 feet bearing N71°47'19"W; thence S16°56'17"W 168.50 feet; thence Southwesterly 145.85 feet along a curve to the left, said curve having a radius of 186.50 feet, a delta angle of 44°48'26", and a chord of 142.16 feet bearing S84°32'03"W; thence Southwesterly 14.72 feet along a curve to the left, said curve having a radius of 638.50 feet, a delta angle of 01°19'17", and a chord of 14.72 feet bearing S62°47'29"W; thence Southeasterly 333.52 feet along a curve to the left, said curve having a radius of 1242.50 feet, a delta angle of 15°22'47", and a chord of 332.52 feet bearing S10°30'17"E; thence S87°11'06"W 108.50 feet; thence Southeasterly 97.07 feet along a curve to the right, said curve having a radius of 1134.00 feet, a delta angle of 04°54'16", and a chord of 97.04 feet bearing S00°21'24"E; thence Southeasterly 190.61 feet along a curve to the left, said curve having a radius of 105.00 feet, a delta angle of 104°00'34", and a chord of 165.49 feet bearing S49°54'33"E; thence N78°05'09"E 101.48 feet; thence S11°54'51"E 60.00 feet; thence Southeasterly 103.03 feet along a curve to the left, said curve having a radius of 733.00 feet, a delta angle of 08°03'11", and a chord of 102.94 feet bearing S18°17'11"E; thence Southeasterly 140.42 feet along a curve to the right, said curve having a radius of 383.50 feet, a delta angle of 20°58'44", and a chord of 139.64 feet bearing S11°49'24"E; thence S02°18'34"E 60.00 feet; thence N87°41'26"E 27.73 feet; thence S02°18'35"E 183.52 feet to the point of beginning; said parcel containing 17.99 acres more or less

EXHIBIT

"B"

## PHASE 3

A parcel of land in the Northeast 1/4 of Section 11, T2N, R4E, Marion Township, Livingston County, Michigan; the boundary of said parcel described as: Commencing at the Northeast corner of said Section 11; thence S02°53'24"E along the East line of said Section 11 a distance of 1971.92 feet; thence S87°41'26"W 1553.91 feet to the point of beginning of this description; thence S87°41'26"W 971.17 feet to a point on the North-South 1/4 line of said Section 11; thence N03°29'57"W along said North-South 1/4 line a distance of 1450.58 feet; thence N88°25'06"E 932.80 feet; thence S13°05'39"W 257.49 feet; thence Northwesterly 84.72 feet along a curve to the right, said curve having a radius of 470.00 feet, a delta angle of 10°19'40", and a chord of 84.60 feet bearing N71°44'31"W; thence S27°57'02"W 60.22 feet; thence S20°01'37"W 116.86 feet; thence N79°59'30"W 44.92 feet; thence S20°03'21"E 106.42 feet; thence Southeasterly 319.98 feet along a curve to the right, said curve having a radius of 688.50 feet, a delta angle of 26°37'40", and a chord of 317.10 feet bearing S10°01'14"E; thence Southeasterly 313.76 feet along a curve to the left, said curve having a radius of 552.00 feet, a delta angle of 32°34'01", and a chord of 309.55 feet bearing S15°48'45"E; thence N57°56'59"E 107.96 feet; thence Southeasterly 273.48 feet along a curve to the left, said curve having a radius of 440.00 feet, a delta angle of 35°36'42", and a chord of 269.10 feet bearing S49°41'29"E; thence S22°37'31"W 247.17 feet to the point of beginning; said parcel containing 27.40 acres more or less