

PATTY NIEPOTH

Antrim County  
Register of Deeds

4/3/2002 9:12:53

Recorded

**SECOND AMENDMENT TO CONSOLIDATED MASTER DEED FOR  
SANDS OF ELK RAPIDS CONDOMINIUM**

This first amendment to the consolidated Master Deed made this 18<sup>th</sup> day of January, 2002, by Sands of Elk Rapids Condominium Association whose address is c/o Earl Schuster its President, 430 South Antler Street, Gladwin, Michigan 48624.

WITNESSETH: Whereas the developer caused the Master Deed for Sands of Elk Rapids Condominium to be recorded in Liber 320 at Pages 1043-1104, First Amendment to Master Deed recorded in Liber 334 at Page 716, Second Amendment to Master Deed recorded at Liber 338 at Page 1225, Consolidating Master Deed recorded at 359 at Pages 431-485 and First Amendment to Consolidating Master Deed recorded at Liber 378 at Pages 1101-1131. all inclusive Antrim County Records together with condominium by laws and subdivision plans attached thereto as Exhibit A and B, and by first and second amendment to the Master Deed and recorded the same respectively in Liber 334 at Pages 0716-0733: Liber 338, Pages 1225-1229: Antrim County Records and the consolidated Master Deed recorded at Liber 359, Pages 0431-0485, Antrim County Records.

WHEREAS Article VIII contemplates the amendment of the Master Deed and whereas the Association wishes to amend the Master Deed to amend the subdivision plans attached to the Master Deed and made a part thereof as Exhibit B and whereas the amendment as necessary to add a portion of land purchased by the Association, therefore the Association does hereby amend the Master Deed and subdivision plan attached hereto as Exhibit B and does further amend article II of the Master Deed to provide the following legal description:

A parcel of land being a portion of the land described in Liber 283 of Deeds, Page 859, in part of Government Lot 1, Section 21, Township 29 North, Range 9 West, Village of Elk Rapids, Antrim County, Michigan, more fully described as follows:

Commencing at the Southeast corner of said Government Lot 1; thence along the south line of said Lot 1 S 89°57'17"W 1312.97 feet, recorded as WEST 1312.75 feet; thence N 00° 02'43" W 168.71 feet, recorded as NORTH 163.5 feet; thence N 44° 05' 55" W 297.00 feet, recorded as N 44° 00' W; thence S 75°56'05" W 203.79 feet, recorded as S 76°00" W 204.00 feet; to the POINT OF BEGINNING; thence S 45°58'45" W 335.03 feet; recorded as S 46°00" W 335.00 feet; thence N 45°02'20" W 504.10 feet, recorded as N 45° 00" W, to a shoreline traverse along Grand Traverse Bay; thence along said shoreline traverse N 53°12'33" E 504.90 feet; thence leaving said shoreline S 44°55'20" E 267.40 feet, recorded as S 44°53' E; thence along the centerline of a private road S 78°11'55" E 511.62 feet, recorded as S 78°17' E to the westerly line of a parcel of land described in Liber 266 of Deeds, Page 1093; thence along said westerly line S 00°56'55" W 89.31 feet to the westerly right-of-way of a service road; thence along said right-of-way on the arc of a curve to the left a distance of 48.00 feet (R=4723.75 feet, I=00°34'56", Chord=S 11°03'54" 48.00 feet); thence N 69°36'49"W 47.82 feet; thence N 31°56'23"W 51.63 feet; thence N 64°39'50" W 99.94 feet; thence N 62°50'51" W 72.86 feet; thence N 80°03'53" W 93.49 feet; thence S 86°52'28" W 174.11 feet; thence S 03°07'23" E 138.73 feet to the POINT OF BEGINNING and containing 260.192 square feet and/or 5.97 acres of land more or less.

4  
D  
B  
2-8-20  
2-7-20  
2-8-20

The sidelines shorten or lengthen to intersect the Ordinary High Water Mark of Grand Traverse Bay (Lake Michigan), with full riparian rights thereon. Subject to all applicable building, use restrictions and easements, if any, affecting the premisses.

AND

Commencing at the Southeast corner of said Government Lot 1, Section 21, Town 29 North, Range 9 West; thence along the South line of said Lot 1, South 89°57'17" West, 1312.97 feet, (recorded as West 1312.75 feet); thence North 00°02'43" West, 168.71 feet, (recorded as North 163.5 feet) to the Point of Beginning; thence North 44°05'55" West, 297.00 feet, (recorded as North 44°00' West); thence South 75°56'05" West, 203.79 feet, (recorded as South 76°00' West, 204.00 feet); thence North 03°07'32" West, 138.73 feet; thence North 86°52'28" East, 174.11 feet; thence South 80°03'53" East, 93.49 feet; thence South 62°50'51" East, 72.86 feet; thence South 64°39'50" East, 99.94 feet; thence South 31°56'23" East, 51.63 feet; thence South 69°36'49" East, 47.82 feet to the westerly right-of-way of a service road; thence along said right-of-way on the arc of a curve to the left a distance of 210.18 feet (R=4723.75 feet, I=02°32'58", Chord=South 09°29'57" West, 210.16 feet); thence North 44°05'55" West, 67.00 feet, (recorded as North 44°00' West, 68.55 feet) to the Point of Beginning.

The percentage of value assigned to each condominium unit shall remain unchanged. In all other respects the Master Deed and Exhibits A and B attached thereto are hereby reaffirmed and ratified in their entirety except as herein expressly modified.

IN WITNESS WHEREOF the Association has caused this first amendment to consolidated Master Deed to be executed the day and the year first above written.

Consent for said amendment is hereby given by the requisite number of co-owners and mortgagees contained in the minutes of Sands of Elk Rapids Condominium Association.

Date 1-18-02  
Bonnie L. Szydlowski  
Bonnie L. Szydlowski  
Rebecca George  
REBECCA GEORGE

SANDS OF ELK RAPIDS  
CONDOMINIUM ASSOCIATION  
Earl Schuster  
BY: EARL SCHUSTER  
ITS: PRESIDENT

STATE OF MICHIGAN )  
                          )SS.  
COUNTY OF Grand Traverse

On this 18<sup>th</sup> day of January 2002, before me, a Notary Public, appeared EARL SCHUSTER, and executed the foregoing instrument and acknowledged the execution thereof to be his/her free act and deed, and who has sworn that he is over 18 years of age.

Drafted By:  
Vicki Kunding  
Brandt, Fisher, Alward & Roy  
Attorneys at Law  
PO Box 5817  
Traverse City MI 49696-5817

Jodi L. Voss  
Jodi L. Voss  
Notary Public  
Grand Traverse County, MI  
My Commission Expires: 9/23/03

REPLAT NO. 1 TO  
 SECOND AMENDMENT TO CONSOLIDATED MASTER DEED  
 ANTRIM COUNTY CONDOMINIUM  
 SUBDIVISION PLAN NO. 32  
 EXHIBIT B TO MASTER DEED OF  
 SANDS OF ELK RAPIDS CONDOMINIUM  
 VILLAGE OF ELK RAPIDS  
 ANTRIM COUNTY, MICHIGAN  
 DEVELOPER:  
 SANDS OF ELK RAPIDS CONDOMINIUM ASSOCIATION  
 C/O ROGER L. KESSELER, ITS PRESIDENT  
 2108 MAPLE LEAF DRIVE  
 MIDLAND MICHIGAN 48640

SURVEYOR  
 JOHN F. KORR JR.  
 PROFESSIONAL LAND SURVEYOR  
 REGISTRATION NO. 24600  
 GOSLING CZUBAK ENGINEERING SCIENCES INC.  
 1280 BUSINESS PARK DRIVE  
 TRAVERSE CITY, MICHIGAN 49686-8607

THE ASTERISK (\*) INDICATES AMENDED OR SUPPLEMENTAL SHEETS WHICH ARE REVISED OR ARE NEW SHEETS DATED SEPTEMBER 5, 2001. THESE SHEETS WITH THIS SUBMISSION ARE TO REPLACE OR BE SUPPLEMENTAL SHEETS TO SHEETS PREVIOUSLY RECORDED.

SHEET INDEX NOTE: N/C=NO CHANGE

SHEET NUMBER	SHEET TITLE
# 1	COVER SHEET
# 2	SITE, SURVEY, & FLOODPLAIN PLAN
# 3	UTILITY PLAN
N/C 4	TYPICAL FLOOR PLANS <small>REVISIONS 1, 2 AND 3</small>
N/C 5	TYPICAL FLOOR PLANS <small>REVISIONS 1, 2 AND 3</small>
N/C 6	TYPICAL BUILDING PLAN <small>REVISIONS 1 AND 3</small>
N/C 7	TYPICAL BUILDING PLAN <small>FIRST LEVEL, REVISIONS 2</small>
N/C 8	TYPICAL BUILDING PLAN <small>SECOND LEVEL, REVISIONS 2</small>
N/C 9	TYPICAL BUILDING PLAN <small>THIRD LEVEL, REVISIONS 1</small>
N/C 10	TYPICAL BUILDING SECTIONS <small>REVISIONS 1, 2 AND 3</small>
N/C 11	TYPICAL GARAGE & STORAGE PLANS <small>REVISIONS 1 AND 3, CHANGE NO. 1, 2, 3 &amp; 4</small>
N/C 12	TYPICAL GARAGE PLANS <small>REVISIONS 1, 2, CHANGE NO. 2 &amp; 4</small>

PROPERTY DESCRIPTION :

A PARCEL OF LAND BEING A PORTION OF THE LAND DESCRIBED IN LINDS 285 OF DEEDS, PAGE 684, IN PART OF GOVERNMENT LOT 1, SECTION 21, TOWNSHIP 28 NORTH, RANGE 9 WEST, VILLAGE OF ELK RAPIDS, ANTRIM COUNTY, MICHIGAN, MORE FULLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1; THENCE ALONG THE SOUTH LINE OF SAID LOT 1, 287.5717' TO 1312.87 FEET, RECORDED AS WEST 1312.78 FEET, THENCE NORTH 47° 18' 18.71" WEST, 184.71 FEET, RECORDED AS NORTH 184.8 FEET, THENCE NORTH 44° 08' 58" WEST, 287.00 FEET, RECORDED AS 278° 00' 00" WEST, 204.00 FEET, TO THE POINT OF BEGINNING, THENCE S 46° 02' 45" W, 234.03 FEET, RECORDED AS S 46° 00' 00" W, 234.00 FEET, THENCE N 44° 02' 07" W, 804.10 FEET, RECORDED AS N 44° 00' 00" W, TO A SHORTLINE TRAVELER ALONG GRAND TRAVERSE BAY, THENCE ALONG SAID SHORTLINE TRAVELER N 82° 12' 35" E, 804.00 FEET, THENCE LEAVING SAID SHORTLINE N 44° 58' 20" E, 287.40 FEET, RECORDED AS S 44° 58' 20" E, THENCE ALONG THE CENTERLINE OF A PRIVATE ROAD STR 115' 18" E, 811.62 FEET, RECORDED AS STR 177', TO THE WESTERN LINE OF A PARCEL OF LAND DESCRIBED IN LINDS 286 OF DEEDS, PAGE 1083, THENCE ALONG SAID WESTERN LINE, 807° 58' 35" W, 82.31 FEET TO THE WESTERN RIGHT-OF-WAY OF A SERVICE ROAD, THENCE ALONG SAID RIGHT-OF-WAY ON THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 284.16 FEET (R=4723.78 FEET, Δ=03° 07' 54"), CHORD=50° 47' 25" W, 284.15 FEET, THENCE N 44° 00' 58" W, 87.00 FEET, RECORDED AS S 44° 00' 58" W, 87.00 FEET, THENCE N 44° 00' 58" W, 87.00 FEET, RECORDED AS S 44° 00' 58" W, 87.00 FEET, THENCE N 44° 00' 58" W, 87.00 FEET, TO THE POINT OF BEGINNING AND CONTAINING 260,883 SQUARE FEET AND/OR 6.08 ACRES OF LAND MORE OR LESS.

RECORDED IN LINDS 317, PAGE 0000

PART OF A PARCEL OF LAND DESCRIBED IN LINDS 286 OF DEEDS, PAGE 1083, BEING PART OF GOVERNMENT LOT 1, SECTION 21, TOWNSHIP 28 NORTH, RANGE 9 WEST, VILLAGE OF ELK RAPIDS, ANTRIM COUNTY, MICHIGAN, SURVEYED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1; THENCE NORTH 47° 18' 18.71" WEST, 184.71 FEET, PREVIOUSLY RECORDED AS WEST 184.8 FEET, THENCE NORTH 44° 08' 58" WEST, 287.00 FEET, RECORDED AS 278° 00' 00" WEST, 204.00 FEET, TO THE POINT OF BEGINNING, THENCE S 46° 02' 45" W, 234.03 FEET, RECORDED AS S 46° 00' 00" W, 234.00 FEET, THENCE N 44° 02' 07" W, 804.10 FEET, RECORDED AS N 44° 00' 00" W, TO A SHORTLINE TRAVELER ALONG GRAND TRAVERSE BAY, THENCE ALONG SAID SHORTLINE TRAVELER N 82° 12' 35" E, 804.00 FEET, THENCE LEAVING SAID SHORTLINE N 44° 58' 20" E, 287.40 FEET, RECORDED AS S 44° 58' 20" E, THENCE ALONG THE CENTERLINE OF A PRIVATE ROAD STR 115' 18" E, 811.62 FEET, RECORDED AS STR 177', TO THE WESTERN LINE OF A PARCEL OF LAND DESCRIBED IN LINDS 286 OF DEEDS, PAGE 1083, THENCE ALONG SAID WESTERN LINE, 807° 58' 35" W, 82.31 FEET TO THE WESTERN RIGHT-OF-WAY OF A SERVICE ROAD, THENCE ALONG SAID RIGHT-OF-WAY ON THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 284.16 FEET (R=4723.78 FEET, Δ=03° 07' 54"), CHORD=50° 47' 25" W, 284.15 FEET, THENCE N 44° 00' 58" W, 87.00 FEET, RECORDED AS S 44° 00' 58" W, 87.00 FEET, THENCE N 44° 00' 58" W, 87.00 FEET, RECORDED AS S 44° 00' 58" W, 87.00 FEET, THENCE N 44° 00' 58" W, 87.00 FEET, TO THE POINT OF BEGINNING AND CONTAINING 260,883 SQUARE FEET AND/OR 6.08 ACRES OF LAND MORE OR LESS.

ALSO, AN EASEMENT FOR ROADS AND TRENDS AND THE INSTALLATION AND MAINTENANCE OF UTILITIES IN PART OF GOVERNMENT LOT 1, SECTION 21, TOWNSHIP 28 NORTH, RANGE 9 WEST, VILLAGE OF ELK RAPIDS, ANTRIM COUNTY, MICHIGAN, MORE FULLY DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 1; THENCE ALONG THE SOUTH LINE OF SAID LOT 1, 287.5717' TO 1312.87 FEET, RECORDED AS WEST 1312.78 FEET, THENCE NORTH 47° 18' 18.71" WEST, 184.71 FEET, RECORDED AS NORTH 184.8 FEET, THENCE NORTH 44° 08' 58" WEST, 287.00 FEET, RECORDED AS 278° 00' 00" WEST, 204.00 FEET, TO THE POINT OF BEGINNING, THENCE S 46° 02' 45" W, 234.03 FEET, RECORDED AS S 46° 00' 00" W, 234.00 FEET, THENCE N 44° 02' 07" W, 804.10 FEET, RECORDED AS N 44° 00' 00" W, TO A SHORTLINE TRAVELER ALONG GRAND TRAVERSE BAY, THENCE ALONG SAID SHORTLINE TRAVELER N 82° 12' 35" E, 804.00 FEET, THENCE LEAVING SAID SHORTLINE N 44° 58' 20" E, 287.40 FEET, RECORDED AS S 44° 58' 20" E, THENCE ALONG THE CENTERLINE OF A PRIVATE ROAD STR 115' 18" E, 811.62 FEET, RECORDED AS STR 177', TO THE WESTERN LINE OF A PARCEL OF LAND DESCRIBED IN LINDS 286 OF DEEDS, PAGE 1083, THENCE ALONG SAID WESTERN LINE, 807° 58' 35" W, 82.31 FEET TO THE WESTERN RIGHT-OF-WAY OF A SERVICE ROAD, THENCE ALONG SAID RIGHT-OF-WAY ON THE ARC OF A CURVE TO THE LEFT, A DISTANCE OF 284.16 FEET (R=4723.78 FEET, Δ=03° 07' 54"), CHORD=50° 47' 25" W, 284.15 FEET, THENCE N 44° 00' 58" W, 87.00 FEET, RECORDED AS S 44° 00' 58" W, 87.00 FEET, THENCE N 44° 00' 58" W, 87.00 FEET, RECORDED AS S 44° 00' 58" W, 87.00 FEET, THENCE N 44° 00' 58" W, 87.00 FEET, TO THE POINT OF BEGINNING AND CONTAINING 260,883 SQUARE FEET AND/OR 6.08 ACRES OF LAND MORE OR LESS.

NOTE:  
 THE FOLLOWING CERTIFICATION IS LIMITED TO THE ADDITIONAL LAND ADDED TO THIS PROJECT:

SURVEYORS CERTIFICATE :

I, JOHN F. KORR JR., REGISTERED LAND SURVEYOR OF THE STATE OF MICHIGAN, HEREBY CERTIFY THAT THE SUBDIVISION PLAN SHOWN AS ANTRIM COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 32, AS SHOWN ON THE ACCOMPANYING DRAWINGS, REPRESENTS A SURVEY ON THE GROUND MADE UNDER MY DIRECTION, THAT THERE ARE NO DISCREPANCIES UPON THE LANDS AND PROPERTY HEREIN DESCRIBED, THAT THE REQUIRED MONUMENTS AND MARKERS HAVE BEEN LOCATED IN THE MANNER AS REQUIRED BY RULES PROMULGATED UNDER SECTION 142 OF ACT NUMBER 89 OF THE PUBLIC ACTS OF 1978, THAT THE ACCURACY OF THIS SURVEY IS WITHIN THE LIMITS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NUMBER 89 OF THE PUBLIC ACTS OF 1978, THAT THE BEARINGS, AS SHOWN, ARE NOTED ON SURVEY PLAN AS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NUMBER 89 OF THE PUBLIC ACTS OF 1978.

DATE SEPTEMBER 5, 2001



*[Signature]*  
 JOHN F. KORR JR.  
 REGISTERED LAND SURVEYOR  
 LICENSE NO. 24600  
 GOSLING CZUBAK ENGINEERING SCIENCES, INC.  
 1280 BUSINESS PARK DRIVE  
 TRAVERSE CITY, MICHIGAN 49686-8607

\* COVER SHEET SHEET 1



# SANDS OF ELK RAPIDS CONDOMINIUM SURVEY, SITE & FLOODPLAIN SHEET

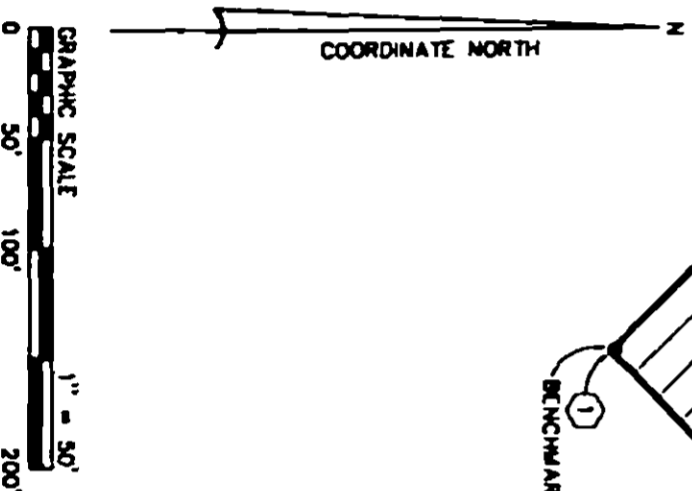
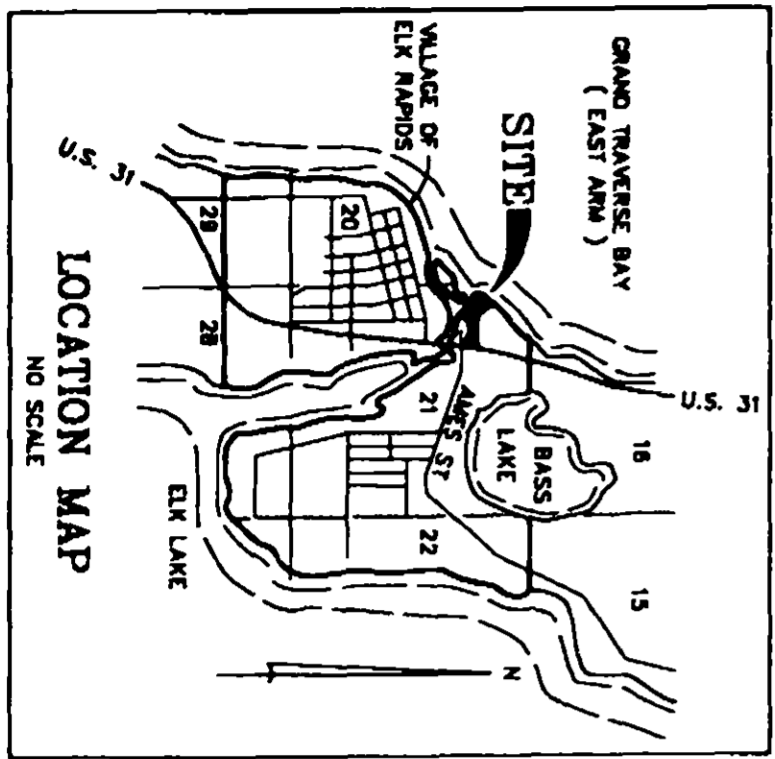
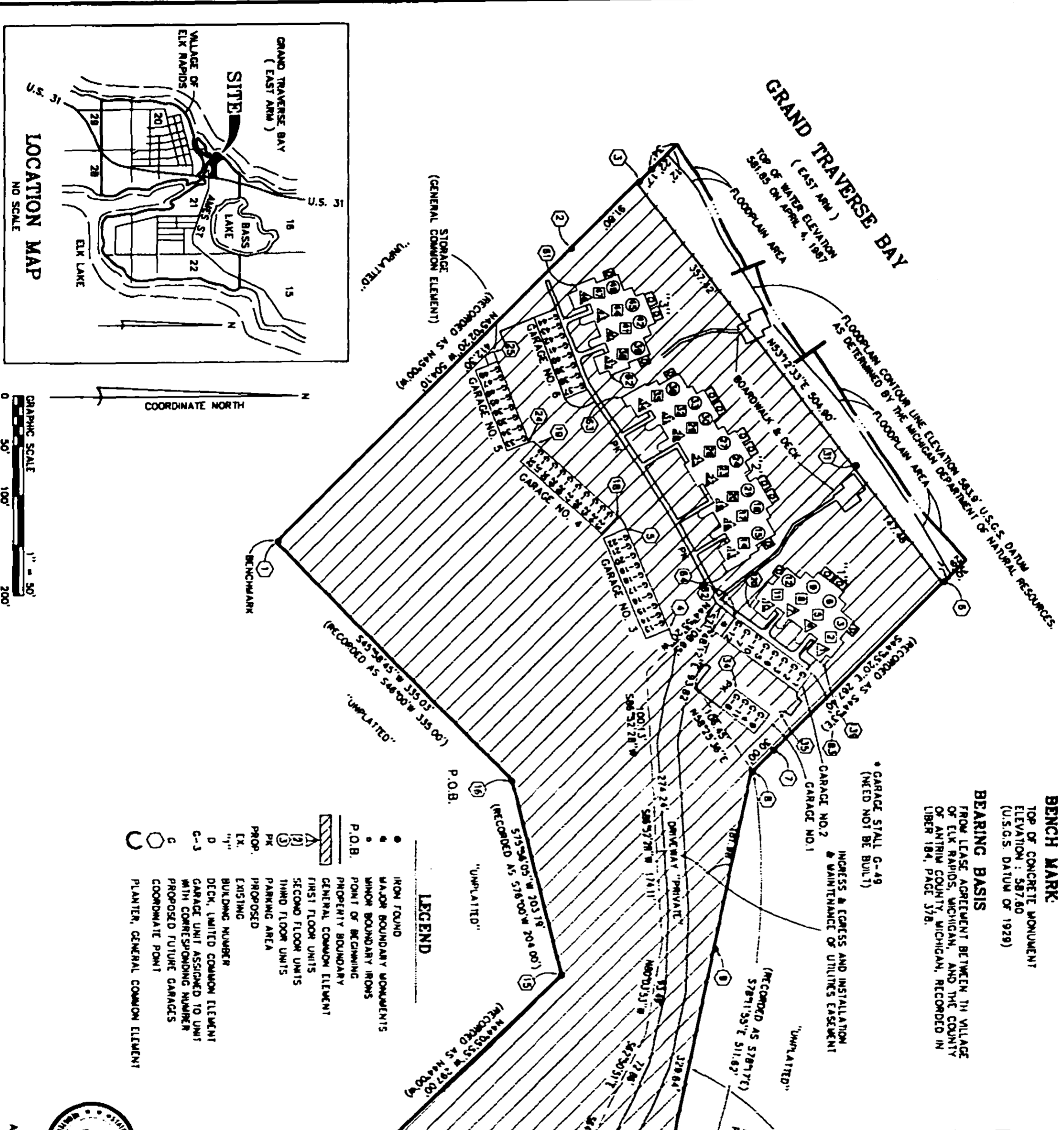
**BENCH MARK:**  
TOP OF CONCRETE MONUMENT  
ELEVATION: 587.80  
(U.S.G.S DATUM OF 1929)

**BEARING BASIS:**  
FROM LEASE AGREEMENT BETWEEN THE VILLAGE OF ELK RAPIDS, MICHIGAN, AND THE COUNTY OF ANTRIM COUNTY, MICHIGAN, RECORDED IN LIBER 184, PAGE 378.

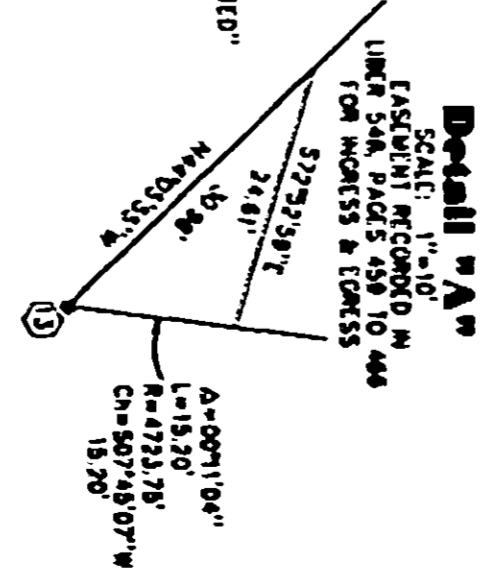
\* GARAGE STALL G-49  
(WED NOT BE BUILT)  
INGRESS & EGRESS AND INSTALLATION & MAINTENANCE OF UTILITIES EASEMENT

**SCHEDULE OF COORDINATE POINTS**

COORD. POINT	NORTH	EAST	COORD. POINT	NORTH	EAST
1	2000.00	3000.00	16	2222.87	2222.87
2	2291.34	1708.28	17	2255.53	2255.53
3	2354.21	1643.31	18	2288.20	2288.20
4	2398.08	2090.86	19	2320.87	2320.87
5	2452.95	1989.84	20	2353.54	2353.54
6	2507.82	2045.84	21	2386.21	2386.21
7	2562.69	2101.84	22	2418.88	2418.88
8	2617.56	2157.84	23	2451.55	2451.55
9	2672.43	2213.84	24	2484.22	2484.22
10	2727.30	2269.84	25	2516.89	2516.89
11	2782.17	2325.84	26	2549.56	2549.56
12	2837.04	2381.84	27	2582.23	2582.23
13	2891.91	2437.84	28	2614.90	2614.90
14	2946.78	2493.84	29	2647.57	2647.57
15	3001.65	2549.84	30	2680.24	2680.24



- LEGEND**
- MAJOR BOUNDARY MONUMENTS
  - MINOR BOUNDARY IRONS
  - POINT OF BEGINNING
  - ▨ PROPRIETARY BOUNDARY
  - ▧ GENERAL COMMON ELEMENT
  - ▩ FIRST FLOOR UNITS
  - SECOND FLOOR UNITS
  - THIRD FLOOR UNITS
  - ▬ PARKING AREA
  - ▭ PROPOSED
  - ▮ EXISTING
  - ▯ BUILDING NUMBER
  - ▰ DEC. LIMITED COMMON ELEMENT GARAGE UNIT ASSIGNED TO UNIT WITH CORRESPONDING NUMBER
  - ▱ PROPOSED FUTURE GARAGES
  - COORDINATE POINT
  - PLANTER, GENERAL COMMON ELEMENT



NOTE: THIS REPEAT AND CERTIFICATION ARE LIMITED TO ADDITIONAL LAND ADDED TO THIS PROJECT.

*John F. Koon*  
JOHN F. KOON, JR., P.E.  
PROFESSIONAL SURVEYOR  
LICENSE NO. 24800  
GOSLING CZUBAK ENGINEERING SCIENCES, INC.  
1780 BUSINESS PARK DRIVE  
TRAVERSE CITY, MICHIGAN 49686-8807

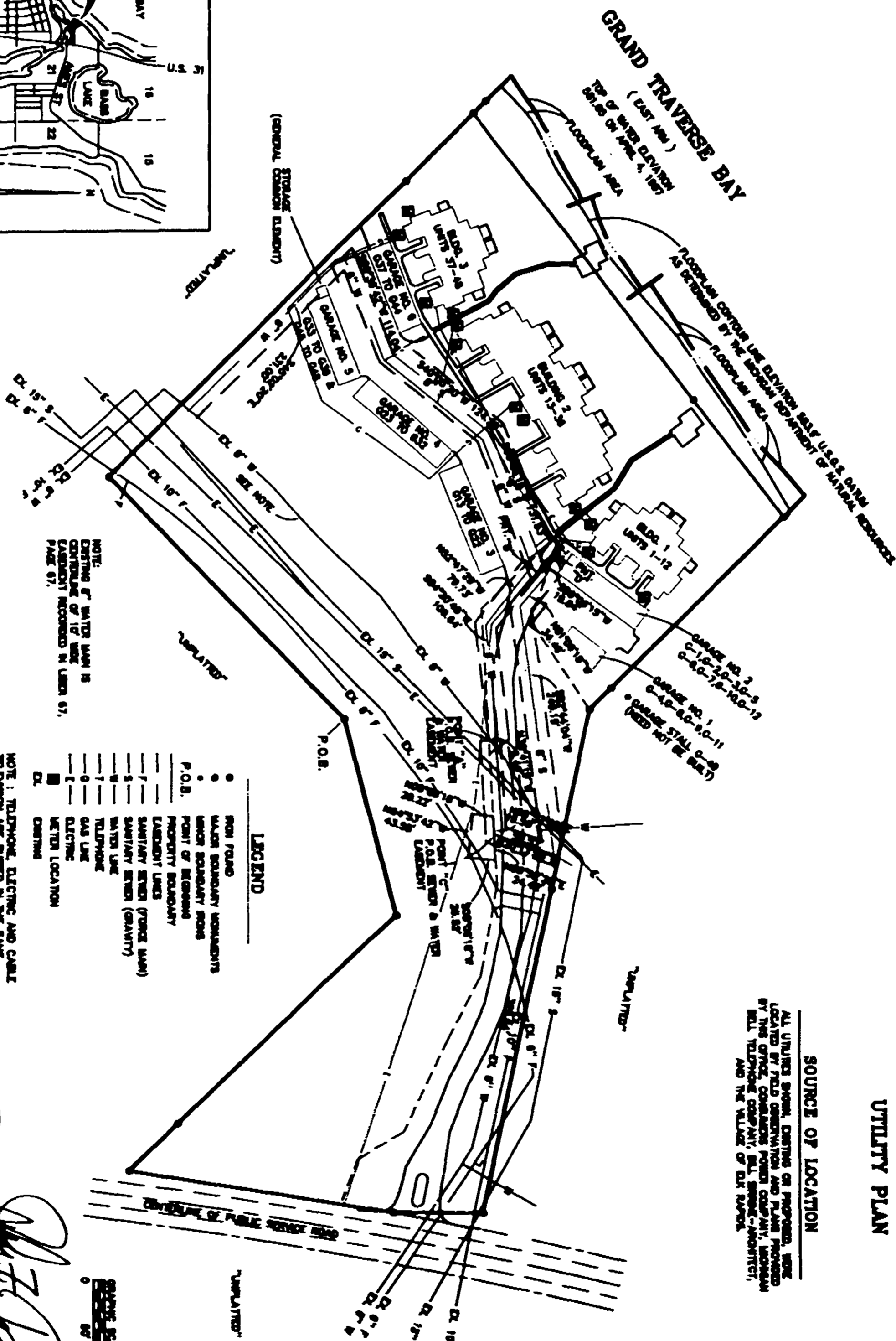
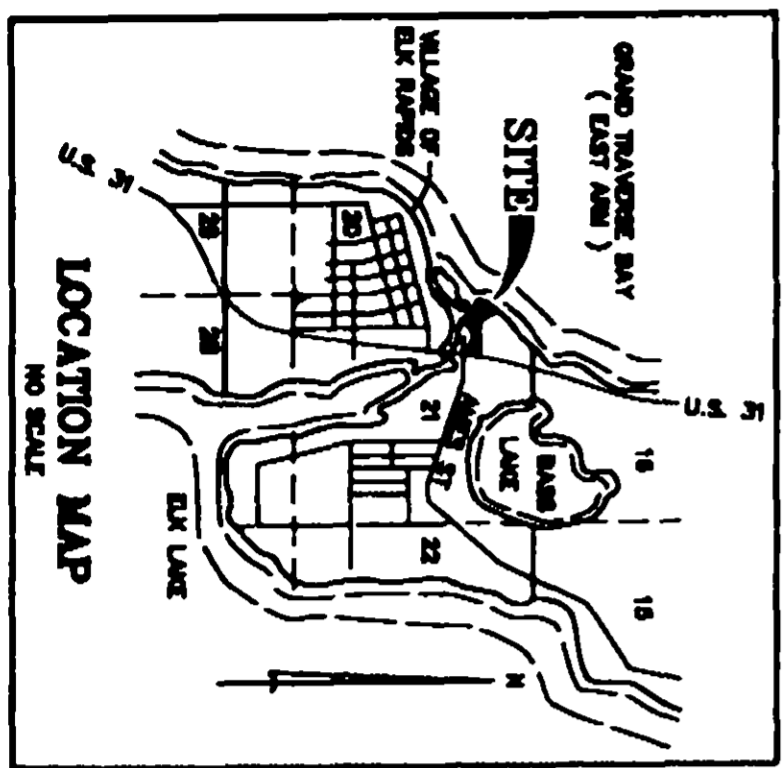


\* SHEET 2  
AS BUILT DATED: SEPTEMBER 5, 2001  
JOB NO.: 2001061101  
P:\2001\061101\Replot to Consolidated Sands of Elk Rapids\deg\SITE\PLA\DWG 01/10/02 11:45am manderison

# SANDS OF ELK RAPIDS CONDOMINIUM

## UTILITY PLAN

**SOURCE OF LOCATION**  
 ALL UTILITIES SHOWN, EXISTING OR PROPOSED, WERE LOCATED BY FIELD OBSERVATION AND PLANS PROVIDED BY THE OFFICE CONSULTING POWER COMPANY, INCORPORATED, A DIVISION OF THE SOUTHWESTERN ELECTRIC COMPANY, AND THE VILLAGE OF ELK RAPIDS.



NOTE: EXISTING 6" WATER MAIN IS CENTERLINE OF 10' WIDE EASEMENT RECORDED IN LIBER 57, PAGE 57.

- LEGEND**
- IRON PILING
  - WALKER BOUNDARY MARKERS
  - WALKER BOUNDARY STONE
  - POINT OF BEGINNING
  - PROPERTY BOUNDARY
  - EASEMENT LINES
  - SANITARY SEWER (FORCE MAIN)
  - SANITARY SEWER (GRAVITY)
  - WATER LINE
  - GAS LINE
  - TELEPHONE
  - ELECTRIC
  - LETTER LOCATION
  - CURBING
- NOTE: TELEPHONE, ELECTRIC AND CABLE TELEVISION ARE SHOWN IN THE SAME MANNER.



*John F. Korn*  
 JOHN F. KORN, P.E.  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 34609  
 CONSULTING ENGINEER  
 1200 BURNING PINE DRIVE  
 TRAVERSE CITY, MICHIGAN 49684-8807



COORDINATE NORTH