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ANTRIM COUNTY MICHIGAN
PATTY NIEPOTH - 268
12-19-2013 At 10:47 am.
MST D AMEND 20.00
OR Liber 845 Page 836 - 838

THIRD AMENDMENT TO THE CONSOLIDATED MASTER DEED

For

SANDS OF ELK RAPIDS CONDOMINIUM

THIRD AMENDMENT TO THE CONSOLIDATED MASTER DEED, made this 20 day of November, 2013 by Sands of Elk Rapids Condominium, a Michigan nonprofit corporation, of 996 Garfield Woods Drive, Suite D, Traverse City, Michigan 49686 ("Association").

WITNESSETH:

WHEREAS, the Developer caused the Consolidating Master Deed to be recorded at Liber 359, Page 431 et seq., amended by the First Amendment to Consolidating Master Deed recorded at Liber 378, Page 1101 et seq., amended by the Second Amendment to Consolidating Master Deed recorded at Liber 609, Page 1171 et seq., in the records of Antrim County Register of Deeds and designated as Antrim County Condominium Subdivision Plan No. 32 ("Master Deed").

WHEREAS, MCLA 559.190(2) provides "the master deed, bylaws, and condominium subdivision plan may be amended, even if the amendment will materially alter or change the rights of co-owners or mortgagees, with the consent of not less than 2/3 of the votes of the co-owners and mortgagees."

WHEREAS, more than two-thirds (2/3) of the co-owners and mortgagees consented by Consent Resolution to the amendments contained herein and authorized the President of the Association to execute this Third Amendment to Master Deed to effectuate its contents.

NOW, THEREFORE, the Master Deed is hereby amended as follows:

Received
ANTRIM COUNTY MICHIGAN
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1. Article VIII, Section 3 of the Condominium By-laws is hereby amended and shall read as follows:

“Without the express written approval of the board of Directors, no Co-owner shall:

- (a) make alterations in exterior appearance to his unit;
- (b) make any material or structural modifications to his unit (including without limitation any modification to interior walls);
- (c) make changes in any of the Common Elements, limited or general, including (but not by way of limitation) exterior painting or the erection of lights, aerals, awnings, doors, shutters or other exterior attachments;
- (d) damage or make any modifications or attachments to Common Element walls between units;
- (e) make any modification to his unit or Common Elements that impairs the sound conditioning provisions or otherwise increases the noise transfer between units, including without limitation changing the type of floor coverings within the unit.

The Board of Directors may approve only such modifications as do not impair the soundness, safety, utility or appearance of the Condominium. Even after approval, a Co-owner shall be responsible for all damages to any other units and their contents or to the Common Elements resulting from any such alteration. Co-owners with units on the second and third floors may not install wood flooring or tile in the living area or bedroom areas but may install wood flooring in the hallway and kitchen areas with the prior approval of the Board of Directors.”

2. In all other respects, the Master Deed and its Exhibits for Sands of Elk Rapids Condominium are hereby reaffirmed and ratified in their entirety except as expressly modified herein.
3. The revisions of this Third Amendment to the Consolidated Master Deed shall supersede all provisions of the Master Deed, Condominium Bylaws and other Condominium Documents for the Condominium Project that may be contrary to it and shall govern in the event of any inconsistencies.

IN WITNESS WHEREOF, the Association, with the consent of two-thirds (2/3) of the Co-owners, has caused this Third Amendment to Master Deed to be executed the day and year first above written.

SANDS OF ELK RAPIDS CONDOMINIUM

Jerry Ring
By: ~~Jerry Ring~~ JERRY RING
Its: President

STATE OF Massachusetts)
) ss
COUNTY OF Essex)

On this 20th day of November, 2013, before me personally appeared ^{Jerry} ~~Jerry~~ Ring, to me known and known to me, who being duly sworn, did depose and say that he is the President of Sands of Elk Rapids Condominium, a Michigan nonprofit corporation, the corporation described in and which executed the foregoing instrument, and that he signed his name thereto by order of the Board of Directors of said corporation, as and for his voluntary act and deed and as and for the voluntary act and deed of said corporation.



Loretta M. Laplante
Loretta M. Laplante Notary Public
Essex County, MA
Acting in Essex County, MA
My Commission Expires: 9-8-17

Prepared by/Return to:

David H. Rowe, Esq., Brandt, Fisher, Alward & Pezzetti, P.C., 1241 E. Eighth St., P.O. Box 5817, Traverse City, MI 49696-5817(231) 941-9660