

## FIRST AMENDMENT TO THE MASTER DEED OF ORCHARD HILLS NORTH

THIS FIRST AMENDMENT TO THE MASTER DEED of ORCHARD HILLS NORTH ("**Amendment**") is made and executed on this 18<sup>th</sup> day of January, 2016, by Mirage Development, LLC, a Michigan limited liability company ("**Developer**") whose address is 45380 West 10 Mile Road, Suite 135, Novi, Michigan 48375, being the developer of Orchard Hills North, a condominium project (the "**Project**") established pursuant to the Master Deed thereof, recorded on October 3, 2014, in Liber 47468, Page 147, Oakland County Records, and known as Oakland County Subdivision Plan No 2087, being the owner of all of the units in the Condominium Project, hereby amends Section 13 of Article VI of the Condominium Bylaws attached to the Master Deed as Exhibit "A."

### Recitals

A. WHEREAS, Article VII, Section B of the Master Deed provides that the Developer may, during the Construction and Sales Period, amend the Master Deed, including Exhibit "A", the Bylaws and Exhibit "B," the Condominium Subdivision Plan.

B. WHEREAS, the Construction and Sales Period has not expired.

C. WHEREAS, in order to clarify Article VI, Section 13 of the Condominium Bylaws, Developer has determined to amend said provision.

**NOW, THEREFORE**, upon recording of this Amendment in the office of the Oakland County Register of Deeds, said Master Deed and the Bylaws attached thereto as Exhibit "A" shall be amended as follows:

Article VI, Section 13 of the Condominium Bylaws shall be deleted in its entirety and replaced by the following provision:

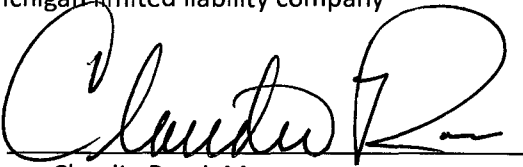
**Section 13.Fences.** Fences, walls, solid hedge or similar barriers may be erected or maintained on any Unit only upon receipt of prior written approval thereof by the Architectural Control Committee. All such structures shall fully comply with these Architectural and Building Specifications and Use Restrictions, applicable ordinances of the City of Novi, and the City of Novi's site plan approval of the Project. Any fence or wall erected shall be erected strictly in conformity with the requirements of all applicable ordinances and only with the prior written consent of the Architectural Control Committee, which shall have sole and absolute discretion to determine the suitability of the location, design, shape, height, size and materials for any required fence, wall or

solid hedge, and, if necessary, the prior approval of the City of Novi. As set forth more specifically in this Article, before construction of any improvements under this Section are made to a Unit, plans and specifications, including grading, drainage, site, soil erosion, tree preservation, wetland preservation, showing the nature, size, shape, elevations, height, materials (including samples of exterior building materials upon request), colorscheme, and location, shall be submitted to and approved in writing by the Architectural Control Committee and the City of Novi to the extent required by local ordinance or the City of Novi's site plan approval for the Project. The Architectural Control Committee shall have the right to refuse to approve any such construction plans or specifications, which, in its opinion, are not suitable or desirable for aesthetic or other reasons, and in so passing upon such construction plans and specifications, shall have the right to take into consideration the suitability of the improvement with the surroundings and the effect of the structure upon the view from adjacent or neighboring Units.

This Amendment shall not enlarge the Common Elements of the Project, or alter the existing percentages of value in the Project.


In all other respects, the Master Deed of Orchard Hills North, including the Bylaws attached thereto as Exhibit "A," and Condominium Subdivision Plan attached thereto as Exhibit "B" are hereby ratified and confirmed.

**Mirage Development, LLC**  
a Michigan limited liability company

By:   
\_\_\_\_\_  
Claudio Rossi, Manager

STATE OF MICHIGAN        }  
  } SS  
COUNTY OF OAKLAND    }

On this 18<sup>TH</sup> day of January, 2016, the foregoing First Amendment to Master Deed was acknowledged before me by Claudio Rossi, Manager of Mirage Development, LLC.

  
\_\_\_\_\_  
MARK PAULSON Notary Public  
OAKLAND County, Michigan

My Commission Expires 6/3/2018

**DRAFTED BY AND WHEN RECORDED RETURN TO:**  
Lawrence P. Swistak  
Swistak & Levine, P.C.  
30833 Northwestern Highway, Suite 120,  
Farmington Hills, Michigan 48334