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COUNTY OF KALAMAZOO

2014-005994 03/07/2014 08:38:10 AM
Pages: 1 of 8
JACK GESMUNDO AMND
Timothy A. Snow County Clerk/Register Kalamazoo County, MI

Property Tax Certificate # 20526
has been issued for this document and legal
description by the Kalamazoo City Treasurer.
Certs # 256279

**SECOND AMENDMENT TO MASTER DEED
OF WALDEN WOODS OF KALAMAZOO**

This Second Amendment to Master Deed ("Amendment") is made and executed on the 4th day of February, 2014, by AMERICAN VILLAGE DEVELOPMENT, II, L.L.C., a Michigan limited liability company (hereinafter referred to as "Developer"), whose address is 4200 West Centre Avenue, Portage, Michigan 49024, pursuant to the provisions of the Master Deed of Walden Woods of Kalamazoo and the Michigan Condominium Act (being Act 59 of the Public Acts of 1978, as amended, and referred to in this Amendment as the "Act").

Background

Walden Woods of Kalamazoo was established as a condominium project (the "Condominium") pursuant to the Master Deed dated February 11, 2013 and recorded on February 12, 2013 at Instrument No. 2013-005868 of the Kalamazoo County Records, and known as Kalamazoo County Condominium Subdivision Plan No. 254, as amended by the First Amendment to Master Deed dated April 10, 2013 and recorded on April 12, 2013 at Instrument No. 2013-016929 of the Kalamazoo County Records (the "Master Deed").

This Amendment is made and recorded by the Developer pursuant to Article VIII of the Master Deed and the applicable provisions of the Act in order to expand the number of Units in the Condominium Project from twenty-four (24) Units to thirty-eight (38) Units.

In accordance with Article XIII of the Master Deed, and the applicable provisions of the Act, this Amendment is made by the Developer in its capacity as the Developer and the owner of 14 of the 24 Units in the Condominium Project, and shall be deemed effective immediately upon recording.

Amendment

NOW, THEREFORE, the Developer does, upon recording of this Amendment, make the following amendments to the Master Deed:

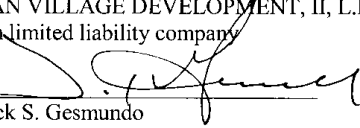
1. Number of Units; Percentage of Value. The number of Units in the Condominium shall be increased from twenty-four (24) Units to thirty-eight (38) Units. The percentages of value as to all of the Condominium Units are equal and the total value of the Condominium Project shall be 100.
2. Legal Description. The legal description attached hereto as Exhibit "A" shall, upon recordation of this Amendment, replace and supersede the Condominium Subdivision prior legal description, as the same has been amended by subsequent amendments to the Master Deed and subsequent replats of the Condominium Subdivision Plan and said prior legal Description shall be of no further force or effect.
3. Replat. Replat No. 1 of the Condominium Subdivision Plan, attached hereto as Exhibit "B", shall, upon recordation of this Amendment, replace and supersede the Condominium Subdivision Plan

(being the Exhibit "B" to the Master Deed), as the same has been amended by subsequent amendments to the Master Deed and subsequent replats of the Condominium Subdivision Plan (as so amended, the "Prior Condominium Subdivision Plan"), and said Prior Condominium Subdivision Plan shall be of no further force or effect. Replat No. 1 is hereby added to the Master Deed upon recordation of this Amendment, which shall include recordation of the said Replat No.1.

- 4. Definitions. Except as otherwise defined herein, all of the capitalized terms use herein that are defined in the Master Deed shall have the definitions given to such terms in the Master Deed.
- 5. Conflicts. In the event of a conflict or inconsistency between the terms of this Amendment and the terms of any of the Condominium Documents, the terms of this Amendment shall govern. In all other respects, other than as indicated in this Amendment, the Master Deed is ratified and affirmed.

This Second Amendment to Master Deed has been executed by the Developer as of the date and year set forth above.

AMERICAN VILLAGE DEVELOPMENT, II, L.L.C.,
a Michigan limited liability company

By: 
Name: Jack S. Gesmundo
Title: Principal

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

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The foregoing instrument was acknowledged before me this 4th day of February, 2014, by Jack S. Gesmundo, a Principal of American Village Development, II, L.L.C., a Michigan limited liability company, on behalf of the company.



Sarah Doneruse, Notary Public
Calhoun County, Michigan
My Commission Expires: 03/02/2016
Acting in Kalamazoo County

Drafted by:
Matthew B. Van Dyk
Miller, Canfield Paddock & Stone, P.L.C.
277 South Rose Street, Suite 5000
Kalamazoo, Michigan 49007
(269) 381-7030

When recorded return to:
Jack Gesmundo
AVB
4200 West Centre Ave
Portage, MI 49024
269.323.2022


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Pages: 2 of 8 AMND
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Exhibit "A"

Legal Description Walden Woods Second Amendment
(Page 1 of 2)

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ALL THAT PART OF THE NORTH 1/2 OF SECTION 19, TOWN 2 SOUTH, RANGE 11 WEST, CITY OF KALAMAZOO, KALAMAZOO COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION; THENCE S88°58'04"E ALONG THE NORTH SECTION LINE A DISTANCE OF 2,646.75 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S00°54'04"W ALONG THE EAST LINE OF SAID SECTION A DISTANCE OF 1,319.01 FEET; THENCE N88°48'19"W A DISTANCE OF 770.85 FEET TO THE POINT OF BEGINNING; THENCE N06°34'35"E A DISTANCE OF 160.46 FEET TO THE NORTH LINE OF ARBORETUM ROAD; THENCE S82°40'56"E ALONG THE NORTH LINE OF SAID ARBORETUM ROAD A DISTANCE OF 90.00 FEET; THENCE N06°34'35"E A DISTANCE OF 90.00 FEET; THENCE N38°03'10"W A DISTANCE OF 128.10 FEET; THENCE N06°34'35"E A DISTANCE OF 270.33 FEET; THENCE N02°18'42"E A DISTANCE OF 168.04 FEET; THENCE N14°14'17"W A DISTANCE OF 216.15 FEET; THENCE N15°51'07"W A DISTANCE OF 109.12 FEET; THENCE N33°24'43"W A DISTANCE OF 91.51 FEET; THENCE S52°02'59"W A DISTANCE OF 267.16 FEET; THENCE S45°05'31"W A DISTANCE OF 204.21 FEET; THENCE S52°49'42"W A DISTANCE OF 195.29 FEET; THENCE S75°27'59"W A DISTANCE OF 143.97 FEET; THENCE S72°28'33"W A DISTANCE OF 410.70 FEET; THENCE S00°15'35"W A DISTANCE OF 556.32 FEET; THENCE S88°48'19"E A DISTANCE OF 1101.30 FEET TO THE POINT OF BEGINNING. DESCRIBED PARCEL CONTAINS 947,202 SQUARE FEET OR 21.745 ACRES.

EXCEPTING THEREFROM 2.312 ACRES FOR ARBORETUM ROAD RIGHT OF WAY. SAID ROAD RIGHT OF WAY DESCRIBED AS: ALL THAT PART OF THE NORTH 1/2 OF SECTION 19 AND THE NORTHWEST QUARTER OF SECTION 20, TOWN 2 SOUTH, RANGE 11 WEST, CITY OF KALAMAZOO, KALAMAZOO COUNTY, MICHIGAN DESCRIBED AS BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION; THENCE S88°58'04"E A DISTANCE OF 2,646.75 FEET TO THE NORTHEAST CORNER OF SAID SECTION; THENCE S00°54'04"W ALONG THE EAST LINE OF SECTION 19 A DISTANCE OF 66.68 FEET TO THE POINT OF BEGINNING; THENCE N39°58'42"E A DISTANCE OF 60.02 FEET TO THE WESTERLY RIGHT OF WAY OF SOLON ROAD; THENCE SOUTHEASTERLY 170.46 FEET ALONG THE WESTERLY RIGHT OF WAY SOLON ROAD AND ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1483.00 FEET, CENTRAL ANGLE OF 06°35'09" AND A LONG CHORD BEARING S54°05'58"E 170.37 FEET; THENCE S62°27'46"W A DISTANCE OF 209.03 FEET; THENCE S39°58'42"W A DISTANCE OF 44.94 FEET; THENCE SOUTHERLY 242.41 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 315.00 FEET, CENTRAL ANGLE OF 44°05'34" AND A LONG CHORD BEARING S17°55'55"W 236.47 FEET; THENCE S04°06'52"E A DISTANCE OF 428.27 FEET; THENCE SOUTHWESTERLY 614.30 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 347.00 FEET, CENTRAL ANGLE OF 101°25'56" AND A LONG CHORD BEARING S46°36'06"W 537.17 FEET; THENCE N82°40'56"W A DISTANCE OF 822.94 FEET; THENCE WESTERLY 251.69 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,355.00 FEET, CENTRAL ANGLE OF 10°38'33" AND A LONG CHORD BEARING N88°00'12"W 251.32 FEET; THENCE S86°40'31"W A DISTANCE OF 399.48 FEET; THENCE WESTERLY 474.73 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 615.00 FEET, CENTRAL ANGLE OF 44°13'40" AND A LONG CHORD BEARING N71°12'39"W 463.03 FEET; THENCE N49°05'48"W A DISTANCE OF 248.23 FEET; THENCE WESTERLY 651.01 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 705.00 FEET, CENTRAL ANGLE OF 52°54'30" AND A LONG CHORD BEARING N75°33'03"W 628.13 FEET; THENCE S77°59'42"W A DISTANCE OF 369.01 FEET; THENCE WESTERLY 535.85 FEET ALONG A CURVE TO THE RIGHT HAVING A

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Pages: 3 of 8 AMND

JACK GESMUNDO

Timothy A. Snow County Clerk/Register Kalamazoo County, MI




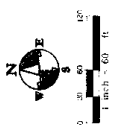
RADIUS OF 1,495.00 FEET, CENTRAL ANGLE OF 20°32'12" AND A LONG CHORD BEARING S88°15'48"W 532.99 FEET; THENCE N81°28'07"W A DISTANCE OF 227.02 FEET; THENCE WESTERLY 458.95 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 520.00 FEET, CENTRAL ANGLE OF 50°34'09" AND A LONG CHORD BEARING S73°14'49"W 444.20 FEET; THENCE S47°57'45"W A DISTANCE OF 113.66 FEET; THENCE WESTERLY 255.69 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 339.50 FEET, CENTRAL ANGLE OF 43°09'05" AND A LONG CHORD BEARING S69°32'17"W 249.69 FEET; THENCE N88°53'10"W A DISTANCE OF 186.59 FEET; THENCE S46°07'14"W A DISTANCE OF 45.26 FEET TO THE EASTERLY RIGHT OF WAY OF DRAKE ROAD; THENCE N01°07'38"E ALONG SAID RIGHT OF WAY A DISTANCE OF 164.00 FEET; THENCE S43°52'46"E A DISTANCE OF 45.25 FEET THENCE S88°53'10"E A DISTANCE OF 201.18 FEET; THENCE EASTERLY 180.38 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 239.50 FEET, CENTRAL ANGLE OF 43°09'05" AND A LONG CHORD BEARING N69°32'17"E 176.14 FEET; THENCE N47°57'45"E A DISTANCE OF 103.00 FEET; THENCE NORTHEASTERLY 538.38 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 610.00 FEET, CENTRAL ANGLE OF 50°34'09" AND A LONG CHORD BEARING N73°14'49"E 521.08 FEET; THENCE S81°28'07"E A DISTANCE OF 227.02 FEET; THENCE EASTERLY 503.59 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,405.00 FEET, CENTRAL ANGLE OF 20°32'12" AND A LONG CHORD BEARING N88°15'48"E 500.90 FEET; THENCE N77°59'42"E A DISTANCE OF 369.01 FEET; THENCE EASTERLY 734.12 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 795.00 FEET, CENTRAL ANGLE OF 52°54'30" AND A LONG CHORD BEARING S75°33'03"E 708.32 FEET; THENCE S49°05'48"E A DISTANCE OF 248.23 FEET; THENCE EASTERLY 405.26 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 525.00 FEET, CENTRAL ANGLE OF 44°13'40" AND A LONG CHORD BEARING S71°12'39"E 395.27 FEET; THENCE N86°40'31"E A DISTANCE OF 399.48 FEET; THENCE EASTERLY 268.40 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,445.00 FEET, CENTRAL ANGLE OF 10°38'33" AND A LONG CHORD BEARING S88°00'12"E 268.02 FEET; THENCE S82°40'56"E A DISTANCE OF 604.81 FEET; THENCE NORTHEASTERLY 748.79 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 433.00 FEET, CENTRAL ANGLE OF 99°04'56" AND A LONG CHORD BEARING N47°46'36"E 658.92 FEET; THENCE N01°45'52"W A DISTANCE OF 80.16 FEET; THENCE N04°06'52"W A DISTANCE OF 150.18 FEET; THENCE NORTHERLY 311.67 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 405.00 FEET, CENTRAL ANGLE OF 44°05'34" AND A LONG CHORD BEARING N17°55'55"E 304.04 FEET; THENCE N39°58'42"E A DISTANCE OF 165.94 FEET TO THE POINT OF BEGINNING. DESCRIBED RIGHT OF WAY CONTAINS 636,535 SQUARE FEET OR 14.623 ACRES.

SUBJECT TO ANY RIGHT OF WAYS, EASEMENTS OR RESTRICTIONS OF RECORD, IF ANY.

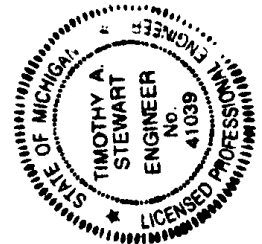
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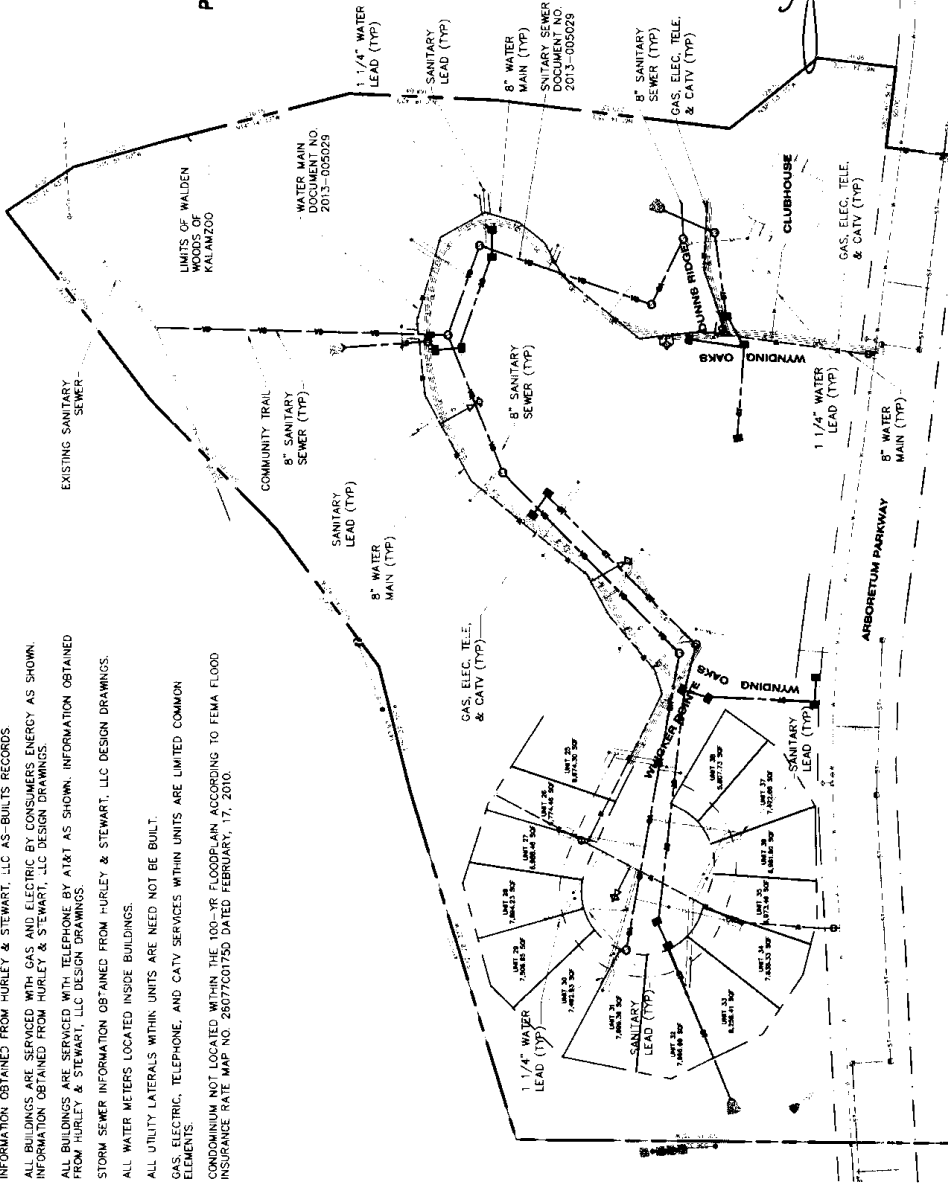
Timothy A. Stewart
 PREPARED DATE: 03/07/2014

CONDOMINIUM OF
WALDEN WOODS OF KALAMAZOO
UTILITY PLAN
 Project No. 11-0087
 Date: 12/12/13
 Sheet No. **4**

H/S
 Hurley & Stewart
 2805 North 11th Street
 Kalamazoo, MI 49001
 Ph: 268.555.8900
 Fax: 268.555.8901
 www.hurstewart.com

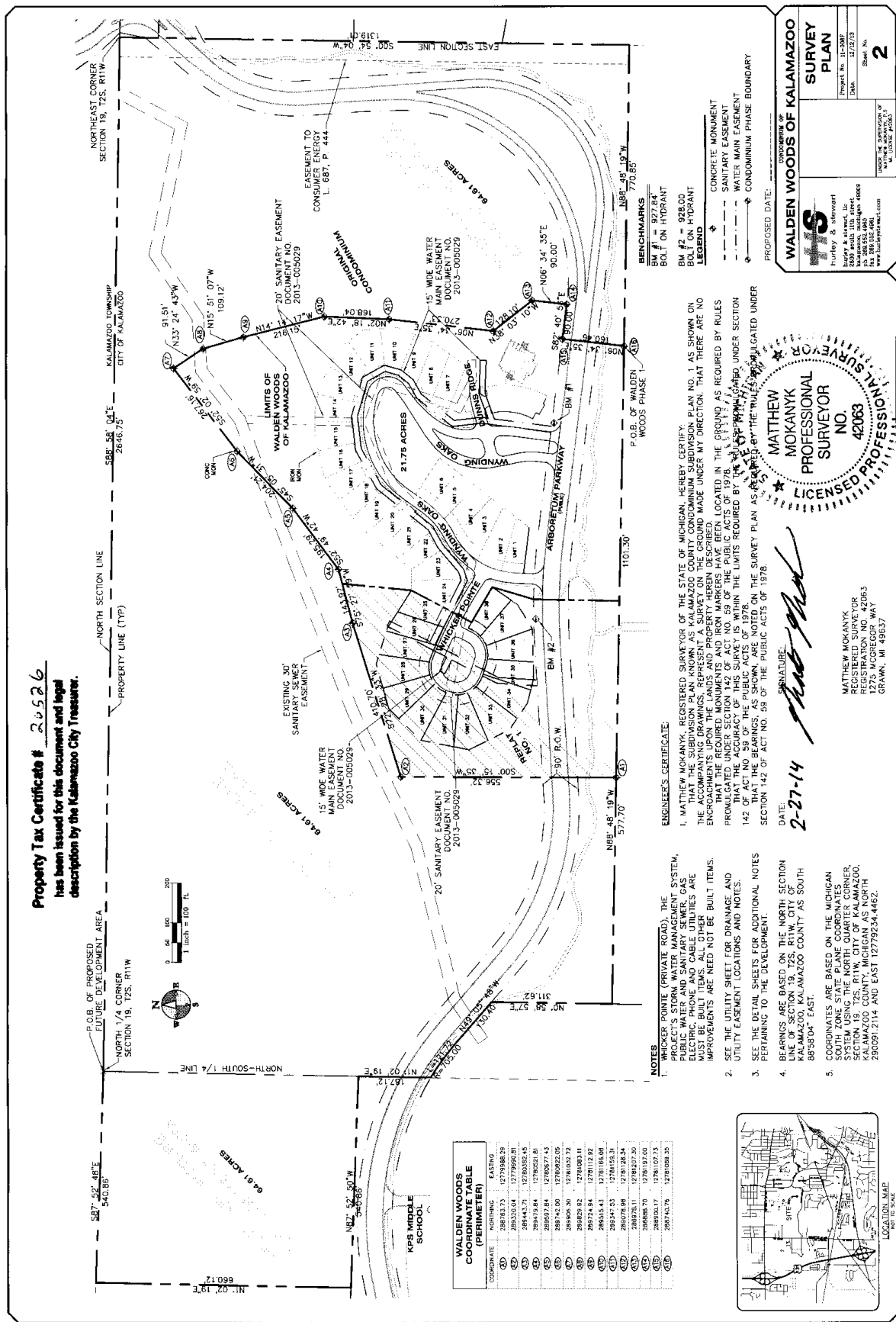
- NOTES:**
1. ALL UTILITIES MUST BE BUILT UNLESS OTHERWISE INDICATED.
 2. ALL BUILDINGS ARE SERVICED WITH SANITARY SEWER AND WATER BY CITY OF KALAMAZOO. INFORMATION OBTAINED FROM HURLEY & STEWART, LLC AS-BUILT RECORDS.
 3. ALL BUILDINGS ARE SERVICED WITH GAS AND ELECTRIC BY CONSUMERS ENERGY AS SHOWN. INFORMATION OBTAINED FROM HURLEY & STEWART, LLC DESIGN DRAWINGS.
 4. ALL BUILDINGS ARE SERVICED WITH TELEPHONE BY AT&T AS SHOWN. INFORMATION OBTAINED FROM HURLEY & STEWART, LLC DESIGN DRAWINGS.
 5. STORM SEWER INFORMATION OBTAINED FROM HURLEY & STEWART, LLC DESIGN DRAWINGS.
 6. ALL WATER METERS LOCATED INSIDE BUILDINGS.
 7. ALL UTILITY LATERALS WITHIN UNITS ARE NEED NOT BE BUILT.
 8. GAS, ELECTRIC, TELEPHONE, AND CATV SERVICES WITHIN UNITS ARE LIMITED COMMON ELEMENTS.
 9. CONDOMINIUM NOT LOCATED WITHIN THE 100-YR FLOODPLAIN ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 26077C01750 DATED FEBRUARY, 17, 2010.

- LEGEND:**
- S- PROPOSED SANITARY SEWER
 - SS- PROPOSED STORM SEWER
 - W- PROPOSED WATER MAIN
 - E- PROPOSED ELECTRIC
 - G- PROPOSED GAS
 - T- PROPOSED TELEPHONE
 - C- PROPOSED CATV
 - H- FIRE HYDRANT
 - CB- CURB CATCH BASIN
 - M- MANHOLE
 - S- SINGLE STORY
 - M- MULTIPLE STORY
 - L- LIMITS OF OWNERSHIP

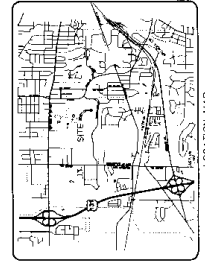


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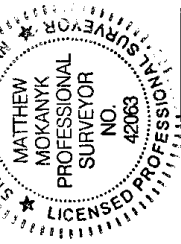
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3	287522.48	127819.00
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32	287522.48	127819.00
33	287522.48	127819.00
34	287522.48	127819.00
35	287522.48	127819.00



ENGINEER'S CERTIFICATE:
 I, MATTHEW MOKANYK, REGISTERED SURVEYOR OF THE STATE OF MICHIGAN, HEREBY CERTIFY THAT THE SUBDIVISION PLAN, KNOWN AS KALAMAZOO COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 1 AS SHOWN ON THE ACCOMPANYING MAPS, IS A TRUE AND CORRECT REPRESENTATION OF THE PROPERTY DESCRIBED THEREIN AND THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN THE GROUND AS REQUIRED BY RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978. THE BEARINGS AND DISTANCES WITHIN THE LIMITS REQUIRED BY SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978 ARE TRUE TO THE BEARINGS AND DISTANCES CALCULATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978.

DATE: **2-27-14**

SIGNATURE: *Matthew Mokanyk*



MATTHEW MOKANYK
 REGISTERED SURVEYOR
 REGISTRATION NO. 42063
 1275 MCGREGOR WAY
 GRAND, MI 49637

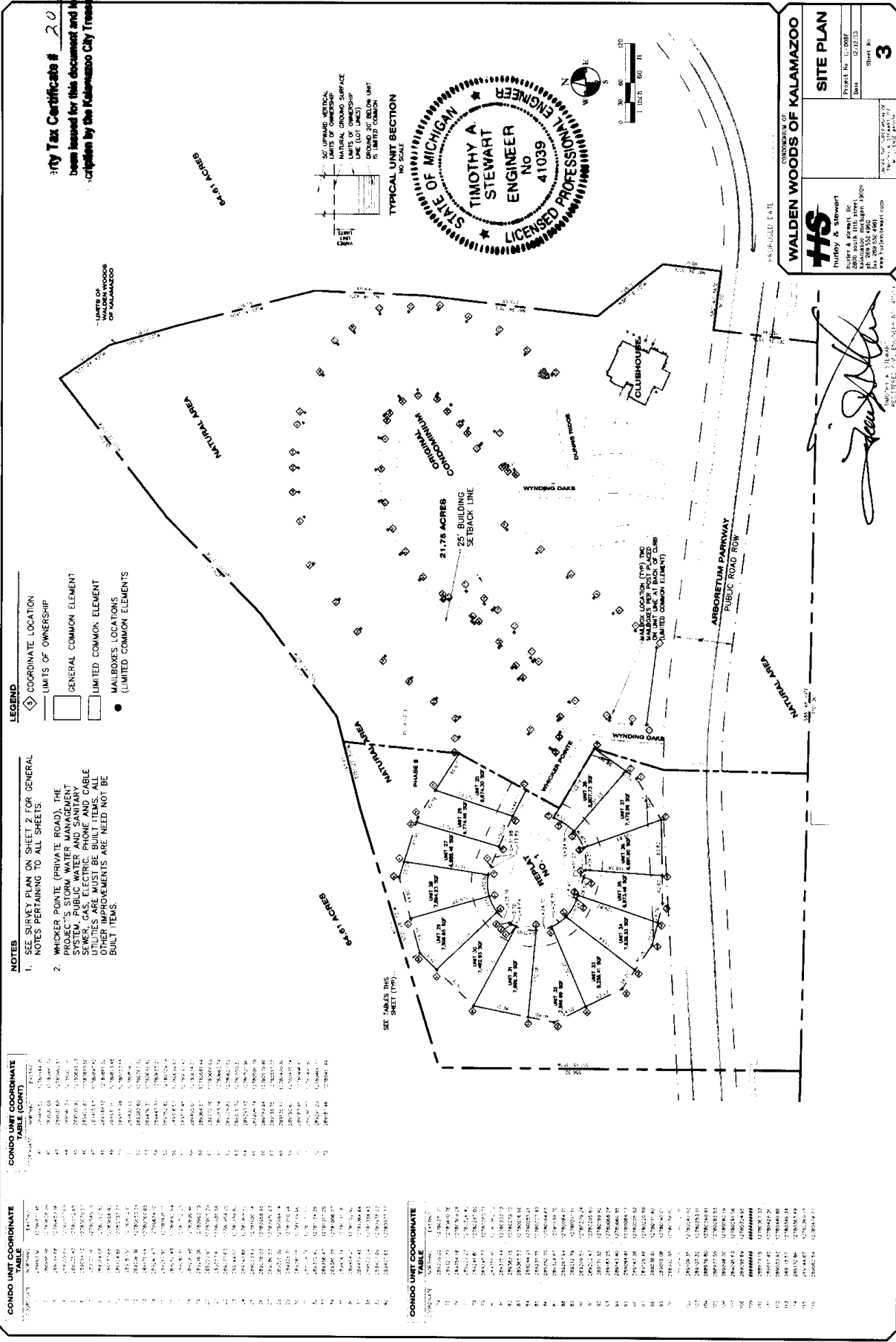
NOTES
 1. WICKER POINTE (PRIVATE ROAD), THE PUBLIC WATER AND SANITARY SEWER, GAS, ELECTRIC, PHONE AND CABLE UTILITIES ARE TO BE BUILT ITEMS. ALL OTHER IMPROVEMENTS ARE TO BE BUILT ITEMS.
 2. SEE THE UTILITY SHEET FOR DRAINAGE AND UTILITY EASEMENT LOCATIONS AND NOTES.
 3. SEE THE DETAIL SHEETS FOR ADDITIONAL NOTES PERTAINING TO THE DEVELOPMENT.
 4. BEARINGS ARE BASED ON THE NORTH SECTION LINE OF SECTION 19, T2S, R11W, CITY OF KALAMAZOO, KALAMAZOO COUNTY AS SOUTH 89°55'04" EAST.
 5. COORDINATES ARE BASED ON THE MICHIGAN SOUTH ZONE STATE PLANE COORDINATES SYSTEM USING THE NORTH DATUM OF KALAMAZOO, KALAMAZOO COUNTY, MICHIGAN AS NORTH 290091.2114 AND EAST 127792.34.4462.

CONDOMINIUM OF WALDEN WOODS OF KALAMAZOO SURVEY PLAN

Project No. 11-0007
 Date: 12/27/13
 Sheet No. **2**

WALDEN WOODS OF KALAMAZOO
 Survey & Staircraft
 2800 Arabella Street
 Grand Rapids, MI 49508
 Phone: 616.455.4000
 Fax: 616.455.4001
 www.surveyandstaircraft.com

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- LEGEND**
- ◆ COORDINATE LOCATION
 - ▭ LIMITS OF OWNERSHIP
 - ▭ GENERAL COMMON ELEMENT
 - ▭ LIMITED COMMON ELEMENT
 - MAILBOXES LOCATIONS (LIMITED COMMON ELEMENTS)

- NOTES**
1. SEE SURVEY PLAN ON SHEET 2 FOR GENERAL NOTES PERTAINING TO ALL SHEETS.
 2. WHICKER POINTE (PRIVATE ROAD), THE PROJECT'S STORM WATER MANAGEMENT SYSTEM, PUBLIC WATER AND SANITARY UTILITIES ARE TO BE BUILT ITEMS. ALL OTHER IMPROVEMENTS ARE NEED NOT BE BUILT ITEMS.

CONDO UNIT COORDINATE TABLE (CONT.)

UNIT NO.	EASTING	NORTHING
41	28051.65	127866.37
42	28051.65	127866.37
43	28051.65	127866.37
44	28051.65	127866.37
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97	28051.65	127866.37
98	28051.65	127866.37
99	28051.65	127866.37
100	28051.65	127866.37

CONDO UNIT COORDINATE TABLE

UNIT NO.	EASTING	NORTHING
1	28051.65	127866.37
2	28051.65	127866.37
3	28051.65	127866.37
4	28051.65	127866.37
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CONDOMINIUM OF
WALDEN WOODS OF KALAMAZOO

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SITE PLAN

Project No. 13-0008
 Date: 12-22-13

Sheet No. **3**