



0023784

FIFTH AMENDMENT TO MASTER DEED OF

Bayou Meadows II

**(Act 59, Public Acts of 1978)
as amended**

Replat No. 5 to Ottawa County Condominium Subdivision Plan No. 357.

- (1) Fifth Amendment to Master Deed of Bayou Meadows II.**
- (2) Exhibit A to Amended Master Deed: Affidavit of Mailing as to Notices required by Section 90(5) and 91.**
- (3) Exhibit B to Amended Master Deed: Replat No.5 to Ottawa County Condominium Subdivision Plan No. 357.**

No interest in real estate being conveyed hereby, no revenue stamps are required.

**This Instrument
Drafted By:**


**David W. Charron
Charron & Hanisch, P.L.C.
4949 Plainfield Avenue, NE
Grand Rapids, MI 49525
(616) 363-0300**

FIFTH AMENDMENT TO MASTER DEED***Bayou Meadows II***

(Act 59, Public Acts of 1978)
as amended

31 THIS FIFTH AMENDMENT TO MASTER DEED OF BAYOU MEADOWS II is made this day of May, 2006, by Grand Haven Construction Co., LLC, a Michigan limited liability company, located at 17620 N. Shore Estates, Spring Lake, Michigan 49456, as represented herein by Bradly A. Gruizinga, its Member, who is fully empowered and qualified to act on behalf of the limited liability company.

WHEREAS, Bayou Meadows II is a condominium project (the "Project") established by Master Deed dated September 12, 2003, and recorded September 15, 2003 in Liber 4257, Pages 065 to 131, inclusive, Ottawa County Records (the "Master Deed"), by Hammond Bay Preserve, LLC, as developer, and amended by First Amendment to Master Deed dated and recorded August 23, 2004 in Liber 4326, Pages 92 to 101, inclusive, Ottawa County Records, and by Second Amendment to Master Deed dated February 17, 2005 and recorded March 3, 2005, in Liber 4797, Pages 378 to 391, Ottawa County Records, as corrected by instrument recorded March 23, 2005 and recorded in Liber 4815, Pages 174-177, inclusive, Ottawa County Records, and by Third Amendment to Master Deed dated July 17, 2005 and recorded July 19, 2005 in Liber 4918, Pages 746 to 754, Ottawa County Records; and by Fourth Amendment to Master Deed dated January 17, 2006 and recorded January 20, 2006 in Liber 5087, Pages 498 to 507, Ottawa County Records; and

WHEREAS, Hammond Bay Preserve, LLC has reserved the right without the consent of any Co-owner, mortgagee or other person to amend the Master Deed to convert lands of the Project for the purpose of increasing the number of Units and appurtenant common elements as provided in Articles VII and IX of the Master Deed; and

WHEREAS, Hammond Bay Preserve, LLC has assigned its right to exercise the aforementioned reserved rights to Grand Haven Construction Co., LLC, by Limited Assignment of Developer's Rights following the exercise of an option dated May 3, 2004 granted to Grand Haven Construction Co., LLC., a copy of such assignment having been recorded with the Second Amendment to Master Deed; and

WHEREAS, Grand Haven Construction Co., LLC desires to exercise its reserved rights for the purpose of increasing the size of the Project from forty (40) units to forty-two (42) units.

NOW THEREFORE, Grand Haven Construction Co, LLC (the "Developer"), acting as the developer of the Project pursuant to the Limited Assignment of Developer's Rights, does hereby amend the Master Deed as follows:

1. **Project Description.** Section 1.1 of the Master Deed is hereby amended to read as follows:

"1.1 Project Description. The Project consists of twenty three (23) residential site condominium units and nineteen (19) marina condominium Units (together "Units"). The numbers, boundaries, dimensions, and areas of the Units are set forth completely in the Condominium Subdivision Plan. Each Unit is capable of individual utilization by reason of having its own entrance from and exit to a Common Element of the Project. The number of Units in the Project may be increased, by the exercise of reserved rights of the Developer, to include no more than thirty (30) residential condominium units and fifty two (52) marina condominium units."

2. **Conversion.** The common elements shown on the original Condominium Subdivision Plan are hereby converted by the exercise of the Developer's reserved rights under Section 7.3 of the Master Deed, for the purpose of creating the marina condominium units designated as Units 41 and 42, and their appurtenant limited and general common elements, as more particularly described on attached Exhibit "B".

3. **Condominium Subdivision Plan.** The Condominium Subdivision Plan attached as Exhibit B to the Master Deed, is hereby amended by the sheets of attached Exhibit "B", entitled Replat No. 5 of Ottawa County Condominium Subdivision Plan No. 357. The sheets of the amended plan shall replace and supersede the description of the Project contained in the original Condominium Subdivision Plan.

4. **Continuing Effect.** Except as amended herein, the provisions of the Master Deed of Bayou Meadows II, as amended and recorded in the Office of the Register of Deeds for Ottawa County, Michigan, as Condominium Subdivision Plan No. 357, as amended, are hereby ratified and confirmed.

IN WITNESS WHEREOF, the Developer has duly executed this Fourth Amendment to Master Deed on the day and year above described.

GRAND HAVEN CONSTRUCTION CO., LLC, a
Michigan limited liability company

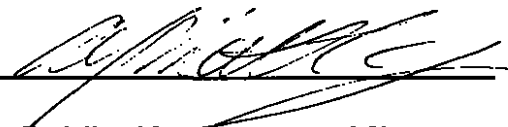
By


Bradley A. Gruizinga

Its: Member

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT)

On this 31 day of May, 2006, before me, a notary public in and for said County, personally appeared Bradly A. Gruizinga, Member, Grand Haven Construction Co. , LLC, a Michigan limited liability company, to me known to be the same person described in and who executed this instrument and acknowledged that he executed it as his free act and deed on behalf of said limited liability company.



Notary Public, Kent County, MI
Acting in Kent County, MI
My Commission Expires: 12-15-2011



REPLAT NO. 5 OF
OTTAWA COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 357
EXHIBIT "B" TO THE AMENDED MASTER DEED OF:

BAYOU MEADOWS II

SPRING LAKE TOWNSHIP, OTTAWA COUNTY, MICHIGAN

SURVEYOR:
EXXEL ENGINEERING INC.
5252 CLYDE PARK S.W.
GRAND RAPIDS MI 49509

DEVELOPER:
HAMMOND BAY PRESERVE, LLC
17620 N. SHORE ESTATES
SPRING LAKE, MI 49456

Description:

Part of the East fractional 1/2 of Section 11, T8N, R16W, Spring Lake Township, Ottawa County, Michigan, further described as: Commencing at the NE corner of Section 11; thence S00°31'23"E 1314.70 feet along the East line of said NE 1/4 to the centerline of Kelly Street; thence S89°53'31"W 485.00 feet along said centerline to the PLACE OF BEGINNING of this description; thence S00°31'23"E 940.00 feet parallel with said East line; thence N89°52'20"E 47.87 feet; thence S00°08'29"E 140.02 feet along the Westerly line of Bayou Meadows Condominium; thence S88°33'04"W 298.67 feet along said Westerly line; thence S13°06'12"E 146.10 feet along said Westerly line; thence N81°53'07"E 36.83 feet along said Westerly line; thence S05°45'01"W 255.81 feet along said Westerly line; thence S18°45'04"E 162.52 feet along said Westerly line; thence S42°45'57"E 328.42 feet along said Westerly line extended to a point on an intermediate traverse line along the shore of Petty's Bayou and its tributaries; thence along said intermediate traverse line the following 12 courses:

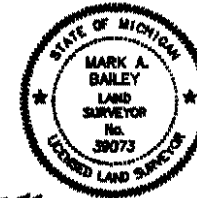
- | | |
|--------------------------------------|--------------------------------------|
| (1) thence S79°43'08"W 74.84 feet; | (2) thence S24°14'21"W 288.85 feet; |
| (3) thence S60°32'16"W 201.93 feet; | (4) thence N24°09'29"W 287.76 feet; |
| (5) thence N12°28'23"E 137.91 feet; | (6) thence N54°22'07"W 284.15 feet; |
| (7) thence N23°04'57"W 301.57 feet; | (8) thence N02°55'01"W 107.57 feet; |
| (9) thence N22°44'19"E 194.84 feet; | (10) thence N78°48'24"W 128.50 feet; |
| (11) thence S17°30'07"W 120.88 feet; | (12) thence S89°22'57"W 71.28 feet |

to the point of ending of said intermediate traverse line and a point on the West line of the SE 1/4 of said NE 1/4; thence N00°10'21"W 835.97 feet along said West line; thence N89°53'31"E 140.00 feet; thence N00°10'21"W 484.00 feet to said centerline of Kelly Street; thence N89°53'31"E 310.54 feet along said centerline; thence S00°31'23"E 218.00 feet; thence N89°53'31"E 155.00 feet; thence N00°31'23"W 218.00 feet; thence N89°53'31"E 255.00 feet along said centerline to the point of beginning, including all lands lying between said intermediate traverse line and the waters edge of said Petty's Bayou and its tributaries and including riparian rights to said Petty's Bayou.

THE ASTERISK (*) INDICATES AMENDED OR
NEW SHEETS WHICH ARE DATED MAY 11, 2006
THESE SHEETS TOGETHER WITH THIS SUBMITTAL
REPLACE OR SUPPLEMENT THOSE PREVIOUSLY ISSUED.

SHEET INDEX

- *1 COVER SHEET
- 2 SURVEY PLAN
- *3 SURVEY AND UTILITY PLAN
- 4 SITE PLAN
- *5 SITE PLAN
- 6 UTILITY PLAN
- *7 FLOOD PLAIN PLAN
- *8 SITE, SURVEY, & UTILITY PLAN FOR BOAT SLIPS.



Mark A. Bailey
PROPOSED JULY 1, 2003
AMENDED AUG. 5, 2004
AMENDED DEC. 10, 2004
AMENDED JULY 11, 2005
AMENDED DEC. 22, 2005
AMENDED MAY 11, 2006

SHEET 1

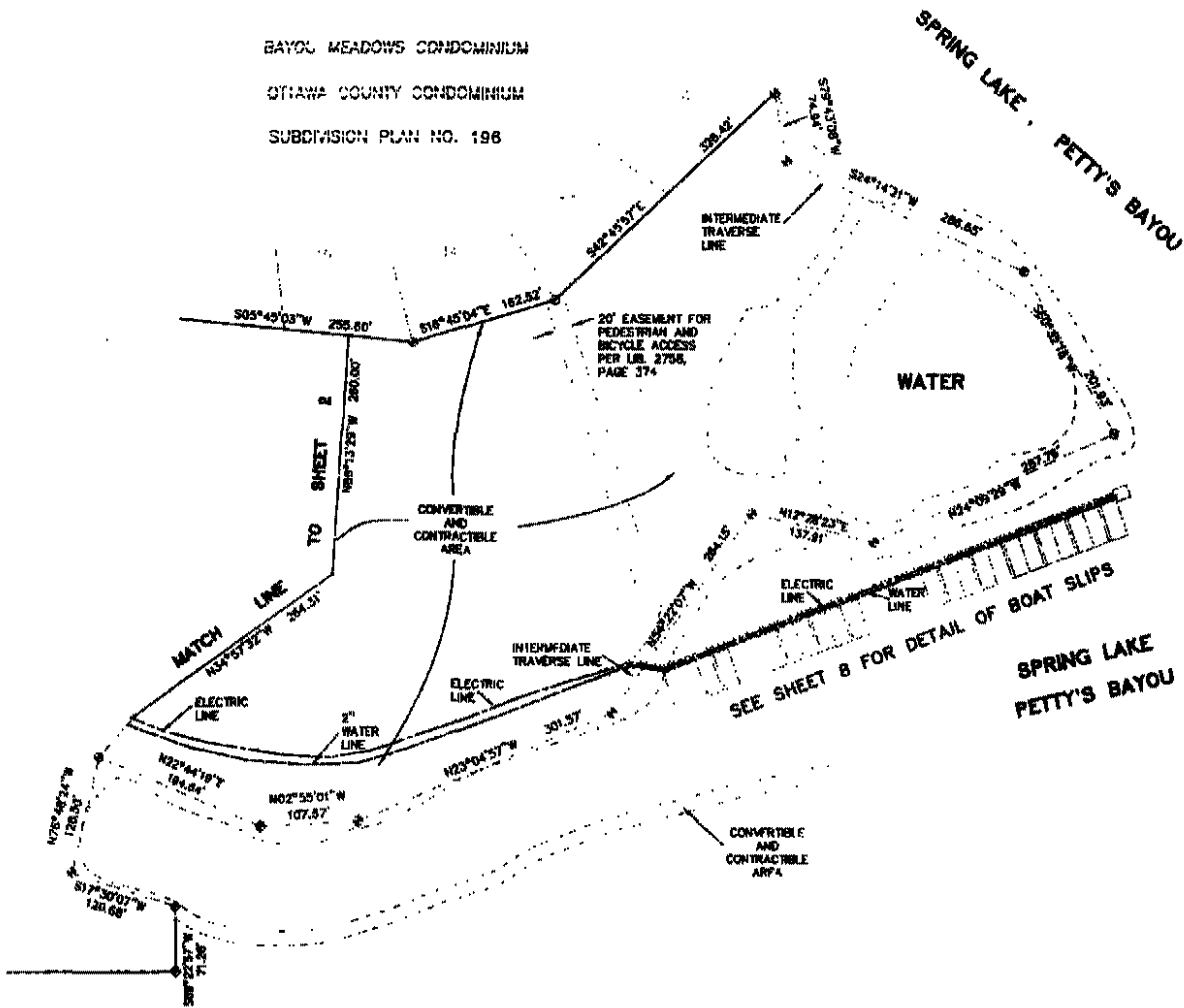
LIBER 5185 PG 104

BAYOU MEADOWS CONDOMINIUM
 OTTAWA COUNTY CONDOMINIUM
 SUBDIVISION PLAN NO. 198



BEARINGS ARE BASED ON BAYOU MEADOWS
 CONDOMINIUM, OTTAWA CO. CONDOMINIUM
 SUBDIVISION PLAN NO. 198.

- ⊙ = PROPOSED CONCRETE MONUMENT
- = PROPOSED IRON STAKE



SURVEYORS CERTIFICATE:
 I, MARK A. BAILEY, LICENSED SURVEYOR OF THE STATE OF MICHIGAN,
 HEREBY CERTIFY THAT THE SUBDIVISION PLAN KNOWN AS OTTAWA
 COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 337 AS SHOWN ON THE
 ACCOMPANYING SURVEY PLAN REPRESENTS A SURVEY ON THE GROUND
 MADE UNDER MY DIRECTION, THAT THERE ARE NO EXISTING ENCROACHMENTS
 UPON THE LAND AND PROPERTY HEREIN DESCRIBED, THAT THE REQUIRED
 MONUMENTS AND IRON MARKERS HAVE BEEN PLACED IN THE GROUND AS
 REQUIRED BY RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59
 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 NO. 59 OF THE PUBLIC ACTS OF 1978, THAT THE BEARINGS AS
 SHOWN ARE NOTED ON THE SURVEY PLAN AS REQUIRED BY THE RULES
 PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS
 OF 1978, AS AMENDED.

MAY 11, 2006
 MARK A. BAILEY, PS/39073
 EXCEL ENGINEERING INC.
 5252 CLYDE PARK S.W.
 GRAND RAPIDS MI. 49509



PROPOSED JULY 1, 2003
 AMENDED DEC. 10, 2004
 AMENDED JULY 11, 2005
 AMENDED DEC. 22, 2005
 AMENDED MAY 11, 2006

**SURVEY AND UTILITY PLAN
 BAYOU MEADOWS II**



EXCEL ENGINEERING INC. 5252 CLYDE PARK S.W. GRAND RAPIDS MI 49509 SHEET 3

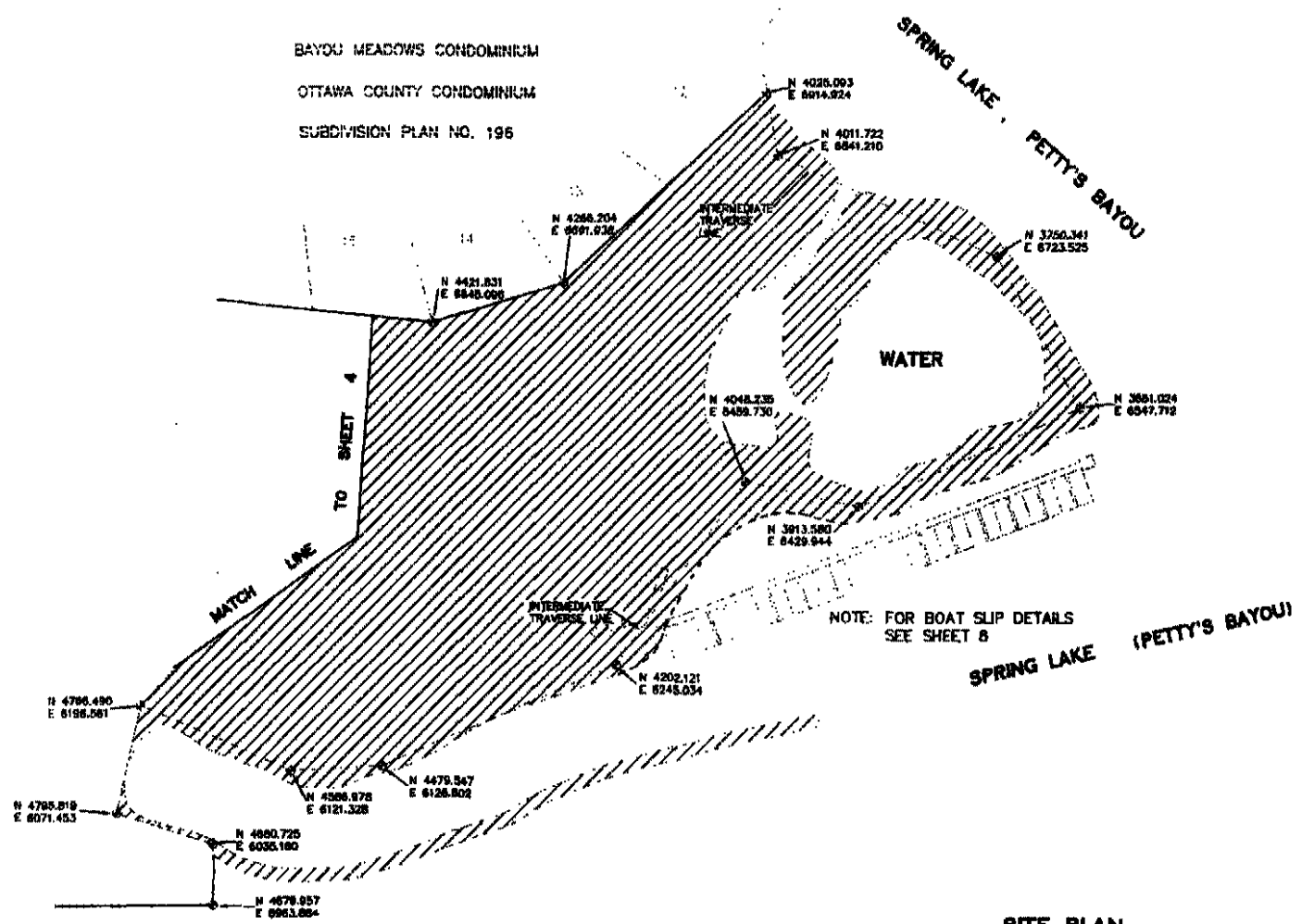
LIBER 5185 PG 105

BAYOU MEADOWS CONDOMINIUM
 OTTAWA COUNTY CONDOMINIUM
 SUBDIVISION PLAN NO. 196



COORDINATE ORIGIN IS ARBITRARY
 ◆ = PROPOSED CONCRETE MONUMENT
 * = PROPOSED IRON STAKE

 = GENERAL COMMON ELEMENT
 = LIMITED COMMON ELEMENT



NOTE: FOR BOAT SLIP DETAILS
 SEE SHEET 8



W.A. Kelly

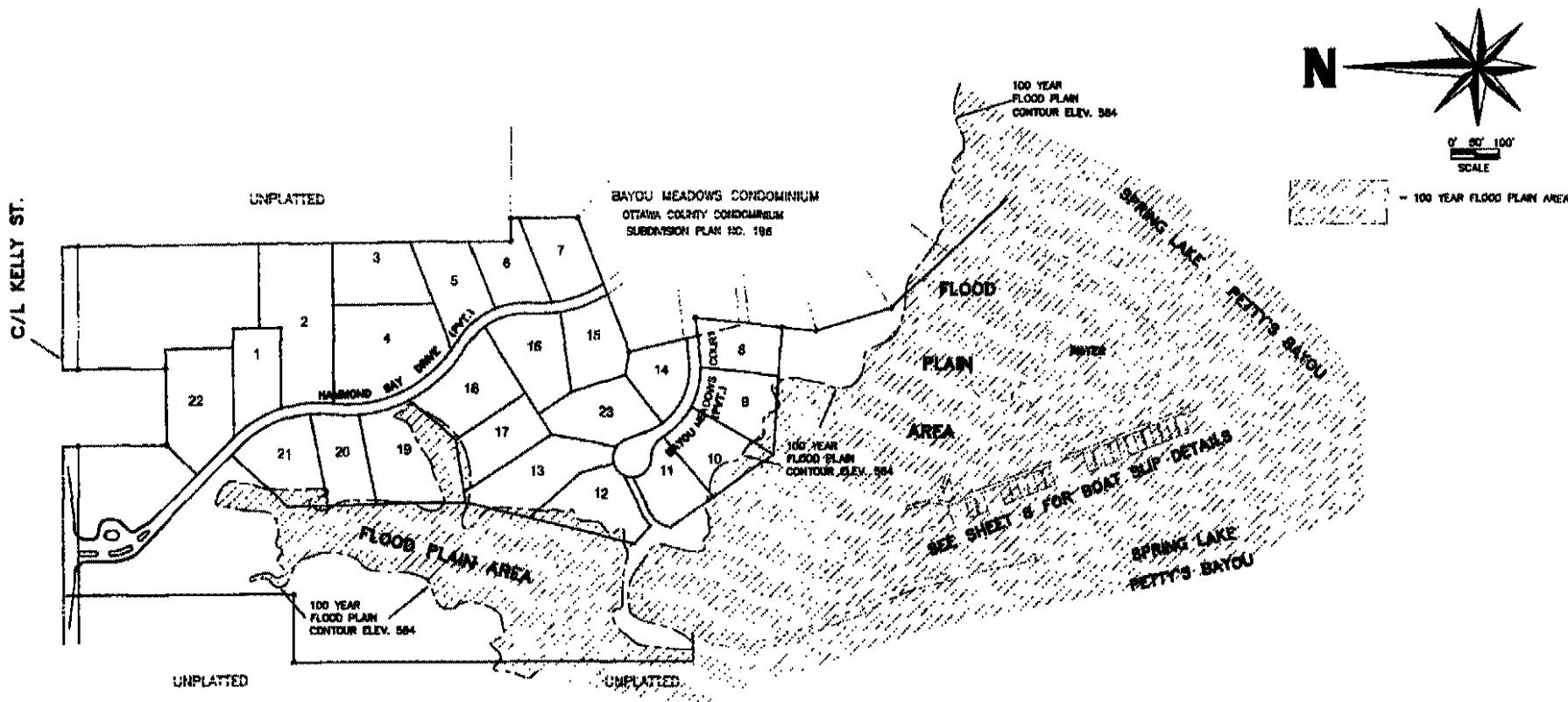
PROPOSED JULY 1, 2003
 AMENDED DEC. 10, 2004
 AMENDED JULY 11, 2005
 AMENDED DEC. 22, 2005
 AMENDED MAY 11, 2006

**SITE PLAN
 BAYOU MEADOWS II**

EXCEL ENGINEERING INC. 5252 CLYDE PARK S.W. GRAND RAPIDS MI 49509 SHEET 5

LIBER 5185 PG 106

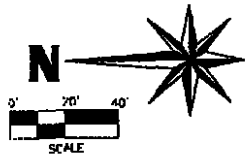
LIBR 5185 P0107



M. A. K.
 PROPOSED JULY 1, 2003
 AMENDED AUG. 5, 2004
 AMENDED DEC. 10, 2004
 AMENDED JULY 11, 2005
 AMENDED DEC. 22, 2005
 AMENDED MAY 11, 2006

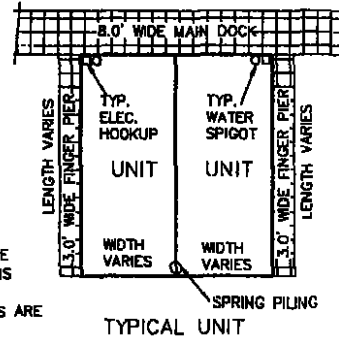
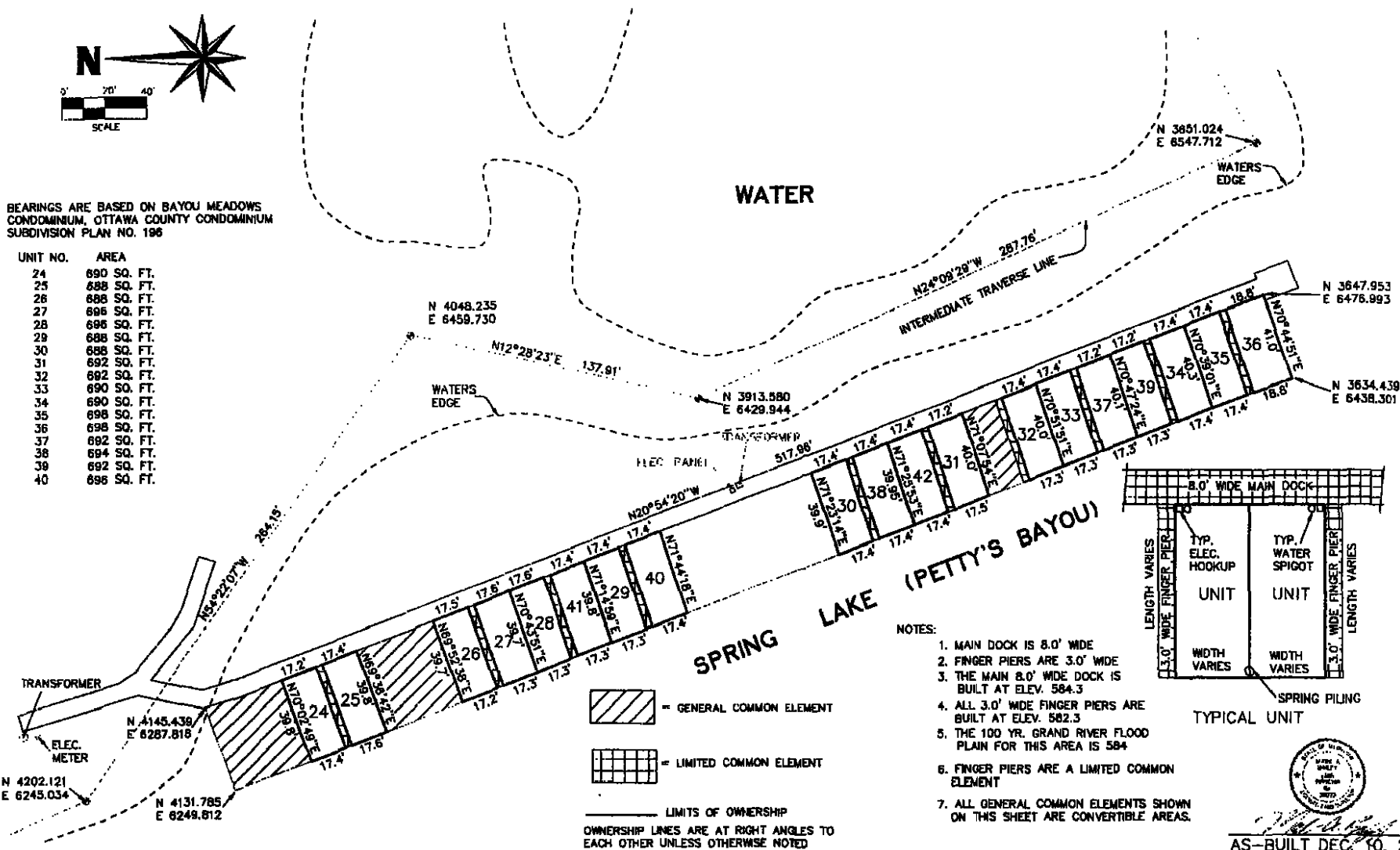
**FLOOD PLAIN PLAN
 BAYOU MEADOWS II**

EXXEL ENGINEERING INC. 5252 CLYDE PARK S.W. GRAND RAPIDS MI 49509 SHEET 7



BEARINGS ARE BASED ON BAYOU MEADOWS
CONDOMINIUM, OTTAWA COUNTY CONDOMINIUM
SUBDIVISION PLAN NO. 196

UNIT NO.	AREA
24	690 SQ. FT.
25	688 SQ. FT.
26	688 SQ. FT.
27	696 SQ. FT.
28	696 SQ. FT.
29	688 SQ. FT.
30	688 SQ. FT.
31	692 SQ. FT.
32	692 SQ. FT.
33	690 SQ. FT.
34	690 SQ. FT.
35	698 SQ. FT.
36	698 SQ. FT.
37	682 SQ. FT.
38	684 SQ. FT.
39	692 SQ. FT.
40	696 SQ. FT.



- NOTES:
1. MAIN DOCK IS 8.0' WIDE
 2. FINGER PIERS ARE 3.0' WIDE
 3. THE MAIN 8.0' WIDE DOCK IS BUILT AT ELEV. 584.3
 4. ALL 3.0' WIDE FINGER PIERS ARE BUILT AT ELEV. 582.3
 5. THE 100 YR. GRAND RIVER FLOOD PLAIN FOR THIS AREA IS 584
 6. FINGER PIERS ARE A LIMITED COMMON ELEMENT
 7. ALL GENERAL COMMON ELEMENTS SHOWN ON THIS SHEET ARE CONVERTIBLE AREAS.

= GENERAL COMMON ELEMENT

= LIMITED COMMON ELEMENT

— LIMITS OF OWNERSHIP
OWNERSHIP LINES ARE AT RIGHT ANGLES TO EACH OTHER UNLESS OTHERWISE NOTED



**SITE, SURVEY & UTILITY PLAN FOR BOAT SLIPS
BAYOU MEADOWS II**

EXXEL ENGINEERING INC. 5252 CLYDE PARK S.W. GRAND RAPIDS MI 49509 SHEET 8

AS-BUILT DEC. 10, 2004
AMENDED JULY 11, 2005
AMENDED DEC. 22, 2005
AMENDED MAY, 11, 2006