

Section 2

**Section
2**

**First Amendment
To
Master Deed**

FIRST AMENDMENT TO MASTER DEED OF EMERALD POINT NORTH CONDOMINIUM,
ASSIGNMENT OF DEVELOPER'S INTEREST,
AND CERTIFICATE OF SUCCESSOR DEVELOPER

This First Amendment to Master Deed is made and executed as of the 15th day of October, 1992, by J & E Community Homes, Ltd. a Michigan Limited Partnership, whose address is 280 North Woodward Avenue, Suite 403, Birmingham, Michigan 48009, by Joseph M. Jacobson, the General Partner of said Limited Partnership who is fully empowered and qualified to act on behalf of said Limited Partnership in pursuance of the provisions of the Michigan Condominium Act (being Act 59 of the Public Acts of 1978, as amended).

W I T N E S S E T H :

WHEREAS, J & E Community Homes, Ltd. has cause to be recorded a Master Deed for Emerald Pointe North Condominium, which Master Deed was dated January 21, 1992 and recorded July 7, 1992 in Liber 25875, Pages 799 through 841, Wayne County Records, and known as Wayne County Condominium Subdivision Plan No. 316.

WHEREAS, Emerald Pointe North Condominium desires to amend said Master Deed pursuant to the authority reserved in Articles VII and VII thereof for the purpose of designating a successor developer.

NOW, THEREFORE, J & E Community Homes, Ltd. does, upon the recording hereof, amend the Master Deed as follows:

Article III(m) of the Master Deed of Emerald Pointe North Condominium shall upon recordation in the office of the Wayne County Register of Deeds of this amendment be replaced by the following:

"(m) 'Developer' shall mean E.B.Y. Development, Inc., a Michigan Corporation, successor developer as assignee of J & E Community Homes, Ltd., a Michigan Limited Partnership."

In all other respects other than as here and above indicated, the original Master Deed of Emerald Pointe North Condominium as recorded, including attachments, is hereby ratified and affirmed and shall be read and interpreted in all respects as naming E.B.Y. Development, Inc., a Michigan Corporation, as developer.

ASSIGNMENT OF DEVELOPER'S INTEREST

For good and valuable consideration receipt thereof which is hereby acknowledged, J & E Community Homes, Ltd., a Michigan Limited Partnership, does by these presents, convey and assign to E.B.Y. Development, Inc., a Michigan Corporation, all of its interest as developer as recited in the Master Deed of Emerald Pointe North Condominium.

CERTIFICATE OF SUCCESSOR DEVELOPER

E.B.Y. Development, Inc., a Michigan Corporation, having acquired the right to develop all the units of Emerald Pointe North Condominium, a condominium project established pursuant to the Master Deed dated January 21, 1992 and recorded at Liber 25875 Pages 799 through 841, Wayne County Records (Wayne County Condominium Subdivision Plan No. 316) hereby certifies pursuant to

Section 135 of the Michigan Condominium Act (Act 59 Public Acts of 1978, as amended) that:

1. It is a corporation duly organized, validly existing and in good standing under the laws of the State of Michigan and accepts designation as successor developer of the above described condominium project;
2. As successor developer, it will comply with the Act in the same manner as a developer before selling any units in the project; and
3. It assumes all express written contractual warranty obligations for defects in workmanship and materials undertaken by its predecessor in title; provided, however, that it does not assume and shall not otherwise be liable for any other contractual obligations of said predecessor developer.

This Amendment to Master Deed, Assignment and Certificate of Successor Developer is executed as of the 15th day of October, 1992.

J & E Community Homes, Ltd.
A Michigan Limited Partnership

Witnesses:

By: _____
Joseph M. Jacobson
Its General Partner

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

On this ___ day of January, 1993, before me personally appeared Joseph M. Jacobson, who being by me duly sworn, did say that he is the General Partner of J & E Community Homes, Ltd. a Michigan Limited Partnership, and that the said instrument was signed on behalf of said Limited Partnership by authority of its Articles of Agreement, and the said Joseph M. Jacobson acknowledged the said instrument to be the free act and deed of said Limited Partnership.

Notary Public
County, Michigan
My Commission Expires: _____

E.B.Y. Development, Inc.
A Michigan Corporation

Witnesses:

By: Peter Beer

Its _____

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

On this ___ day of January, 1993, before me personally appeared Peter Beer who being by me duly sworn, did say that he is _____ of E.B.Y. Development, Inc., a Michigan Corporation, and that the said instrument was signed on behalf of

said corporation by authority of its Board of Directors, and the said Peter Beer on behalf of the corporation acknowledged the said instrument to be the free act and deed of said corporation.

Notary Public

County, Michigan

My Commission Expires: _____

Drafted by:

Martin H. Neumann
NEUMANN, CANJAR & GANI
6810 South Cedar, Suite 16
Lansing, MI 48911

When recorded return to:

E.B.Y. Development, Inc.
8199 Hix Road
Westland, MI 48185