

**FIRST AMENDMENT TO MASTER DEED
for
MARINA BAY CONDOMINIUM**

A traditional residential condominium

Ottawa County Condominium Subdivision Plan #437

- (1) First Amendment to Master Deed for Marina Bay Condominium, a traditional residential condominium.
- (2) Exhibit B-Replat #1 (dated March 29, 2006) to Master Deed for Marina Bay Condominium.
- (3) Exhibit C-Affidavit of Mailing of Notice of First Amendment to Master Deed to Co-Owners of Record.

No interest in real estate being conveyed, no state or county transfer tax stamps are required.

This Master Deed prepared by/return to:

John M. Briggs, III
PARMENTER O'TOOLE
175 West Apple Ave.
P. O. Box 786
Muskegon, MI 49443-0786
Phone: (231) 722-1621
Fax: (231) 722-7866

**FIRST AMENDMENT TO MASTER DEED
FOR
MARINA BAY CONDOMINIUM**

ACF Investments, LLC, a Michigan limited liability company, the developer of Marina Bay Condominium a traditional residential condominium project established pursuant to the Master Deed dated May 12, 2005, and recorded in Liber 4871, Ottawa County Records, Page 840, on May 27, 2005, hereby amends Exhibit B: (a) to redefine all of the units shown thereon together with all general and limited common elements, except Units 14-17, both inclusive, which remain as shown on the original plat; (b) amend Units 18-29, both inclusive, to evidence the location of those units "as built," together with the remainder of the general and limited common elements included within the original boundaries of Phase 1; (c) designate the specific building plan of each building as illustrated on Sheets 5 and 6 of Exhibit B; (d) designate and assign specific garages to units in Phases 1 and 2-the garages bear the unit number with the prefix of G except for the four garages contained on the first floor of the two buildings housing Units 1-12, both inclusive-the designation of those garages are shown on Sheet 6 of Exhibit B; and, (e) Unit 53 in Phase 3 is renumbered as Unit 13 to comply with R559.408 which requires that "each unit within a proposed condominium project shall be numbered consecutively, beginning with number 1, throughout the entire project", without disturbing the numbers of the units already conveyed to and mortgaged by third parties.

The amendments contained herein do not materially alter or change the rights of any co-owner or mortgagee of the unit in the project since the changes only modify the

types and sizes of unsold condominium units and their appurtenant limited common elements or confirm the "as built" dimensions of those units which have been sold.

1. **Amendments to Text of Master Deed.** Paragraphs 2.1, 6.1 and 9.1 of the master deed are hereby amended and restated to read as follows:

2.1 **Condominium Property.** The land that is being submitted to condominium ownership in accordance with the provisions of the act is described as follows:

Phase 1: Part of Block 11 and part of Block 16 and part of Block 15 and vacated streets and alley adjacent thereto, Village of Mill Point (also commonly referred to as Original Village of Spring Lake), Section 16, Town 8 North, Range 16 West, described as follows: Commencing at the intersection of the South right of way line of Highway M-104 and the East line of Mill Point Condominiums (Ottawa County Condominium Subdivision Plan No. 85); thence Easterly 183.29 feet along said South Right-Of-Way and along the arc of a 2366.83 foot radius curve to the left, said curve having a central angle of 04°26'14", and the chord of which bears S86°59'21"E 183.25 feet to the Point of Beginning; thence Easterly 133.01 feet along the arc of a 2366.83 foot radius curve to the left, said curve having a central angle of 03°13'12", and the chord of which bears N89°10'57"E 132.99 feet; thence S04°23'34"W 274.01 feet; thence S07°25'57"W 48.78 feet; thence S19°42'31"E 56.05 feet; thence S89°58'13"E 122.24 feet; thence S00°01'47"W 148.10 feet along the West line of Village Cove Condominiums (Ottawa County Condominium Subdivision Plan No. 92); thence S89°57'53"E 130.00 feet along the boundary of said condominium; thence S00°02'07"W 53.55 feet; thence N78°03'32"W 403.66 feet; thence N88°59'33"W 88.31 feet; N00°57'13"E 47.81 feet; thence N51°03'15"W 20.57 feet; thence N77°32'12"W 52.73 feet; thence N00°01'37"E 30.39 feet (the previous 6 courses being along the Northerly line of Marina Bay Yacht Club, Ottawa County Condominium Subdivision Plan No. 454); thence S56°07'12"E 93.20 feet; thence N33°52'48"E 93.98 feet; thence N16°26'44"W 69.26 feet; thence N21°09'12"E 34.64 feet; thence S82°59'38"E 138.86 feet; thence N04°13'19"E 235.34 feet; thence N80°12'22"W 106.53 feet; thence N00°46'59"E 25.98 feet to the Point of Beginning. Containing 1.85 acres.

Phase 2: Part of Block 11 and part of Block 16 and part of Block 15 and vacated streets and alley adjacent thereto, Village of Mill Point (also commonly referred to as Original Village of Spring Lake), Section 16, Town 8 North, Range 16 West, described as follows: Beginning at the intersection of the South right of way line of Highway M-104 and the East line of Mill Point Condominiums (Ottawa County Condominium Subdivision Plan No. 85); thence Easterly 183.29 feet along said South Right-Of-Way and along the arc of a 2366.83 foot radius curve to the left, said curve having a central angle of 04°26'14", and the chord of which bears S86°59'21"E 183.25 feet; thence S00°46'59"W 25.98 feet; thence

S80°12'22"E 50.01 feet; thence S05°17'28"W 237.92 feet; thence N82°59'38"W 78.10 feet; thence S21°09'12"W 34.64 feet; thence S16°26'44"E 69.26 feet; thence S33°52'48"W 93.98 feet; thence N56°07'12"W 93.20 feet; thence N00°01'37"E 10.83 feet; thence N89°58'23"W 10.00 feet (the previous 2 courses being along the Northerly line of Marina Bay Yacht Club, Ottawa County Condominium Subdivision Plan No. 454); thence N00°01'37"E 385.46 feet along the boundary of Mill Point Condominiums, and it's Southerly extension, to the Point of Beginning. Containing 1.76 acres.

(Correspondingly, the legal description of Phase 2 is deleted from Article 6.1 Future Development Area.)

6.1 Future Development Area. The project now established by the master deed consists of 34 traditional residential condominium units that constitute the first two phases of an expandable condominium under the act which may contain in its entirety up to 52 such units. Additional units, if any, will be established upon all or some portion of the following described land (the "future development area"):

Phase 3: Part of Block 11 and part of Block 16 and part of Block 15 and vacated streets and alley adjacent thereto, Village of Mill Point (also commonly referred to as Original Village of Spring Lake), Section 16, Town 8 North, Range 16 West, described as follows: Commencing at the intersection of the South right of way line of Highway M-104 and the East line of Mill Point Condominiums (Ottawa County Condominium Subdivision Plan No. 85); thence Easterly 316.30 feet along said South Right-Of-Way and along the arc of a 2366.83 foot radius curve to the left, said curve having a central angle of 07°39'25", and the chord of which bears N88°35'56"E 316.07 feet to the Point of Beginning; thence Easterly 114.30 feet along the arc of a 2366.83 foot radius curve to the left, said curve having a central angle of 02°46'01", and the chord of which bears N86°11'20"E 114.29 feet; thence S00°01'47"W 408.79 feet along the West line of Village Cove Condominiums (Ottawa County Condominium Subdivision Plan No. 92); thence N89°58'13"W 122.24 feet; thence N19°42'31"W 56.05 feet; thence N07°25'57"E 48.78 feet; thence N04°23'34"E 274.01 feet to the Point of Beginning. Containing 1.14 acres. Also that part of Block 11 and part of Block 16 and part of Block 15 and vacated streets and alley adjacent thereto, Village of Mill Point (also commonly referred to as Original Village of Spring Lake), Section 16, Town 8 North, Range 16 West, described as follows: Commencing at the intersection of the South right of way line of Highway M-104 and the East line of Mill Point Condominiums (Ottawa County Condominium Subdivision Plan No. 85); thence Easterly 183.29 feet along said South Right-Of-Way and along the arc of a 2366.83 foot radius curve to the left, said curve having a central angle of 04°26'14", and the chord of which bears S86°59'21"E 183.25 feet; thence S00°46'59"W 25.98 feet; thence S80°12'22"E 50.01 feet to the Point of

Beginning; thence S80°12'22"E 56.52 feet; thence S04°13'19"W 235.34 feet; thence N82°59'38"W 60.76 feet; thence N05°17'28"E 237.92 feet to the Point of Beginning. Contains 0.32 acres.

9.1 Limits of Conversion. The project as now established by this master deed, as amended consists of 34 traditional residential condominium units and may, at the election of the developer, be increased to a maximum of 52 such units.

2. Amendments to Sections 12.1 and 12.3 of the Condominium Bylaws.

The Developer has determined that it would be in the best interest of the condominium association to provide for recovery of actual attorney fees, consistent with the amendment to the Michigan Condominium Act, consistent with section 106 of the Condominium Act (MCL 559.206, as amended by 2000 PA 387) in Section 12.1 of the Condominium Bylaws and to correct a typographical error in Section 12.3 of the Condominium Bylaws:

12.1 Relief Available. Failure to comply with any of the terms or conditions of the condominium documents shall be grounds for relief, which may include, without limitation, an action to recover sums due for damages, for injunctive relief, for foreclosure of lien (if in default in payment of an assessment) or any combination thereof, and such relief may be sought by the association, or, if appropriate, by an aggrieved member or members. In any proceeding arising because of an alleged default by any member, the association, if successful, shall be entitled to recover the costs of the proceeding and such *actual* attorney's fees *but in no event shall any member be entitled to recovery of their attorney fees from the Association* (not limited to statutory fees) as may be determined by the court, but in no event shall any member be entitled to recover such attorney's fees from the association. Such other reasonable remedies as provided in the rules and regulations promulgated by the board of directors, including, without limitation, the levying of fines against members after notice and opportunity for hearing, as provided in the association rules and regulations, and the imposition of late charges for nonpayment of assessments. The violation of any of the provisions of the condominium documents shall also give the association or its duly authorized agents the rights set forth above, to enter, where reasonably necessary, upon the limited or general common elements, or into any unit, and summarily remove and abate, at the expense of the violating member, any structure, thing or condition existing or maintained contrary to the provisions of the condominium documents.

12.3 Rights Cumulative. All rights, remedies and privileges granted to the association or any member or members pursuant to any terms, provisions, covenants or conditions of the condominium documents shall be deemed to be cumulative, and the exercise of any one or more shall *not* be deemed to constitute

an election of remedies, nor shall it preclude the party exercising the same from exercising such other and additional rights, remedies or privileges as may be available to such party at law or in equity.

3. **Amended Exhibit B.** Re-plat #1 to the Condominium Subdivision Plan, consisting of 8 sheets, annexed hereto as Exhibit B to the Master Deed of Marina Bay Condominium was approved by the Village of Spring Lake Planning Commission on December 27, 2005, and by the Village Council on January 3, 2006, to replace some of the townhouse units with traditional flats, increase the number of residential units from 48 to 52, reposition and relocate some units and garages to improve sight lines and traffic flow and add a pool house; further, Developer has exercised its authority pursuant to paragraph 10.2(c) of the master deed to achieve compliance with the Michigan Condominium Act and identify the garages that have been designated as limited common elements to specific residential units already conveyed or units that will be conveyed in the future. The number on the garage with the prefix G- corresponds to the number of the residential unit to which it is designated as a limited common element by the Developer; and,

4. **Ratification.** In all other respects, the provisions of the master deed of Marina Bay Condominium dated May 12, 2005, and recorded May 27, 2005 in Liber 4871, Ottawa County Records, Page 840, are hereby ratified and confirmed.

The undersigned has executed this First Amendment to Master Deed as of
May 30th, 2006.

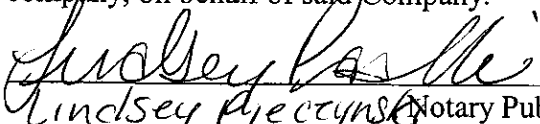
Developer:

ACF Investments, LLC, a Michigan limited liability company


By Peter J. Apostle, Manager

STATE OF MICHIGAN)
COUNTY OF MUSKEGON)

The foregoing instrument was acknowledged before me in the County of Muskegon, State of Michigan on May 30, 2006, by Peter J. Apostle, as a Manager of ACF INVESTMENTS, LLC, a Michigan limited liability company, on behalf of said Company.


Lindsey Pieczynski, Notary Public
Acting in Muskegon County, Michigan
My Comm. Expires: 7/12/08

Prepared by\Return to:
John M. Briggs, III
Parmenter O'Toole
P.O. Box 786
Muskegon, Michigan 49443-0786
Phone: (231) 722-1621
Fax: (231) 722-786

LINDSEY PIECZYNSKI
Notary Public, State of Michigan
County of Muskegon
My Commission Expires Jul. 12, 2008
Acting in the County of Muskegon

REPLAT NO. 1
OTTAWA COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 437
EXHIBIT "B" TO THE MASTER DEED OF :

MARINA BAY CONDOMINIUM

PART OF SECTION 16, T8N, R16W, CITY OF SPRING LAKE, OTTAWA COUNTY, MICHIGAN

DEVELOPER :
ACF INVESTMENTS, L.L.C.
3360 GLADE ST.
MUSKEGON, MI 49444

SURVEYOR :
NEDEWEED ASSOCIATES SURVEYING, INC.
P.O. BOX 10 / 5570 - 32nd AVENUE
HUDSONVILLE, MICHIGAN 49426

DESCRIPTION

Part of Block 11 and part of Block 16 and part of Block 15 and vacated streets and alley adjacent thereto, Village of Mill Point (also commonly referred to as Original Village of Spring Lake), Section 16, Town 8 North, Range 16 West, described as follows: Beginning at the intersection of the South right of way line of Highway M-104 and the East line of Mill Point Condominiums (Ottawa County Condominium Subdivision Plan No. 85); thence Easterly 450.60 feet along said right of way line and along a 2366.85 foot radius curve to the left, said curve having a central angle of 10°25'26" and a chord bearing N89°58'57"E 430.01 feet; thence S00°01'47"W 530.11 feet along the West line of Village Cove Condominiums (Ottawa County Condominium Subdivision Plan No. 92); thence S89°57'53"E 130.00 feet along said condominium property line; thence S00°02'07"W 53.55 feet; thence N78°03'32"W 403.86 feet; thence N88°58'33"W 88.31 feet; thence N00°57'13"E 47.81 feet; thence N51°03'15"W 20.57 feet; thence N77°32'12"W 52.73 feet; thence N00°01'37"E 41.23 feet; thence N89°58'23"W 10.00 feet; thence N00°01'37"E 385.46 feet along the East line of Mill Point Condominiums to the Point of Beginning. Containing 5.04 Acres.

ATTENTION COUNTY REGISTER OF DEEDS
THE ASTERISK (*) INDICATES THAT THE SHEETS ARE AMENDED
OR ARE NEW SHEETS WHICH ARE DATED MAY 27, 2005.
ALL SHEETS OF THE ORIGINAL RECORDED EXHIBIT "B" PLANS
SHALL BE REPLACED BY THIS REPLAT NO. 1

SHEET INDEX

- *1. COVER SHEET
- *2. SURVEY PLAN
- *3. SITE PLAN
- *4. UTILTY PLAN
- *5. BUILDING PLAN "A" & "D"
- *6. EASEMENT PLAN "B" & "C"
- *6. FLOODPLAIN PLAN

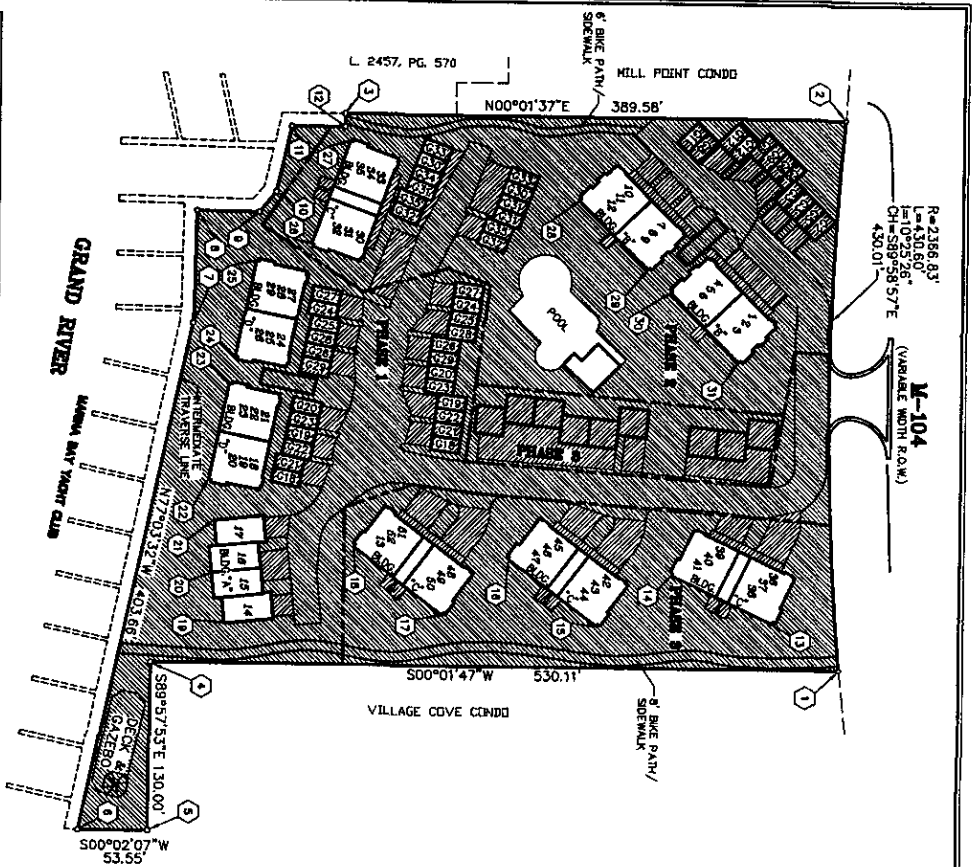
Richard J. Veltman
PROPOSED DATED MARCH 29, 2006



COVER SHEET
SHEET NO. 1

NOTES:
SEE SHEET NO. 2 FOR GENERAL NOTES.
SEE SHEET NO. 6 FOR ADDITIONAL UNIT
GARAGE ASSIGNMENTS.

UTILITY NOTE
ALL THE UTILITIES WILL BE SHOWN ON THE "AS-BUILT"
PLANS INCLUDING SERVICE SIZE AND METER LOCATION.

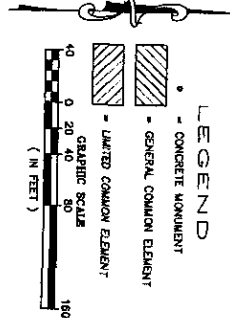


SITE PLAN
MARINA BAY CONDOMINIUM

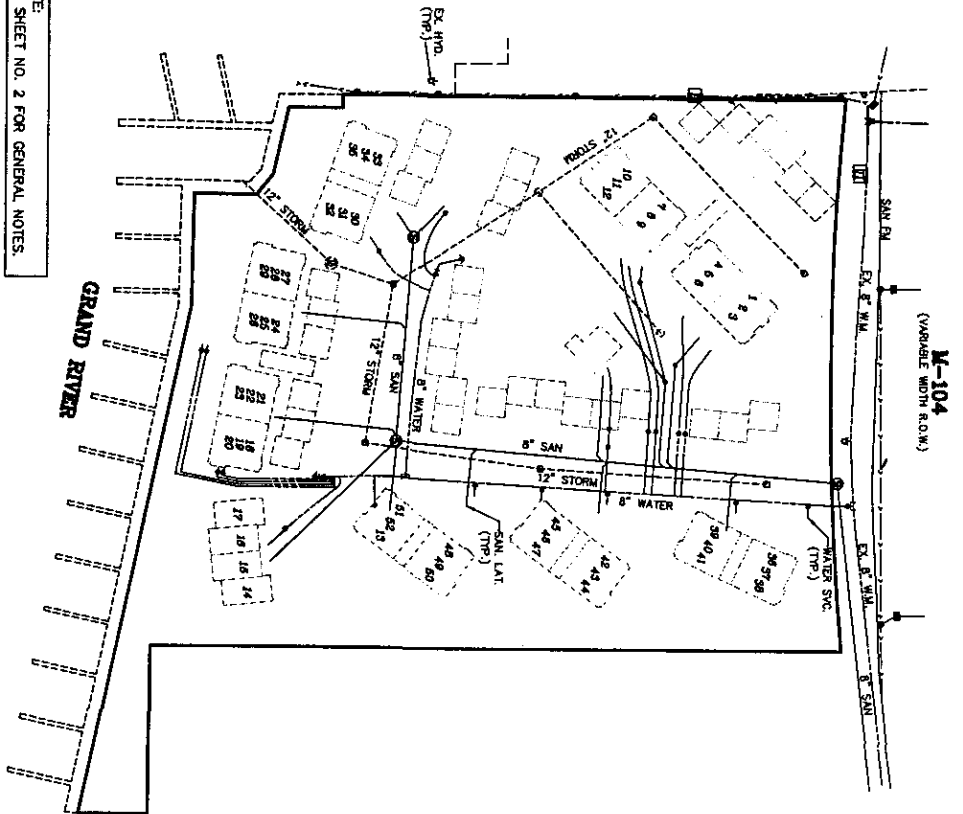
PROPOSED DATED MARCH 29, 2006
NEDERVELD ASSOCIATES SURVEYING, INC. -- 5570 32ND AVENUE -- HUDSONVILLE, MICHIGAN 49426
SHEET NO. 3

COORDINATES

POINT	NORTHING	EASTING
1	9999.87	10430.01
2	10000.00	10400.00
3	9614.54	9999.82
4	9468.76	10428.74
5	9468.69	10558.74
6	9416.13	10559.70
7	9404.55	10104.78
8	9404.55	10074.86
9	9544.00	10077.28
10	9561.93	10061.28
11	9573.31	10008.80
12	9614.54	10009.82
13	9949.08	10394.53
14	9871.80	10357.18
15	9812.98	10397.14
16	9745.24	10345.47
17	9684.22	10389.58
18	9684.22	10357.91
19	9524.11	10394.53
20	9518.93	10359.04
21	9517.69	10318.31
22	9531.13	10266.75
23	9528.11	10212.24
24	9532.45	10180.87
25	9547.43	10116.16
26	9509.51	10101.67
27	9818.87	10020.83
28	9796.82	10065.06
29	9560.24	10118.22
30	9567.73	10157.03
31	9921.08	10191.18



PRIOR TO EXCAVATION CONTACT
MISS DIG 3 WORKING DAYS IN ADVANCE
1-800-482-7171



NOTE:
SEE SHEET NO. 2 FOR GENERAL NOTES.
PRIOR TO EXCAVATION CONTACT
MISS DIG 3 WORKING DAYS IN ADVANCE
1-800-482-7171

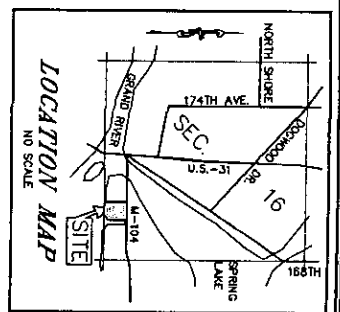
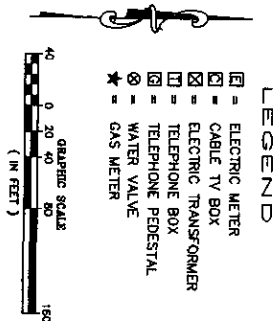
UTILITY NOTE
ALL THE UTILITIES WILL BE SHOWN ON THE "AS-BUILT"
PLANS INCLUDING SERVICE SIZE AND METER LOCATION.

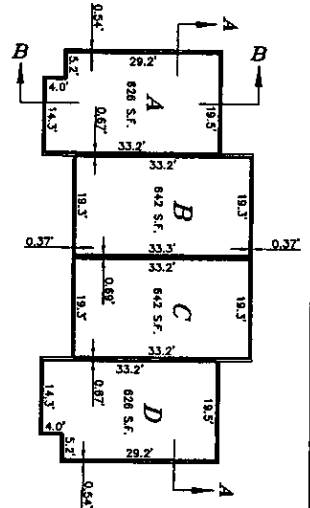
**UTILITY PLAN
MARINA BAY CONDOMINIUM**

PROPOSED DATED MARCH 29, 2006
NEDERVELD ASSOCIATES SURVEYING, INC. -- 5570 32ND AVENUE -- HUDSONVILLE, MICHIGAN 49426
SHEET NO. 4

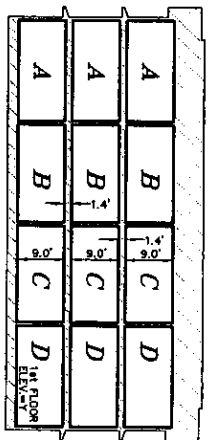
ALL UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON
IS PER AVAILABLE RECORDS OR ACTUAL MEASUREMENTS ON
THE GROUND AND SHOULD NOT BE MISTAKEN TO BE A
GUARANTEE OF COMPLETENESS OR ACCURACY. LOCATION OF
UTILITIES AS SHOWN HEREON WAS DERIVED FROM THE FOLLOWING:

WATERMAIN	VILLAGE OF SPRING LAKE
SANITARY SEWER	VILLAGE OF SPRING LAKE
STORM SEWER	VILLAGE OF SPRING LAKE
TELEPHONE	AMERITECH
ELECTRIC	CONSUMERS ENERGY
CABLE TV	CHARTER COMMUNICATIONS

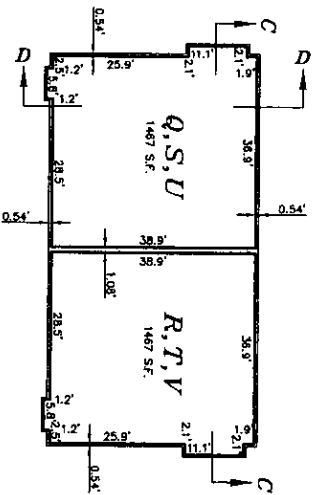




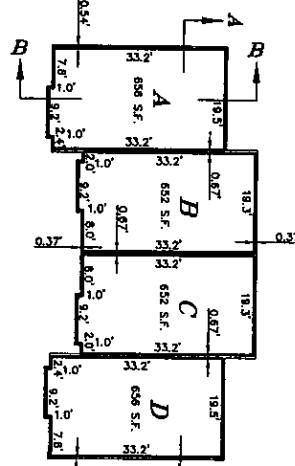
BUILDING "A"
THIRD FLOOR PLAN



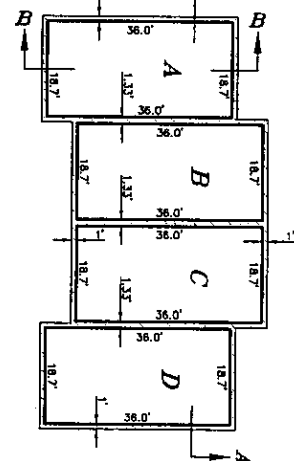
SECTION A-A



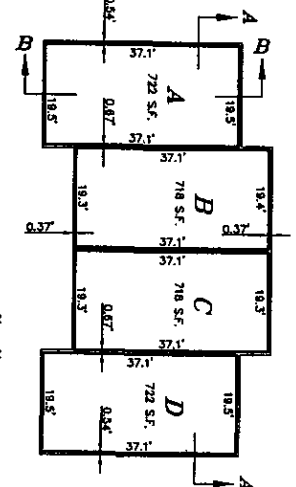
BUILDING "D"
TYPICAL FLOOR PLAN



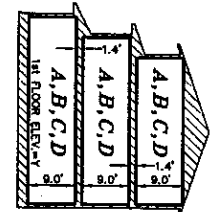
BUILDING "A"
SECOND FLOOR PLAN



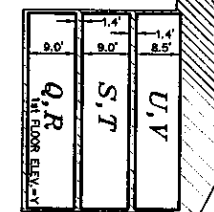
SECTION C-C



BUILDING "A"
FIRST FLOOR PLAN



SECTION B-B



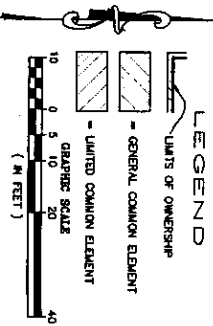
SECTION D-D

BUILDING "A"
FOUNDATION PLAN

BUILDING PLAN "A" & "D"
MARINA BAY CONDOMINIUM

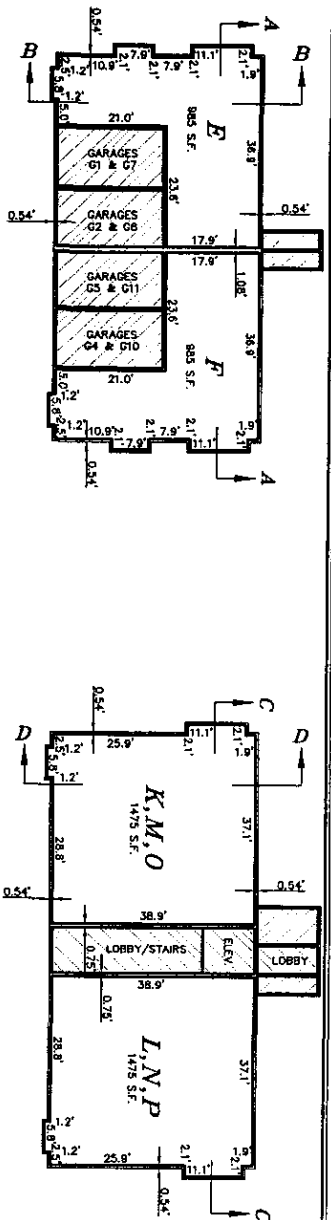
NEBERVELD ASSOCIATES SURVEYING, INC. — 5570 32ND AVENUE — HUDSONVILLE, MICHIGAN 49426

PROPOSED DATED MARCH 29, 2006
SHEET NO. 5

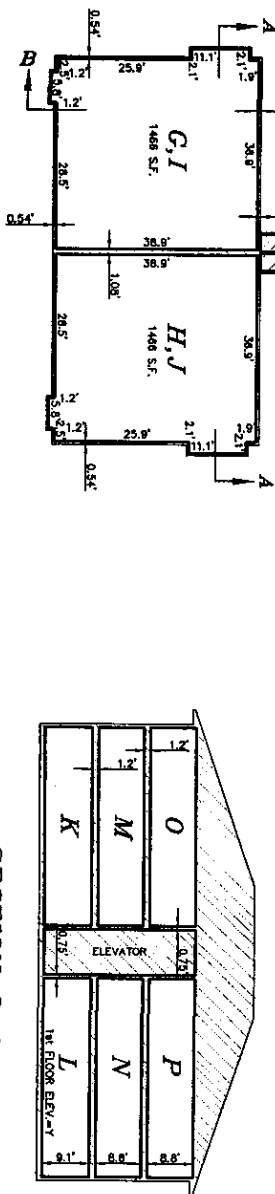


NOTE:
SEE SHEET NO. 6 FOR BUILDING SCHEDULE

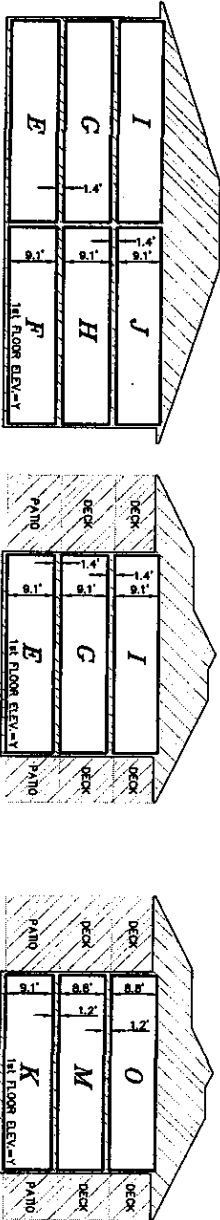
BUILDING "C" FLOOR PLAN



SECTION C-C



SECTION D-D



BUILDING PLAN "B" & "C"
MARINA BAY CONDOMINIUM
NEDERVELD ASSOCIATES SURVEYING, INC. — 5570 32ND AVE

NEDERVELD ASSOCIATES SURVEYING, INC. --- 5570 32ND AVENUE --- HUDSONVILLE, MICHIGAN 49426

SHEET NO. 6

REF ID: A66202

LIMITS OF OWNERSHIP

- GENERAL COMMON ELEMENT



NAME OF COMPANY

0 5 10 20

2011

1951

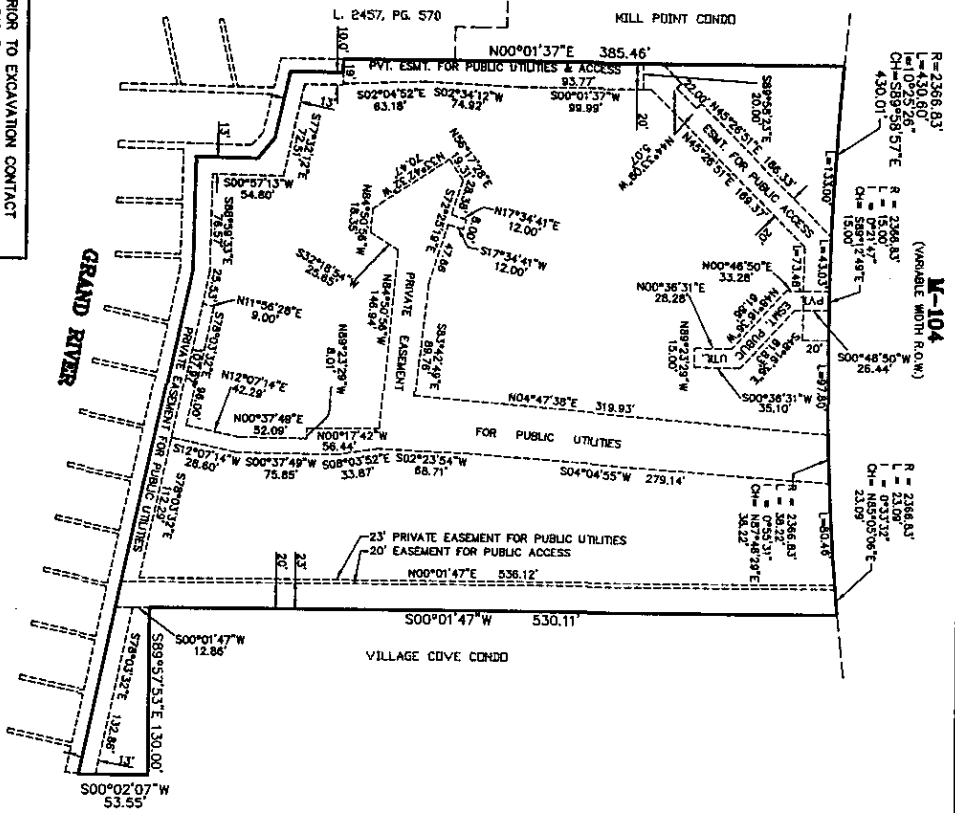
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SED DATED MAY

49426

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PRIOR TO EXCAVATION CONTACT
MISS DIG 3 WORKING DAYS IN ADVANCE
1-800-482-7171

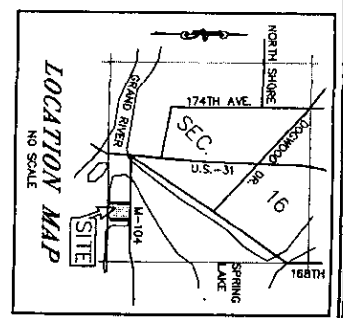
NOTE:
SEE SHEET NO. 2 FOR GENERAL NOTES.

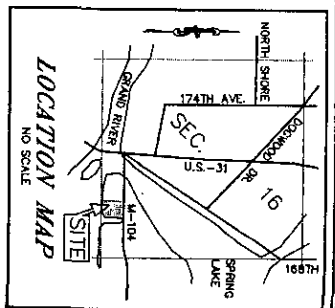
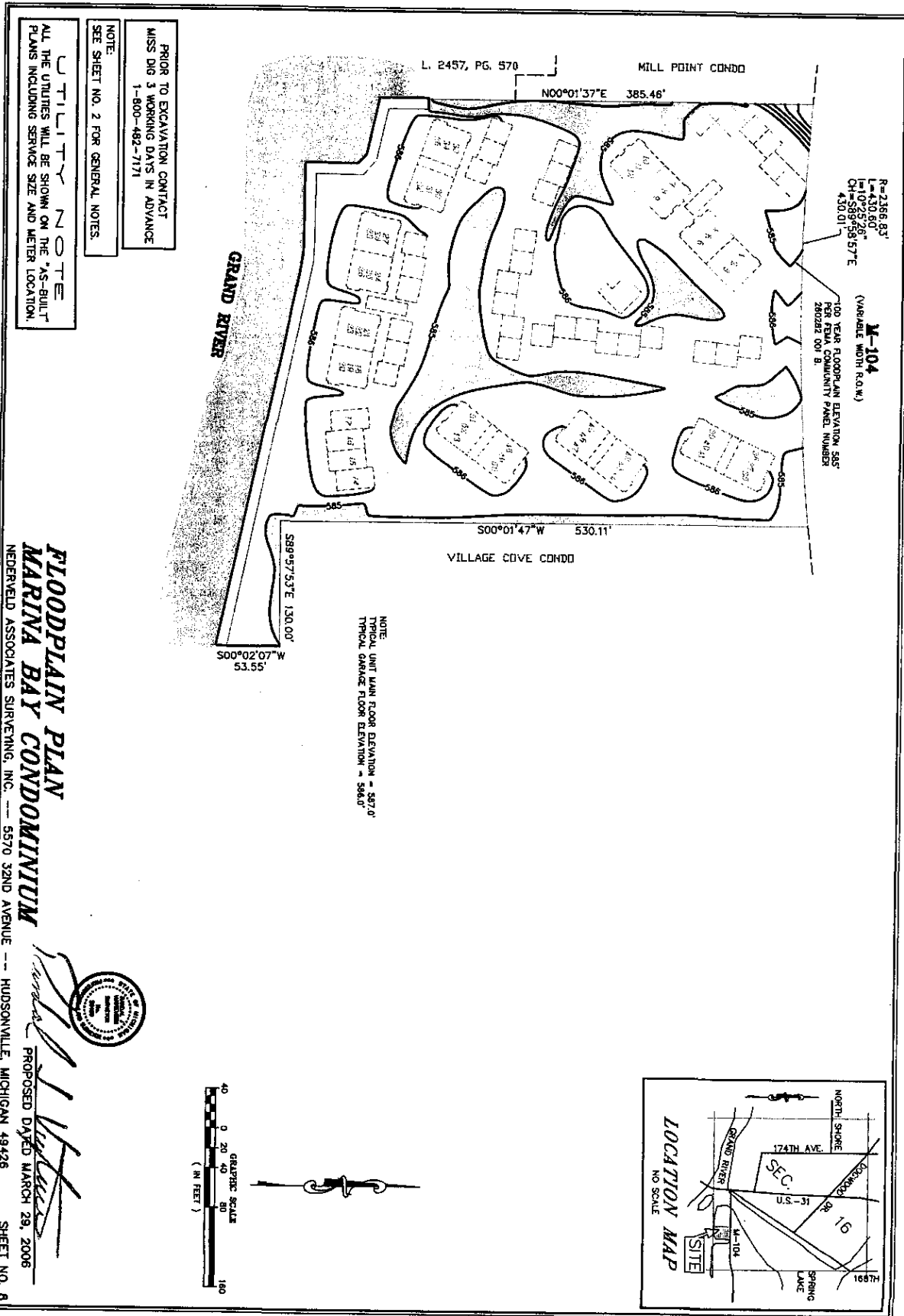
UTILITY NOTE
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PLANS INCLUDING SERVICE SIZE AND METER LOCATION.

EASEMENT PLAN
MARINA BAY CONDOMINIUM
NEDERVELD ASSOCIATES SURVEYING, INC. -- 5570 32ND AVENUE -- HUDSONVILLE, MICHIGAN 49426
PROPOSED DATED MARCH 29, 2006
SHEET NO. 7



Ned J. Nederveld





FLOODPLAIN PLAN
MARINA BAY CONDOMINIUM
NEDERVELD ASSOCIATES SURVEYING, INC. --- 5570 32ND AVENUE --- HUDSONVILLE, MICHIGAN 49426
PROPOSED DATED MARCH 29, 2006
SHEET NO. 8



[Signature]
Nederveld Associates Surveying, Inc.

EXHIBIT C

AFFIDAVIT OF MAILING OF NOTICES
TO CO-OWNERS OF RECORD AS REQUIRED
BY SECTION 90(5) OF THE MICHIGAN CONDOMINIUM ACT

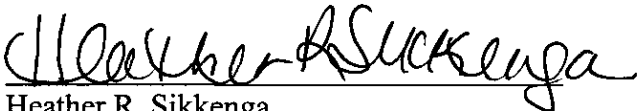
STATE OF MICHIGAN)
COUNTY OF MUSKEGON)

HEATHER R. SIKKENG, being first duly sworn, deposes and states:


1. I am employed as a secretary at the law firm of Parmenter O'Toole, 601 Terrace Street, Muskegon, Michigan, attorneys for ACF Investments, LLC, the Developer of Marina Bay Condominium, a traditional residential condominium.

2. On May 30th, 2006, copies of the First Amendment to the Master Deed for Marina Bay Condominium were mailed by certified mail, return receipt requested, postage prepaid, to all of the Co-Owners of record as required by Section 90(5) of the Michigan Condominium Act, at their respective addresses as shown on the annexed list, which is incorporated herein by reference.

Further, your affiant sayeth not.


Heather R. Sikkenga

Acknowledged before me in the County of Muskegon, State of Michigan, on May 30, 2006, by Heather R. Sikkenga.


USA M. SKIDMORE, Notary Public
Muskegon County, Michigan
Acting in Muskegon County, Michigan
My Commission Expires: 4/22/11

**MAILING LIST
MARINA BAY CONDOMINIUM**

Owners:

Donald M. Crouse Trust (1/2 interest)
U/A/D 10/1/98, as amended
Lois M. Crouse Trust (1/2 interest)
U/A/D 10/1/98, as amended
15730 Connelly
Spring Lake MI 49456

Unit 20 September 16, 2005
Liber 4992, Page 57
Recorded: 9/29/2005
Instrument #: 0049679

Geraldine Brown
6775 3 Mile Road NE
Ada MI 49301-9538

Unit 26 October 11, 2005
Liber 5013, Page 604
Recorded: 10/21/2005
Instrument # 0054020

John Marod and Melinda Marod
12121 Heatherstone Place
Carmel IN 46033

Unit 23 October 14, 2005
Liber 5013, Page 622
Recorded: 10/21/2005
Instrument #: 0054023

Mark R. Hefty and Vicky Lynn Hefty
2100 Hickory Summit Court
Wildwood MO 63011

Unit 19 November 17, 2005
Liber 5050, Page 609
Recorded: 12/2/2005
Instrument #: 0061529

David Derenzo and Mary Jo Derenzo
1643 Hidden Pond
Milford MI 48380

Unit 27 December 29, 2005
Liber 5075, Page 775
Recorded: 1/4/2006
Instrument #: 0000516

John Fiore and Anne Fiore
15422 Oak Point
Spring Lake MI 49456

Unit 25 April 3, 2006
Liber 5154, Page 184
Recorded: 4/21/2006
Instrument #: 0017316