

RECORDED

OCT 4 2 30 PM '94

SECOND AMENDMENT TO THE MASTER DEED OF  
 SAN MARINO PARK  
 LIVINGSTON COUNTY CONDOMINIUM  
 SUBDIVISION PLAN NO. 57

NANCY HAVILAND  
 REGISTER OF DEEDS  
 LIVINGSTON COUNTY, MI  
 43043

SMPC Corporation, a Michigan corporation, whose address is 40500 Grand River Avenue, Suite F, Novi, Michigan, being the developer of San Marino Park, a condominium project established pursuant to the Master Deed thereof recorded at Liber 1758, Pages 0301 to 0351, Livingston County Records, and known as Livingston County Condominium Subdivision Plan No. 57, hereby amends the master deed of San Marino Park pursuant to the authority reserved in Article VII thereof for the purposes of modifying the subdivision plan of the Master Deed correcting minor survey errors and for the purpose of making immaterial changes to the Master Deed pursuant to the authority reserved as stated above.

Upon recording of this amendment in the office of the Livingston County Register of Deeds, the Master Deed, the Bylaws and the condominium Subdivision Plan shall be amended in the following manner:

1. Article IV, Common Elements, Section 2 Limited Common Elements. C. Septic Fields and Systems of the Master Deed of San Marino Park is amended to include the following:

- a. No lot shall be used for other than a single family dwelling.
- b. The individual homeowner is responsible for the maintenance of their particular water supply system and sewage disposal system.
- c. All wells shall be drilled by a Michigan licensed well driller and penetrate protective clay barrier sufficient to protect the aquifer. In most cases this will be accomplished at depths in excess to 140 ft.
- d. The test wells drilled to determine water supply adequacy for the development are located on Lots 9, 24, and 62. These wells may be used for the potable water supply for the individual units. If the wells are not intended for use, they must be properly abandoned according to the Groundwater Quality Control Act.
- e. The wells and septic systems shall be located in the exact areas as indicated on the preliminary plan submitted by Desine Engineers which is on file at the Livingston County Health Department.

- f. There shall be no underground utility lines located within the area designated as active and reserve septic system.
- g. The reserve septic locations as designated on the preliminary plan on file at the Livingston County Health Department must be maintained vacant and accessible for future sewage disposal uses.
- h. All units must maintain a minimum of 50 ft. from proposed storm drain easement and catch basins with both active and reserve onsite sewage disposal.
- i. A partial chemical water sample must be submitted from the supply which reflects less than 10 ppm nitrate. It is the responsibility of the homeowner to submit bacteria water results which reflect a safe supply prior to occupancy approval being given.
- j. The onsite sewage disposal systems for Units 1, 2, 3, 4, 5, 6, 10, 11, 12, and 22 will require shallow cutdowns to more permeable soils within the top 4 ft.
- k. Units 7 and 14 will require the excavation of slow permeable soils to more permeable soils ranging between 5 ft. to 9.5 ft.
- l. The onsite sewage disposal system for Units 8, 9, 21, 25, and 26 will require the excavation of slow permeable soils to a more permeable soil ranging between 9 ft. to 9.5 ft. in depth. Due to the fact that unsuitable soils will be excavated in the area and replaced with a clean sharp sand, the cost of the system may be higher than a conventional sewage disposal system.
- m. The onsite sewage disposal systems for Units 23 and 24 will require the excavation of slow permeable soils to a more permeable soil ranging between 8 ft. to 10 ft. in depth. Due to the fact that unsuitable soils will be excavated in the area and replaced with a clean sharp sand, the cost of the system may be higher than a conventional sewage disposal system.
- n. The onsite sewage disposal system for Unit 19 will require the excavation of slow permeable soils to more permeable soils at depths of about 7.5 ft. Due to the fact that unsuitable soils will be excavated in the area and replaced with a clean sharp sand, the cost of the system may be higher than a conventional sewage disposal system.

- o. The onsite sewage disposal system for Unit 20 will require the excavation of slow permeable soils to a more permeable soil ranging between 4 ft. to 9 ft. in depth. Due to the fact that unsuitable soils will be excavated in the area and replaced with a clean sharp sand, the cost of the system may be higher than a conventional sewage disposal system.
- p. Unit 15 will require striping the top soil only, then backfill with a clean sharp sand to original grade (elevation 1046).
- q. A 2800 sq. ft. area shall be designated on Units 14, 24, and 25 for the active and reserve sewage disposal systems to accommodate a typical a three bedroom single family home.
- r. Several units throughout the development require preparation for both the active and reserve sewage systems. These lots must be prepared in accordance with engineer specifications. The engineer must submit written certification that these areas were prepared in accordance with their specifications. In addition, the engineer must submit "as-built" drawings and in some cases fill elevations in order to define the exact areas prepared. Units 13, 16, 17, and 18 must be prepared and certified prior to final plat approval.
- s. The engineer must give written certification that any grades, filling and/or land balancing that has taken place as part of the construction of the development will not affect the placement for either the active or reserve sewage disposal systems. This certification must be given stating that there will be no changes on any unit affected prior to final plat approval.
- t. Prior to final plat approval, written engineer certification must be given which indicates that all storm drains which are within 50 ft. to the proposed active and reserve septic shall be sealed with a watertight premium joint material.
- u. All restrictions placed on "San Marino Park" Site Condominium Project by the Livingston County Health Department are not severable and shall not expire under any circumstances unless otherwise amended or approved by the Livingston County Health Department.
- v. "San Marino Park" Site Condominium Project has been approved for 26 single family units. These 26 units can not be further divided to create additional

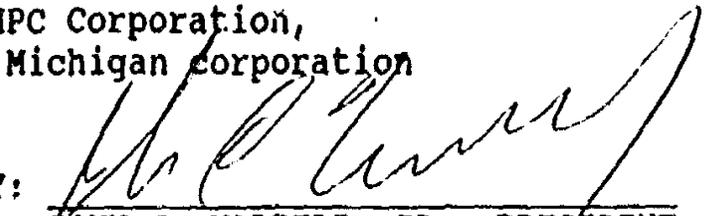
building sites within the development.

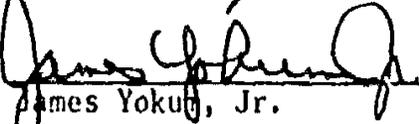
WITNESSES:

SMPC Corporation,  
a Michigan corporation

  
Martha B. Yarnak

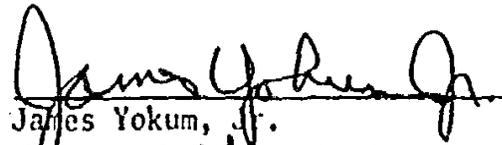
BY:

  
JOHN C. MALPELI, JR., PRESIDENT

  
James Yokum, Jr.

STATE OF MICHIGAN    )  
                                  ) SS.  
COUNTY OF LIVINGSTON)

The foregoing instrument was acknowledged before me this 15<sup>th</sup>  
day of September, 1994, by John C. Malpeli, Jr., President of  
SMPC Corporation, a Michigan corporation, on behalf of the  
corporation.

  
James Yokum, Jr.  
Notary Public, Livingston County,  
Michigan  
My Commission Expires: October 1, 1996

DRAFTED BY:

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