

FIRST AMENDMENT TO CITY OF FARMINGTON HILLS AGREEMENT
PLANNED UNIT OF DEVELOPMENT

FARMINGTON HILLS HUNT CLUB SUBDIVISION

THIS AGREEMENT is made and executed this 28th day of December, 1979 by and between the City of Farmington Hills, Oakland County, Michigan, herein called the "CITY", 31555 Eleven Mile Road, Farmington Hills, Michigan, and FARMINGTON HILLS HUNT CLUB DEVELOPMENT CO., a Michigan corporation of 3093 Moon Lake Road, West Bloomfield, Michigan, herein called "DEVELOPER" and STANDARD FEDERAL SAVINGS AND LOAN ASSOCIATION, a Federal Association, whose address is 2401 West Big Beaver Road, Troy, Michigan, herein called "THE MORTGAGEE", and FARMINGTON HILLS HUNT CLUB HOMEOWNERS ASSOCIATION, a Michigan Non-Profit Corporation, whose address is 3093 Moon Lake Road, West Bloomfield, Michigan, hereinafter called the "ASSOCIATION".

WHEREAS, a certain Agreement for Planned Unit Development was executed between the CITY, DEVELOPER, and MORTGAGEE on the 11th day of December, 1978 and was recorded in Liber 7487, Pages 380 through 390 Oakland County Records; and

WHEREAS, the City Ordinance requires the installation of five (5') foot concrete sidewalks along its Mile Roads and the DEVELOPER and ASSOCIATION are desirous of having asphalt walks installed in order to preserve the aesthetics and country feeling and atmosphere of the subdivision; and

WHEREAS, the CITY is willing to permit the installation of the proper asphalt walks provided the ASSOCIATION agrees to maintain said walks, and further provided that the maintenance of said walks is subject to all of the maintenance provisions of the Planned Unit Development Agreement.

NOW, THEREFORE, for and in consideration of the mutual promises and undertakings of the parties herein contained and other good and valuable consideration, the parties do agree as follows:

1. That the aforesaid Planned Unit Development Agreement dated December 11, 1978 is amended by the addition thereto of paragraphs 13 and 14 as follows:

13. The DEVELOPER shall have the right to install five (5') foot asphalt walks along the Mile Roads in or adjacent to the Subdivision. Said walks shall comply with all applicable City Ordinances, regulations and specifications.

14. After said installation by DEVELOPER, the ASSOCIATION shall be totally responsible for the proper maintenance and repair of said walks in accordance with the CITY plans and specifications; the ASSOCIATION shall do the maintenance and repair as required by the CITY, and if not completed by the ASSOCIATION, the CITY shall have all the rights and remedies to do the same and charge the cost thereof to the ASSOCIATION as outlined in the Planned Unit Development Agreement which is recorded in Liber 7487, Pages 380 through 390, Oakland County Records; and the CITY may collect said costs as outlined therein.

2. It is hereby acknowledged and agreed between the parties that the FARMINGTON HILLS HUNT CLUB HOMEOWNERS ASSOCIATION, a Michigan Non-Profit Corporation, which is a party to this Agreement, is the ASSOCIATION referred to in paragraph 4 of the Planned Unit Development Agreement and is the "ASSOCIATION" referred to in said agreement.

3. Except as herein expressly amended and modified, the aforesaid Planned Unit Development Agreement shall remain in full force and effect.