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\$ 58.00 DEED
31 OCT 94 2:48 P.M. RECEIPT# 518
RECORDED
FOREST E. YOUNGBLOOD, REGISTER OF DEEDS
WAYNE COUNTY, MI

AMENDMENT NO. 2 TO
DECLARATION
OF
RECIPROCAL ROADWAY EASEMENT

THIS AMENDMENT NO. 2 TO DECLARATION OF RECIPROCAL ROADWAY EASEMENT ("this Amendment") made this 11th day of October, 1994 (which date is herein called the "date of this Amendment"), by (i) ISLAND LAKE ASSOCIATES, a Michigan general partnership (hereinafter called "Island Lake"), having its principal office at 21790 Coolidge Highway, Oak Park, Michigan 48237; (ii) FAIRWAY PINES LIMITED PARTNERSHIP, a Michigan limited partnership (hereinafter called "Fairway"), the successor-in-interest to, and assignee of, Biltmore Properties Corporation, a Michigan corporation, having its principal office at 2025 West Long Lake Road, Suite 104, Troy, Michigan 48098; (iii) SUNFLOWER SEVEN ASSOCIATES, a Michigan general partnership (hereinafter called "Sunflower"), the successor-in-interest to, and assignee of, Carrollton Arms, a Michigan general partnership, having its principal office at 21790 Coolidge Highway, Oak Park, Michigan 48237; and (iv) the CHARTER TOWNSHIP OF CANTON, a Michigan municipal corporation (hereinafter called the "Township"), having its principal office at 1150 South Canton Center Road, Canton, Michigan 48188.

W I T N E S S E T H:

The following is a recital of the facts and objectives underlying this Amendment:

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First American Title Insurance Corp

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(A) Island Lake, Fairway and Sunflower (collectively, the "Developers"), and the Township, respectively, did, on March 8, 1993, own the parcels of land in Sections 21 and 28 of the Township more particularly described on Exhibits "A", "B", "C" and "D" attached hereto (the "Island Lake Property", the "Fairway Property", the "Sunflower Property", and the "Township Property", respectively, and collectively, the "Parcels").

(B) The Island Lake Property, Fairway Property and Sunflower Property have each been, or will each be, used, separately, for the development (in one or more phases) of a single family residential subdivision (the "Subdivisions"), in each case with private interior roads, within named and dimensioned easement areas, including, without limitation, in the case of the Island Lake Property and Fairway Property, a continuous private boulevard road, ninety feet (90') in width ("Glengarry Boulevard"), extending from Canton Center Road to Beck Road.

(C) The Township property will be used and developed for a variety of residential, commercial, community and major recreational purposes, and will contain, and be served by a continuous private boulevard road, ninety feet (90') in width ("Summit Parkway", formerly Glengarry Boulevard), extending from Glengarry Boulevard, Southerly and Easterly, to Canton Center Road.

(D) The Parcels are subject to the terms and provisions of a certain Declaration of Reciprocal Roadway Easement, dated March 8, 1993, and recorded March 9, 1993, in liber 26390, page 818, Register No. 93/054743, Wayne County Records, as amended by Amendment No. 1 to Declaration of Reciprocal Roadway Easement, dated May 31, 1994, and recorded June 7, 1994, in liber 27419, page 786, Register No. 94/139499, Wayne County Records (collectively, the "Declaration").

(E) The Declaration applies to the private roads within each Subdivision, including, without limitation, Glengarry Boulevard, and to Summit Parkway within the Township Property (collectively, the "Roadways").

(F) In accordance with, and upon the terms set forth in, the Declaration, the Developers and Township (i) have granted each to the others, and to the successors and/or assigns of each, including, without limitation, the Associations, other Owners, and the Occupants and Permittees (as each such term is defined in the Declaration), the perpetual right and easement to use the Roadways within each Subdivision, and the Township Property, for the Permitted Purposes (as such term is defined in the Declaration), and (ii) have created a permanent committee (the "Roadway Manager"), as described in the Declaration, for the purpose of (a) exclusively administering the operation, maintenance, improvement, repair and replacement of the Roadways,

and (b) prescribing reasonable rules and regulations (the "Rules and Regulations") for the use of the Roadways, and otherwise regarding the conduct of each Owner, Occupant and Permittee within the Roadways.

(G) BILTMORE PROPERTIES CORPORATION, a Michigan corporation ("Biltmore"), having its principal office at 2025 West Long Lake Road, Suite 104, Troy, Michigan 48098, has sold and conveyed to the Township a parcel of land (the "Additional Roadway Parcel") for use by the Township to comprise part of Summit Parkway, within the Township Property, subject to the terms and provisions of the Declaration. The Additional Roadway Parcel is more particularly described on Exhibit "E" attached hereto.

(H) Biltmore has retained a parcel of land adjacent to the Additional Roadway Parcel (the "Biltmore Parcel"), which Biltmore proposes to use for the development of two residential subdivisions, with public streets ("Pinewood Subdivision No. 1", and "Pinewood Subdivision No. 2", respectively, and collectively, the "Pinewood Subdivisions"). The Biltmore Parcel is more particularly described on Exhibit "F" attached hereto.

(I) Glastonbury Drive within Pinewood Subdivision No. 1 (to which all of the streets within Pinewood Subdivision No. 1 and Pinewood Subdivision No. 2 connect, directly or indirectly, is

proposed for direct connection to Summit Parkway, which is one of the Roadways covered by the Declaration.

(J) Island Lake, Fairway, Sunflower and the Township desire to modify and amend the Declaration (i) to confirm the addition of the Additional Roadway Parcel to the Township Property, and to the Parcels covered by the Declaration; (ii) to authorize the permanent connection of Glastonbury Drive to Summit Parkway, at the cost of Biltmore, but without charge for such connection, or use of such Roadway; (iii) to authorize the use by the residents in the Pinewood Subdivisions (the "Residents"), and the visitors, guests and invitees of such Residents, of all of the Roadways for the Permitted Purposes (as if such Residents, visitors, guests and invitees were Owners, Occupants and Permittees as described in the Declaration), subject to (a) the restrictions upon the use of the Roadways set forth in the Declaration, and (b) the jurisdiction of the Roadway Manager, including, without limitation, the Rules and Regulations promulgated by the Roadway Manager, without charge or assessment for such use; and (iv) to confirm that the consent of Biltmore to any subsequent amendment of the Declaration (a "Subsequent Amendment") shall not be required by reason of this Amendment, provided that any such Subsequent Amendment shall not (1) diminish the rights of the Residents, or the visitors, guests and invitees of the Residents, as set forth in this Amendment, or (2) expand the obligations of the Residents, or the visitors, guests and invitees of the Residents.

(K) The Declaration may be modified or amended by a supplemental declaration in writing (i) executed and acknowledged by each Developer, and the Township, and (ii) duly recorded in the office of the Register of Deeds for Wayne County.

NOW, THEREFORE, the Developers and the Township hereby agree and declare, as follows:

(1) The Additional Roadway Parcel shall be deemed added to the Township Property, and to the Parcels covered by, and subject to, the Declaration.

(2) In connection with the development of the Pinewood Subdivisions, Biltmore is hereby authorized to effect the permanent connection of Glastonbury Drive to Summit Parkway, at the cost of Biltmore, but without charge for such connection, or use of such Roadway.

(3) The Residents, and the visitors, guests and invitees of the Residents, are hereby authorized and granted the perpetual right and easement to use all of the Roadways for the Permitted Purposes (as if such Residents, visitors, guests and invitees were Owners, Occupants and Permittees as described in the Declaration), subject to (a) the restrictions upon the use of the Roadways set forth in the Declaration, and (b) the jurisdiction of the Roadway Manager set forth in the Declaration, including,

without limitation, the Rules and Regulations promulgated by the Roadway Manager, without charge or assessment for such use.

(4) Nothing contained in this Amendment shall be construed to require the consent of Biltmore to any Subsequent Amendment, provided that any such Subsequent Amendment shall not (a) diminish the rights of the Residents, or the visitors, guests and invitees of the Residents, as set forth in this Amendment, or (b) expand the obligations of the Residents, or the visitors, guests and invitees of the Residents.

(5) Except as herein expressly modified or amended, the Declaration shall continue in full force and effect according to its terms.

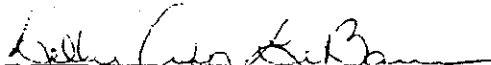
IN WITNESS WHEREOF, this Amendment has been made and executed by Island Lake, Fairway, Sunflower, and the Township, as at the date of this Amendment.


Signed in the presence of:

Signed by:

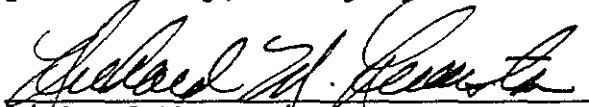
ISLAND LAKE ASSOCIATES, a Michigan general partnership

By: GLENGARRY DEVELOPMENT ASSOCIATES, a Michigan general partnership, Managing Partner



Kelly Ann LeBarre


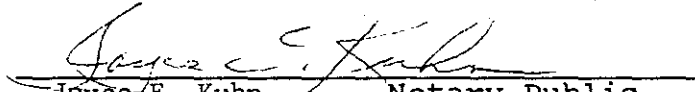
Colleen A. Mette

By: 

Richard M. Lewiston,
Managing Partner

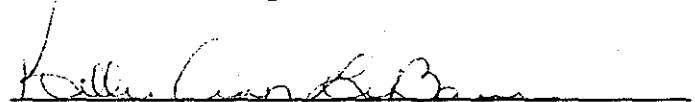
STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 13th day of October, 1994, by Norman J. Cohen, who is the President of BILTMORE ASSOCIATES, INC., a Michigan corporation, which is the Managing Partner in FAIRWAY PINES LIMITED PARTNERSHIP, a Michigan limited partnership (the "Partnership"), on behalf of the Partnership.


Joyce E. Kuhn Notary Public
Oakland County, Michigan
My Commission Expires: March 26, 1997

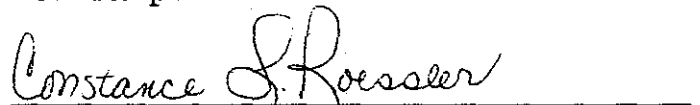
STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this 11th day of October, 1994, by Richard M. Lewiston, who is a Managing Partner in LEWISTON-SMITH DEVELOPMENT ASSOCIATES, a Michigan general partnership, which is the Managing Partner in SUNFLOWER SEVEN ASSOCIATES, a Michigan general partnership (the "Partnership"), on behalf of the Partnership.


Kelly Ann LeBarre, Notary Public
Oakland County, Michigan
My Commission Expires: 9/20/95

STATE OF MICHIGAN)
) ss.
COUNTY OF WAYNE)

The foregoing instrument was acknowledged before me this 20th day of October, 1994, by Thomas J. Yack and Loren N. Bennett, who are the Supervisor and Clerk, respectively, of the CHARTER TOWNSHIP OF CANTON, a Michigan municipal corporation (the "Township"), on behalf of the Township.


Constance L. Roessler, Notary Public
Wayne County, Michigan
My Commission Expires: 3-2-96

Drafted by, and when recorded, return to:

Richard M. Lewiston
21790 Coolidge Highway
Oak Park, Michigan 48237

Exhibit "A"Description of the Island Lake Property

The Northwest one-quarter (1/4) of Section 21, Town 2 South, Range 8 East, Canton Township, Wayne County, Michigan, being more particularly described as follows:

Beginning at the Northwest corner of Section 21, Town 2 South, Range 8 East, thence North 89 degrees 53 minutes 16 seconds East, 2,594.81 feet along the North line of Section 21 and the centerline of Cherry Hill Road (66.00' wide) to the North one-quarter (1/4) corner of said Section 21; thence South 00 degrees 12 minutes 04 seconds West, 2,642.98 feet along the North/South one-quarter (1/4) line of Section 21 to the center of said Section 21; thence South 89 degrees 27 minutes 08 seconds West, 2,572.43 feet along the East/West one-quarter (1/4) line of said Section 21 and the centerline of Proctor Road (66.00' wide) to the West one-quarter (1/4) corner of said Section 21; thence North 00 degrees 17 minutes 04 seconds West, 2,662.51 feet along the West line of Section 21 and the centerline of Beck Road (66.00' wide) to the point of beginning, containing 157.334 acres;

Commonly known as (i) Tax Parcel No. 71-082-99-0001-000, and (ii) Tax Parcel No. 71-082-99-0002-000.

Island Lake Associates
(3/16/92)

Exhibit "B"Description of the Fairway Property

The Northeast one-quarter (1/4) of Section 21, Town 2 South, Range 8 East, Canton Township, Wayne County, Michigan, described as:

Beginning at the Northeast corner of said Section 21; thence South 00 degrees 03 minutes 08 seconds East, 2,644.89 feet along the East line of said Section 21, said line also being the centerline of Canton Center Road (width varies), to the East one-quarter (1/4) corner of said Section 21; thence North 89 degrees 58 minutes 40 seconds West, 2,650.22 feet along the East/West one-quarter (1/4) line of said Section 21, said line also being the centerline of Proctor Road (66 feet wide) to the center of said Section 21; thence North 00 degrees 12 minutes 04 seconds East, 2,642.98 feet along the North/South one-quarter (1/4) line of said Section 21 to the North one-quarter (1/4) corner of said Section 21; and thence North 89 degrees 58 minutes 50 seconds East, 2,638.54 feet along the North line of said Section 21, said line also being the centerline of Cherry Hill Road (66 feet wide) to the point of beginning, containing 160.5000 acres;

Commonly known as (i) Tax Parcel No. 71-081-99-0001-000, and (ii) Tax Parcel No. 71-081-99-0002-000.

Exhibit "C"Description of the Sunflower Property

Part of the Southwest one-quarter (1/4) of Section 21, and part of the Northwest one-quarter (1/4) of Section 28, Town 2 South, Range 8 East, Canton Township, Wayne County, Michigan, described as follows:

Beginning at the Southwest corner of Section 21, and the Northwest corner of Section 28, Town 2 South, Range 8 East, and proceeding thence along the West line of Section 21, North 00 degrees 09 minutes 33 seconds East, 1,595.91 feet; thence North 89 degrees 27 minutes 08 seconds East, 1,292.13 feet; thence South 00 degrees 10 minutes 51 seconds East, 1,615.34 feet to a point on the South line of Section 21 and the North line of Section 28; thence South 00 degrees 15 minutes 22 seconds East, 1,324.73 feet; thence North 89 degrees 54 minutes 49 seconds West, 1,306.77 feet; thence along the West line of Section 28, North 00 degrees 01 minutes 57 seconds West, 1,329.82 feet to the point of beginning, containing 87.5394 acres;

Commonly known as (i) Tax Parcel No. 71-083-99-0002-000, and (ii) Tax Parcel No. 71-110-99-0005-000.

Exhibit "D"Description of the Township Property

Part of the South one-half (1/2) of Section 21 and part of the Northeast one-quarter (1/4) of Section 28, Town 2 South, Range 8 East, Canton Township, Wayne County, Michigan, described as:

Beginning at the Southeast corner of said Section 21 said point also being the Northeast corner of said Section 28; thence North 89 degrees 57 minutes 23 seconds West 660.00 feet along the North line of said Section 28 said line also being the South line of said Section 21; thence South 00 degrees 22 minutes 25 seconds East 330.00 feet; thence South 89 degrees 57 minutes 23 seconds East 660.00 feet to a point on the East line of said Section 28 said line also being the centerline of Canton Center Road (66 feet wide); thence South 00 degrees 22 minutes 25 seconds East 330.00 feet along said East line; thence North 89 degrees 57 minutes 23 seconds West 660.00 feet; thence South 00 degrees 22 minutes 25 seconds East 792.00 feet; thence South 89 degrees 57 minutes 23 seconds East 660.00 feet to a point on said East line; thence South 00 degrees 22 minutes 25 seconds East 469.00 feet along said East line; thence North 89 degrees 57 minutes 23 seconds West 660.00 feet; thence South 00 degrees 22 minutes 25 seconds East 165.00 feet; thence South 89 degrees 57 minutes 23 seconds East 660.00 feet to a point on said East line; thence South 00 degrees 22 minutes 25 seconds East 555.26 feet along said East line to the East one-quarter (1/4) corner of said Section 28; thence North 89 degrees 59 minutes 51 seconds West 2626.76 feet along the East/West one-quarter (1/4) line of said Section 28 to the center of said Section 28; thence North 00 degrees 28 minutes 02 seconds West 2639.41 feet along the North/South one-quarter (1/4) line of said Section 28 to the North one-quarter (1/4) corner of said Section 28 said point also being the South one-quarter (1/4) corner of said Section 21; thence North 89 degrees 41 minutes 15 seconds West 1302.08 feet along the South line of said Section 21 said line also being the North line of said Section 28; thence North 00 degrees 10 minutes 33 seconds West 2629.21 feet to a point on the East/West one-quarter (1/4) line of said Section 21 said line also being the centerline of Proctor Road (66 feet wide); thence North 89 degrees 27 minutes 08 seconds East 683.69 feet along said East/West one-quarter (1/4) line of Section 21; thence South 00 degrees 03 minutes 22 seconds East 1117.62 feet; thence North 89 degrees 54 minutes 38 seconds East 611.62 feet to a point on the North/South one-quarter (1/4) line of said Section 21; thence South 00 degrees 31 minutes 00 seconds East 828.86 feet along said North/South one-quarter (1/4) line of Section 21; thence North 89 degrees 14 minutes 48 seconds East 2111.43 feet; thence North 00 degrees 06 minutes 08 seconds West 306.47 feet; thence North 54 degrees 33 minutes 17 seconds East 643.38 feet to a point on the

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East line of said Section 21 said line also being the centerline of Canton Center Road (66 feet wide); and thence South 00 degrees 06 minutes 08 seconds East 1402.70 feet along the East line of said Section 21 to the point of beginning, containing 251.68 acres of land, more or less;

Being part of (i) Tax Parcel No. 71-083-99-0004-002; (ii) Tax Parcel No. 71-083-99-0003-003; and (iii) Tax Parcel Identification No. 71-083-99-0003-002.

Charter Township of Canton

Exhibit "E"Description of the Additional Roadway Parcel

A parcel of land in the Southwest one-quarter (1/4) of Section 21, Town 2 South, Range 8 East, Canton Township, Wayne County, Michigan, described as follows:

Commencing at the West one-quarter (1/4) corner of Section 21, Town 2 South, Range 8 East, and proceeding thence along the East and West one-quarter (1/4) line of said Section 21, North 89 degrees 27 minutes 08 seconds East, 1,196.12 feet to the point of beginning of the parcel herein described; thence continuing along said line, North 89 degrees 27 minutes 08 seconds East, 90.00 feet; thence South 00 degrees 10 minutes 33 seconds East, 1,013.73 feet; thence South 89 degrees 27 minutes 08 seconds West, 90.00 feet; thence North 00 degrees 10 minutes 33 seconds West, 1,013.73 feet to the point of beginning, containing 2.0945 acres;

Being part of Tax Parcel No. 71-083-99-0001.

Addition to Charter Township
of Canton

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Exhibit "F"

Description of the Biltmore Parcel

A parcel of land in the Southwest one-quarter (1/4) of Section 21, Town 2 South, Range 8 East, Canton Township, Wayne County, Michigan, described as follows:

Beginning at the West one-quarter (1/4) corner of Section 21, Town 2 South, Range 8 East, and proceeding thence along the East and West one-quarter (1/4) line of said Section, North 89 degrees 27 minutes 08 seconds East, 1,196.12 feet; thence South 00 degrees 10 minutes 33 seconds East, 1,013.73 feet; thence South 89 degrees 27 minutes 08 seconds West, 1,202.13 feet to a point on the West line of Section 21; thence along said West line, North 00 degrees 09 minutes 50 seconds East, 1,013.79 feet to the point of beginning, containing 27.9055 acres;

Being part of Tax Parcel No. 71-083-99-0001.

Biltmore Properties Corporation

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