

## First Amendment to Master Deed

**FIRST AMENDMENT TO MASTER DEED**  
**of**  
**THE CREEKS CONDOMINIUMS**

Act 59 of the Public Acts of 1978, as amended

Oceana County Condominium Subdivision Plan No. 23

This First Amendment to Master Deed for The Creeks Condominium (“**First Amendment**”) has been executed effective September 1, 2019, by **The Creeks Condominium Association** (the “**Association**”), whose address is 117 Creek Drive, Hart, Michigan 49420, pursuant to the provisions of the Michigan Condominium Act, Act 59 of the Public Acts of 1978, as amended, and the provisions of the Master Deed.

**Statement of Purpose**

The Developer executed a Master Deed which was effective August 21, 2003, recorded September 10, 2003, with the Oceana County Register of Deeds, at Liber 2003, Page 36381 (the “**Master Deed**”).

The Master Deed delineated numerous units that have not yet been constructed, and the Association desires to clarify that those units which have not been constructed were not intended to be converted, and have not been converted, into common elements for The Creeks Condominiums. Further, to the extent that those units, specified below, were in any way interpreted to have been converted, the purpose of this First Amendment is to re-establish and confirm those lands as individual units for development and sale, rather than common elements, so that any possible conversion interpretation would be void and of no effect.

**The Property**

The lands subject to this First Amendment are the following lands located in the City of Hart, County of Oceana, State of Michigan (the “**Property**”):

All those lands currently or formerly described as Units 1, 2, 5, 6, 9-12, 15-56 and 59-62, of The Creeks Condominiums, as described in the Master Deed recorded in Liber 2003, Page 36381 of the Oceana County Register of Deeds records, whether such lands or any interest therein may have been converted to general common elements under the Michigan Condominium Act or not.

This First Amendment does not affect or change ownership of Units 3, 4, 7, 8, 13, 14, 57 or 58, nor does it change, in any way, the building and use restrictions or any other rules governing the development and use of the properties as contained in the Master Deed and contained in the Bylaws attached to the Master Deed, as amended. All lands lying within the Property shall be subject to all building and use restrictions and other applicable provisions contained in the Master Deed and Bylaws for all units, as if the Property contained only units and as if the Property had never been converted to general common elements under the Michigan Condominium Act.

### **Amendment**

Now, therefore, the Master Deed is hereby amended as follows:

1. The Condominium Subdivision Plan attached as Exhibit B to the Master Deed, depicting Units 1 through 62, is hereby confirmed as the existing and current Master Deed, and it is agreed and approved that those units lying with the lands described in the "Property" shall in fact be units available for individual sale and development and not common areas. This Amendment shall incorporate the Condominium Subdivision Plan No. 23 attached to the Master Deed as Replat No. 1 of the condominium. The Master Deed, Bylaws and attached Condominium Subdivision Plan shall provide that those units lying within the Property (Units 1, 2, 5, 6, 9-12, 15-56 and 59-62, as herein re-established and confirmed) shall not be considered converted or subject to conversion to common areas without the consent of the owner of such unit or units.

2. For the purposes of the application of the time periods in subsection 67(3) of the Act only, the date of recording of this Amendment shall be deemed to be the date of recording of the Master Deed.

3. The Association, to the extent necessary to amend the common areas or to otherwise confirm and/or restore the Units lying within the Property to their status as individual units for development and sale (as provided in the original Master Deed and Condominium Subdivision Plan attached thereto as Exhibit B), hereby agrees to convey such lands to the City of Hart. The conveyance shall restore to the City of Hart those units and the ability to sell and develop those units on an individual basis. A separate conveyance document shall be executed and recorded.

In witness whereof, pursuant to a valid vote as indicated, more than two-thirds of the owners of the existing units have hereby agreed to this First Amendment, to confirmation of the status of those units lying within the Property as individual units rather than common areas, to the deemed the date of recording of this Amendment for the purposes set forth in paragraph 2 above and to execution by the Association of a conveyance in favor of the City of Hart, of the individual units lying within the Property.

The Creeks Condominium Association

By: \_\_\_\_\_

Its:                                   
President

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_, as President of The Creeks Condominium Association.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, Michigan  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

The owner of **Unit 3** hereby consents to and authorizes this First Amendment and the conveyance described herein.

Hart Family Trust, u/a/d August 10, 2018

By: \_\_\_\_\_  
Carl Hart, Trustee

By: \_\_\_\_\_  
Barbara Hart, Trustee

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by Carl Hart and Barbara Hart, Trustees of the Hart Family Trust, u/a/d August 10, 2018.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, Michigan  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

The owner of **Unit 4** hereby consents to and authorizes this First Amendment and the conveyance described herein.

DeLaura Jane L. Peterson Trust, u/a/d March 14, 2006

By: \_\_\_\_\_  
\_\_\_\_\_, Trustee

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_, Trustee of the DeLaura Jane L. Peterson Trust, u/a/d March 14, 2006.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, Michigan  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

The owner of **Unit 7** hereby consents to and authorizes this First Amendment and the conveyance described herein.

James C. Tanner Revocable Trust u/a/d September 26, 1996

By: \_\_\_\_\_, Trustee

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_, Trustee of the James C. Tanner Revocable Trust u/a/d September 26, 1996.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, Michigan  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

The owner of **Unit 8** hereby consents to and authorizes this First Amendment and the conveyance described herein.

\_\_\_\_\_  
John R. Williams

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by John R. Williams.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, Michigan  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

The owner of **Unit 13** hereby consents to and authorizes this First Amendment and the conveyance described herein.

Huizenga Family Trust, u/a/d August 14, 2004

By: \_\_\_\_\_  
Clarence Huizenga, Jr., Trustee

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by Clarence Huizenga, Jr., Trustee of the Huizenga Family Trust, u/a/d August 14, 2004.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
\_\_\_\_\_, Michigan  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

The owner of **Unit 14** hereby consents to and authorizes this First Amendment and the conveyance described herein.

Tom Kronlein Family Trust, u/a/d November 15, 2018

By: \_\_\_\_\_  
Thomas D. Kronlein, Trustee

By: \_\_\_\_\_  
Judith L. Kronlein, Trustee

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by Thomas D. Kronlein and Judith L. Kronlein, Trustees of the Tom Kronlein Family Trust, u/a/d November 15, 2018.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
\_\_\_\_\_, Michigan  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

The owners of **Unit 57** hereby consent to and authorize this First Amendment and the conveyance described herein.

\_\_\_\_\_  
Wayne A. Tanner

\_\_\_\_\_  
Andree K. Tanner

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by Wayne A. Tanner and Andree K. Tanner, husband and wife.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, Michigan  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

The owners of **Unit 58** hereby consent to and authorize this First Amendment and the conveyance described herein.

\_\_\_\_\_  
David J. Cozart

\_\_\_\_\_  
Marjorie L. Cozart

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by David J. Cozart and Marjorie L. Cozart, husband and wife.

\_\_\_\_\_, Notary Public  
\_\_\_\_\_, Michigan  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

The City of Hart, as owner of the lands and units lying within the Property, hereby consents to and authorizes this First Amendment and the conveyance described herein.

City of Hart  
By: \_\_\_\_\_  
Ron LaPorte  
Its: Mayor  
By: \_\_\_\_\_  
Cheryl Rabe  
Its: Clerk

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by Ron LaPorte and Cheryl Rabe, the Mayor and Clerk, respectively, for the City of Hart and on its behalf.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public  
\_\_\_\_\_, County, Michigan  
Acting in \_\_\_\_\_ County  
My commission expires: \_\_\_\_\_

Prepared by and after recording return to:  
Mark A. Van Allsburg  
Mika Meyers PLC  
900 Monroe Ave., NW  
Grand Rapids, MI 49503-1423



Condominium Association  
Quit Claim Deed

## QUIT CLAIM DEED

The Creeks Condominium Association (“Grantor”), 117 Creek Drive, is an association of Co-owners of a residential condominium development, located in the City of Hart, Oceana County, Michigan, as described in the Master Deed recorded in Liber 2003, Page 36381, being Oceana County Subdivision Plan No. 23. Grantor, on behalf of the owners of the individual units within The Creeks Condominiums, pursuant to due authorization and consent from those owners, hereby quit claims and conveys to the City of Hart, a municipal corporation (hereinafter “Grantee”), of 407 State Street, Hart, Michigan 49420, all of Grantor’s right, title and interest, if any, in the following described real estate interests (the “Property”) located in the City of Hart, County of Oceana, State of Michigan:

All those lands currently or formerly described as Units 1, 2, 5, 6, 9-12, 15-56 and 59-62, of The Creeks Condominiums, as described in the Master Deed recorded in Liber 2003, Page 36381 of the Oceana County Register of Deeds records, whether such lands or any interest therein may have been converted to general common elements under the Michigan Condominium Act or not.

For the sum of Ten Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, subject to all easements, rights and restrictions of record, and specifically including the provisions of the Master Deed referenced in the legal description above.

This deed is made without any warranties or representations whatsoever. The conveyance is intended to transfer to the Grantee any and all interests or claims of Grantor in the foregoing units and all common areas lying within the lands described above as the Property, but excluding from this conveyance any common areas which were granted and originally designated as common areas by the Master Deed in 2003. It is intended that those lands within the Property area which were originally designated as units shall be restored and confirmed as individual units (not common areas), subject to development and sale as originally intended when created by the Master Deed in 2003. The restored and confirmed units shall be subject to building and use restrictions as contained in the Master Deed and Bylaws, as amended.

This deed is exempt from Michigan State transfer tax pursuant to MCL 207.526(a) and from County transfer tax pursuant to MCL 207.505(a), the consideration being less than \$100.

The Grantor grants to the Grantee all available rights which the Grantor may have, if any, to make additional divisions as to the Property under Section 108 of the Land Division Act, Act 288 of the Public Acts of Michigan of 1967, MCL 560.108.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

Dated and effective as of this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Grantor

The Creeks Condominium Association

By: \_\_\_\_\_

\*

Its: President

Acknowledged before me in \_\_\_\_\_ County, Michigan, this \_\_\_\_ day of \_\_\_\_\_, 2019, by \_\_\_\_\_, the President of The Creeks Condominium Association.

\_\_\_\_\_, Notary Public

\_\_\_\_\_ County, Michigan

Acting in \_\_\_\_\_ County, Michigan

My commission expires: \_\_\_\_\_

**Prepared by and after recording return to:**

Mark A. Van Allsburg, Esq.  
Mika Meyers PLC  
900 Monroe Avenue, N.W.  
Grand Rapids, MI 49503-1423

\*Type names under signatures

Carl Hart and Barbara Hart  
Trustees of the Carl Hart Family Trust  
Unit 3, The Creeks Condominiums

## Attorneys at Law

Richard M. Wilson, Jr.  
Douglas A. Donnell<sup>4</sup>  
Daniel R. Kubiak  
Scott E. Dwyer  
William A. Horn<sup>5</sup>  
Mark A. Van Allsburg  
Neil L. Kimball  
George V. Saylor, III  
Elizabeth K. Bransdorfer  
John C. Armdts  
James F. Scales

Ross A. Leisman  
Neil P. Jansen  
Andrea D. Crumback  
Daniel J. Parmeter, Jr.  
Mark E. Nettleton<sup>2</sup>  
Nathaniel R. Wolf  
Jennifer A. Ptoplava  
Benjamin A. Zainea  
Christopher D. Matthyse  
Ronald M. Redick  
David S. Lefere

Kimberly M. Large<sup>1</sup>  
Nikole L. Canute<sup>3</sup>  
Daniel J. Broxup  
Joshua D. Beard  
Bradley A. Fowler  
Michael J. Huff  
Benjamin C. Dilley  
Regina M. Gilmour  
Curtis L. Underwood

## Of Counsel

James R. Brown  
John M. DeVries  
Michael C. Haines  
David R. Fernstrum  
James K. White  
Fredric N. Goldberg  
John H. Gretzinger

## Also Admitted in

<sup>1</sup>Delaware  
<sup>2</sup>Illinois  
<sup>3</sup>New York  
<sup>4</sup>Ohio  
<sup>5</sup>Wisconsin

September 10, 2019

Carl Hart and Barbara Hart  
Trustees of the Carl Hart Family Trust  
107 Creek Drive  
Hart, Michigan 49420

Re: Unit 3, The Creeks Condominiums

Dear Mr. and Mrs. Hart:

I very much appreciated the good attendance and thoughtful participation at our meeting on August 27, 2019. As discussed at that meeting, the City of Hart is concerned that some of the units that it acquired could be subject to an argument that those units were converted into condominium common areas.

I have prepared an Amendment to the Master Deed for The Creeks Condominium Association. The Amendment would confirm that those units acquired by the City are still going to be individual units for development and are not common areas.

I have also prepared a proposed Quit Claim Deed whereby the Condominium Association would convey any interest it may have in those lands (the City Units) in favor of the City of Hart, thereby confirming that ownership of the unit lands is, and remains, in the City.

The goal of these two documents, copies of which are enclosed for your review, is to simply be certain that the City retains ownership of those lands that it purchased – and remove any cloud on title or concern that the lands may have been converted into common areas. These documents would not change, in any way, the building and use restrictions that have always been in place for The Creeks Condominiums.

**Association Meeting.** It is my understanding that, once you have received these materials, the Association will call a meeting to discuss, consider and vote upon the City's request for this Master Deed Amendment and Quit Claim Deed. If you would like me to be available to answer questions, I am happy to attend all or a portion of the meeting, as you may desire. If the Association

Carl Hart Family Trust  
September 10, 2019  
Page 2

votes to move forward, I would ask that these documents be duly executed, and the originals returned to the City for recording in the Register of Deeds Office. City Manager Lynne Ladner will be available to receive the documents and assist you.

Once again, if you have questions or wish to discuss any portion of this further, please let me know. The City and I both very much appreciate your courtesy and willingness to consider our request.

Very truly yours,



Mark A. Van Allsburg

Direct Dial/Fax: (616) 632-8039  
E-Mail: [mvanallsburg@mikameyers.com](mailto:mvanallsburg@mikameyers.com)

dlo  
Enclosures

Carl Hart Family Trust  
September 10, 2019  
Page 3

bcc: Lynne Ladner  
Ron LaPorte

DeLaura Jane L. Peterson Trust  
Unit 4, The Creeks Condominiums



## Attorneys at Law

Richard M. Wilson, Jr.  
Douglas A. Donnell<sup>4</sup>  
Daniel R. Kubiak  
Scott E. Dwyer  
William A. Horn<sup>5</sup>  
Mark A. Van Allsburg  
Neil L. Kimball  
George V. Saylor, III  
Elizabeth K. Bransdorfer  
John C. Arndts  
James F. Scales

Ross A. Leisman  
Neil P. Jansen  
Andrea D. Crumback  
Daniel J. Parmeter, Jr.  
Mark E. Nettleton<sup>2</sup>  
Nathaniel R. Wolf  
Jennifer A. Puplava  
Benjamin A. Zainea  
Christopher D. Matthyse  
Ronald M. Redick  
David S. Lefere

Kimberly M. Large<sup>1</sup>  
Nikole L. Canute<sup>3</sup>  
Daniel J. Broxup  
Joshua D. Beard  
Bradley A. Fowler  
Michael J. Huff  
Benjamin C. Dilley  
Regina M. Gilmour  
Curtis L. Underwood

**Of Counsel**  
James R. Brown  
John M. DeVries  
Michael C. Haines  
David R. Fernstrum  
James K. White  
Fredric N. Goldberg  
John H. Gretzinger

## Also Admitted in

<sup>1</sup>Delaware  
<sup>2</sup>Illinois  
<sup>3</sup>New York  
<sup>4</sup>Ohio  
<sup>5</sup>Wisconsin

September 10, 2019

DeLaura Jane L. Peterson Trust  
109 Creek Drive  
Hart, Michigan 49420

Re: Unit 4, The Creeks Condominiums

Dear Ms. Peterson:

I very much appreciated the good attendance and thoughtful participation at our meeting on August 27, 2019. As discussed at that meeting, the City of Hart is concerned that some of the units that it acquired could be subject to an argument that those units were converted into condominium common areas.

I have prepared an Amendment to the Master Deed for The Creeks Condominium Association. The Amendment would confirm that those units acquired by the City are still going to be individual units for development and are not common areas.

I have also prepared a proposed Quit Claim Deed whereby the Condominium Association would convey any interest it may have in those lands (the City Units) in favor of the City of Hart, thereby confirming that ownership of the unit lands is, and remains, in the City.

The goal of these two documents, copies of which are enclosed for your review, is to simply be certain that the City retains ownership of those lands that it purchased – and remove any cloud on title or concern that the lands may have been converted into common areas. These documents would not change, in any way, the building and use restrictions that have always been in place for The Creeks Condominiums.

**Association Meeting.** It is my understanding that, once you have received these materials, the Association will call a meeting to discuss, consider and vote upon the City's request for this Master Deed Amendment and Quit Claim Deed. If you would like me to be available to answer questions, I am happy to attend all or a portion of the meeting, as you may desire. If the Association votes to move forward, I would ask that these documents be duly executed, and the originals

DeLaura Jane L. Peterson Trust  
September 10, 2019  
Page 2

returned to the City for recording in the Register of Deeds Office. City Manager Lynne Ladner will be available to receive the documents and assist you.

Once again, if you have questions or wish to discuss any portion of this further, please let me know. The City and I both very much appreciate your courtesy and willingness to consider our request.

Very truly yours,



Mark A. Van Allsburg

Direct Dial/Fax: (616) 632-8039  
E-Mail: [mvanallsburg@mikameyers.com](mailto:mvanallsburg@mikameyers.com)

dlo  
Enclosures

DeLaura Jane L. Peterson Trust  
September 10, 2019  
Page 3

bcc: Lynne Ladner  
Ron LaPorte

James C. Tanner Revocable Trust  
Unit 7, The Creeks Condominiums

## Attorneys at Law

Richard M. Wilson, Jr.  
Douglas A. Donnell<sup>4</sup>  
Daniel R. Kubiak  
Scott E. Dwyer  
William A. Horn<sup>5</sup>  
Mark A. Van Allsburg  
Neil L. Kimball  
George V. Saylor, III  
Elizabeth K. Bransdorfer  
John C. Arndts  
James F. Scales

Ross A. Leisman  
Neil P. Jansen  
Andrea D. Crumback  
Daniel J. Parmeter, Jr.  
Mark E. Nettleton<sup>2</sup>  
Nathaniel R. Wolf  
Jennifer A. Puplava  
Benjamin A. Zainea  
Christopher D. Matthisse  
Ronald M. Redick  
David S. Lefere

Kimberly M. Large<sup>1</sup>  
Nikole L. Canute<sup>3</sup>  
Daniel J. Broxup  
Joshua D. Beard  
Bradley A. Fowler  
Michael J. Huff  
Benjamin C. Dilley  
Regina M. Gilmour  
Curtis L. Underwood

## Of Counsel

James R. Brown  
John M. DeVries  
Michael C. Haines  
David R. Fernstrum  
James K. White  
Fredric N. Goldberg  
John H. Gretzinger

## Also Admitted in

<sup>1</sup>Delaware  
<sup>2</sup>Illinois  
<sup>3</sup>New York  
<sup>4</sup>Ohio  
<sup>5</sup>Wisconsin

September 10, 2019

James C. Tanner Revocable Trust  
115 Creek Drive  
Hart, Michigan 49420

Re: Unit 7, The Creeks Condominiums

Dear Mr. Tanner:

I very much appreciated the good attendance and thoughtful participation at our meeting on August 27, 2019. As discussed at that meeting, the City of Hart is concerned that some of the units that it acquired could be subject to an argument that those units were converted into condominium common areas.

I have prepared an Amendment to the Master Deed for The Creeks Condominium Association. The Amendment would confirm that those units acquired by the City are still going to be individual units for development and are not common areas.

I have also prepared a proposed Quit Claim Deed whereby the Condominium Association would convey any interest it may have in those lands (the City Units) in favor of the City of Hart, thereby confirming that ownership of the unit lands is, and remains, in the City.

The goal of these two documents, copies of which are enclosed for your review, is to simply be certain that the City retains ownership of those lands that it purchased – and remove any cloud on title or concern that the lands may have been converted into common areas. These documents would not change, in any way, the building and use restrictions that have always been in place for The Creeks Condominiums.

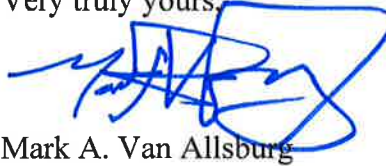
**Association Meeting.** It is my understanding that, once you have received these materials, the Association will call a meeting to discuss, consider and vote upon the City's request for this Master Deed Amendment and Quit Claim Deed. If you would like me to be available to answer questions, I am happy to attend all or a portion of the meeting, as you may desire. If the Association votes to move forward, I would ask that these documents be duly executed, and the originals

James C. Tanner Revocable Trust  
September 10, 2019  
Page 2

returned to the City for recording in the Register of Deeds Office. City Manager Lynne Ladner will be available to receive the documents and assist you.

Once again, if you have questions or wish to discuss any portion of this further, please let me know. The City and I both very much appreciate your courtesy and willingness to consider our request.

Very truly yours,



Mark A. Van Allsburg

Direct Dial/Fax: (616) 632-8039  
E-Mail: [mvanallsburg@mikameyers.com](mailto:mvanallsburg@mikameyers.com)

dlo  
Enclosures

James C. Tanner Revocable Trust  
September 10, 2019  
Page 3

bcc: Lynne Ladner  
Ron LaPorte

John R. Williams  
Unit 8, The Creeks Condominiums



## Attorneys at Law

Richard M. Wilson, Jr.  
Douglas A. Donnell<sup>4</sup>  
Daniel R. Kubiak  
Scott E. Dwyer  
William A. Horn<sup>5</sup>  
Mark A. Van Allsburg  
Neil L. Kimball  
George V. Saylor, III  
Elizabeth K. Bransdorfer  
John C. Arndts  
James F. Scales

Ross A. Leisman  
Neil P. Jansen  
Andrea D. Crumback  
Daniel J. Parmeter, Jr.  
Mark E. Nettleton<sup>2</sup>  
Nathaniel R. Wolf  
Jennifer A. Puplava  
Benjamin A. Zainea  
Christopher D. Matthyse  
Ronald M. Redick  
David S. Lefere

Kimberly M. Large<sup>1</sup>  
Nikole L. Canute<sup>3</sup>  
Daniel J. Broxup  
Joshua D. Beard  
Bradley A. Fowler  
Michael J. Huff  
Benjamin C. Dilley  
Regina M. Gilmour  
Curtis L. Underwood

**Of Counsel**  
James R. Brown  
John M. DeVries  
Michael C. Haines  
David R. Fernstrum  
James K. White  
Fredric N. Goldberg  
John H. Gretzinger

**Also Admitted in**  
<sup>1</sup>Delaware  
<sup>2</sup>Illinois  
<sup>3</sup>New York  
<sup>4</sup>Ohio  
<sup>5</sup>Wisconsin

September 10, 2019

Mr. John R. Williams  
117 Creek Drive  
Hart, Michigan 49420

Re: Unit 8, The Creeks Condominiums

Dear Mr. Williams:

I very much appreciated the good attendance and thoughtful participation at our meeting on August 27, 2019. As discussed at that meeting, the City of Hart is concerned that some of the units that it acquired could be subject to an argument that those units were converted into condominium common areas.

I have prepared an Amendment to the Master Deed for The Creeks Condominium Association. The Amendment would confirm that those units acquired by the City are still going to be individual units for development and are not common areas.

I have also prepared a proposed Quit Claim Deed whereby the Condominium Association would convey any interest it may have in those lands (the City Units) in favor of the City of Hart, thereby confirming that ownership of the unit lands is, and remains, in the City.

The goal of these two documents, copies of which are enclosed for your review, is to simply be certain that the City retains ownership of those lands that it purchased – and remove any cloud on title or concern that the lands may have been converted into common areas. These documents would not change, in any way, the building and use restrictions that have always been in place for The Creeks Condominiums.

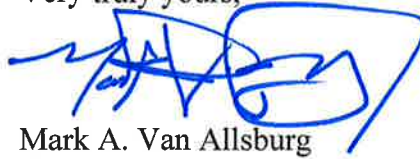
**Association Meeting.** It is my understanding that, once you have received these materials, the Association will call a meeting to discuss, consider and vote upon the City's request for this Master Deed Amendment and Quit Claim Deed. If you would like me to be available to answer questions, I am happy to attend all or a portion of the meeting, as you may desire. If the Association votes to move forward, I would ask that these documents be duly executed, and the originals

Mr. John R. Williams  
September 10, 2019  
Page 2

returned to the City for recording in the Register of Deeds Office. City Manager Lynne Ladner will be available to receive the documents and assist you.

Once again, if you have questions or wish to discuss any portion of this further, please let me know. The City and I both very much appreciate your courtesy and willingness to consider our request.

Very truly yours,



Mark A. Van Allsburg

Direct Dial/Fax: (616) 632-8039  
E-Mail: [mvanallsburg@mikameyers.com](mailto:mvanallsburg@mikameyers.com)

dlo  
Enclosures

Mr. John R. Williams  
September 10, 2019  
Page 3

bcc: Lynne Ladner  
Ron LaPorte

Clarence Huizenga, Jr.  
Trustee of the Huizenga Family Trust  
Unit 13, The Creeks Condominiums

Attorneys at Law

Richard M. Wilson, Jr.  
Douglas A. Donnell<sup>4</sup>  
Daniel R. Kubiak  
Scott E. Dwyer  
William A. Horn<sup>5</sup>  
Mark A. Van Allsburg  
Neil L. Kimball  
George V. Saylor, III  
Elizabeth K. Bransdorfer  
John C. Arndts  
James F. Scales

Ross A. Leisman  
Neil P. Jansen  
Andrea D. Crumback  
Daniel J. Parmeter, Jr.  
Mark E. Nettleton<sup>2</sup>  
Nathaniel R. Wolf  
Jennifer A. Puplava  
Benjamin A. Zainea  
Christopher D. Matthyse  
Ronald M. Redick  
David S. Lefere

Kimberly M. Large<sup>1</sup>  
Nikole L. Canute<sup>3</sup>  
Daniel J. Broxup  
Joshua D. Beard  
Bradley A. Fowler  
Michael J. Huff  
Benjamin C. Dilley  
Regina M. Gilmour  
Curtis L. Underwood

**Of Counsel**  
James R. Brown  
John M. DeVries  
Michael C. Haines  
David R. Fernstrum  
James K. White  
Fredric N. Goldberg  
John H. Gretzinger

**Also Admitted in**

<sup>1</sup>Delaware  
<sup>2</sup>Illinois  
<sup>3</sup>New York  
<sup>4</sup>Ohio  
<sup>5</sup>Wisconsin

September 10, 2019

Mr. Clarence Huizenga, Jr.  
Trustee of the Huizenga Family Trust  
149 Creek Drive  
Hart, Michigan 49420

Re: Unit 13, The Creeks Condominiums

Dear Mr. Huizenga:

I very much appreciated the good attendance and thoughtful participation at our meeting on August 27, 2019. As discussed at that meeting, the City of Hart is concerned that some of the units that it acquired could be subject to an argument that those units were converted into condominium common areas.

I have prepared an Amendment to the Master Deed for The Creeks Condominium Association. The Amendment would confirm that those units acquired by the City are still going to be individual units for development and are not common areas.

I have also prepared a proposed Quit Claim Deed whereby the Condominium Association would convey any interest it may have in those lands (the City Units) in favor of the City of Hart, thereby confirming that ownership of the unit lands is, and remains, in the City.

The goal of these two documents, copies of which are enclosed for your review, is to simply be certain that the City retains ownership of those lands that it purchased – and remove any cloud on title or concern that the lands may have been converted into common areas. These documents would not change, in any way, the building and use restrictions that have always been in place for The Creeks Condominiums.

**Association Meeting.** It is my understanding that, once you have received these materials, the Association will call a meeting to discuss, consider and vote upon the City's request for this Master Deed Amendment and Quit Claim Deed. If you would like me to be available to answer questions, I am happy to attend all or a portion of the meeting, as you may desire. If the Association

Mr. Clarence Huizenga, Jr.  
September 10, 2019  
Page 2

votes to move forward, I would ask that these documents be duly executed, and the originals returned to the City for recording in the Register of Deeds Office. City Manager Lynne Ladner will be available to receive the documents and assist you.

Once again, if you have questions or wish to discuss any portion of this further, please let me know. The City and I both very much appreciate your courtesy and willingness to consider our request.

Very truly yours,



Mark A. Van Allsburg

Direct Dial/Fax: (616) 632-8039  
E-Mail: [mvanallsburg@mikameyers.com](mailto:mvanallsburg@mikameyers.com)

dlo  
Enclosures

Mr. Clarence Huizenga, Jr.  
September 10, 2019  
Page 3

bcc: Lynne Ladner  
Ron LaPorte

Thomas D. Kronlein or Judith L. Kronlein  
Trustees of the Tom Kronlein Family Trust  
Unit 14, The Creeks Condominiums



## Attorneys at Law

Richard M. Wilson, Jr.  
Douglas A. Donnell<sup>4</sup>  
Daniel R. Kubiak  
Scott E. Dwyer  
William A. Horn<sup>5</sup>  
Mark A. Van Allsburg  
Neil L. Kimball  
George V. Saylor, III  
Elizabeth K. Bransdorfer  
John C. Arndts  
James F. Scales

Ross A. Leisman  
Neil P. Jansen  
Andrea D. Crumback  
Daniel J. Parmeter, Jr.  
Mark E. Nettleton<sup>2</sup>  
Nathaniel R. Wolf  
Jennifer A. Pupilava  
Benjamin A. Zainea  
Christopher D. Matthyse  
Ronald M. Redick  
David S. Lefere

Kimberly M. Large<sup>1</sup>  
Nikole L. Canute<sup>3</sup>  
Daniel J. Broxup  
Joshua D. Beard  
Bradley A. Fowler  
Michael J. Huff  
Benjamin C. Dilley  
Regina M. Gilmour  
Curtis L. Underwood

**Of Counsel**  
James R. Brown  
John M. DeVries  
Michael C. Haines  
David R. Fernstrum  
James K. White  
Fredric N. Goldberg  
John H. Gretzinger

## Also Admitted in

<sup>1</sup>Delaware  
<sup>2</sup>Illinois  
<sup>3</sup>New York  
<sup>4</sup>Ohio  
<sup>5</sup>Wisconsin

September 10, 2019

Thomas D. Kronlein  
Judith L. Kronlein  
Trustees of the Tom Kronlein Family Trust  
151 Creek Drive  
Hart, Michigan 49420

Re: Unit 14, The Creeks Condominiums

Dear Mr. and Mrs. Kronlein:

I very much appreciated the good attendance and thoughtful participation at our meeting on August 27, 2019. As discussed at that meeting, the City of Hart is concerned that some of the units that it acquired could be subject to an argument that those units were converted into condominium common areas.

I have prepared an Amendment to the Master Deed for The Creeks Condominium Association. The Amendment would confirm that those units acquired by the City are still going to be individual units for development and are not common areas.

I have also prepared a proposed Quit Claim Deed whereby the Condominium Association would convey any interest it may have in those lands (the City Units) in favor of the City of Hart, thereby confirming that ownership of the unit lands is, and remains, in the City.

The goal of these two documents, copies of which are enclosed for your review, is to simply be certain that the City retains ownership of those lands that it purchased – and remove any cloud on title or concern that the lands may have been converted into common areas. These documents would not change, in any way, the building and use restrictions that have always been in place for The Creeks Condominiums.

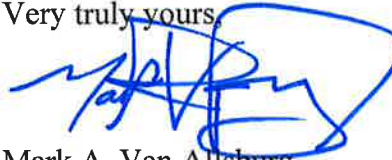
**Association Meeting.** It is my understanding that, once you have received these materials, the Association will call a meeting to discuss, consider and vote upon the City's request for this Master Deed Amendment and Quit Claim Deed. If you would like me to be available to answer

Tom Kronlein Family Trust  
September 10, 2019  
Page 2

questions, I am happy to attend all or a portion of the meeting, as you may desire. If the Association votes to move forward, I would ask that these documents be duly executed, and the originals returned to the City for recording in the Register of Deeds Office. City Manager Lynne Ladner will be available to receive the documents and assist you.

Once again, if you have questions or wish to discuss any portion of this further, please let me know. The City and I both very much appreciate your courtesy and willingness to consider our request.

Very truly yours,



Mark A. Van Allsburg

Direct Dial/Fax: (616) 632-8039  
E-Mail: [mvanallsburg@mikameyers.com](mailto:mvanallsburg@mikameyers.com)

dlo  
Enclosures

Tom Kronlein Family Trust  
September 10, 2019  
Page 3

bcc: Lynne Ladner  
Ron LaPorte

Wayne A. Tanner  
Andree K. Tanner  
Unit 57, The Creeks Condominiums

Attorneys at Law

Richard M. Wilson, Jr.  
Douglas A. Donnell<sup>4</sup>  
Daniel R. Kubiak  
Scott E. Dwyer  
William A. Horn<sup>5</sup>  
Mark A. Van Allsburg  
Neil L. Kimball  
George V. Saylor, III  
Elizabeth K. Bransdorfer  
John C. Arndts  
James F. Scales

Ross A. Leisman  
Neil P. Jansen  
Andrea D. Crumback  
Daniel J. Parmeter, Jr.  
Mark E. Nettleton<sup>2</sup>  
Nathaniel R. Wolf  
Jennifer A. Puplava  
Benjamin A. Zainea  
Christopher D. Matthyse  
Ronald M. Redick  
David S. Lefere

Kimberly M. Large<sup>1</sup>  
Nikole L. Canute<sup>3</sup>  
Daniel J. Broxup  
Joshua D. Beard  
Bradley A. Fowler  
Michael J. Huff  
Benjamin C. Dilley  
Regina M. Gilmour  
Curtis L. Underwood

**Of Counsel**  
James R. Brown  
John M. DeVries  
Michael C. Haines  
David R. Fernstrum  
James K. White  
Fredric N. Goldberg  
John H. Gretzinger

**Also Admitted in**  
<sup>1</sup>Delaware  
<sup>2</sup>Illinois  
<sup>3</sup>New York  
<sup>4</sup>Ohio  
<sup>5</sup>Wisconsin

September 10, 2019

Wayne A. Tanner  
Andree K. Tanner  
225 N. Sunset Terrace  
Shelby, Michigan 49455

Re: Unit 57, The Creeks Condominiums

Dear Mr. and Mrs. Tanner:

I very much appreciated the good attendance and thoughtful participation at our meeting on August 27, 2019. As discussed at that meeting, the City of Hart is concerned that some of the units that it acquired could be subject to an argument that those units were converted into condominium common areas.

I have prepared an Amendment to the Master Deed for The Creeks Condominium Association. The Amendment would confirm that those units acquired by the City are still going to be individual units for development and are not common areas.

I have also prepared a proposed Quit Claim Deed whereby the Condominium Association would convey any interest it may have in those lands (the City Units) in favor of the City of Hart, thereby confirming that ownership of the unit lands is, and remains, in the City.

The goal of these two documents, copies of which are enclosed for your review, is to simply be certain that the City retains ownership of those lands that it purchased – and remove any cloud on title or concern that the lands may have been converted into common areas. These documents would not change, in any way, the building and use restrictions that have always been in place for The Creeks Condominiums.

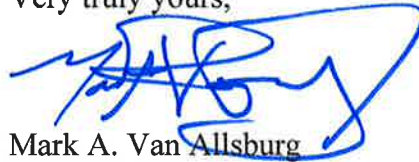
**Association Meeting.** It is my understanding that, once you have received these materials, the Association will call a meeting to discuss, consider and vote upon the City's request for this Master Deed Amendment and Quit Claim Deed. If you would like me to be available to answer questions, I am happy to attend all or a portion of the meeting, as you may desire. If the Association

Wayne A. and Andree K. Tanner  
September 10, 2019  
Page 2

votes to move forward, I would ask that these documents be duly executed, and the originals returned to the City for recording in the Register of Deeds Office. City Manager Lynne Ladner will be available to receive the documents and assist you.

Once again, if you have questions or wish to discuss any portion of this further, please let me know. The City and I both very much appreciate your courtesy and willingness to consider our request.

Very truly yours,



Mark A. Van Allsburg

Direct Dial/Fax: (616) 632-8039  
E-Mail: [mvanallsburg@mikameyers.com](mailto:mvanallsburg@mikameyers.com)

dlo  
Enclosures

Wayne A. and Andree K. Tanner  
September 10, 2019  
Page 3

bcc: Lynne Ladner  
Ron LaPorte

David J. Cozart  
Marjorie L. Cozart  
Unit 58, The Creeks Condominiums



Attorneys at Law

Richard M. Wilson, Jr.  
Douglas A. Donnell<sup>4</sup>  
Daniel R. Kubiak  
Scott E. Dwyer  
William A. Horn<sup>5</sup>  
Mark A. Van Allsburg  
Neil L. Kimball  
George V. Saylor, III  
Elizabeth K. Bransdorfer  
John C. Arndts  
James F. Scales

Ross A. Leisman  
Neil P. Jansen  
Andrea D. Crumback  
Daniel J. Parmeter, Jr.  
Mark E. Nettleton<sup>2</sup>  
Nathaniel R. Wolf  
Jennifer A. Puplava  
Benjamin A. Zainea  
Christopher D. Matthyse  
Ronald M. Redick  
David S. Lefere

Kimberly M. Large<sup>1</sup>  
Nikole L. Canute<sup>3</sup>  
Daniel J. Broxup  
Joshua D. Beard  
Bradley A. Fowler  
Michael J. Huff  
Benjamin C. Dilley  
Regina M. Gilmour  
Curtis L. Underwood

**Of Counsel**  
James R. Brown  
John M. DeVries  
Michael C. Haines  
David R. Fernstrum  
James K. White  
Fredric N. Goldberg  
John H. Gretzinger

**Also Admitted in**  
<sup>1</sup>Delaware  
<sup>2</sup>Illinois  
<sup>3</sup>New York  
<sup>4</sup>Ohio  
<sup>5</sup>Wisconsin

September 10, 2019

David J. Cozart  
Marjorie L. Cozart  
2873 W. Jefferson Road  
Pentwater, Michigan 49449

Re: Unit 58, The Creeks Condominiums

Dear Mr. and Mrs. Cozart:

I very much appreciated the good attendance and thoughtful participation at our meeting on August 27, 2019. As discussed at that meeting, the City of Hart is concerned that some of the units that it acquired could be subject to an argument that those units were converted into condominium common areas.

I have prepared an Amendment to the Master Deed for The Creeks Condominium Association. The Amendment would confirm that those units acquired by the City are still going to be individual units for development and are not common areas.

I have also prepared a proposed Quit Claim Deed whereby the Condominium Association would convey any interest it may have in those lands (the City Units) in favor of the City of Hart, thereby confirming that ownership of the unit lands is, and remains, in the City.

The goal of these two documents, copies of which are enclosed for your review, is to simply be certain that the City retains ownership of those lands that it purchased – and remove any cloud on title or concern that the lands may have been converted into common areas. These documents would not change, in any way, the building and use restrictions that have always been in place for The Creeks Condominiums.

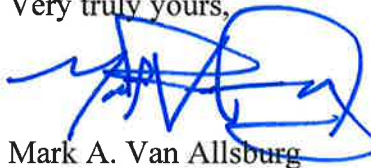
**Association Meeting.** It is my understanding that, once you have received these materials, the Association will call a meeting to discuss, consider and vote upon the City's request for this Master Deed Amendment and Quit Claim Deed. If you would like me to be available to answer questions, I am happy to attend all or a portion of the meeting, as you may desire. If the Association

David J. and Marjorie L. Cozart  
September 10, 2019  
Page 2

votes to move forward, I would ask that these documents be duly executed, and the originals returned to the City for recording in the Register of Deeds Office. City Manager Lynne Ladner will be available to receive the documents and assist you.

Once again, if you have questions or wish to discuss any portion of this further, please let me know. The City and I both very much appreciate your courtesy and willingness to consider our request.

Very truly yours,



Mark A. Van Allsburg

Direct Dial/Fax: (616) 632-8039  
E-Mail: [mvanallsburg@mikameyers.com](mailto:mvanallsburg@mikameyers.com)

dlo  
Enclosures

David J. and Marjorie L. Cozart  
September 10, 2019  
Page 3

bcc: Lynne Ladner  
Ron LaPorte