

ENFORCEMENT OF RESTRICTIONS

17. If any person shall violate or attempt to violate any of the covenants or restrictions herein contained, it shall be lawful for any other person or persons either to prevent them from doing so or to recover damage or other dues for such violation.

Signed and acknowledged by
Lester Taubman, Treasurer
And
Leslie R. Schmier, Secretary

Executed by authority of its Board of Directors.

FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS

Dated June 21, 1954, Acknowledged June 21, 1954,
Recorded June 25, 1954, Liber 3159, page 523
as executed by the Franklin Construction Co., Inc.
A Michigan Corporation, as to
FRANKLIN KNOLLS SUBDIVISION NO. 3

WHEREAS, the undersigned, FRANKLIN CONSTRUCTION CO., INC., a Michigan Corporation, was the owner of property situated in the Township of West Bloomfield, Oakland County, Michigan, described as follows:

Lots 162 through 354, inclusive, of FRANKLIN KNOLLS SUBDIVISION NO. 3, part of Southeast one-quarter of Section 35, Town 2 North, Range 9 East, West Bloomfield Township, Oakland County, Michigan.

WHEREAS, the undersigned owner placed certain building and use conditions, restrictions, covenants, agreements and easements upon the above described property so as to preserve the value thereof.

WHEREAS, the undersigned owner is desirous of imposing certain additional conditions upon the following described property in FRANKLIN KNOLLS SUDIVISION NO. 3, which it still holds title to:

Out-Lot "A" of "Franklin Knolls No. 3" part of the southeast one-quarter of Section 35, Town 2 North, Range 9 East, as recorded in Liber 74, pages 18 and 19 of Plats, Oakland County Records.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the undersigned, its successors and assigns, it does hereby make the following amendments in the Declaration of Restrictions aforementioned:

Item 2 of the original Declaration of Restrictions shall be amended to read as follows:

USE OF PROPERTY

2.A. Outlot "A" of the abovementioned Subdivision may be used for the construction, operation, and maintenance of a water system thereon which may supply water to all of the lots in said Subdivision and to property neighboring, adjoining, adjacent and/or contiguous thereto. Said Outlot "A" may also be used as a private part, subject to easement of Panhandle Eastern Pipeline Company.

In addition to the use of Outlot "A" as above described, the undersigned do hereby grant to the residents of Franklin Knolls Subdivision No 3 the right to use said outlot "A" for recreational purposes, but under the direction and control of the undersigned or the Briarcliff Knolls Homeowners Association, a Michigan non-profit corporation, its successors and assigns.

In order to assure adequate funds and support for the control and maintenance of Outlot "A" as aforesaid, each and every owner of lots in Franklin Knolls Subdivision No. 3 shall maintain an active membership within the Briarcliff Knolls Homeowners Association, a Michigan non-profit corporation, and shall fully enjoy the privileges and fulfill the obligations of such membership as may from time to time be defined by the By-Laws of said Association.

Each member shall pay an annual membership fee to the Association as set by the Association. Without in any manner limiting the foregoing each such lot owner shall pay such additional dues and assessments as may from time to time be fixed by the Association.

All such payments shall be made within the time allotted therefore by the Association. All sums remaining due and owing after the fixed date for payment thereof shall be deemed to constitute a lien in favor of the Association against the lot or lots with respect to which such sums are owing.

B. Lots 162 through 354, inclusive, shall be used for residence purposes only.

IN WITNESS WHEREOF, the undersigned has set its name this 1st day of December, 1981.

FRANKLIN CONSTRUCTION CO., INC.
By:/s/ Leslie R. Schmier, President

STATE OF MICHIGAN)
)
COUNTY OF OAKLAND) SS.

On this 1st day of December, 1982, before me, a Notary Public in and for said County, personally appeared LESLIE R. SCHMIER, to me known to be the person described in

and who executed the foregoing instrument and acknowledged the execution thereof to be his free act and deed.

/s/ Judy A. Bialk
Macomb, Acting in Oakland
Notary Public, Oakland County, Mich.

My Commission Expires: 5/13/84

Drafted by and when recorded return to:
Fred A. Foley, Esq.
Raymond, Rupp & Weinberg, P.C.
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