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Date: Sun, 5 Jun 2005 15:15:52 -0400

From: "Staran, John" <JStaran@beierhowlett.com> [Add To Address Book](#) | [This is Spam](#)

Subject: RE: Falcon Estates No. 4

To: "Deborah Millhouse" <millhoud@rochesterhills.org>

Deb: I don't recall whether you and I reached "closure" on this or not. In any event, I confirm that the original Declaration allows the Developer to annex additional lands and to bring them within the Declaration. This would apply to phase 4, as well.

-----Original Message-----

From: Deborah Millhouse [mailto:millhoud@rochesterhills.org]

Sent: Thursday, May 19, 2005 1:26 PM

To: Staran, John

Subject: Falcon Estates No. 4

To summarize my previous e-mail, the reason we requested the Declaration of Restrictions and Easements for Falcon Estates Subdivision No. 1, No. 2, and No. 3 was to confirm that the Amendment to Declaration Providing for the Inclusion of Falcon Estates No. 4 (as transmitted to you on January 7, 2005) was permitted. Attached is the original Declaration.

According to the fourth "Whereas," it seems to me that this Declaration can be amended to include Falcon Estates No. 4. Do you agree or disagree? (Easy one this time ... I think.)

Deborah Millhouse

City of Rochester Hills Michigan

millhoud@rochesterhills.org

www.rochesterhills.org

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173690341

\$ 11.00 MISCELLANEOUS RECORDING
\$ 2.00 RECOMMENDATION
9 JUL 97 11:58 A.M. RECEIPT# 248
PAID RECORDED - OAKLAND COUNTY
LYNN D. ALLEN, CLERK/REGISTER OF DEEDS

AMENDMENT TO DECLARATION OF RESTRICTIONS AND EASEMENTS FOR
FALCON ESTATES SUBDIVISION NO. 1 & NO. 2
PROVIDING FOR THE INCLUSION OF
FALCON ESTATES SUBDIVISION NO. 3

WHEREAS, the undersigned, L & R Homes, Inc., a Michigan corporation, of 2490
Walton, Suite 203, Rochester Hills, Michigan 48309, hereinafter referred to as "The Declarant",
did on the 7th day of July, 1993, execute a certain DECLARATION OF RESTRICTIONS AND
EASEMENTS, (the "DECLARATION") covering certain property more particularly described
as:

227
Lots 1 through 30 inclusive, FALCON ESTATES SUBDIVISION NO. 1, according to
the plat thereof as recorded in Liber 227, pages 30 THROUGH 36, of Plats, Oakland
County Records. Lots 31 through 46 inclusive, FALCON ESTATES SUBDIVISION
NO. 2, according to the plat thereof as recorded in Liber 228, pages 5,6, and 7, of Plats,
Oakland County Records. *(15-07-100-000) #1 15-07-127-000 entire*

WHEREAS, Article X, Section 4 of said DECLARATION provides for the Amendment
of the DECLARATION OF RESTRICTIONS AND EASEMENTS, by Declarant for the purpose
of adding additional residential lots and Common Area to the Falcon Estates Homeowners
Association without requiring the vote, signature or consent of any owners or members or, in the
alternative, by an instrument signed by not less than seventy-five percent (75%) of the lot Owners;
and *Falcon Estates #2 15-07-101-000 entire*

WHEREAS, the said Declarant has developed said FALCON ESTATES SUBDIVISION
NO. 3, and is the owner of all of the lots therein, being described as:

GRECO
Lots 47 through 84 inclusive, of FALCON ESTATES SUBDIVISION NO. 3 according
to the plat thereof as Liber 253, pages 001 and 004, of Plats,
Oakland County Records; and *(15-07-100-022) 15-07-103-000 entire*

WHEREAS, the Declarant wishes to subject all of the lots in FALCON ESTATES
SUBDIVISION NO. 3 to the restrictions imposed by the said DECLARATION, as well as to
grant membership in the Association to all Owners of lots in FALCON ESTATES
SUBDIVISION NO. 3.

WHEREAS, the Declarant hereby declares that all of the properties described above shall
be held, sold and conveyed subject to the aforementioned DECLARATION OF RESTRICTIONS
AND EASEMENTS, as hereinafter amended as follows:

1. The properties described in the said DECLARATION as being subject thereto and the
definition of "The Subdivision" is hereby amended to include "Lots 47 through 84 inclusive of
FALCON ESTATES NO. 3".

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O.K. - MJ (121096)

