



AMENDMENT TO DECLARATION OF RESTRICTIONS AND EASEMENTS FOR
FALCON ESTATES SUBDIVISION NO.1 , NO.2 , & NO.3
PROVIDING FOR THE INCLUSION OF FALCON ESTATES SUBDIVISION NO.4

WHEREAS, the undersigned, L & R Homes, Inc., a Michigan corporation, of 2490 Walton Blvd, Suite 203, Rochester Hills, Michigan 48309, hereinafter referred to as "Declarant" , did on the Third (3rd) day of September 1993, execute a certain DECLARATION OF RESTRICTIONS AND EASEMENTS, (the "DECLARATION") covering certain property more particularly described as:

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. Lots 47 through 84 inclusive, of FALCON ESTATES SUBDIVISION NO.3 according to the plat thereof as recorded in Liber 253, pages 1, 2, 3, and ,4 of Plats, Oakland County Records.

WHEREAS, Article X, Section 4 of said DECLARATION provides for the Amendment of DECLARATION OF RESTRICTIONS AND EASEMENTS, by Declarant for the purpose of adding additional residential lots and Common Area to the Falcon Estates Subdivision Association.

WHEREAS, the said Declarant has developed said FALCON ESTATES SUBDIVISION NO.4, and is the owner of all the lots therein, being described as:

Lots 85 through 91 inclusive, of FALCON ESTATES SUBDIVISION NO.4 according to the plat thereof as Liber _____, pages _____ and _____ of Plats, Oakland County Records; and

WHEREAS, the Declarant wishes to subject all of the lots in FALCON ESTATES SUBDIVISION NO. 4 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.4;

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 85 through 91 inclusive, of FALCON ESTATES SUBDIVISION NO.4".

2. The Falcon Estates Subdivision Association, a Michigan Nonprofit Corporation, is hereby amended to include all of the owners of Lots 85 through 91 inclusive, of FALCON ESTATES SUBDIVISION NO.4, as members and membership in the said Association shall be mandatory for each such owner. The Association shall exercise authority and assume the obligations set forth in a certain Open Space Agreement between Declarant and the City of Rochester Hills, recorded in Liber 14384, page 815 through 821, inclusive as amended to include Lots 85 through 91 inclusive, of FALCON ESTATES SUBDIVISION NO.4

3. All other terms and conditions of the said DECLARATION shall remain in full force and effect as to all the lots of FALCON ESTATES SUBDIVISION NO.1, 2, 3, and 4 without any changes or modifications whatsoever, except only as to those changes set forth in this Amendment.

IN WITNESS WHEREOF, the undersigned, with an ownership interest in the lots hereinabove described, have caused these presents to be executed on this _____ day of _____, 2005

IN THE PRESENCE OF:

L & R HOMES, INC.
a Michigan Corporation

Name:

By: _____
Lorenzo Randazzo
Its: President

Name:

STATE OF MICHIGAN)
)§
COUNTY OF OAKLAND)

The foregoing instrument was acknowledge before me this _____ day of _____, 2005, by Lorenzo Randazzo, President of L&R Homes Inc., a Michigan corporation, on behalf of the corporation.

_____, Notary Public
_____, County, Michigan
My commission expires: _____

Drafted by:
Vito L. Randazzo
L&R Homes, Inc.
2490 Walton Blvd, Ste 203
Rochester Hills, MI 48309

When Recorded, Return to:
City of Rochester Hills Clerk
1000 Rochester Hills Drive
Rochester Hills, MI 48309