



MEMORANDUM
REGULAR CITY COUNCIL MEETING
July 17, 2023 at 7:00 PM

TO: City Council

FROM: Joe Blair, Planning and Zoning Administrator

DATE: July 17, 2023

SUBJECT: Res. 25-2023; Center Park Place Condo Master Deed Amendment III

The co-owners of Center Park Place Condominiums, located on W. Center Street just east of Ferry Street, have selected to amend their Master Deed for a third time. This amendment consists of two parts:

- Amending Article III "Definitions" under Paragraph I
- Amending Article V Unit Descriptions and Percentage of Value

These two amendments have been reviewed by the City Attorney, David Keast, and he has referred the amendments to City Council for review as they read in your packets.

I recommend that City Council approve the Third Amendment to the Master Deed for Center Park Place Condominium as reviewed by the City Attorney.

**CITY OF THE VILLAGE OF DOUGLAS
COUNTY OF ALLEGAN
STATE OF MICHIGAN**

RESOLUTION NO. 25-2023

**RESOLUTION APPROVING THE THIRD AMENDMENT TO THE MASTER
DEED OF CENTER PARK PLACE, A MICHIGAN CONDOMINIUM,
CITY OF THE VILLAGE OF DOUGLAS,
ALLEGAN COUNTY, MICHIGAN**

At a regular meeting of the City Council for the City of the Village of Douglas, Michigan, held at the City of the Village of Douglas City Hall, Douglas, Michigan, on the 17th day of July, 2023, at 7:00 p.m.

PRESENT:

ABSENT:

The following Resolution was offered by Councilperson _____ and supported by Councilperson _____.

RESOLUTION

WHEREAS, this is the third amendment to the master deed to Center Park Place, a Michigan Condominium and the co-owners of Center Park Place Association, Inc desire to amend said Condominium Master Deed; and

WHEREAS, Article III "Definitions" is hereby amended under Paragraph I as follows:

I. "Condominium Subdivision Plan" is defined at Replat No I of the Allegan County Condominium Subdivision Plan No. 136 Exhibit B to the Master Deed of the Center Park Place Association; and

WHEREAS, Article V Unit Descriptions and Percentage of Value is hereby amended to read as follows;

Sections A & B are hereby amended to read as follows;

*A. **Unit Descriptions.** Each unit in the Condominium Project is described in this Paragraph with reference to the Condominium Subdivision Plan of Central Park Place Condominium as surveyed by Mitchell & Morse Land Surveying of 234 Veterans Blvd., South Haven, MI 49090, attached as Exhibit B, consisting of Sheets I, 3, 4 and 5. Each Unit shall consist of the area located within Unit boundaries as shown on Exhibit B and delineated with heavy outlines together with appurtenances.*

*B. **Percentage of Value.** The percentage of value assigned to each Unit is equal. The percentages of value were computed on the basis that the comparative characteristics of the Units are such that it is fair and appropriate that each Unit owner vote equally and pay an equal share of the expenses of maintaining the General Common Elements. The percentage of value assigned to each Unit shall be determinative of each Co-Owner's respective share of General Common Elements of the Condominium Project, the proportionate share of each respective Co-Owner in the proceeds and expenses of administration and the value of such Co-Owner's vote at meetings of the Association of Co-Owners;*

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Council of the City of Douglas approves the Third Master Deed amendment for the Center Park Place Condominium development, located near the corner W Center Street and Ferry Street of (PPN: 03-59-075-005-00) in the City of Douglas, Michigan.
2. That any resolutions in conflict with this Resolution are deemed rescinded and revoked by the adoption of this Resolution.
3. This Resolution shall take effect immediately upon City Council approval.

YEAS: Council Members:

NAYS: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

ADOPTED this 17th day of July 2023.

CITY OF THE VILLAGE OF DOUGLAS

BY: _____
Jerome Donovan, Mayor

BY: _____
Pamela Aalderink, CMC, City Clerk

CERTIFICATION

I, Pamela Aalderink, the duly appointed Clerk of the City of the Village of Douglas, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Douglas City Council at a regular meeting held July 17th 2023 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

CITY OF THE VILLAGE OF DOUGLAS

BY: _____
Pamela Aalderink, CMC, City Clerk

**THIRD AMENDMENT TO THE MASTER DEED
OF
CENTER PARK PLACE, A MICHIGAN CONDOMINIUM**

This Form is exempt from Transfer Tax under MCL 207.505(a) & 207.526(a).

THIS THIRD AMENDMENT to the Master Deed is executed on the date indicated below, by CENTER PARK PLACE ASSOCIATION, INC. (Successor-in-interest to Center Place Development LLC as the Developer), a State of Michigan Corporation and Condominium, by a unanimous vote of its co-owners, at its annual meeting held on March 11, 2023.

The co-owners of CENTER PARK PLACE ASSOCIATION, INC., a Michigan Corporation, pursuant to the recorded Master Deed thereof dated December 13, 2000 and recorded in Liber 2007 of Deeds, Pages 617-657, inclusive, Allegan County Register of Deeds and known as Allegan County Condominium Subdivision Plan Number 136, desire to amend said Condominium Master Deed for the Third time.

NOW, THEREFORE, the Co-Owners, upon recording hereof, do hereby amend the Master Deed follows :

ARTICLE I.

Article III "Definitions" is hereby amended under Paragraph I as follows:

- I. "Condominium Subdivision Plan" is defined at Replat No 1 of the Allegan County Condominium Subdivision Plan No. 136 Exhibit B to the Master Deed of the Center Park Place Association.

ARTICLE II.

Article V Unit Descriptions and Percentage of Value is hereby amended to read as follows;

Sections A & B are hereby amended to read as follows;

- A. **Unit Descriptions.** Each unit in the Condominium Project is described in this Paragraph with reference to the Condominium Subdivision Plan of Center Park Place Condominium as surveyed by Mitchell & Morse Land Surveying of 234 Veterans Blvd., South Haven, MI 49090, attached as Exhibit B, consisting of Sheets 1, 3, 4 and 5. Each Unit shall consist of the area located within Unit boundaries as shown on Exhibit B and delineated with heavy outlines together with appurtenances.

B. **Percentage of Value.** The percentage of value assigned to each Unit is equal. The percentages of value were computed on the basis that the comparative characteristics of the Units are such that it is fair and appropriate that each Unit owner vote equally and pay an equal share of the expenses of maintaining the General Common Elements. The percentage of value assigned to each Unit shall be determinative of each Co-Owner's respective share of General Common Elements of the Condominium Project, the proportionate share of each respective Co-Owner in the proceeds and expenses of administration and the value of such Co-Owner's vote at meetings of the Association of Co-Owners.

UNIT PERCENTAGES

UNIT NUMBER	SQUARE FOOTAGE	PERCENTAGE
1	726 SQ. FT.	11.11
2	722 SQ. FT.	11.11
3	1048 SQ. FT.	11.11
4	737 SQ. FT.	11.11
5	742 SQ. FT.	11.11
6	1330.6 SQ. FT.	11.11
7	1354.6 SQ. FT.	11.11
8	1353.5 SQ. FT.	11.11
9	1331.7 SQ. FT.	11.11
	6,487 SQ. FT.	100%

The tax parcel numbers for Buildings A Units and Building B Units are:

Building A	Parcel Numbers
423 W CENTER ST UNIT NUMBER 1	59-075-001-00 (Parcel Number)
423 W CENTER ST UNIT NUMBER 2	59-075-002-00 (Parcel Number)
423 W CENTER ST UNIT NUMBER 3	59-075-003-00 (Parcel Number)
423 W CENTER ST UNIT NUMBER 4	59-075-004-00 (Parcel Number)
423 W CENTER ST UNIT NUMBER 5	59-075-005-00 (Parcel Number)
Building B	Parcel Numbers
424 W FREMONT ST UNIT NUMBER 6	59-075-006-00 (Parcel Number)
424 W FREMONT ST UNIT NUMBER 7	59-075-007-00 (Parcel Number)
424 W FREMONT ST UNIT NUMBER 8	59-075-008-00 (Parcel Number)
424 W FREMONT ST UNIT NUMBER 9	59-075-009-00 (Parcel Number)

IN WITNESS WHEREOF, the undersigned has executed this Third Amendment to recorded Condominium documents as referenced above.

Dated: 6-29-2023

CENTER PARK PLACE ASSOCIATION, INC.

By: Michael J. Pezok
Michael J. Pezok, President

STATE OF MICHIGAN)
COUNTY OF Oakland)

Before me, a Notary Public in and for said County and State, personally appeared Michael J. Pezok, as President of Center Park Place, who acknowledged the execution of the foregoing Amendment, and who, having been duly sworn, stated that the facts and matters set forth in it are true and correct.

Witness my hand and Notarial Seal this 29th day of June, 20 23.

My Commission Expires: 3/20/2029 Cynthia Switalski
Notary Public Signature

This instrument was prepared by:

Michael J. Pezok
PO Box 611
Douglas MI 49406-0611

When Recorded, return to:

Michael J. Pezok
PO Box 611
Douglas MI 49406-0611

CYNTHIA SWITALSKI
Notary public, State of Michigan
County of Oakland
My commission expires 20-Mar-2029
Acting in the County of Oakland

ATTENTION COUNTY
REGISTRAR OF DEEDS

THE CONDOMINIUM SUBDIVISION PLAN NUMBER
MUST BE ASSIGNED IN CONSECUTIVE SEQUENCE
IF A NUMBER HAS BEEN ASSIGNED TO THIS
PROJECT, ITS NUMBER MUST BE PROPERLY
SHOWN IN THE TITLE ON THIS SHEET AND IN
THE SURVEYOR'S CERTIFICATION ON SHEET 2.

REPLAT NO. 1 OF
ALLEGAN COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 136
EXHIBIT B TO THE MASTER DEED OF

CENTER PARK PLACE

VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN

DEVELOPER

CENTER PARK PLACE ASSOCIATION
251 NORTH STREET
SAUGATUCK, MICHIGAN, 49453

SURVEYOR

MITCHELL & MORSE LAND SURVEYING
234 VETERANS BLVD.
SOUTH HAVEN, MI 49090

SHEET INDEX

- * 1.) TITLE & DESCRIPTION SHEET
- 2.) SURVEY PLAN
- * 3.) SITE & UTILITY PLAN
- * 4.) FLOOR PLANS
- * 5.) BUILDING CROSS SECTIONS

PROPERTY DESCRIPTION:

SITUATED IN THE VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN

LOTS 4, 5 & 6 AND LOTS 13, 14 & 15, BLOCK 1 OF HELMER'S ADDITION TO THE
VILLAGE OF DOUGLAS ACCORDING TO THE RECORDED PLAT THEREOF AS RECORDED
IN LIBER 44 OF PLATS ON PAGE 259, VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN.

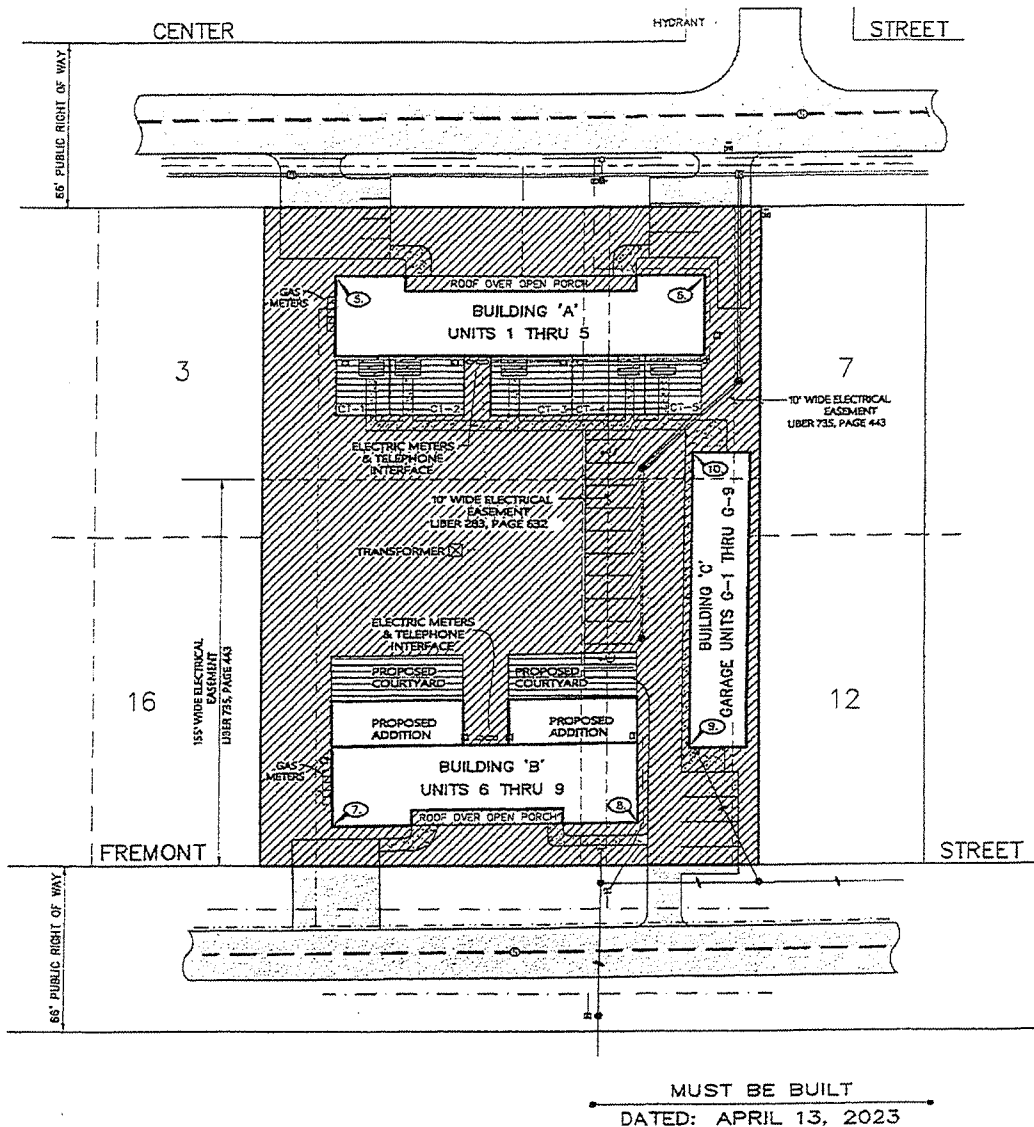
THE ASTERISK (*) AS SHOWN IN THE SHEET INDEX
INDICATES AMENDED SHEETS WHICH ARE REVISED.
DATED: APRIL 13, 2023. THESE SHEETS WITH
THIS SUBMISSION ARE TO REPLACE THOSE PREVIOUSLY
ISSUED.

MUST BE BUILT

DATED: APRIL 13, 2023

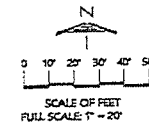
REPLAT NO. 1

SHEET 1



LEGEND

- GENERAL COMMON ELEMENT
- LIMITED COMMON ELEMENT
- ASPHALT
- CONCRETE
- WOOD DECK



UTILITY LEGEND

- | SYMBOL | UTILITY | SOURCE |
|--------|-----------------|----------------------------------|
| | ELECTRIC | CONSUMERS POWER |
| | WATER | KAL-LAKE SEWER & WATER AUTHORITY |
| | SANITARY | KAL-LAKE SEWER & WATER AUTHORITY |
| | STORM | KAL-LAKE SEWER & WATER AUTHORITY |
| | NATURAL GAS | MICHIGAN GAS UTILITIES |
| | TELEPHONE | G.T.E. |
| | CABLE TV | TCI |
| | BURIED ELECTRIC | |

SYMBOL LEGEND

- WATER VALVE BOX
- SANITARY SEWER MANHOLE
- POWER POLE
- TELEPHONE PEDESTAL
- AIR CONDITIONING UNIT
- CATCH BASIN
- HANDICAP PARKING
- COURTYARD (LIMITED COMMON ELEMENT)
- 6' HIGH WOOD FENCING
- COORDINATE POINT

NOTES:

- 1.) ALL UTILITIES ARE APPROXIMATE LOCATIONS DERIVED FROM FIELD MEASUREMENTS, OBSERVATIONS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.

**SITE AND UTILITY PLAN
CENTER PARK PLACE**

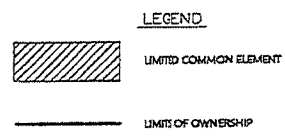
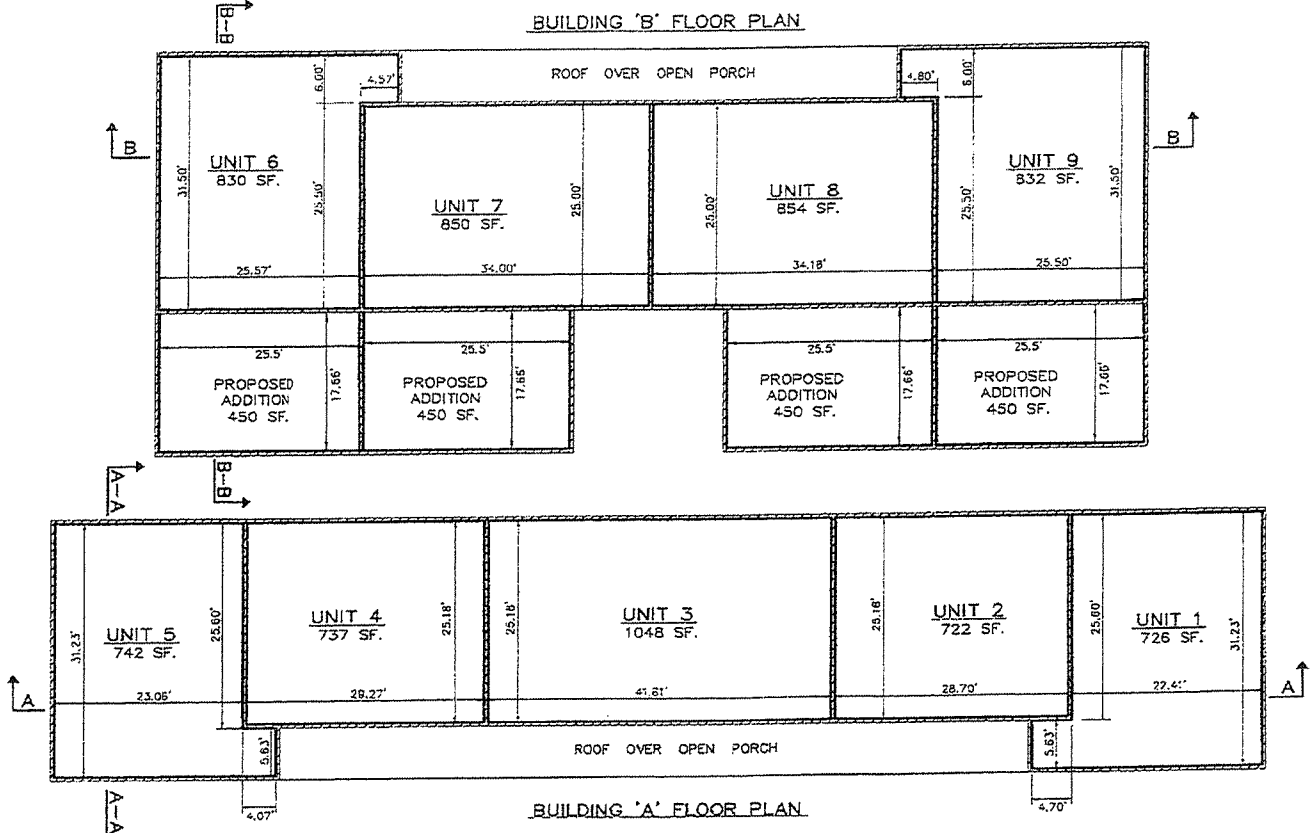
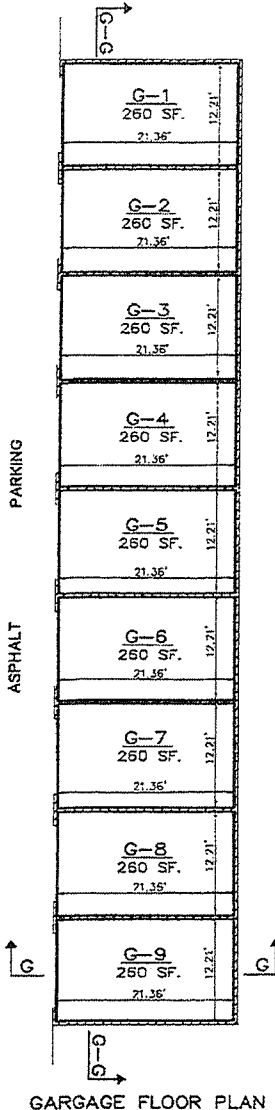
BUILDING COORDINATES

POINT	NORTHING	EASTING
5	5236.553	5028.563
6	5236.644	5176.625
7	5015.881	5028.693
8	5017.318	5150.673
9	5047.332	5171.108
10	5165.535	5172.141

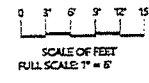
PREPARED BY
MITCHELL & MORSE LAND SURVEYING
234 VETERANS BLVD.
SOUTH HAVEN, MI 49090

SHEET 3

REPLAT NO. 1



- NOTES**
- 1) ALL OWNERSHIP LINES ARE AT 90° TO EACH OTHER UNLESS OTHERWISE SHOWN OR NOTED.
 - 2) ALL DIMENSIONS ARE IN FEET AND DECIMALS.
 - 3) OWNERSHIP AREA HEIGHTS AND WIDTHS ARE MEASURED FROM CONCRETE SLAB OR WOOD FLOOR TO FACE OF DRYWALL CEILING OR BETWEEN DRYWALL FACES.



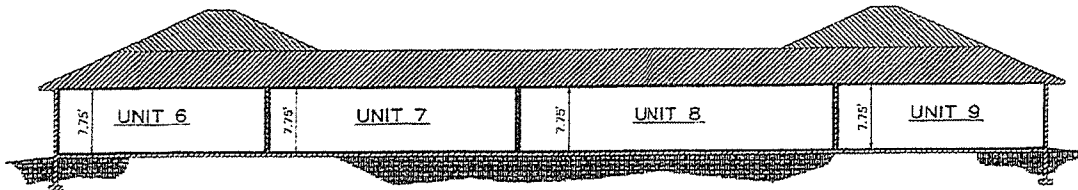
**FLOOR PLANS
CENTER PARK PLACE**

PREPARED BY
MITCHELL & MORSE LAND SURVEYING
234 VETERANS BLVD.
SOUTH HAVEN, MI 49090

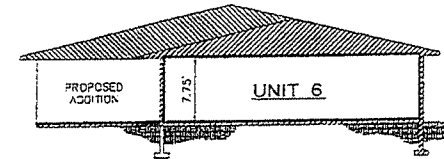
MUST BE BUILT
DATED: APRIL 13, 2023

REPLAT NO. 1

SHEET 4

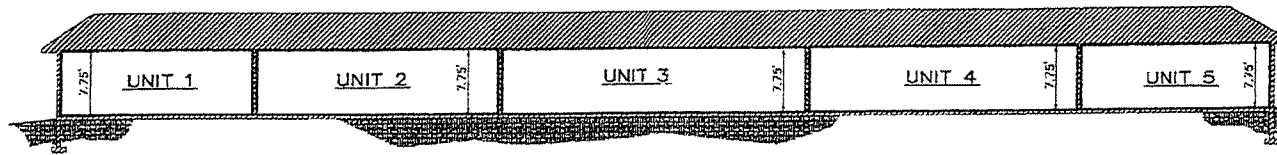


BUILDING 'B' - SECTION B
FINISH FLOOR ELEV-690.08

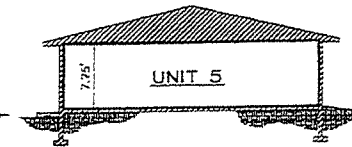


BUILDING 'B'
SECTION B-B

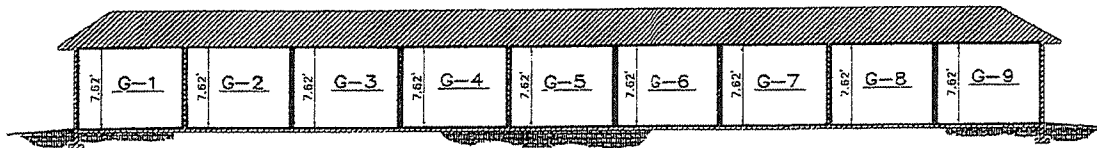
NOTE: ALL CEILINGS IN THE KITCHEN AND LIVING ROOM AREAS ARE CATHEDRAL WITH A PEAK HEIGHT OF 12 FEET.



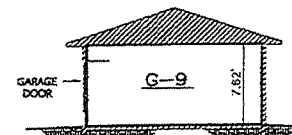
BUILDING 'A' - SECTION A
FINISH FLOOR ELEV-628.30



BUILDING 'A'
SECTION A-A



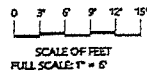
GARAGE - SECTION G-G
FINISH FLOOR ELEV-626.94

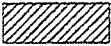



GARAGE - SECTION G

**BUILDING SECTIONS
CENTER PARK PLACE**

PREPARED BY
MITCHELL & MORSE LAND SURVEYING
234 VETERANS BLVD.
SOUTH HAVEN, MI 49090



LEGEND
 LIMITED COMMON ELEMENT
 LIMITS OF OWNERSHIP

NOTES

- 1) ALL OWNERSHIP LINES ARE AT 90° TO EACH OTHER UNLESS OTHERWISE SHOWN OR NOTED.
- 2) ALL DIMENSIONS ARE IN FEET AND DECIMALS.
- 3) OWNERSHIP AREA HEIGHTS AND WIDTHS ARE MEASURED FROM CONCRETE SLAB OR WOOD FLOOR TO FACE OF DRYWALL CEILING OR BETWEEN DRYWALL FACES.

MUST BE BUILT
DATED: APRIL 13, 2023

REPLAT NO. 1

SHEET 5