# SECOND AMENDMENT TO MASTER DEED OF ARBOR HILLS

This Second Amendment to Master Deed is made on November 14, 1995 by Guenther Building Co., a Michigan corporation, whose address is 2864 Carpenter Road, Ann Arbor, Michigan 48108 (Developer).

## RECUTALS

The Master Deed of Arbor Hills was recorded in Liber 3089, Pages 502 through 571, Washtenaw County Records, known as Washtenaw County Condominium Subdivision Plan Number 206 (Master Deed). The Master Deed was amended by First Amendment to Master Deed recorded in Liber 3101, Pages 951 through 952, Washtenaw County Records.

Developer wishes to further amend the Master Deed pursuant to Section 9.3 of the Master Deed,

# **AMENDMENT**

1. Article 2 of the Master Deed is amended by deleting the legal description of the land submitted to the Condominium Project and substituting the following:

Commencing at the south 1/4 Corner of Section 11, T2S, R6F, City of Ann Arbor, -Washtenaw County, Michigan; thence N89°28'40"W 336.35 feet along the south line of said Section 11; thence westerly along the northerly right-of-way of Green Road (100 feet wide) 99.05 feet along the arc of a 999.06 foot radius non-tangential circular curve to the left, through a central angle of 05°40'50", having a chord which bears N60°57'36"W 99.01 feet for a PLACE OF BEGINNING; thence continuing along said Green Road 901.09 feet along the arc of a 999.06 foot radius non-tangential circular curve to the left, through a central angle of 51°40'39", having a chord which bears N89°38'20°W 870.86 feet; thence continuing along the northerly right-of-way of said Green Road \$64°31'20"W 27.85 feet; thence \$100°69'45"E 746.07 feet along the west line of the east 1/2 of the southwest 1/4 of said Section 11; thence N66°07'41"E 214.80 feet; thence southerly along the easterly right-of-way of Dunwoodie Road (50 feet wide) 15.31 feet along the arc of a 475.00 foot radius nontangential circular curve to the left, through a central angle of 01°50'49", having a chord which bears \$24°47'43"E 15.31 feet; thence N64°16'52 E 115.00 feet; thence N21°53'46"W 48.00 feet; thence N14°15'03"W 48.00 feet; thence N07°10'20"W 48.04 feet; thence N00°09'45"E 157.98 feet; thence \$68°02'03"E 139.40 feet; thence N71°22'14"E 92,23 feet; thence N47°34'24"E 63.45 feet; thence N26°30'45"E 78.11 feet; thence N77°38'01"E 16.48 feet; thence S12°21'59"E 104.00 feet; thence \$10°37'56"E 99.30 fect; thence \$91°37'12"E 98.24 feet; thence N87°51'13"E 154.79 feet; thence southerly along the easterly right-of-way of Kilburn Park Circle (50 feet wide) 11.20 feet along the arc of a 1216.00 foot radius non-tangential circular curve to the right, through a central angle of 00°31'39", having a chord which bears 501°52'58" E 11.20 feet; thence southeasterly 24.74 feet along the arc of a 25.00 foot

radius non-tangential circular curve to the left, through a central angle of 56°41'45", having a chord which bears \$29°58'01"E 23.74 feet to a point on the northerly rightof-way of Bayswater Lane (35 feet wide); thence N88°49'31"E 11.30 feet along the cortherly right-of-way of Bayswater lane; thence \$01°10'29" E 35.00 feet to a point on the south right-of-way of said Bayswater Lane; thence N88°49'31"E 82.93 feet along the south right-of-way of said Bayswater Lane; thence S01°10'29" E 73.27 feet; thence \$14°06'12"E 60.39 feet; thence \$00°35'13"W 66.00 feet; thence N89°24'47"W 115,00 feet to a point on the easterly right-of-way of said Kilburn Park Circle: thence 500°35'13"W 84.00 feet along the easterly right-of-way of said Kilbum Park Circle; thence S89°24'47"E 115.00 feet; thence S00°35'13"W 75.68 feet; thence \$04°57'23"E 138.23 feet to a point on the southerly right of-way of Ashburnam Road (35 feet wide); thence westerly along the southerly right-of-way of said Ashburnam Road 8.05 feet along the arc of a 372.50 foot radius non-tangential circular curve to the right, through a central angle of 01°14'15", having a chord which bears \$85°39'44"W 8.05 feet; thence \$03°43'08"E 105.00 feet; thence S09°29'30"W 2.87 feet; thence S88°50'22"E 132.87 feet; thence N52°14'19"E 67.81 feet; thence N66°02'46"E 156.31 feet; thence N41°49'36"E 65.80 feet; thence N27°57'22"W 129.27 feet to a point on the southerly right-of-way of said Ashburnam Road; thence easterly along the southerly right-of way of said Ashbumam Road 98.99 feet along the arc of a 332,50 foot radius non-tangential circular curve to the right, through a central angle of 17°03'29", having a chord which bears N70°34'22"E 98,63 feet; thence continuing along the southerly right-of-way of said Ashburnam Road N79°06'07"E 146.46 feet; thence S02°38'35"E 107.72 feet; thence N87°21'25"E 97.61 feet; thence \$63°52'58"E 44.83 feet; thence \$48°42'22"E 42.87 feet; thence \$46°55'08"W 39.56 feet; thence \$33°59'31"W 56.19 feet; thence \$25°41'25"W 62.50 feet; thence \$13°34'39"E 97.48 feet; thence \$53°27'32"E 72.49 feet; thence \$83°04'58"W 614,99 feet; thence \$08°44'57"W 59.95 feet; thence \$60°52'28"W 136.92 feet to the Place of Beginning, being a part of the east 1/2 of the southwest 1/4 and a part of the west 1/2 of the southeast 1/4 of Section 11, T2S.R6E, City of Ann Arbor, Washtenaw County, Michigan and containing 23.41 acres of land more or less, and also being subject to easements and restrictions of record, if any;

**EXCEPTING** therefrom the following described parcel of land but reserving an easement for drainage, utility and access purposes over the following described parcel of land to be dedicated as Kilburn Park No. 2 (proposed public park): Commencing at the south 1/4 corner of Section 11, T2S, R6E. City of Ann Arbor, Washtenaw County, Michigan; thence N89°28'40"W 336.35 feet along the south line of said Section 11; thence westerly along the northerly right-of-way of Green Road (100 feet wide) 301.14 feet along the arc of a 999.06 foot radius non-tangential circular curve to the left, through a central angle of 17°16'13", having a chord which bears N66°45'15"W 300.00 feet; thence the following three courses along the centerline of Kilburn Park Circle (variable width): N14°36'36"E 154.00 feet, northerly 146.85 feet along the arc of a 600.00 foot radius circular curve to the left, through a central

angle of 14°01'24", having a chord which bears N07°35'55"E 146.48 feet, and N00°75'13"E 152.79 feet; thence along the centerline of Dunwoodie Road (50 feet wide) N89°24'47"W 138.90 feet; thence N00°35'13"E 25.00 feet to a point on the normerly right-of-way of said Dunwoodie Road for a PLACE OF BEGINNING; thence westerly along the northerly right-of-way of said Dunwoodie Road 147.75 feet along the arc of a 475.00 foot radius circular curve to the right, through a central angle of 17°49'21", having a chord which bears N80°30'07"W 147.16 feet; thence N18"34'34"E 115.00 feet; thence N57"46'05"W 48.00 feet; thence N60"07'22"W 48.00 feet; thence N33°42'00"E 161.85 feet; thence S89°24'47"E 107.14 feet; thence S00°35'13"W 104.00 feet; thence \$89°24'47"E 115.00 feet; thence along the westerly right-of-way of Kilburn Park Circle (50 feet wide) \$00°35'13"W 190.03 feet; thence westerly along the westerly right-of-way of said Kilburn Park Circle and the northerly right-of-way of said Dunwoodie Road 23.56 feet along the arc of a 15.00 foot radius circular curve to the right, through a central angle of 90°00'00", having a chord which bears \$45°35'13"W 21.21 feet; thence Ne9°24'47"W 98.90 feet to the Place of Beginning, being a part of the east 1/2 of the southwest 1/4 of said Section 11, and containing 1.53 acres of land, more or less, and also being subject to easements and restrictions of record, if any;

TOGETHER WITH an easement for drainage, utility and access purposes over the following described parcel of land known as Kilburn Park No. 1: BEGINNING at the south 1/4 corner of Section 11, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N39°28'40"W 336.35 feet along the south line of said Section 11; thence westerly along the northerly right-of way of Green Road (100 feet wide) 51.19 feet along the arc of a 999.06 foot radius non-tangential circular curve to the left, through a central angle of 02°56'08", having a chord which bears N59°35'15"W 51.18 feet: thence N60°52'28"E 110.64 feet; thence N29°07'32"W 40.00 feet; thence N08°44'57"E 59.95 feet; thence N83°04'58"E 614.99 feet; thence 579°49'26"E 86 22 feet; thence N79°55'39"E 79.42 feet; thence N63°52'10"E 79.46 feet; thence easterly 42.18 feet along the arc of a 30.00 foot radius non-tangential circular curve to the left, through a central angle of 80°33'06", having a chord which bears N86°50'09"E 38.79 feet; thence S43°26'24"E 71.61 feet; thence N62°25'41"E 129.80 feet to a point on the southwesterly right-of-way of the US-23 freeway; thence southeasterly along the southwesterly right-of-way of said US-23 freeway 214,47 feet along the arc of a 26,341.20 foot radius non-tangential circular curve to the right, through a central angle of 00°27'59", having a chord which bears \$22°44'56"E 214.47 feet; thence continuing along the southwesterly right-of-way of said US-23 freeway \$21°56'10" E 113.93 feet; thence N89°26'45" W 879.30 feet along the south line of said Section 11 to the Place of Beginning, being a part of the cast 1/2 of the southwest 1/4 and a part of the west 1/2 of the southeast 1/4 of said Section 11, and containing 6.17 acres of land, more or less, and also being subject to easements and restrictions of record, if any;

TOGETHER WITH an easement for drainage, utility and access purposes over the following described parcel of land known as the Pump Station Farcel: Commencing at the south 1/4 corner of Section 11, T2S, R6E, City of Ann Arbor, Washtenaw County, Michigan; thence N89°28'40"W 336.35 feet along the south line of said Section 11; thence westerly along the northerly right-of-way of Green Road (100 feet wide) 51.19 feet along the arc of a 999.06 foot radius non-tangential circular curve to the left, through a central angle of 02°56'08", having a chord which bear: N59°35'15"W 51.18 feet for a PLACE OF BEGINNING; thence continuing along said Green Road 47.86 feet along the arc of a 999.06 foot circular curve to the left, through a central angle of 02°44'42", having a chord which bears N62°25'39"W 47.86 feet; thence N60°52'28"E 136.92 feet; thence S29°07'32"E 40.00 feet; thence S60°52'28"W 110.64 feet to the Place of Beginning, being a part of the cast 1/2 of the southwest 1/4 of said Section 11, and containing 0.11 acres of land, more or less, and also being subject to easements and restrictions of record, if any.

Containing 21.88 acres of land more or less.

2. Article 6 of the Master Deed is amended by deleting the legal description of the land which constitutes the area of future development and substituting the following:

Commencing at the south 1/4 corner of Section 11, T2S, R5E, City of Ann Arbor, Washtenaw County, Michigan; thence N89°28'40"W 336.35 feet along the south line of said Section 11; thence westerly along the northerly right of way of Green Road (100 feet wide) 1000.14 feet along the arc of a 999.06 foot radius non-tangential circular curve to the left, through a central angle of 57°21'30", having a chord which bears N86°47'55"W 958.90 feet; thence continuing along the northerly right-of-way of said Green Road S64°31'20"W 27.85 feet; thence N00°09'45"E 746.07 feet along the west line of the east 1/2 of the southwest 1/4 of said Section 11 for a PLACE OF BEGINNING; thence continuing along the west line of the east 1/2 of the southwest 1/4 of said Section 11 N00°09'45"E 1348.10 feet to a point on the southerly right-ofway of the US-23 freeway; thence southeasterly along the southwesterly right-of-way of said US-23 freeway 2361.57 feet along the arc of a 2240.49 foot radius nontangential circular curve to the right, through a central angle of 60°23'30", having a chord which bears \$54°26'40" E 2253.76 feet; thence continuing along the southwesterly right-of-way of said US-23 freeway 582.04 feet along the arc of a 26,341.20 foot radius circular curve to the right, through a central angle of Oi°15'58", having a chord which bears \$23°36'55" E 582.03 feet; thence \$62°25'41"W 129.80 feet; thence N43°26'24"W 71.61 feet; thence westerly 42.18 feet along the arc of a 30.00 foot radius non-tangential circular curve to the right, through a central angle of 80°33'06", having a chord which bears S86°50'09"W 38.79 feet; thence \$63°52'10"W 79.46 feet; thence \$79°55'39"W 79.42 feet; thence N79°49'26"W 86.22 feet; thence N53°27'32"W 72.49 feet; thence N13°34'39"W 97.48 feet; thence N25°41'25"E 62.50 feet; thence N33°59'31"E 56.19 feet; thence N46°55'08"E 39.56 fcat; thence N48°42'22"W 42 87 feet; thence N63°52'58"W

44.83 feet; thence \$87°21'25"W 97.61 feet; thence N02°38'35"W 107.72 feet to a point on the southerly right-of-way of said Ashburnam Road(35 feet wide); thence S79°06'07"W 146.46 feet along the southerly right-of-way of said Ashburnam Road; thence westerly along the southerly right-of-way of said Ashburnam Road 98.99 feet along the arc of a 332.50 foot radius non-tangential circular curve to the left, through a central angle of 17°03'29", having a chord which bears \$70°34'22"W 98.63 feet; thence \$27°57'22"E 129.27 feet; thence \$41°49'36"W 65.80 feet; thence S66"02'46"W 156.31 feet; thence S52°14'19"W 67.81 feet; thence N88°50'22"W 132.87 feet; thence N09°29'30"E 2.87 feet; thence N03°43'08"W 105.00 feet to a point on the southerly right-of-way of said Ashburnam Road; thence easierly along the southerly right-of-way of said Ashburnam Road 8.05 feet along the arc of a 372.50 foot radius non-tangential circular curve to the left, through a central angle of 01°14'15", having a chord which bears N85°39'44"E 8.05 feet; thence N04°57'23"W 138.23 feet; thence N00°35'13"E 75.68 feet; thence N89°24'47"W 115.00 feet to a point on the easterly right-of-way of Kilburn Park Circle (50 feet wide); thence N00°35'13"E 84.00 feet along the easterly right-of-way of said Kilburn Park Circle; thence \$89°24'47"E 115.00 feet; thence N00°35'13"E 66.00 feet; thence N14°06'12"W 60.39 feet; thence N01°10'29"W 73.27 feet; thence S88°49'31"W 82.39 feet; thence N01°10'29"W 35.00 feet to a point on the north right-of-way of said Bayswater Lane; thence northwesterly 24.74 feet along the arc of a 25.00 foot radius non-tangential circular curve to the right, through a central angle of 56°41'45", having a chord which bears N29°58'01"W 23.74 feet to a point on the easterly rightof-way of said Kilburn Park Circle; thence continuing along the easterly right-of-way: of said Kilburn Park Circle 11.20 feet along the arc of a 1216.00 foot radius nontangential circular curve to the left, through a central angle of 00°31'39", having a chord which bears N01°52'58"W 11.20 feet; thence S87°51'13"W 154.79 feet; thence N01°37'12"W 98.24 feet; thence N10°37'56"W 99.30 feet; thence N12°21'59"W 104.00 feet; thence S77°38'01"W 16.48 feet; thence S26°30'45"W 78.11 feet; thence \$47°34'24"W 63.45 feet; thence \$71°22'14"W 92.23 feet; thence N68°02'03"W 139.40 feet; thence S00°09'45"W 157.98 feet; thence S07°10'20"E 48.04 feet; thence \$14°15'03"E 48.00 feet; thence \$21°53'46"E 48.00 feet; thence S64°16'52"W 115.00 feet to a point on the easterly right-of-way of Dunwoodie Road (50 feet wide); thence northerly along the casterly right-of-way of said Dunwoodie Road 15.31 feet along the arc of a 475.00 foot radius non-tangential circular curve to the right, through a central angle of 01°50'49", having a chord which bears N24°47'43"W 15.31 feet; thence S66°07'41" W 214.80 feet to the Place of Beginning, being a part of the east 1/2 of the southwest 1/4 and a part of the west 1/2 of the southeast 1/4 of Section 11, T25, R6E, City of Ann Arbor, Washtenaw County, Michigan and containing 44.54 acres of land, more or less, and also being subject to easements and restrictions of record, if any.

- 3. Exhibit B to the Master Deed is amended to substitute and incorporate new and revised sheets! through 9, attached to this Second Amendment entitled Replat Number 1 of Washtenaw County Condominium Subdivision Plan Number 206, which modifies the boundaries of Units 53 and 54 of the Condominium and certain related set backs and easements as set forth in Exhibit B.
- 4. The Master Deed is amended to substitute as Exhibit C to the Master Deed, referred to in Section 7.9 of the Master Deed, the attached Arbor Hills Management Plan for management and maintenance of the natural area, open space and storm water systems and list of maintenance tasks and schedule.
  - 5. The Master Deed as amended continues in full force and effect.

WITNESSED:

GUENTHER BUILDING CO., a Michigan corporation

.

: 1411/XUMA

Robert F. Guenther, President

Sandra, L. Sorini

Lori L. Hignite

(313) 761-3780

STATE OF MICHIGAN

)ss.

COUNTY OF WASHTENAW

Subscribed and sworn to before me this 14th day of November, 1995, by Robert F. Guendher, President of Guenther Building Co., on behalf of said corporation,

Sandra L. Sorini

Notary Public

Washtenaw County, Michigan

My Commission Expires:

8-25-96

PREPARED BY AND WHEN RECORDED RETURN TO: Sandra L. Sorini (P36305) BODMAN, LONGLEY & DAHLING LLP 110 Miller, Suite 300 Ann Arbor, Michigan 48104-1339

Guenther amd

1

# EXHIBIT C TO SECOND AMENDMENT TO MASTER DEED OF ARBOR HILLS

October 16, 1995

ARBOR HILLS MANAGEMENT PLAN
FOR MANAGEMENT AND MAINTENANCE OF
THE NATURAL AREA, OPEN SPACE, AND STORMWATER SYSTEMS

### PURPOSE

The Arbor Hills site contains both woodlands and wetlands which are significant natural features in the City of Ann Arbor. The approved plan is a Planned Unit Development (PUD) because it recognizes the value of the natural features. Streets and houses have been placed so as to preserve the bulk of woodlands and wetlands. The preserved natural and open space areas at Arbor Hills serve a range of functions for the Arbor Hills community. Proper management of these areas is key in sustaining the ecological health and biological diversity of the area, while allowing natural succession to occur, and reducing the potential of flooding, sedimentation and erosion.

### DEFINITION OF TERMS

AHCA - Arbor Hills Condominium Association

D.B.H. - Diameter of a tree measured at breast height (4 feet above the existing grade).

Wetland: Any wetland shown on page 7 of Exhibit B to the Master Deed to be preserved, enhanced through mitigation or used for storm retention/detention.

Landmark tree: Any tree equal or greater than the diameters listed in the City Land Development regulations that has a health/condition factor over 50 percent per International Society of Arboriculture standards.

Invasive species: Species of plants or wildlife alien to local ecosystems and disruptive to them, including Rhamnus cathartica or R. frangula (Buckthorns), Eleagnus umbe .ata (Autumn olive), several honeysuckle shrubs and Lonicera japonica (Japanese honeysuckle -- a vine), Lythrum salicaria (Purple loosestrife) or any plant species listed on the current list of invasive species maintained by the City of Ann Arbor Building Department.

# 3. MANAGEMENT AREAS & OBJECTIVES

Management areas are shown on page 7 of Exhibit B to the Master Deed.

# 3.01 Areas of Conservation Easements on wooded units

- A. These consist of backyard and some side-yard areas. The quality of the existing woods varies from well established, to relatively young, oak hickory woods.
- B. The objective is to sustain the life of trees eight (8) inches d.b.h. or greater.

### 3.02 Woodlands in General Common Elements

- A. The existing woodland is predominantly bak hickory forest with some beech-maple woods in Aldwych Green Commons. It is mostly upland, with wetland areas scattered throughout. The original edges and fencerows are still visible, and the woods has now spread beyond them. The southern area (Kilburn Park #1, and Ashburnam Green Commons) may be experiencing the most intrusion by exotic species, so far.
- B. The objective is to sustain the natural woodland coosystem in an ecologically healthy condition.

# 3.00 Wetlands not used for storm retention/detention, and their buffers

- A. This management area includes the following wetlands and their buffers:
  - 1. Bayswater Green Commons. This wetland area is the northern portion of a 4.9 acre wetland which is partially in Ashburnham Green Commons. Partially wooded, and partially shrub/scrub, this wetland consists of three small ponds which are connected by small streams (possibly man-made) and flow south into Ashburnam Green Commons. These ponds generally have standing water in late winter/spring, and are almost dry the rest of the year.
  - Scattered, small wooded wetlands in the east half of Aldwych Green Commons. These wetlands generally have standing water in late winter and spring, and are almost dry the rest of the year.
  - 3. Two small, non-wooded wetlands adjacent to US-23 (adjacent to Units 185 and 192). These two wetlands were probably created with the construction of US-23. They are mostly

shrub/scrub, with some emergents and trees.

- 4 Small wooded wetland adjacent to Lot 155. Both the wetland and buffer are wooded. Most of the wetland is off site.
- B. The objective is to sustain these natural webland ecos/stems in an ecologically healthy condition.

# 3.04 Wetlands used for storm retention/detention, and their buffers

- A. This management area includes the following wetlands and their buffers.
  - The lower pond of Ashburnam Green Commons, including the portion on Kilburn Park #1: This portion of the wetland is a shrub swamp with a wooded edge. Typically, there is standing water in the pond during late winter and spring, and it is dry the rest of the year. A flood control berm and storm outlet pipe control the stormwater outflow to the south.
  - 2. The northwestern wetland in Aldwych Green Commons: This wetland is mostly a wooded and shrub swamp, and parts of it contain emergent vegetation. There is a side hill seep at the west end which flows in late winter and spring, and is generally almost dry the remainder of the year. The ponds at the southeast end follow the same pattern. A flood control berm and storm outlet pipe, placed on the existing stream bed, control the stormwater outflow to the east. This wetland is regulated by the Michigan Department of Natural Resources as well as by the City of Ann Arbor.
  - 3. The wetlands in lochaven Green Commons: The large western-most wetland here is a cattail marsh. It usually has standing water year-round, but has been known to be almost dry in summer. It is connected to a wetland north of US-23 by a culvert. The two wetlands are probably in equilibrium. East of this large wetland is a small shrub swamp which is typically dry at the surface.
- B. The objective is to maintain the natural ecological quality and function of these wetlands while also

using them to temporarily store a higher level of stormwater runoff while maintaining natural seasonal fluctuations.

# 3.05 Mitigated wetland in Dunwoodie Green Commons, used for stormwater retention/detention, and its buffer

- A. This wetland was formerly a plowed field which probably became a wetland when its drainage was blocked. Old photos show it as a cattail marsh. It is now a tree/shrur swamp. Portions of it have been kept in its natural state and adjacent upland areas have been converted into a created or mitigated wetland. The mitigated wetland is planned as a combination tree/shrub/emergent plant community.
- B. The objective is to restore an ecologically authentic, thriving wetland that also stores stormwater.

# 3.06 The stormwater management system

- This consists of the storm detention areas, the A. stormwater filtration basins, and the storm sewer system. The purpose of the storm detention areas is to reduce downstream flooding by storing stormwater which falls during 10 through 100 year frequency storms and releasing it at the 10 year undeveloped rate. The purpose of the stormwater filtration basins is to provide storage for the most frequent storm events, known as "first flush" and "bankfull flood" storm events. These storm events carry the most sediment and pollutants. Therefore, short term storage of this stormwater in filtration basins will slow the water down, and encourage the sediment and pollutants to settle out prior to the water entering the extended detention areas, which are all wetlands.
- B. The objective is to keep the storm sewer system, filtration basins, and detention areas clean, and functioning at design specification, in a way not to cause harm to the site's natural areas and ecosystems.

## 4. ACTION PLAN

The AHCA is responsible for the implementation of this Management Plan, and may do the following:

- 4.01 Obtain and keep a bound, detailed understanding of the natural ecologies (plant communities and wildlife habitat, wetlands and forests) in the management areas protected under this plan, as soon as possible after formation of AHCA.
- 4.02 Obtain and keep a sound, detailed understanding of the entire stormwater management system (from drain inlets to off-site outletting stream connections), of the relationship of that system to the natural ecologies it impacts, and the relationship of home owner's actions on the site to the system and to the ecologies protected under this plan, as soon as possible after formation of ANCA.
- 4.03 Based upon these understandings, carry out over the long term a set of actions which do achieve each of the management area objectives outlined in Section 3.
- 4.04 Cause to be made by qualified professionals a detailed ecological assessment of plant and wildlite habitats including community and habitat descriptions, maps, specie listings, etc. to help understand what specific management actions are needed, as soon as possible after formation of AHCA.
- 4.05 Identify and quantify problems which exist within the management areas posed by the presence of invasive species; develop a plan and control them using the best available techniques, known by natural area management professionals. Develop rules and regulations prohibiting the planting of invasive species anywhere on the site and providing for their control everywhere on the site.
- 4.06 Closely monitor the performance of the filtration basins, their outlets and overflows, and especially the ecological effects of changed water levels and water quality in the wetlands used for retention. If negative ecological effects or other technical problems are observed, plan and implement corrections. More specific policies and quidelines are contained in Sections 7.05, 7.06, and 7.07.
- 4.07 If a pathway system and nature interpretive signage are desired, plan and implement their construction and maintenance. Such installations and their use should not

diminish ecological quality. Initial polices guiding activities in the natural areas are contained in Section 7.

- 4.08 Develop rules and regulations governing each of the likely sources of contaminants in surface water runoff, including: the use of herbicides, fertilizers, pesticides, deicing salts, car cleaning compounds; and leaking and disposal of fluids from vehicles; planting of naturalized landscapes, shrub borders, perennial gardens—minimizing lawns; minimizing the use and waste of irrigation water; providing for the regular cleaning of paved surfaces; arranging for the least possible road salt use to clear snow from roads in Winter as possible, etc.
- 4.09 Develop and enforce rules and regulations including (at least) the management policies set forth in Section 7 to guide the behavior of members and visitors in the natural areas in a manner consistent with the objectives of this management plan.
- 4.10 Design and implement a permanent storm retention system wetland monitoring program, as intended in Section 7.05 and 7.06, as soon as possible after formation of AHCA.
- 4.11 Implement the stormwater maintenance routine, as described in Section 7.07, and on the chart labeled "Maintenance Tasks and Schedule -- AHCA."
- 4.12 Cause a plan to be made and implement it for restoring an authentic wetland ecology in the mitigated wetland in Dunwoodie Green Commons. See Section 7.06.
- 4.13 Mai Itain a complete set of records of maps, reports, assessments, monitoring data, minutes of meetings, other documents, plans and maintenance routines and keep them in a safe place. An annual report is to be sent to the City of Ann Arbor Planning Department and Building Department reporting in detail on the status of the management areas in relation to the objectives set forth for them in Section 3.
  - A. The City will review the reports and may make periodic visits to the site to review the records and to make inspection of the natural areas and the stormwater management system.
  - B. The City must be promptly notified and be given ample opportunity to comment if AHCA plans changes in the structures or function of the stormwater

management system.

### 5. SOURCE OF FINANCING

The AHCA shall assess its members (all owners of units in the condominium) to pay for all management and maintenance activities on a continuing basis.

## 6. AMENDMENT

This management plan may be amended by the AHCA by applying to the City of Ann Arbor Planning Department for an Administrative Amendment to the Planned Unit Development, provided there is no change in the intent of the PUD. Any amendment proposed which appears to change the intent of this management plan is considered to be a change to the PUD and requires Council approval.

### 7. MANAGEMENT AREA POLICIES -- ACTION PLAN GUIDELINES

The following management policies are intended to ensure conformance with management objectives while allowing residents and visitors to enjoy the assets the natural areas protected by this management plan provide.

## 7.01 All Management Areas

- A. The following activities are allowed, unless prohibited for a specific management area:
  - 1. Hiking, birdwatching, and nature study.
  - 2. The establishment of hiking trails with grave, wood chips or boardwalk surfaces, provided no trees greater than 4" d.b.h. are removed.
  - 5. Plant maintenance, pruning, and removal only under the following circumstances:
    - To keep hiking trails clear.
    - To remove diseased trees or shrubs.
    - c. To remove invasive species in accordance with the best available, least damaging techniques available.
    - d. When called for by a specific management plan which may be developed in response to monitoring, or in response to needs which develop from the objectives identified in this management plan.
    - e. To prune or remove any tree which may pose a danger to a structure.

- f. Tree maintenance and pruning done in conformance with this plan shall be done according to the standards of the National Arborists Association in effect at the time of the proposed maintenance.
- 4. Replacement or restoration planting of native species which would naturally occur in that ecosystem. if done according to a plan which is crafted from the objectives of this management plan. It is the objective of this management plan to preserve the existing, naturally occurring ecosystems while allowing natural succession to occur, but not to fashion new ones.
- B. The following activities are prohitited, unless allowed for in a specific management area:
  - Storage or dumping of refuse whether solid or liquid, organic or inorganic.
  - 2. Adding, removing, damaging or destroying any animal or plant except as outlined in 7.01 A.
  - Clearing of land.
  - Stockpiling of soils or building supplies and disturbance of soils in any way.
  - Use or storage of heavy equipment, vehicles or similar items, except as permitted.
  - Firewood cutting, or storage, or the removal of live or dead wood except as noted in 7.01 A.3.
  - 7. Collecting of plants or animals.
  - 8. Off-trail bicycle riding.
  - Operating motorized vehicles (except for authorized maintenance).
  - 10. Planting invasive species.

# 7.02 Aleas of Conservation Easements on wooded units

- A. The following activities are allowed by the unit owner:
  - Tree maintenance and pruning, or woodland maintenance including trimming of diseased and/or damaged trees greater than eight (8) inches d.b.h. in rear yards in accordance with National Arborist Association.
  - Removal of trees less than eight (3) inches d.b.h.
  - Clearing or mowing of the understory or herbaceous layer.
  - Lawns may be planted.

# October 16, 1995

- 5. A regulated (8 inch d.b.h. or greater) tree may be removed if it is determined by the City of Ann Arbor Building Director, after consulting with the City Forester, to pose imminent danger to the public health or safety or where there is reasonable likelihood of significant property damage.
- 6. Removal of invasive species.
- 7. Removal of dead wood.
- Planting of new trees and shrubs complimentary to surrounding ecologies.
- B. All activities listed in 7.01 B. are prohibited unless allowed in 7.02 A.

# 7.63 Woodlands in General Common Elements

- A. All activities listed in 7.01 A. are allowed.
- B. All activities listed in 7.01 B. are prohibited.
- C. Action Plan Guidelines
  - Periodically have the Woodland monitoring: woodlands surveyed for plant and animal species A list including growing there. predominant plant and animal species and some of the less dominant plant species found are to Downward changes in the prepared. populations populations and sizes of represented should be taken as an indicator that ecological change/damage is under way.
  - Plan, implement, and maintain a pathways system, if desired.
  - 3. If invasive species become a problem, develop a plan for control, using the best available techniques known by natural area management professional.
  - Maintain records of all surveys, assessments, monitoring, action plans, and results. Include in the annual report to the City of Ann Arbor (see Section 4.13).

# 7.04 Wetlands not used for storm retention/detention, and their buffers

- A. All activities listed in 7.01 A. are allowed.
- B. All activities listed in 7.01 B. are prohibited.

- C. Action Plan Guidelines
  - 1. Monitoring: Periodically each wetland will be surveyed for plant and animal species growing there. A list including the predominant plant and animal species and some of the less dominant plant species found, along with their wetland indicator status, will be prepared for each wetland surveyed. Downward changes in the populations and sizes of populations represented should be taken as an indicator that ecological change/damage is under way.
  - 2. Water levels: Each wetland will be observed for its water level during and after storm events, to ins re they are not filling above normal levels and are draining at rates expected for natural seasonal fluctuations.
  - 3. If invasive species become a problem, develop a plan for control, using the best available techniques known by natural area management professionals
  - Maintrin records of surveys, assessments, monitoring, action plans, and results. Include in the annual report to the City of Ann Arbor (see Section 4.13).

# 7.05 Wetlands used for storm retention/detention and their buffers

- A. All activities listed in 7.01 A. are allowed.
- B. All activities listed in 7.01 B. are prohibited.
- C. Action Plan Guidelines
  - Stormwater retention/detention monitoring: AHCA shall have each wetland used for storm retention/detention inspected after the first year of operation and again after three years of operation by a qualified wetlands expert. Findings, detailed records, and recommendations for changes in the management plan are to be recorded in writing, and reported to the City of Ann Arbor as part of the Annual Report required in this management plan. AHCA will take prompt action to correct any problems which may develop or be discovered. The City of Ann Arbor must be notified if those actions include structural changes or design changes to the stormwater management system before the action is taken.

- 2. Baseline data: The AHCA shall have the wetlands which are to be used for stormwater detention in their natural conditions evaluated for both quality and function by a qualified wetlands expert. At a minimum, the evaluation will include the data listed in 3, below.
- Data to be evaluated:
  - a. Water quality: "Ter in each wetland above will be tested for the following properties:

Dissolved Cxygen
Fecal Coliform
pH
Biochemical Oxygen Demand
Temperature
Total Phosphate
All nitrogen compounds
Major ions (CI, SO4, Mg, Na and K)
Turbidity
Total Solids

- b. Ecological quality: Each wetland will be surveyed for plant and animal species growing there. A list including the precominant plant and animal species and some of the less dominant plant species found, along with their wetland indicator status, will be prepared for each wetland surveyed. Downward changes in the populations and sizes of populations represented should be taken as indicator that ecological change/damage is under way.
- c. Water levels: Each wetland will be observed for its water level during and after storm events, to insure they are not filling above design levels and are draining at rates in accord with design specifications and natural seasonal fluctuations.
- 4. Continued monitoring: At least once each five years (after the first three years) AHCA will have the wetlands being used for storm detention monitored for the data listed in 3, above, by a qualified wetlands expert, and the data obtained compared to the baseline and any subsequent monitoring.
- 5. Results of monitoring: If, after the completion of 4, above, the wetlands expert reaches the conclusion that any of the wetlands have deteriorated in either quality or

- function, he or she shall prepare a specific management plan to improve quality and function. Thus may include the raising at lowering of the invert of the controlled outlet.
- The results of each monitoring Reporting: activity 'including baseline data collection) are to be written in report form and sent to the City of Ann Arbor Planning Department. Each report shall record the findings, any specific management plans, and any actions taken by the condominium association to correct any problems found. These reports may be included as part of Annual Reports required under this management plan. The City must be notified of any structural changes or major design changes contemplated for the stormwater management system before action is taken. The City may wish to comment and must be given ample opportunity to do so.

# 7.06 Mitigated wetland in Dunwoodie Green Commons used for stormwater retention/detention, and its buffer

- A. All activities listed in 7.01 A. are allowed.
  - The removal of dead trees and other plant material is allowed if it is determined to be necessary by a wetland expert to prevent an increase in addity.
- B. All activities listed in 7.01 B. are prohibited.
- C. Action Plan Guidelines
  - 1. Converting the wetland from a predominantly invasive specie ecology to a native specie ecology may be undertaken according to a plan developed by a qualified professional.
  - developed by a qualified professional.

    The mitigated wetland is to be monitored periodically by a qualified wetland expert for quality and function. See Section 7.05-C.
  - 3. If any negative trends or problems are identified by monitoring which have to do with water levels, a plan is to be developed and implemented to deal with that. This may include the raising or lowering of the invert of the controlled outlet. Maximum effort to retain water in this wetland should be pursued. Downstream wetlands are more valuable.

## October 16, 1005

4. Species of plants characteristic of adjacent wetlands or local wetlands may be used in restoration activities.

# 7.07 Stormwater management system

## A. Action Plan Guidelines

Maintenance tasks and schedule:

- See the chart on page 16: It describes maintenance tasks to be performed by AHCA on a continuing basis to maintain the stormwater system.
- 2. Refere turning any portion of the project over to AHCA, the developer will have the stormwater management system inspected by an engineer to verify grades of the detention and filtration areas and make recommendations for any necessary sediment removal. It will be the developer's responsibility to provide a clean and functioning stormwater management system to the AHCA.
- Where sediment removal is required it shall be legally disposed of off-site.

## B. Responsibility for maintenance

- 1. It is the responsibility of AHCA to perform the maintenance in accordance with the attached schedule (page 16).
- 2. The City of Ann Arbor Building Department may inspect the stormwater system at any time. If maintenance is found to be needed, the City will notify the AHCA in writing. The AHCA must complete the needed maintenance within 30 days or make other acceptable arrangements with the City Building Director. Should the AHCA fail to act within an agreed upon time, the City may perform the needed maintenance and assess the costs to AHCA.

## 8. RESOURCES

A. Froject Builder is: Guenther Building Co. 2864 Carpenter Road Ann Arbor, MI 48104 (313) 971-3323

# October 16, 1995

B. Project Engineer is: Atwell-Hicks, Inc.

540 Avis Drive, Suite H Ann Arbor, MI 48108

(313) 994-4000

C. Wetland Consultant: Robert Leighton Associates

1250 N. Main Street Ann Arbor, MI 48105

(313) 996-9600

D. Wetland Consultant: Mr. Donald Tilton

JJR

110 Miller

Ann Arbor, Michigan 48104

(313) 662-4457

E. Ecclogical Consultant: A.A. Reznicek, Ph.D.

University of Michigan Herbarium

North University Building

Ann Arbor, MI 48109

(313) 764-5544

F. City Officials: Planning Director

Building Director City of Ann Axbor

100 North Fifth Avenue Ann Arbor, Michigan 48104 (313) 994-2800 (Planning) (313) 994-2711 (Building)

G. Natural Areas/City: Natural Area Preservation

Coordinator

Department of Parks and

Recreation

City of Ann Arbor 415 West Washington

Ann Arbor, Michigan 48103

(313) 994-4834

This department has a preliminary specie listing for Arbor Hills, and is developing a Floral Quality Assessment rating system for use in Ann Arbor.

H. Floristic Assessment: Michigan Natural Features

Inventory

Wildlife Division -- MDNR

P.O. Box 30028 Lansing, MI 48909 (517) 373-1552

# Occober 16, 1995

1. Ecological Assessment: Local members of:

Natural Area Association 320 South Third Street Rockford, 1L 61104 (815) 964-6666

J. Restoration Work: Local members of:

Society for Ecological

Restoration

1207 Seminole Highway Madison, WI 53711 (608) 262-9547

x:\notee\gbc1965J.04c

# MAINTENANCE TASKS AND SCHEDULE AHCA

SCHEDULE:	Arnually	Every 5-10 years as needed	Annually	ylloun. I	Annually	As needed	Even, 3-5 years as needed	Semi-annually	0 to 2 times per year	Annually	As needed	Annuelly	Annually	Annelly	Arnually	Every 5 years
EMERGENCY OVERFLOW			×	×	×	×			×	×	×	×	×	×	×	
WETLANDS	×	×	×	×	×	×				×	×	×	×	×	×	×
STORM DETENTION AREAS	×	X	×	×	×	×	ř.		×	×	×	×	×	×	×	
FILTRATION BASIN	×	×	×	×	×	X		13	×	×	×	×	×	×	×	
RIP-RAP					×					×	×	×	×	×	×	
OUTFLOW CONTROL STRUCTURES	×	×	×	×	X		×			×	×	×	×	×	X	
CHANNELS			×	×	×	×			×	X	×	×	×	×	×	
CATCH BASIN INLET CASTINGS			×	×	1							×	×	×	×	
CATCH BASIN SUMPS	×	×	×	×				]				×	×	×	×	
STORM SEWER SYSTEM	×	×	×	×						×	×	×	×	×	×	
STREETS		ł 						×	×							
TASKS:	Inspect for sed ment accumulation	Removal of sediment accumulation	inspect for floatables and debris	Cleaning of floatables and debits	Inspection for erosion	Peestablish permanent vegetation on erocked stopes	Replacement of grovel jackets	Clean streets	Maxing	Inspect structural elements during wet weather and compare to as-built plans (by a professional engineer reporting to the Atics)	Misse arguments or replacements as determined by social we weather inspection	Keep records of diffinaver, mis and mainlenance activities and report to AMCA.	Keep records of all costs for inspections, months and report to AHCA.	AHCA reviews cost effectiveness of the preventative maintenance program and makes adjustments as needed.	AHCA to have a professional engineer carry out emergency inspections upon identification of severe problems.	AHCA to have wetlands monitored.

AHCA = Arbor Hills Condominium Association

40847 HHY 1, AAG

Supplied S200 LAN. U.S.

Z

# HEPLAT NO. 1 OF WASHTENAW COUNTY SUBONISION PLAN NO. 206 EXIGIT B TO THE SECOND AMENDMENT TO THE MASTER DEED OF

A CONDOMNUM IN THE CITY OF ANN APBOR, AASHTENAW COUNTY, MICHGAN

ARBOR HILLS

CURNINGS BUILDING CO 2004 CARNYMEN NGAG AAN ANBOK MOHGAN 4606 PANEL ONE

FRINKELL NO BURNEYOR ATWELL NO BING SAO AVE DING NAN ARBOR MONON 4514

DEELWAY

And the state of t 2 5 5 2 7 7 5 2 7 7 7 5 1

Account to the series of the s

N. A. cost in the second of the cost Action in control of the control of

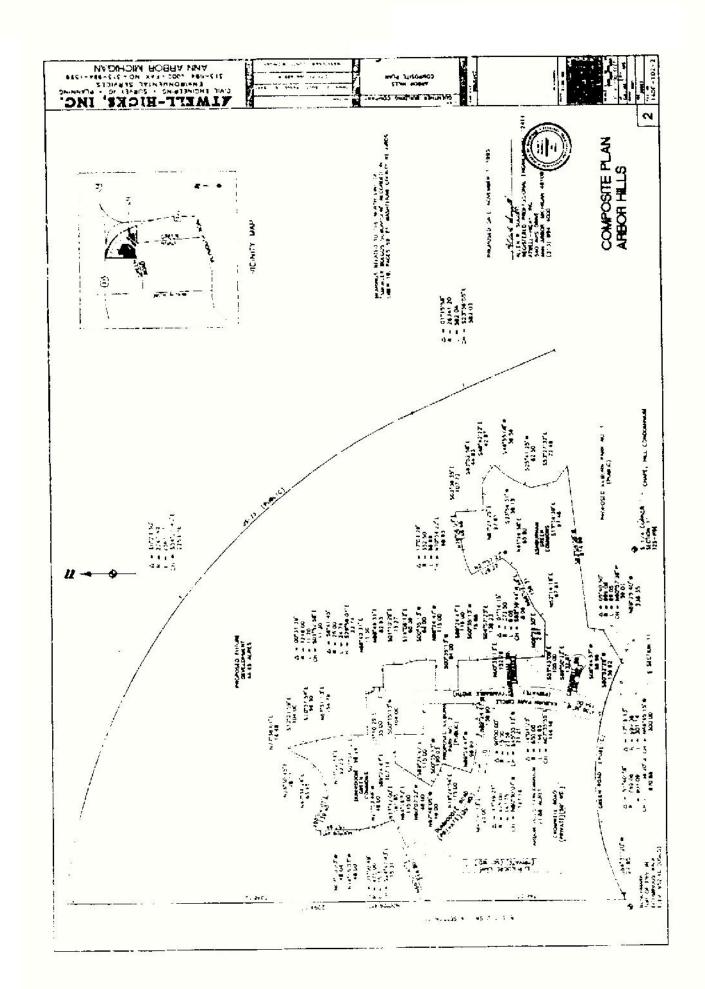
FOM CEBONATION

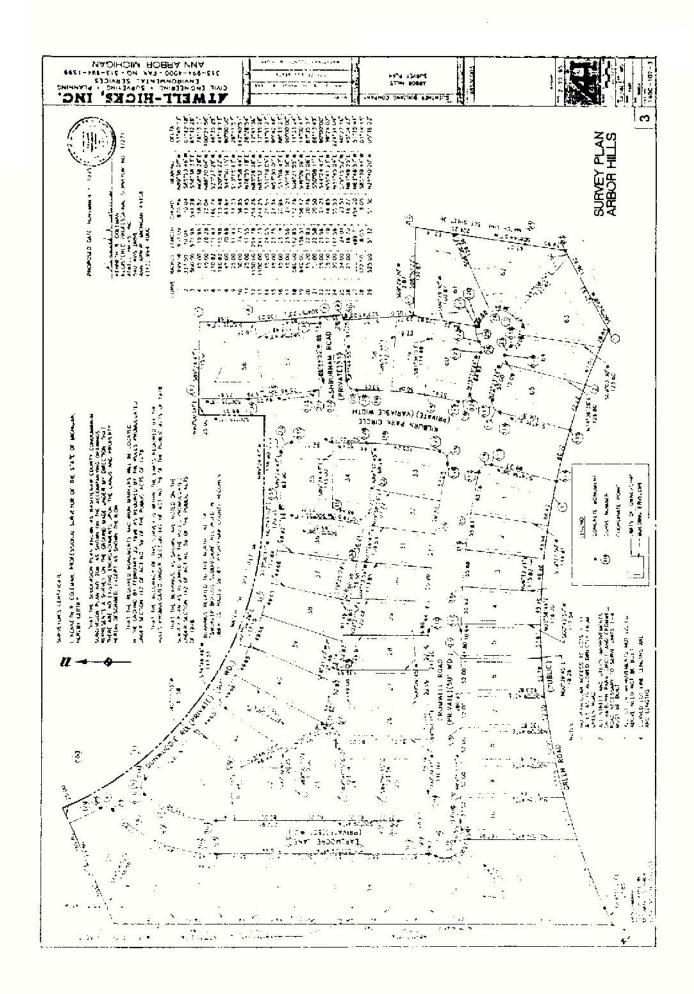
Sections and will be made of 15 to tentron 15 to 15 to

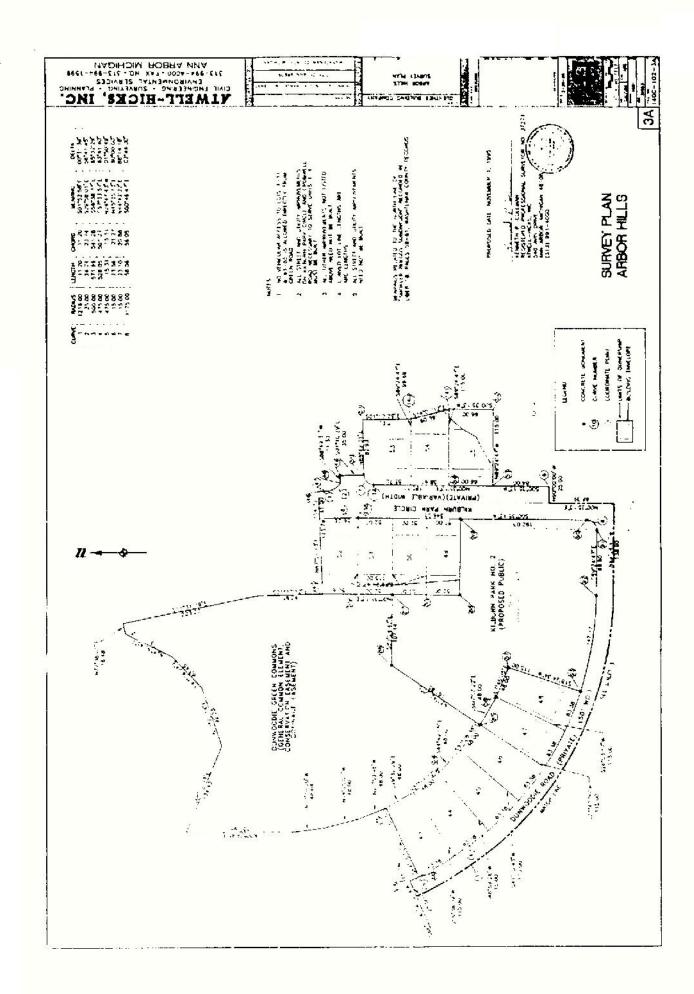
communication of the communica

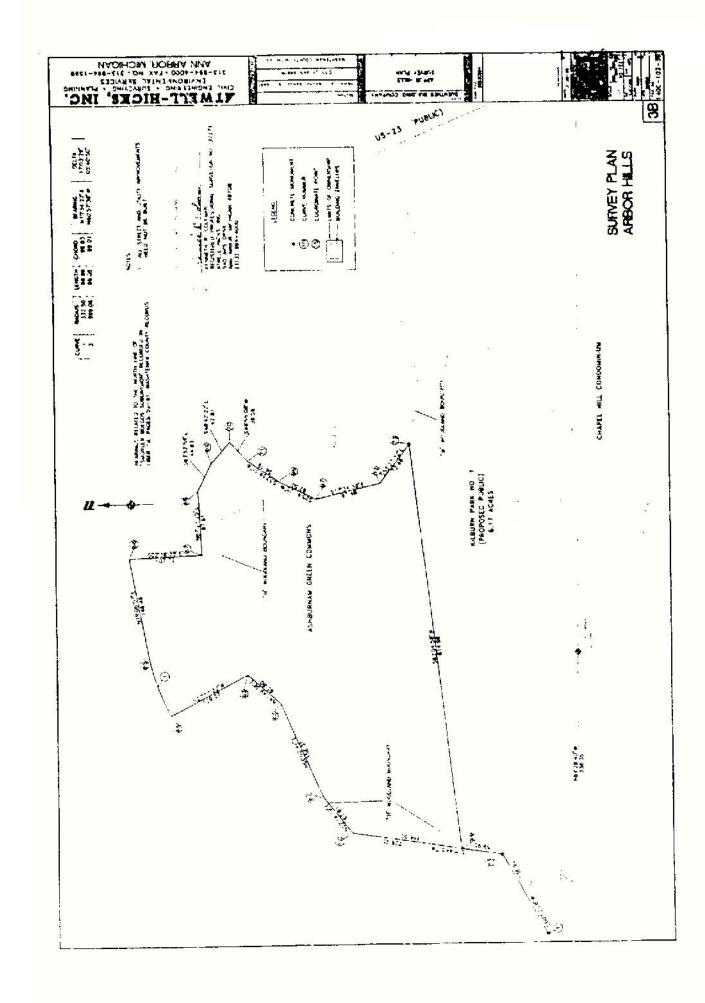
First Diet with on exempted the demonstration of service particles between one of this examination of service of service of the service of the service of service of

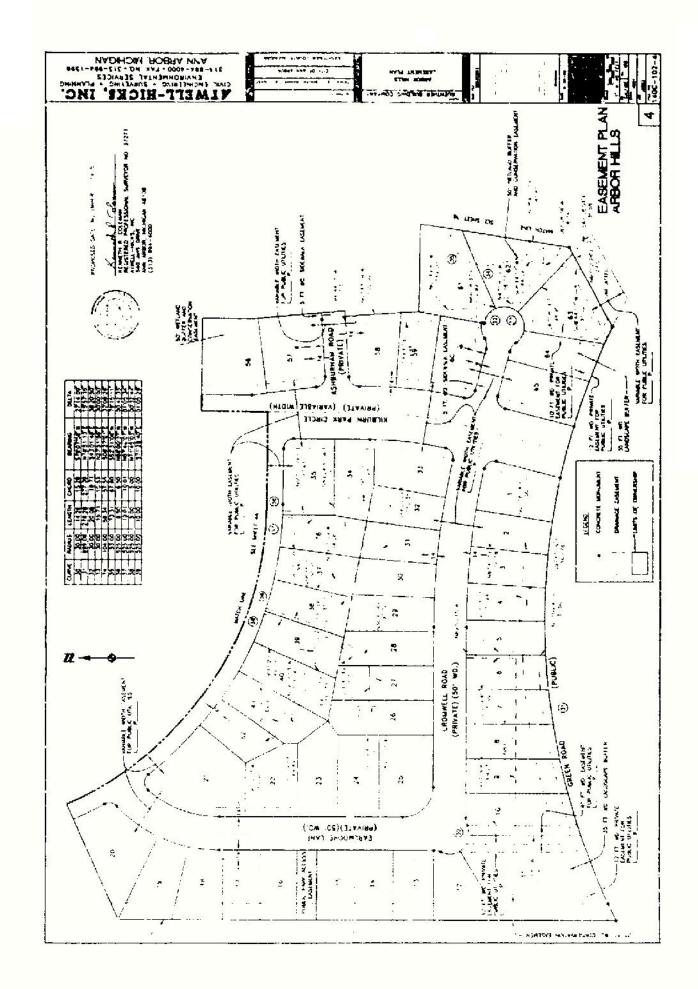
THE AND DESCRIPTIONS ARBOH HALS

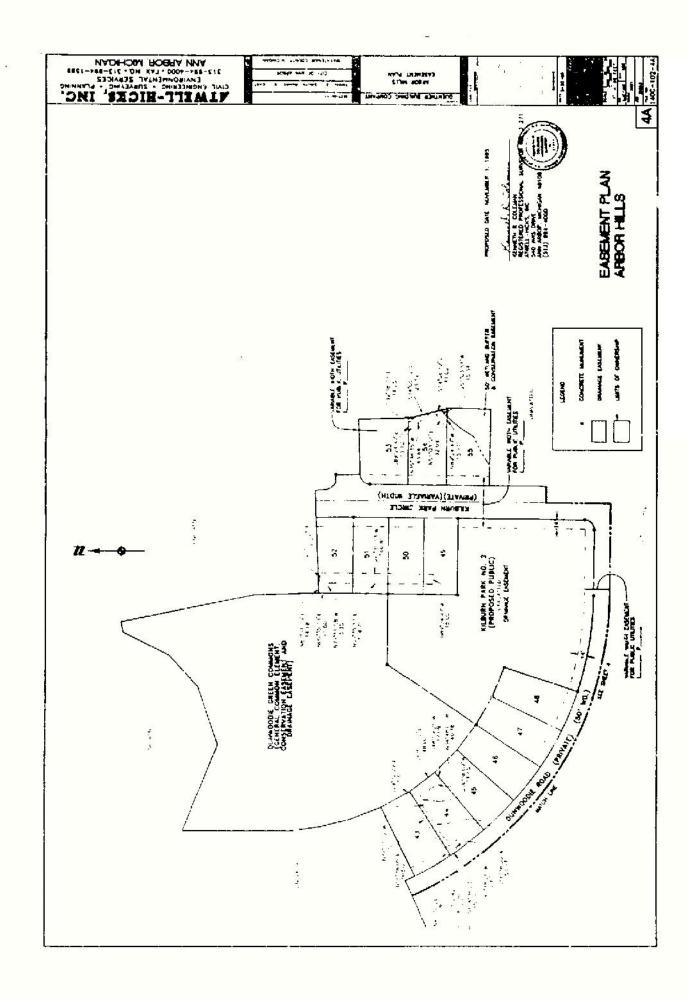


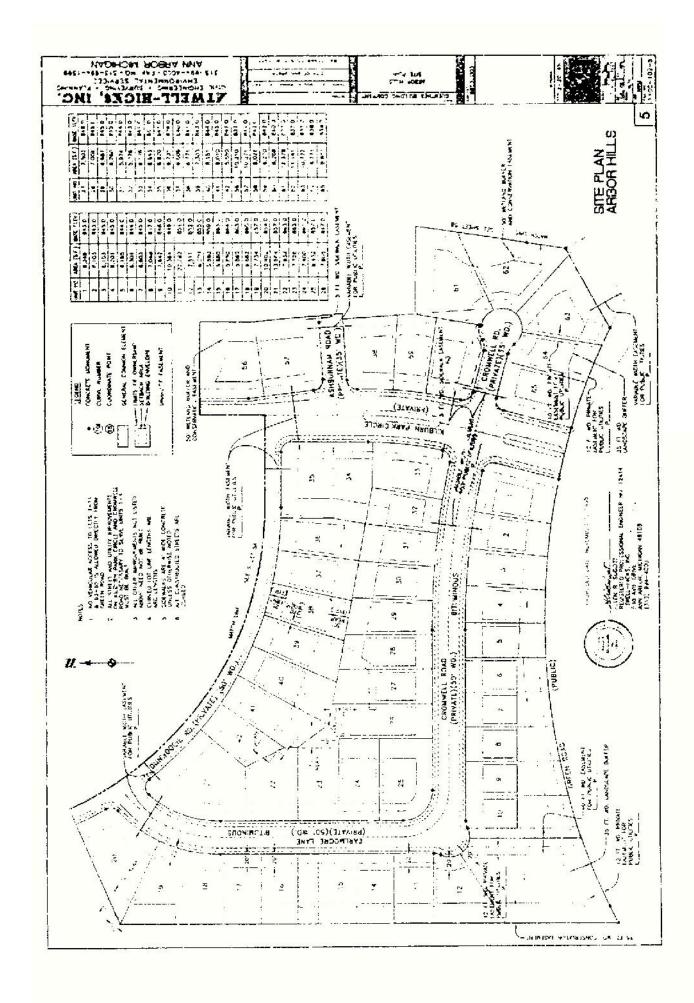


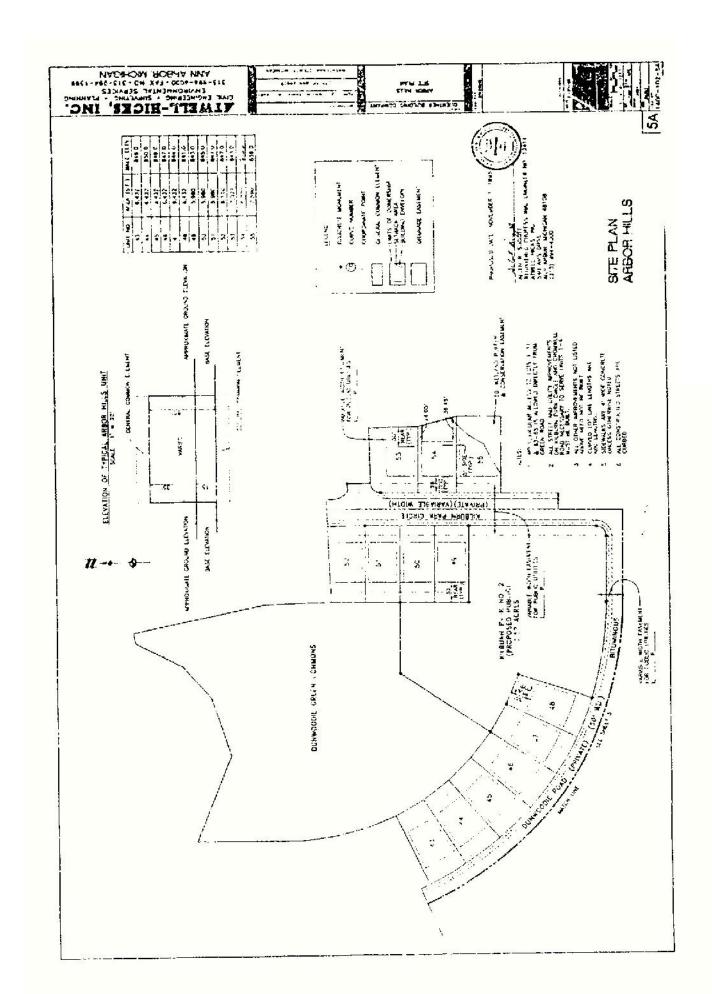


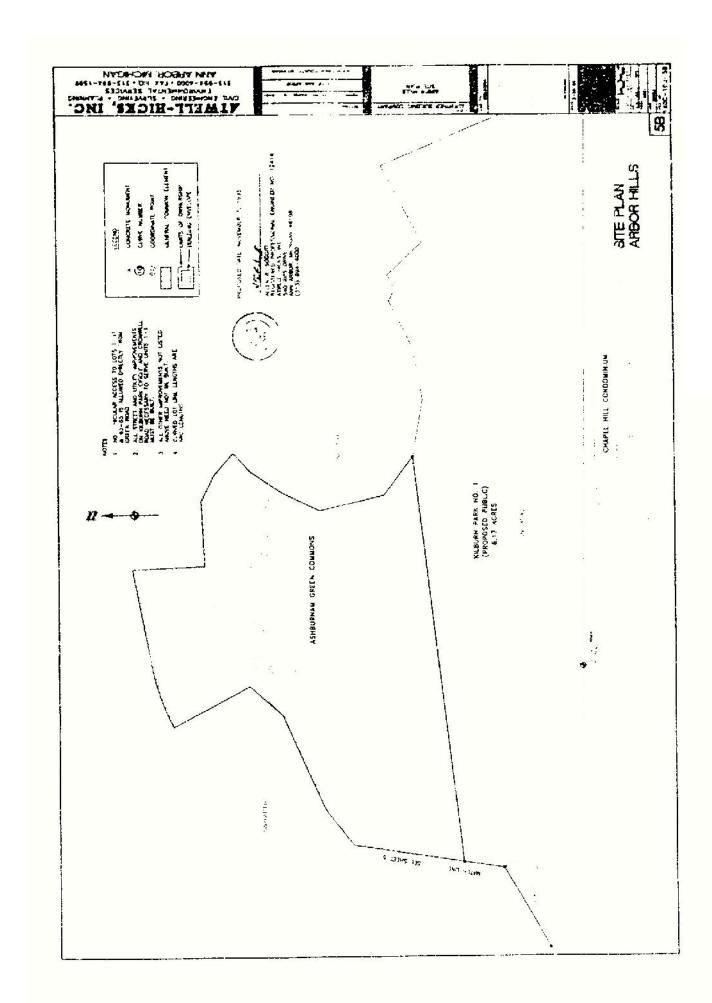


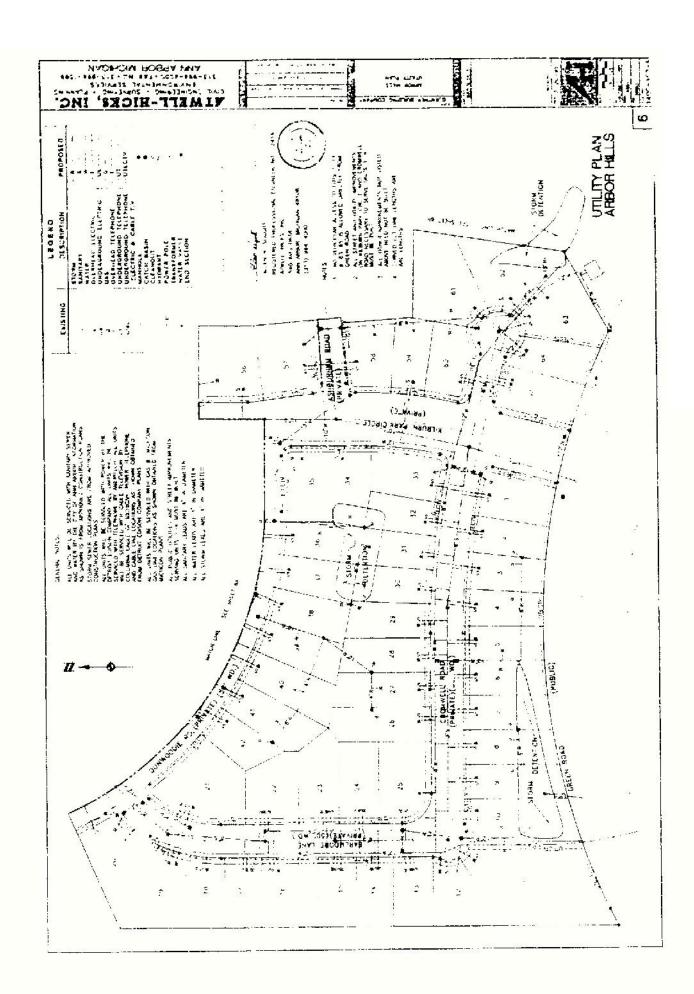


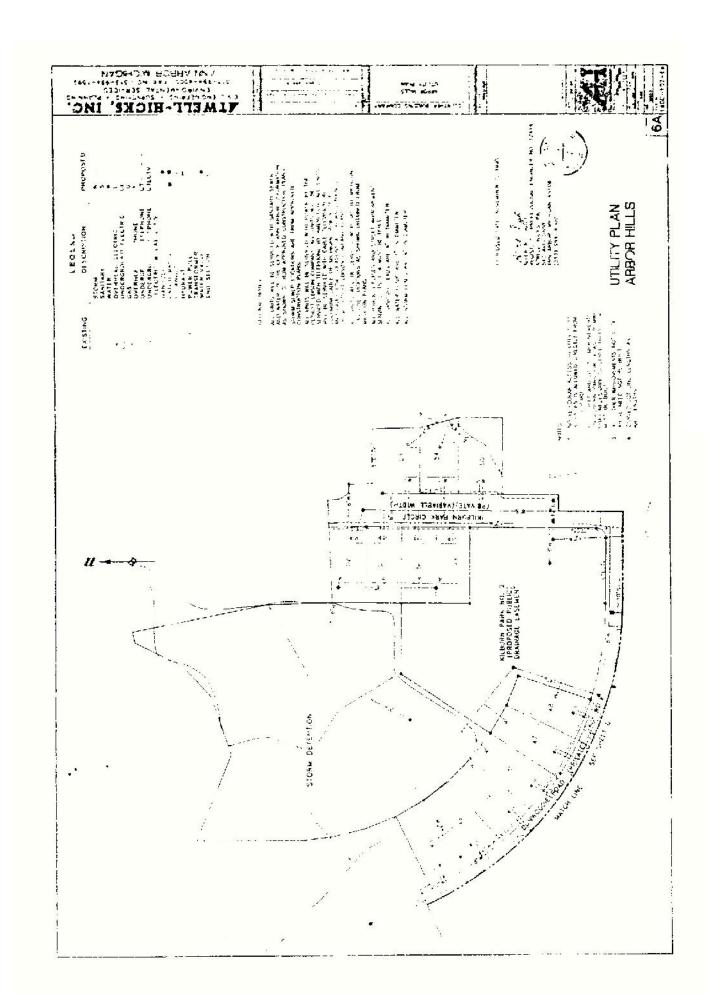


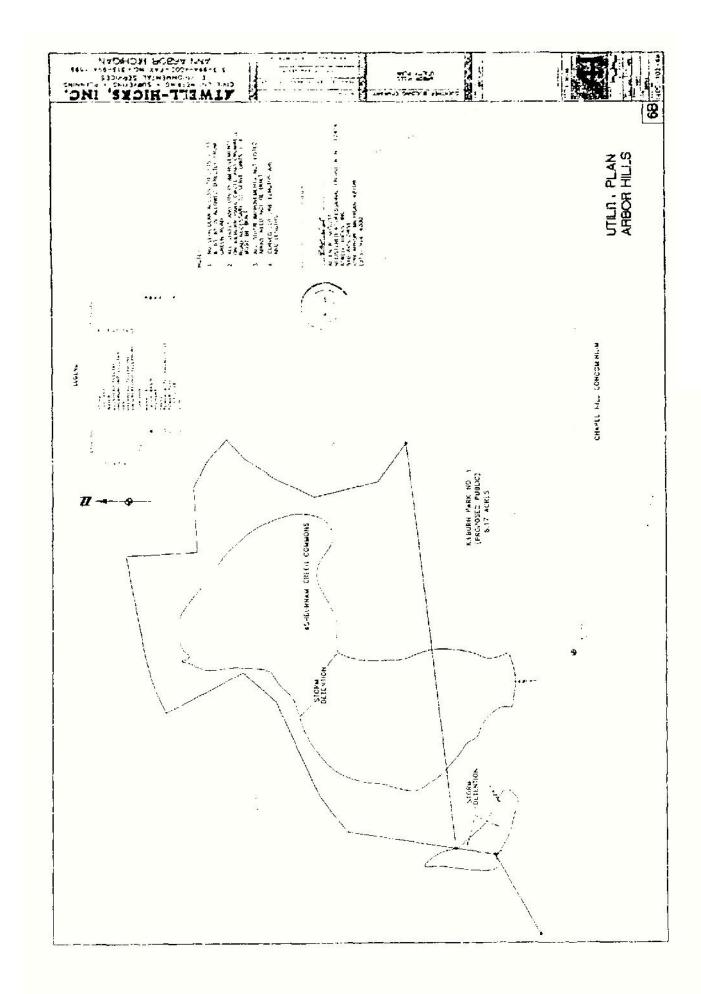


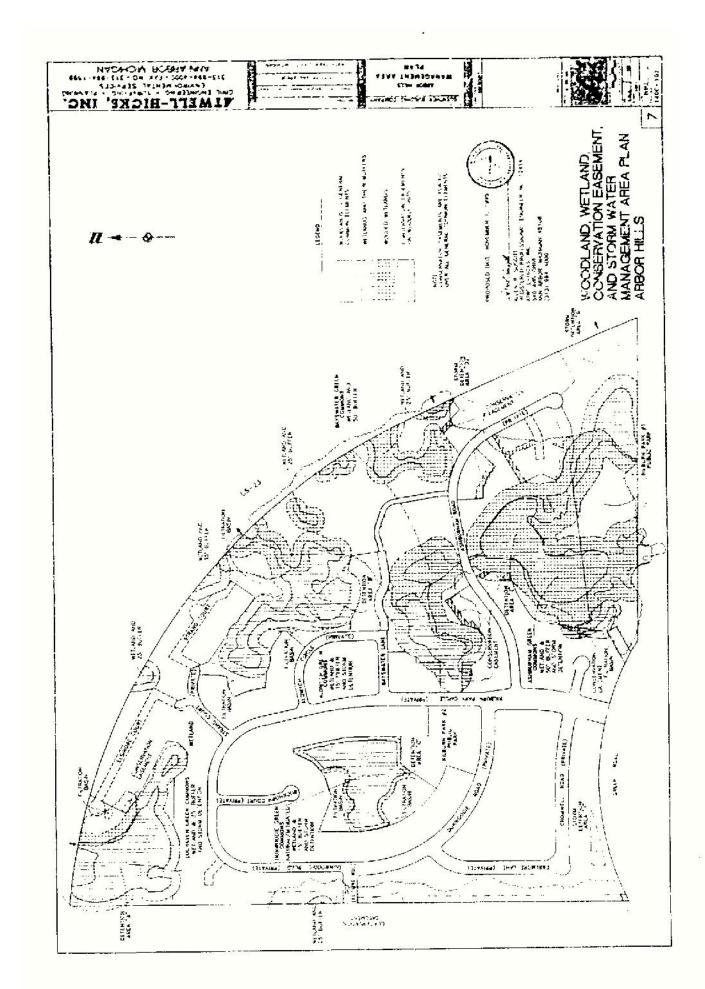


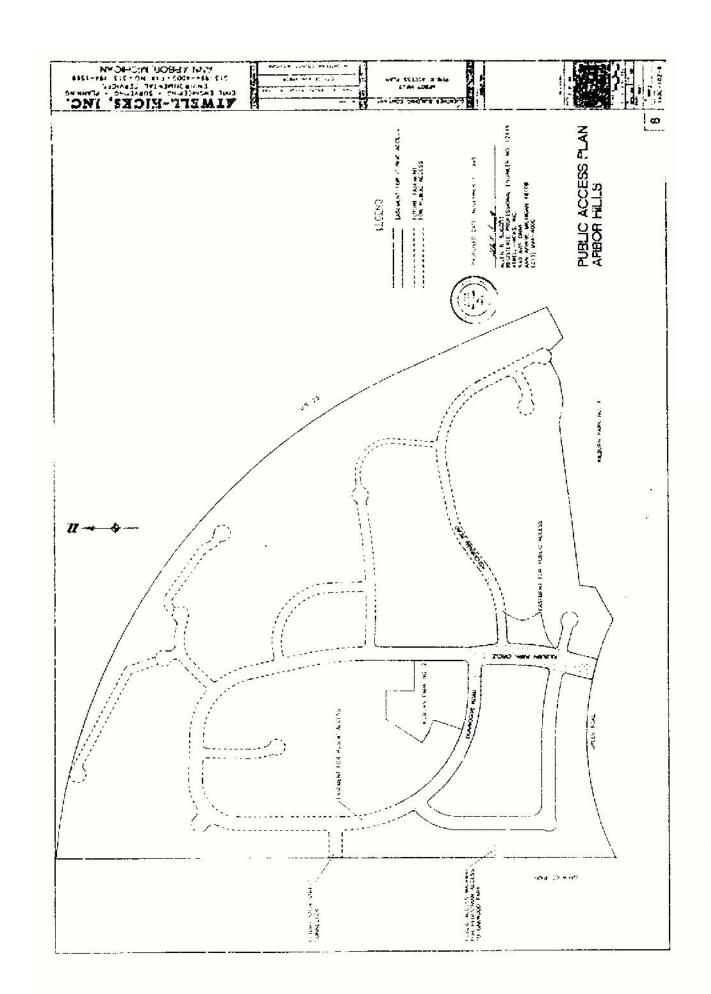












NCKINNG



Control of the control

-



1 ¥

Os I

¥6¥ 15 7

26, 44, 00

ASH TO A COUNTY BY

135,51900 135,03590 135,03 Nach Page Nach Bib Nach 10.00 To 20.00 To 20. #17 DBF #17 DB 我们的复数数字的图形 医克尔克斯斯氏氏征 医克斯斯氏病 医克拉氏管 电子电路 美国人名 医原 MATERIA CONTROL OF THE STATE OF ACT AND TO THE PARTY OF THE PAR មី ខណ្ឌមណៈឯកមានអ្នកក្រុងស្និក្សាស្ថិត្រី ប្រើស្រុកក្រុងស្នាធិប្បាយ ។ ប្រើស្រុកក្នុងសិទ្ធិសិត្តិ។