

AMENDMENT TO CONSERVATION EASEMENT

THIS AMENDMENT is made to the Conservation Easement by the Omena Woods Association having the address P.O. Box 55, Omena, Michigan 49674 dated September 20th, 2004 and the Leelanau Conservancy, a Michigan nonprofit corporation, having the address of 105 N. First Street, Leland, Michigan 49654.

WITNESSETH:

WHEREAS, the Omena Woods Association entered into a Conservation Easement with the Leelanau Conservancy on September 20th, 2004, which was recorded at the Register of Deeds for the County of Leelanau, State of Michigan, Liber 823 Page 202.

WHEREAS, the conservation easement exceptions allow for a one (1) time-limited division of the property and the exception to construct a single family residence within the 2.0 acre Residential lot for the sole purpose of security for a mortgage encumbrance on the property at the time of the recording of the conservation easement.

WHEREAS, the mortgage dated the 27th of November 2002, made and executed to the Omena Woods Association recorded in the office of the Register of Deeds for the County of Leelanau, State of Michigan, Liber 687, Page 312, was fully discharged on June 5th, 2008 at the Register of Deeds for the County of Leelanau, State of Michigan, Liber 980, Page 744.

WHEREAS, given the said mortgage has been discharged, The Leelanau Conservancy has agreed to amend the conservation easement to remove the exception to allow a one (1) time-limited division of the property and the exception to construct a single family residence within the 2.0 acre Residential lot.

NOW THEREFORE, for good and valuable consideration, the receipt of which is acknowledge, the below undersigned adopt the following amendment to Conservation Easement dated September 20th, 2004 Section IV. A. 1. and Section IV. D. 1. :

To remove the EXCEPTION that allows for a one (1) time division of the Property and the EXCEPTION that allows construction of a single family residence within the 2.0 acre Residential lot.

The said conservation easement will no longer include the above EXCEPTIONS.

This agreement shall be binding upon the heirs, successors in interest and assigns of both parties.
Dated this 3rd day of Dec 2008.

GRANTORS:

Marsha Buehler
Marsha Buehler, President
Omena Woods Association

Bruce Balas
Bruce Balas, Treasurer
Omena Woods Association

STATE OF MICHIGAN)
)ss
COUNTY OF LEELANAU)

The foregoing instrument was acknowledged before me this 3rd day of Dec. 2008 by Marsha Buehler, President Omena Woods Association and Bruce Balas, Treasurer Omena Woods Association.

Arlene D. Heckl
Notary Public ARLENE D. HECKL
Leelanau County, Michigan
My commission expires: 4-29-2012

LEELANAU CONSERVANCY
Thomas Dunfee 12/04/2008
By Thomas Dunfee, its President

STATE OF MICHIGAN)
)ss
COUNTY OF LEELANAU)

The foregoing instrument was acknowledged before me this 4 th day of Dec. 2008 by Thomas Dunfee, President, Leelanau Conservancy, a Michigan nonprofit corporation, for the corporation.

Arlene D. Heckl
Notary Public ARLENE D. HECKL
Leelanau County, Michigan
My commission expires: 4-29-2012