

RECORDED

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NANCY HAVILAND
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI.
48843

3714

DECLARATION OF SIGNAGE EASEMENT

BARRIS

This Declaration of Signage Easement, made this 28 day of January, 2004, by **WHISPERING PINES GOLF CLUB, L.L.C.**, a Michigan limited liability company, whose address is 26400 West Twelve Mile Road, Suite 50, Southfield, Michigan 48034 ("Declarant").

RECITALS:

- A. Declarant is the assignee of the developer's rights under the condominium documents pertaining to a certain parcel of real estate located in the Township of Hamburg, County of Livingston, Michigan, as more particularly described on the attached Exhibit A, which is a residential condominium commonly known as Whispering Pines Condominium ("Condominium"), pursuant to an Assignment of Developer's Rights Under Condominium Documents dated July 17, 1996 between Michigan Land Tech Inc., a Michigan corporation ("Developer"), as Developer/assignor to Declarant, as assignee, which was recorded in Liber 2234, Page 0016, Livingston County Records.
- B. Under the terms of the Master Deed and Bylaws of the Condominium, Developer reserved the right to future development of the Condominium, including development of an adjacent golf course and related clubhouse facilities, as well as the right to establish rules and regulations concerning the golf course as it may affect the Condominium.
- C. Subsequently, Developer constructed an eighteen (18) hole golf course, including related clubhouse facilities adjacent to the Condominium, and such golf course is known as Whispering Pines Golf Club, as more particularly described on Exhibit B. Declarant is the current owner of the Whispering Pines Golf Club.
- D. Pursuant to the rights reserved to it as assignee of the Developer's rights under the Master Deed and Bylaws of the Condominium, Declarant wishes to declare and grant an easement with respect to the entryway signage for Whispering Pines Golf Club and road signage for Whispering Pines Golf Club for the benefit of the Whispering Pines Golf Club, itself, as owner thereof, and its successors and assigns, across, over and on the Condominium on the terms as set forth herein.

NOW, THEREFORE, upon payment of One (\$1.00) Dollar and other good and valuable consideration, the value of which does not exceed \$100.00, the receipt and adequacy of which is hereby acknowledged, Declarant hereby declares easements as follows:

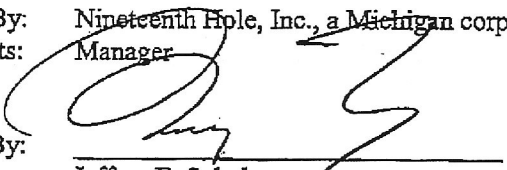
1. Declarant, for Whispering Pines Golf Club, itself, as owner thereof, and its successors and assigns, hereby declares an exclusive easement for the following purposes with respect to the entryway and road signage related to the Whispering Pines Golf Club currently located, or to be located, at Whispering Pines Condominium:
 - a. An easement to install, illuminate, relocate, utilize, maintain, repair and replace entryway signage identifying the Whispering Pines Golf Club and its amenities on the masonry wall at the entrance to Whispering Pines Condominium, utilizing as closely as reasonably practical, materials which substantially match the form of, and shall be not less in size as to total area and individual letter characters than, the current golf club entryway signage;
 - b. An easement to install, relocate, utilize, maintain, repair and replace road signage for Whispering Pines Golf Club within and throughout Whispering Pines Condominium. Such road signage shall include, but not be limited to, directional signs, golf cart path signs and stop signs pertaining to Whispering Pines Golf Club. Declarant shall utilize as closely as reasonably practical, materials which substantially match the form and size of the current road signage related to Whispering Pines Golf Club.
2. The easements granted herein shall be for the use and benefit of Whispering Pines Golf Course, Declarant, its successors and assigns, and shall be appurtenant to the Whispering Pines Golf Club and run with the land described in the attached Exhibit B and burden Whispering Pines Condominium (described on attached Exhibit A).
3. Declarant, its successors and/or its assigns, shall pay the costs of all maintenance, repair and replacement for the foregoing Whispering Pines Golf Club related entryway signage and road signage. Declarant, its successors and assigns, shall be solely responsible for keeping such entryway and road signage in good order and repair.
4. Declarant, for itself and its successors and assigns, specifically reserves the right to further assign any or all of its rights and obligations with respect to the foregoing Whispering Pines Golf Club related entryway signage and road signage.
5. This Declaration shall be governed by and construed in accordance with the laws of the State of Michigan. In the event any one or more of the terms or conditions of this Declaration shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining terms, conditions or obligations shall not in any way be affected or impaired.
6. This Declaration may only be amended or terminated by an instrument signed by Declarant.

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This Declaration of Signage Easement has been executed as of the day and year first above written.

WHISPERING PINES GOLF CLUB, L.L.C., a
Michigan limited liability company

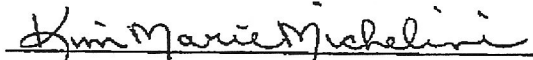
By: Nineteenth Hole, Inc., a Michigan corporation
Its: Manager

By: 
Jeffrey E. Sobel
Its: President

"Declarant"

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing was acknowledged before me this 28th day of January, 2004, by Jeffrey E. Sobel, President of Nineteenth Hole, Inc., a Michigan corporation, Manager of WHISPERING PINES GOLF CLUB, L.L.C., a Michigan limited liability company, on behalf of said corporation and companies.



Notary Public, _____ County, MI
My Commission Expires: _____

KIMMARIE MICHELINI
NOTARY PUBLIC MACOMB CO., MI
MY COMMISSION EXPIRES Jun 15, 2005

Acting In Oakland County

INSTRUMENT DRAFTED BY AND
WHEN RECORDED RETURN TO:

✓ Laura C. Ragold, Atty.
BARRIS, SOTT, DENN & DRIKER, P.L.L.C.
211 West Fort Street, 15th Floor
Detroit, MI 48226-3281

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