

COPY

ASSIGNMENT AND ASSUMPTION AGREEMENT

This Assignment and Assumption Agreement ("Assignment") is entered into as of 4/19⁵, 2004, between **Pulte Land Company, LLC**, a Michigan limited liability company, whose address is 26622 Woodward Avenue, Suite 110, Royal Oak, Michigan 48067 ("Developer") **Bromley Park Homeowners Association**, a Michigan non-profit corporation, whose address is 26622 Woodward Avenue, Suite 110, Royal Oak, Michigan 48067 (the "Association").

RECITALS:

A. Developer has developed certain real property located in Superior Township, Washtenaw County, Michigan as a single-family residential development known as Bromley Park Subdivisions No. 1 and No. 2 (collectively, the "Subdivision"), more particularly described on Exhibit A attached hereto and made a part hereof.

B. In connection with the development of the Subdivision, Developer executed and recorded a Declaration of Covenants, Conditions and Restrictions in Liber 4229, Page 965, Washtenaw County Records, as amended by the First Amendment to Declaration of Covenants, Conditions and Restrictions, as recorded in Liber 4310, Page 710, Washtenaw County Records, as amended by the Second Amendment to Declaration of Covenants, Conditions and Restrictions as recorded in Liber ~~4432~~ 100 Page 100, Washtenaw County Records (together, the "Declaration"). Capitalized terms used in this Assignment shall have the meanings given to such terms in the Declaration, unless otherwise indicated in this Assignment.

C. In accordance with the provisions of Article 3 of the Declaration, Developer formed the Association as a Michigan non-profit corporation. All Lot Owners within the Subdivision are members of the Association.

D. Pursuant to the Declaration, Developer may vest the Association with any and all of Developer's rights and obligations under the Declaration, in the form of an assignment.

E. Given that Developer is in the process of completing the development of the Subdivision, Developer desires to assign to the Association its rights

and privileges under the Declaration, and the Association desires to assume Developer's obligations under the Declaration, in accordance with the terms of this Assignment.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Assignment**. Developer hereby assigns to the Association all of its rights, privileges, easements, reservations, powers and obligations under the Declaration, subject to the reservation of rights described in Paragraph 2 below.

2. **Reservation of Rights**. Developer reserves the following rights under the Declaration:

(a) The right to continue as a Class B Member in accordance with Article 3 of the Declaration and the Association's Bylaws;

(b) The rights and powers provided under Articles 6 and 7 of the Declaration, only with respect to those Lot(s) owned by Developer within the Subdivision;

(c) The rights and powers provided under Section 8.1 of the Declaration; and

(d) The rights and powers provided under Section 8.3 of the Declaration.


3. **Assumption**. The Association hereby accepts the foregoing Assignment by Developer, subject to the reservation of rights by Developer, and the Association agrees to perform all of the rights, privileges, powers, obligations, and duties of Developer under the Declaration.

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IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date and year first above written.


DEVELOPER

PULTE LAND COMPANY, LLC,
a Michigan limited liability company

By: 
Its: Howard Fingerroot
member

ASSOCIATION

BROMLEY PARK HOMEOWNERS
ASSOCIATION,
a Michigan non-profit corporation

By: 
Its: Bill Myers
President

STATE OF MICHIGAN)
)SS
COUNTY OF Washtenaw)

The foregoing instrument was acknowledged before me this 19th day of April, 2005 by Bill Myers, the member of Pulte Land Company, LLC, a Michigan limited liability company, on behalf of said company.

Howard Fingerroot

Dawn J. Schwab
Dawn T. Schwab, Notary Public
Oakland County, Michigan
My Commission Expires: 01/05/2006
Acting in Washtenaw County, MI

STATE OF MICHIGAN)
)SS
COUNTY OF Washtenaw)

The foregoing instrument was acknowledged before me this 19th day of April, 2004, by Bill Myers, President of Bromley Park Homeowners Association, on behalf of said Association.

Dawn J. Schwab
Dawn J. Schwab, Notary Public
Oakland County, Michigan
My Commission Expires: 01/05/10
Acting in Washtenaw County, MI

Drafted By And When Recorded Return To:

Clark G. Doughty, Esq.
Bodman, Longley & Dahling LLP
100 Renaissance Center, 34th Floor
Detroit, Michigan 48243

EXHIBIT A

LEGAL DESCRIPTION

*
"BROWLEY PARK SUBDIVISION NO. 1," part of the Northeast 1/4 of Section 35 and part of the Northwest 1/4 of Section 36, T.2S., R.7E., Superior Township, Washtenaw County, Michigan. Described as:

Commencing at the Northwest corner of Section 36, T2S, R7E, Superior Township, Washtenaw County, Michigan; thence S01°54'15"E 60.00 feet along the West line of said Section 36 for a POINT OF BEGINNING; thence N88°32'07"E 1324.09 feet along the Southerly right of way line of Geddes Road (60 foot 1/2 width); thence S02°07'26"E 253.15 feet along the East line of the West 1/2 of the Northwest 1/4 of said Section 36; thence S87°52'49"W 129.47 feet; thence S50°52'54"W 120.00 feet; thence S40°58'15"W 67.20 feet; thence S52°49'10"W 120.00 feet; thence S30°23'12"E 52.52 feet; thence S16°47'57"E 52.52 feet; thence S03°12'41"E 52.52 feet; thence S10°22'34"W 52.52 feet; thence S23°57'50"W 52.52 feet; thence S59°14'33"E 120.00 feet; thence 65.34 feet along the arc of a 342.00 foot radius non-tangential circular curve to the right, with a central angle of 10°56'45", having a chord which bears S36°13'50"W 65.24 feet; thence S41°42'12"W 100.33 feet; thence N48°53'07"W 120.28 feet; thence S41°26'12"W 60.00 feet; thence S41°42'12"W 60.00 feet; thence N62°20'49"W 32.09 feet; thence N62°21'12"W 74.23 feet; thence N69°58'44"W 72.86 feet; thence N77°31'37"W 72.73 feet; thence N84°57'34"W 70.64 feet; thence S88°45'08"W 68.38 feet; thence S87°53'50"W 120.00 feet; thence S01°49'50"E 120.00 feet; thence S87°53'50"W 60.00 feet; thence N01°49'50"W 120.00 feet; thence S88°00'09"W 65.94 feet; thence S83°16'56"W 60.20 feet; thence S85°17'11"W 180.00 feet; thence S04°44'15"E 120.00 feet; thence S13°02'58"W 69.29 feet; thence S03°30'39"E 120.03 feet; thence S87°18'44"W 66.81 feet; thence S88°53'23"W 87.57 feet; thence N86°06'00"W 169.03 feet; thence N82°47'47"W 61.80 feet; thence N84°43'44"W 57.73 feet; thence S08°00'45"W 131.49 feet; thence S84°44'15"E 30.37 feet; thence S05°15'45"W 186.00; thence N84°44'15"W 159.61 feet; thence S05°15'45"W 19.77 feet; thence N84°44'15"W 186.00 feet; thence N05°15'45"E 120.00 feet; thence S84°44'15"E 120.00 feet; thence N05°15'45"E 132.53 feet; thence N84°44'15"W 120.00 feet; thence N05°15'45"E 300.00 feet; thence N04°51'53"E 58.62 feet; thence N00°12'28"E 62.04 feet; thence N03°21'17"W 60.00 feet; thence N03°23'04"W 180.00 feet; thence N00°38'51"W 72.80 feet; thence N02°19'31"W 383.94 feet; thence N87°40'29"E 811.54 feet along said Southerly right of way line of Geddes Road to the Point of Beginning, being a part of the West 1/2 of the Northwest 1/4 of said Section 36 and the Northeast 1/4 of Section 35, containing 42.89 acres of land, more or less, and being subject to easements and restrictions of record, if any. Comprising of 120 lots, numbered 1 through 120 both inclusive, and five (5) private parks.

* According to the plat thereof recorded in Liber 34 of Plats on pages 26 through 33, inclusive, Washtenaw County records,

EXHIBIT A CONT'D.

*

"BROMLEY PARK SUBDIVISION NO. 2," part of the Northeast 1/4 of Section 35 and part of the Northwest 1/4 of Section 36, T.2S., R.7E., Superior Township, Washtenaw County, Michigan. Described as:

Commencing at the Northwest corner of Section 36, T2S, R7E, Superior Township, Washtenaw County, Michigan; thence N88°32'07"E 1323.86 feet along the North line of said Section 36 and the centerline of Geddes Road (60 foot 1/2 width); thence S02°07'26"E 313.15 feet along the East line of the West 1/2 of the Northwest 1/4 of said Section 36 and the East line of "Bromley Park Subdivision No. 1", as recorded in Liber 34 of plats, Pages 20-33, Washtenaw County Records for a POINT OF BEGINNING; thence continuing along said East line S02°07'26"E 2350.91 feet; thence S88°12'06"W 1334.05^{FEET} along the East-West 1/4 line of said Section 36 to the West 1/4 corner of said Section 36; thence N01°54'15"W 539.63 along the West line of said Section 36; thence S51°00'21"W 13.18 feet; thence S56°54'29"W 78.74 feet; thence S67°38'32"W 77.65 feet; thence S78°18'03"W 77.65 feet; thence S88°57'34"W 77.65 feet; thence N80°22'56"W 77.65 feet; thence N69°43'25"W 77.65 feet; thence N25°36'20"E 120.00 feet; thence 4.54 feet along the arc of a 298.00 foot radius non-tangential circular curve to the right, with a central angle of 0°52'20", having a chord which bears N63°57'30"W 4.54 feet; thence N63°31'20"W 136.08 feet; thence S26°28'40"W 126.40 feet; thence N58°51'19"W 81.39 feet; thence N55°34'53"W 79.79 feet; thence N43°37'23"W 79.79 feet; thence N31°39'53"W 79.79 feet; thence N20°31'43"W 78.75 feet; thence N13°27'59"W 59.99 feet; thence N14°25'17"W 120.00 feet; thence N12°37'05"W 68.38 feet; thence N05°36'34"W 72.45 feet; thence N01°51'39"E 71.79 feet; thence along the Southerly line of said "Bromley Park Subdivision No. 1", the following forty-two (42) courses: S84°44'15"E 186.00 feet, N05°15'45"E 19.77 feet, S84°44'15"E 159.61 feet, N05°15'45"E 186.00 feet, N84°44'15"W 30.37 feet, N08°00'45"E 131.49 feet, S84°43'44"E 57.73 feet, S82°47'47"E 61.80 feet, S86°06'00"E 169.03 feet, N88°53'23"E 87.57 feet, N87°18'44"E 66.81 feet, N03°30'39"W 120.03 feet, N13°02'58"E 69.29 feet, N04°44'15"W 120.00 feet, N85°17'11"E 180.00 feet, N83°16'56"E 60.20 feet, N88°00'09"E 65.94 feet, S01°49'50"E 120.00 feet, N87°53'50"E 60.00 feet, N01°49'50"W 120.00 feet, N87°53'50"E 120.00 feet, N88°45'08"E 68.38 feet, S84°57'34"E 70.64 feet, S77°31'37"E 72.73 feet, S69°58'44"E 72.86 feet, S62°21'12"E 74.23 feet, S62°20'49"E 32.09 feet, N41°42'12"E 60.00 feet, N41°26'12"E 60.00 feet, S48°53'07"E 120.28 feet, N41°42'12"E 100.33 feet, 65.34 feet along the arc of a 342.00 foot radius non-tangential circular curve to the left, with a central angle of 10°56'47", having a chord which bears N36°13'50"E 65.24 feet, N59°14'33"W 120.00 feet, N23°57'50"E 52.52 feet, N10°22'34"E 52.52 feet, N03°12'41"W 52.52 feet, N16°47'57"W 52.52 feet, N30°23'12"W 52.52 feet, N52°49'10"E 120.00 feet, N40°58'15"E 67.20 feet, N50°52'54"E 120.00 feet, and N87°52'49"E 129.47 feet to the Point of Beginning, being a part of the West 1/2 of the Northwest 1/4 of said Section 36 and the Northeast 1/4 of Section 35, containing 75.52 acres of land, more or less, and being subject to easements and restrictions of record, if any. Comprising of 146 lots, numbered 121 through 266 both inclusive, and three (3) private parks.

* According to the plat thereof recorded in Liber 35 of Plats on pages 1 through 16 inclusive, Washtenaw County Records,

COPY

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That **PULTE LAND COMPANY, LLC**, a Michigan limited liability company, the address of which is 26622 Woodward Avenue, Suite 110, Royal Oak, Michigan 48067, quit claims to **BROMLEY PARK HOMEOWNERS ASSOCIATION**, a Michigan nonprofit corporation, the address of which is 26622 Woodward Avenue, Suite 110, Royal Oak, Michigan 48067, the property situated in Superior Township, Washtenaw County, Michigan described as follows:

See Exhibit A attached hereto and made a part hereof,


together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One (\$1.00) Dollar.

This instrument is exempt from real estate transfer taxes pursuant to M.C.L.A. 207.505(a) and M.C.L.A. 207.526(a).

Dated this 19 day of April, 2004.

Signed by:

PULTE LAND COMPANY, LLC,
a Michigan limited liability company

By: 
Its: Howard Fingersoot
member

STATE OF MICHIGAN)
)ss.
COUNTY OF Washtenaw)

The foregoing instrument was acknowledged before me this 19th day of April, 2004, by ~~Bill Myers~~, the Member of Pulte Land Company, LLC, a Michigan limited liability company, on behalf of the company.

Howard Fingerroot

Dawn S. Schwab

Notary Public Dawn T. Schwab, Oakland City

My Commission Expires: 01/05/06

Acting in Washtenaw County, MI

DRAFTED BY AND WHEN RECORDED RETURN TO:

Clark G. Doughty, Esq.
Bodman, Longley & Dahling LLP.
100 Renaissance Center, 34th Floor
Detroit, Michigan 48243
(313) 259-7777

Send Subsequent Tax Bills To: Grantee

Recording Fee _____

Revenue Stamps: Exempt

EXHIBIT A

LEGAL DESCRIPTION

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"BROMLEY PARK SUBDIVISION NO. 1," part of the Northeast 1/4 of Section 35 and part of the Northwest 1/4 of Section 36, T.2S., R.7E., Superior Township, Washtenaw County, Michigan. Described as:

Commencing at the Northwest corner of Section 36, T2S, R7E, Superior Township, Washtenaw County, Michigan; thence S01°54'15"E 60.00 feet along the West line of said Section 36 for a POINT OF BEGINNING; thence N88°32'07"E 1324.09 feet along the Southerly right of way line of Geddes Road (60 foot 1/2 width); thence S02°07'26"E 253.15 feet along the East line of the West 1/2 of the Northwest 1/4 of said Section 36; thence S87°52'49"W 129.47 feet; thence S50°52'54"W 120.00 feet; thence S40°58'15"W 67.20 feet; thence S52°49'10"W 120.00 feet; thence S30°23'12"E 52.52 feet; thence S16°47'57"E 52.52 feet; thence S03°12'41"E 52.52 feet; thence S10°22'34"W 52.52 feet; thence S23°57'50"W 52.52 feet; thence S59°14'33"E 120.00 feet; thence 65.34 feet along the arc of a 342.00 foot radius non-tangential circular curve to the right, with a central angle of 10°56'45", having a chord which bears S36°13'50"W 65.24 feet; thence S41°42'12"W 100.33 feet; thence N48°53'07"W 120.28 feet; thence S41°26'12"W 60.00 feet; thence S41°42'12"W 60.00 feet; thence N62°20'49"W 32.09 feet; thence N62°21'12"W 74.23 feet; thence N69°58'44"W 72.86 feet; thence N77°31'37"W 72.73 feet; thence N84°57'34"W 70.64 feet; thence S88°45'08"W 68.38 feet; thence S87°53'50"W 120.00 feet; thence S01°49'50"E 120.00 feet; thence S87°53'50"W 60.00 feet; thence N01°49'50"W 120.00 feet; thence S88°00'09"W 65.94 feet; thence S83°16'56"W 60.20 feet; thence S85°17'11"W 180.00 feet; thence S04°44'15"E 120.00 feet; thence S13°02'58"W 69.29 feet; thence S03°33'39"E 120.03 feet; thence S87°18'44"W 66.81 feet; thence S88°53'23"W 87.57 feet; thence N86°06'00"W 169.03 feet; thence N82°47'47"W 61.80 feet; thence N84°43'44"W 57.73 feet; thence S08°00'45"W 131.49 feet; thence S84°44'15"E 30.37 feet; thence S05°15'45"W 186.00; thence N84°44'15"W 159.61 feet; thence S05°15'45"W 19.77 feet; thence N84°44'15"W 186.00 feet; thence N05°15'45"E 120.00 feet; thence S84°44'15"E 120.00 feet; thence N05°15'45"E 132.53 feet; thence N84°44'15"W 120.00 feet; thence N05°15'45"E 300.00 feet; thence N04°51'53"E 58.62 feet; thence N00°12'28"E 62.04 feet; thence N03°21'17"W 60.00 feet; thence N03°23'04"W 180.00 feet; thence N00°38'51"W 72.80 feet; thence N02°19'31"W 383.94 feet; thence N87°40'29"E 811.54 feet along said Southerly right of way line of Geddes Road to the Point of Beginning, being a part of the West 1/2 of the Northwest 1/4 of said Section 36 and the Northeast 1/4 of Section 35, containing 42.89 acres of land, more or less, and being subject to easements and restrictions of record, if any. Comprising of 120 lots, numbered 1 through 120 both inclusive, and five (5) private parks.

* According to the plat thereof recorded in Liber 34 of Plats on pages 20 through 33, inclusive, Washtenaw County records,

EXHIBIT A CONT'D.

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"BROMLEY PARK SUBDIVISION NO. 2," part of the Northeast 1/4 of Section 35 and part of the Northwest 1/4 of Section 36, T.2S., R.7E., Superior Township, Washtenaw County, Michigan. Described as:

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