

LIBER 70 PAGE 732

LAKE GITCHGUMEE PLAT I 4

Township of Hanover, County of Wexford, State of Michigan. Being a part of the Northeast ¼ of Section 7, T. 24N., R. 11W.

BUILDING AND USE RESTRICTIONS

I. These restrictions are covenants which shall run with the land and shall be binding on all parties hereto, or their heirs, assigns, successors, or grantors, and all parties claiming under or through them until January 1, 2005, at which time said covenants shall be automatically extended for successive periods of ten (10) years each, unless it is on that date or at the end of any such period agreed by a vote of the then owners of a majority of the parcels in the above captioned and described lands, to change such restrictions in whole or in part or to cancel them.

II. If any of the above named parties shall violate or attempt to violate any of these restrictions, any other person or persons owning any property situated in the above described land shall have all of the rights provided by law, in equity, or of any other nature whatsoever against the person or persons so violating or attempting to violate these restrictions.

III. Invalidation of any of these covenants by any court shall in no way affect any of the provisions which are not so invalidated, but such other provisions shall remain in full force and effect.

USAGE:

1. No parcel shall be used for commercial purposes. The rental or leasing of living unit or dwelling shall not be deemed commercial usage.
2. In the event that the property is rented or leased, the owner or manager shall furnish the tenant or leasee with the restrictions herein and such tenant or leasee shall be bound by them.
3. The erection of a temporary storage building for materials and supplies to be used in the construction of a dwelling, and which shall be removed from the premises on the completion of the building is NOT prohibited. Boats, snowmobiles, motorcycles, private trailers or trucks may be stored or maintained on a lot only if housed completely within a building permitted hereunder.
4. Dogs, cats or household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purpose.
5. No oil drilling, oil development operations, oil refining, quarry or mining operations of any kind shall be permitted upon or in any parcel, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any parcel. No derrick or other structure designed for the use in the boring for oil or natural gas shall be erected, maintained or permitted on any parcel.
6. All plumbing and sanitary facilities shall be connected to a septic tank disposal system. All on-site sewage disposal systems shall comply with the recommendations of the Michigan State Board of Health, which are made a part hereof by reference.
7. Easements for installation and maintenance of public utilities and drainage facilities are reserved.

LIBER 70 PAGE 733

BUILDING:

8. The building line for all roadfront parcels in the above described land shall not be closer than thirty (30) feet from the road line. Side yards shall not be closer than twenty (20) feet from the side boundary line.

9. No building, other than a dwelling house, with the usual outbuildings (pole barns, shed, garage) shall be erected, placed or used upon said land, except as specifically described. This restriction is applicable to permanent buildings only.

10. All residential structures shall have finished exteriors and interiors. No residence shall be permitted in garages or unfinished residential buildings.

All buildings, including those damaged by fire, shall have the exterior completed within six (6) months from the start of reconstruction or date of fire.

No building shall have an exterior siding of any type of tar paper or tar or asphalt substance materials.

11. MANUFACTURED or MOBILE HOMES shall be limited to double wides or modular homes and shall not contain less than 800 square feet.

Mobile homes shall not have been manufactured more than five (5) years from the date the home is placed upon the site.

12. All buildings for residential purposes will be constructed above and landward of the freeboard line, elevation 1014.0 (U.S.G.S datum) and openings will not be permitted into basements below the elevation of the freeboard line.

13. Any water well must be developed in the second aquifer which will necessitate penetrating the protective clay overburden- these wells will be generally 80-100 feet deep.

14. No dredging nor docks or obstructions of any sorts shall be constructed without the prior approval of the Department of Natural Resources, under the provisions of Act 346, Public Acts of 1972.

MAINTENANCE:

12. Garbage and refuse shall be kept sanitary containers with covers within twenty (20) feet of the dwelling and shall be disposed of at least once a week. No parcel shall be used or maintained as a dumping ground for rubbish.

13. Any automobile or vehicle not bearing an up-to-date license plate shall be considered an abandoned vehicle and removed.

14. It is mandatory that all Purchasers shall join the LAKE GITCHEGUINEE PROPERTY OWNERS ASSOCIATION at the time of closing on the purchase of their property.

LIBER 70 PAGE 101

IN THE PRESENCE OF:

Wildwood Development-Northern, Inc.
a Michigan corporation

Elisabeth Bassin

Herbert Rosen
By: Herbert Rosen, President

Bruce J Bassin

STATE OF MICHIGAN

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 21st day of October, 1991, by Herbert Rosen, President of Wildwood Development-Northern, Inc., a Michigan corporation.

My commission expires: May 30, 1995

Elisabeth Bassin
Elisabeth Bassin
Notary Public Oakland County, Michigan

Instrument Drafted by:

Business
Address: 28860 Southfield Road
Lathcup Village, Michigan 48076

Elisabeth Bassin

State of Michigan
County of Washtenaw
Recorded 24th day of Oct
19 91 A.D. at 2:00 o'clock P
Kimberly Loughmiller
Register of Deeds