

LAKE OGEMAW RESTRICTIONS
West Branch, Michigan

KNOW ALL MEN BY THESE PRESENTS, That the Subscribers herein-after, the Owners of Lake Ogemaw Subdivision, Ogemaw County, Michigan do hereby establish the following uniform building and use restrictions for the entire described plat:

PROTECTIVE COVENANTS: These covenants are to run with the land and shall be binding on all parties and persons claiming under them until such time as a majority of all of the Owners at any particular time in future of all of the lots within the one subdivision of which the lot is a part shall agree to change said covenants in whole, or in part. The terms "Owners" shall for the purpose of amendment of these covenants be deemed to mean the person, or persons in whose name the latest township tax assessment roll shows.

If the Parties hereto, or their heirs, transferees, or assigns or any person holding under them at any time in the future, shall violate, or attempt to violate any of the covenants herein, or amendments thereof, it shall be lawful for any other person, or persons owning, or holding contract to buy any real property situated in said subdivision to prosecute any proceedings at law, or in equity against the person, or persons violating, or attempting to violate any such covenant and either to prevent him, or them from so doing, or to recover damages, or other dues for such violation.

Invalidation of any one of these covenants by judgment, or court order shall in no wise effect any of the other provisions which shall remain in full force and effect.

A. All of the lots within any of the described subdivisions shall be known and described as residential lots and shall be used for single family residential purposes only. No structure shall be erected, altered, placed, or permitted to remain on any residential building plot other than one detached single family dwelling, not to exceed two stories in height and an attached private garage for not more than three automobiles, except if a lot shall be divided between one or more owners, then the new property line shall be treated as an original lot line.

B. No more than one dwelling shall be erected on less than one full lot as subdivided unless one, or more lots as platted have been divided, in which event a dwelling shall be erected on parcels of land containing not less than 6,500 square feet of space including the area occupied by the dwelling.

C. No structure, including porches, garages, and boathouses shall be erected closer to side lot lines than 10 feet. No structure, including porches, garages (but not including boathouses on lake front lots) shall be erected closer than 30 feet from front lot lines. Front lot lines shall be lakeside on all lake front lots and roadside on all off-lake lots. No structure shall be erected closer than 20 feet to the road on lakefront lots. No boathouse which shall include a permanent roof shall be constructed so that any portion thereof shall exceed the elevation of the elevation of the intersection of the foundation of the dwelling and the ground.

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- D. Any dwelling erected, placed, or altered on any lot shall have a minimum ground floor living area of 450 square feet as measured at the grade level facing the street.
- E. All construction materials shall be new and no roll roofing, or tar paper siding shall remain uncovered by modern finish siding. Cement block structures shall be painted with not less than two coats of masonry paint.
- F. All residences shall have private inside bathroom and toilet facilities and septic tank and disposal field systems shall conform to public regulations pertaining thereto. No sewage effluent shall discharge into the lake, or any open ditch.
- G. All structures shall be completed on the exterior within one year following commencement of construction including two coats of paint, or varnish on any exterior wood surfaces.
- H. No fence shall be erected closer than 25 feet from the front lot line nor shall any fence which is placed outside of the front back, or side set back lines obstruct vision through the fence by more than 50% of its area. And no hedge shall be maintained at a height greater than four feet.
- I. Easements for the installation and maintenance of public utilities and drainage are reserved along and within five feet of all rear, side and front lot lines, except along the lake front.
- J. Dwellings shall be limited to permanent structures set upon a permanent foundation but may include factory constructed mobile homes of at least 450 Square feet of floor space, set upon permanent foundation which shall be provided with water well, indoor plumbing and county approved sewage disposal system.
- K. No for sale sign, or advertising device larger than 24 inches by 30 inches shall be erected on any lot, except on a new house, or by the original subdivider during the initial sale period.
- L. No husbandry of either animals, or fowl shall be conducted or maintained upon this subdivision, provided that this shall not exclude the keeping of house pets as pets only and not for any commercial purpose.
- M. No noxious or offensive trade, or activity shall be carried on upon any lot, nor shall anything be done which may become an annoyance, or nuisance to the neighborhood.

The above restrictions are recorded in the County of Ogemaw, City of West Branch.