

Aug 19 10 14 AM '65

DECLARATION OF RESTRICTIONSREGISTER OF DEEDS
JACKSON COUNTY, MICH.*John M. Alden*

LAKE COLUMBIA DEVELOPMENT COMPANY, a Michigan Corporation, of P.O. Box 396, Lansing, Michigan, are the developers of the following described property:

RIVIERA SHORES, a subdivision of part of the North 1/2 of Section 34, T4S, R1E, Columbia Township, Jackson County, Michigan,

and as developers of the above described plat, it desires to impose the following restrictions:

1. All lots in this subdivision shall be used exclusively for residential purposes. No structure or building shall be erected, altered, placed or permitted to remain on any lot other than one single family dwelling and private garage.

No trailer or temporary structure shall be occupied or stored within the subdivision at any time.

2. Garages or car shelters on all lake front lots in this subdivision shall be attached to and connecting with or built as a part of the one family dwelling.

Any garages or boat house must conform in appearance to the residence structure on said lot.

3. TYPE, SIZE & CONSTRUCTION:

Any dwelling erected, placed or altered on any lot in the subdivision must be approved in writing by the Building Control Committee prior to start of construction. Such approval will be made upon submission of satisfactory plans, specifications and a grid map showing location of structure on lot. Any structure must conform to the following minimum standards:

- (a) Any residence erected on any lot in Riviera Shores shall have a ground floor area of 850 square feet in the case of a one story building and not less than 720 square feet in the case of a 1½ story building or bi-level, or not less than 850 square feet of living area in the case of a tri-level.

The side that faces the street shall be considered to be the front of any dwelling erected in this subdivision.

- (b) All construction materials must be new.
- (c) All residences must have private inside bathroom facilities.
- (d) Fences, walls and hedges, if any, shall be of open construction not more than five feet in height and shall not extend in front of the front dwelling line. Any fences to extend to front of the front dwelling line must be approved by the Building Control Committee.
- (e) All sanitary plumbing shall conform with the minimum requirements of the Health Department of Jackson County and the State of Michigan.

(f) All structures shall be completed on the exterior within six (6) months from start of construction including two (2) coats of paint or varnish on any exterior wood surfaces, and Exterior walls must be finished with approved siding material or if concrete block is to be used as an exterior surface, it must be painted with two (2) coats of masonry paint.

(g) Any reasonable change, modification or addition to the within restrictions shall be considered by the Lake Columbia Development Company, and if so approved, they will then be submitted in writing to the abutting lot owners, and if so consented to in writing, shall be recorded and when recorded shall be binding as the original restrictions.

* The Building Control Committee shall consist of three (3) members appointed by the Lake Columbia Development Co. The committee may designate one of its members to act in its behalf. In the event of the resignation or death of any member, the remaining members shall appoint a replacement.

The Building Control Committee shall approve plans and specifications for all structures erected in this subdivision. The committee may reject any plan because of too great a similarity to nearby existing structures, or because, in the opinion of the committee the building is improperly placed on the lot.

4. Any structure erected must set back not less than 25' from front lot line and not less than 25' from any side street lot line. Side line set back shall not be less than 10'.
5. No for sale sign or advertising device of any kind shall be erected on any lot except on a new house previously unoccupied which is offered by the developer or builder.
6. No dock may be erected without approval of the Building Control Committee.
7. Lake Columbia is designated as a private lake and as such, the right to usage and control remain with the developer or its authorized agent.
8. In order to control the use of Lake Columbia, and thereby benefit all residents of the lands around the lake, the waters of Lake Columbia and the lands normally flowed and covered by the lake at its highest level, shall be owned by Lake Columbia Development Co., its successors and assigns. Lots which abut or border on the waters of the lake shall not include any riparian rights in and to said waters, or to the lands below said waters.
9. EASEMENTS for the installation and maintenance of public utilities or drainage facilities are reserved along and within 6 feet of all side lot lines and 10 feet on all rear lines in this subdivision. Such other Easements are hereby reserved to enter upon the premises if necessary to construct, operate and maintain any other public improvements, pipes, poles, wires, etc., whether under or above ground.

It is understood and agreed that it shall not be considered a violation of the provisions of the Easement if wires or cables carried by such pole lines pass over some portion of

said lots not within the 6 foot strip, as long as such lines do not hinder the construction of buildings on any lots in the subdivision.

10. Any tank for the storage of fuel placed or maintained on any lot outside of any building in this subdivision shall be located below the surface of the ground; or if placed above ground, such tank must be screened by shrubbery or fencing, such screening to be subject to the approval of the Building Control Committee. Outdoor receptacles for ashes and garbage shall be underground or shall be located at least 50 feet to the rear of the front lot line. No refuse pile or other unsightly or objectionable material or thing shall be allowed or maintained on any lot in this plat.
11. Owners of unoccupied lots shall at all times keep and maintain their property in this subdivision in an orderly manner causing weeds and other growth to be seasonably cut and prevent accumulation of rubbish and debris on the premises.
12. No business, trade or enterprise of any kind or nature whatsoever shall be conducted or carried on upon any lot or lots in said subdivision, nor shall any animals, birds, fowl or poultry, except common household pets, be kept at any time thereon.
13. Any dwelling and garage on any lot in this subdivision which may in whole or in part be destroyed by fire, windstorm or for any other reason, must be rebuilt or all debris removed and the lot restored to a slightly condition with reasonable promptness.
14. In order to maintain and improve the Lake Columbia area, the owner of each lot shall pay \$40.00 each year to the Lake Columbia Maintenance Company, its designated assessors or assigns, at least 1/2 of such funds to be used in each year for park and dam maintenance, lake level regulation, such other purposes that shall maintain and improve the Lake Columbia area. Annual assessment shall be due on the first day of April each year and shall be a lien on each lot and if not paid by June 15th each year, may be denoted by an affidavit recorded with the Register of Deeds, and this lien may be enforced as are real estate mortgages by foreclosure by advertisement or in Circuit Court.
15. These covenants shall run with the land and shall be binding on all parties claiming under them for a period of 20 years and shall be extended for successive periods of ten years unless and prior to the expiration of any such ten year period, an instrument signed by the owners of record of a majority of lots in the subdivision has been recorded changing or modifying said covenants in whole or in part.

Invalidation of any one of these covenants by judgement or decree shall in no way effect any of the other provisions hereof which shall remain in full force and effect.

WITNESS:

LAKE COLUMBIA DEVELOPMENT COMPANY
a Michigan Corporation

Carolyn F. Esch

Carolyn F. Esch

BY

Don L. Fosta, President

Shirley K. Saffady

Shirley K. Saffady

BY

Carl A. Hager, Secretary

STATE OF MICHIGAN
County of Ingham

On this 18 day of August, 1965, before me, a Notary Public, in and for said county, personally appeared Don L. Foote, President and Carl A. Nager, Secretary of Lake Columbia Development Company, a Michigan Corporation, to me known to be the same persons described in and who executed the within instrument, who acknowledged the same to be of their free act and deed, which instrument is signed with authority of Board of Directors of said corporation.

Shirley K. Saffady
Notary Public

SHIRLEY K. SAFFADY
Notary Public, Ingham County, Mich.
My Commission Expires Aug. 30, 1966



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