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Genesee County Register MLMICHAEL

DECLARATION OF RESTRICTIONS
LAKESIDE ACRES SUBDIVISION

WHEREAS, the undersigned, Fenton 43 Venture, a Michigan Co-Partnership, of 612 West University Dr., Suite 201, Rochester, Michigan 48307, hereinafter referred to as "Declarant", being the owner of the lands hereinafter described, and hereinafter referred to as "The Subdivision", desires to create a planned community for the benefit of all residents of The Subdivision, which is located in the Township of Fenton, Genesee County, Michigan, and more particularly described as:

Lots 1-64
AND Jeanne & Bryan, Sandra, Donna and Pamella Parks
AND public streets
Lakeside Acres Subdivision
Township of Fenton, Genesee County, Michigan
Liber Pages Inst'# 200212100138524
(metes & bounds description attached)

WHEREAS, Declarant desires to provide for the preservation and enhancements of the property values and amenities in The Subdivision and to this end desires to subject The Subdivision to the covenants, restrictions, and easements hereinafter set forth, each and all of which is and are for the benefit to The Subdivision and each owner of a lot therein;

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the undersigned, its successors and assigns, and all intending purchasers, and future owners of the various lots comprising The Subdivision, the undersigned Declarant for itself, its successors and assigns does hereby publish, declare and make known to all intending purchasers and future owners of the lots comprising The Subdivision, that the same will and shall be used, held and /or sold expressly subject to the following by reference in all deeds of conveyance and contracts for the sale of said lots and shall run with the land and be binding upon all grantees of individual lots in The Subdivision and on their respective heirs, personal representatives, and successors and assigns.

ARTICLE I
ARCHITECTURAL CONTROL

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No building, or other structure (decks, pools, etc), or exterior improvement shall be commenced, erected or maintained on any lot, nor shall any exterior addition or alteration be made until the plans and specifications showing the nature, kind, size, shape, height, colors, materials, topography and location of the same on the lot shall have been submitted to and approved in writing by the Declarant.

Section 1. Plans and specifications for final approval by the Declarant shall include the following:

a. Complete plans and specifications sufficient to secure a building permit in the Township of Fenton, including a dimensional plot plan showing lot and placement of residence, garage, and other structures, if any.
b. Front elevation, side elevations, and rear elevation of building.
c. A perspective drawing if deemed necessary by the Declarant to interpret adequately the exterior design which shall be of the Traditional style with basement.
d. Data as to size, materials, colors, and texture of all exteriors including roof coverings.
e. One set of blueprints shall be left with the Declarant until construction is completed.

Section 2. Preliminary plans may first be submitted for preliminary approval.

Section 3. No approval by the Declarant shall be valid if the structure or improvement violates any of the restrictions set forth in Articles II or III of this Declaration, except in cases where waivers have been granted as provided for in the said Articles.

Section 4. The declarant may disapprove plans because of noncompliance with any of the restrictions set forth in Articles II and III of this Declaration, or because of reasonable dissatisfaction with the grading and drainage plan, the location of the structure on the lot, the materials used, the color scheme, the finish, design, proportions, shape, height, style, or appropriateness of the proposed improvement or alteration or because of any matter or thing, which, in the reasonable judgement of the Declarant, would render the proposed improvement or alteration inharmonious or out of keeping with the objectives of the Declarant or with improvements erected on other lots in the Subdivision.

Section 5. In the event the Declarant fails to approve or disapprove plans within fifteen (15) days after submission, then such approval will not be required, but all other limitations, conditions, and restrictions set forth in the Declaration shall apply and remain in force as to such plans.

Section 6. Declarant approval shall be deemed given if the plans, and specifications submitted for approval are marked or stamped as having been finally approved by the Declarant, and are dated and signed by Declarant.

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ARTICLE II
BUILDING AND USE RESTRICTIONS FOR THE SUBDIVISION

Section 1. Use of lots.

All lots shall be used for single family residence purposes only, and no building of any kind whatsoever shall be erected, re-erected, moved or maintained thereon except one single family dwelling house and appurtenant buildings on each lot, as hereinafter provided. Such dwelling house shall be designed and erected for occupation by a single private family. A private attached garage for the sole use of the respective owner or occupant of the lot upon which said garage is erected may also be erected and maintained.

Section 2. Character and Size of Buildings.

With respect to all lots, no dwelling shall be permitted on any lot unless, in the case of a one-story (Ranch) building, the living area thereof shall be not less than1,600 square feet; and in the case of a one and one-half story (Cape Cod) building, the living area thereof shall be not less that 1,800 square feet; and in the case of a two-story (Colonial) building, the living area thereof shall be not less than 2,000 square feet. All computations of square footage for determination of the permissibility of erection of a residence shall be exclusive of garages, porches, or terraces. All garages must be attached or architecturally related to the dwelling. No garage shall provide space for less than two (2) automobiles. Carports are specifically prohibited. Driveway construction material shall be hard-surface (e.g. concrete or asphalt). Gravel driveways are expressly prohibited.

Section 3. Minimum Yard Requirements.

No building on any lot shall be erected nearer than:

a. Thirty (30) feet from the front lot line; nor
b. Ten (10) feet from the side lot line; nor
c. Thirty-five (35) feet from the rear lot line.
d. Twenty-five (25) feet from wetlands

Approval of a variance by both the Declarant and the Township of Fenton Zoning Board of Appeals permitting front, rear, or side yards smaller that the above minimums shall be deemed a valid waiver of this restriction. These set backs are per Fenton Township ordinance and subject to change by Township.

Section 4. Animals

No farm animals, livestock, or wild animals shall be kept or bred or harbored on any lots, nor shall any animals be kept for commercial purposes. Domestic animals commonly deemed to be household pets may be kept by the Owner and members of his household so long as such pets shall have such care so as not to be objectionable or offensive to others.

a. Any dog kept by a resident on his premises shall be kept either on a leash, within an invisible (electric) fence, or in a dog run or pen and shall not be allowed to run loose or unattended. No dog runs or pens shall be permitted to be erected or maintained unless located within the rear yard (only) adjacent to a wall of the main dwelling or garage and facing the rear or the interior of the lot,

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nor shall such runs or pens extend beyond the end of the dwelling or garage into the side yard or have a width (into the rear yard) greater than one-half the length.

Section5. Sight Distance at Intersections.

No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between three (3) and six (6) feet above the roadways shall be placed or permitted to remain on corner lots within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded property corner, from the intersection of the street property lines extended. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

Section 6. Easements and Other Conditions.

Easements for the construction, installation and maintenance of public utilities, for surface and road drainage facilities, for storm sewer facilities, and for sanitary sewer facilities, are reserved as shown on the recorded Plat of The Subdivision, and /or as may otherwise appear of record, and as set forth herein. In addition, easements are hereby specifically reserved as shown on the recorded Plat, for, among other things, the installation and maintenance of natural gas, telephone, electric and cable television lines and conduits, storm sewers, surface drainage, and for sanitary sewer purposes. Within each of the foregoing easements, no structure, improvements, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and/or maintenance of such service facilities and utilities or which may change, obstruct or retard the flow or direction of water in and through drainage channels in the easements, nor, without the written consent of the Declarant, shall any change be made in the finished grade of any Lot once established upon completion of construction of the Dwelling on such Lot. The easement area of such Lot shall be maintained in a presentable condition continuously by the Owner, and the Owner of each Lot shall be liable for all damage to service facilities and utilities thereon, including, without limitation, damage to electric, telephone, natural gas and cable television distribution lines and facilities located therein.

Section 7. Outbuildings.

Sheds, barns or any out-buildings or structures of any description whatsoever (excluding normal playground equipment), are expressly prohibited; and no temporary occupancy shall be permitted in unfinished residential buildings, except where allowed by a Temporary Certificate of Occupancy issued by the Fenton Township Building Department.

Section 8. General Conditions.

a. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste, and the same shall not be kept except in sanitary containers properly concealed from view. Garbage containers shall not be left at the road for more than twenty-four (24) hours in any one-week. Garbage containers shall not be set out prior to 5:00P.M. of day preceding garbage pickup.

b. No house-trailers, commercial vehicles and trucks, boat trailers, boats, camping vehicles or camping trailers may be parked or stored on any lot, unless stored fully enclosed within an attached garage. Commercial vehicles and trucks shall not be

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parked in The Subdivision, or on any lot therein, except while making normal deliveries or pickups in the normal course of business. However, a construction trailer and construction vehicles may be maintained by each builder offering new houses for sale, only during the period when new houses are under construction in The Subdivision by the builder.

c. No laundry shall be hung for drying in such a way as to be visible from the street on which the dwelling fronts, and in the case of corner lots, such laundry shall not be hung so that it will be visible from the streets on which the dwelling fronts and sides.

d. The grade of any lot or lots in The Subdivision may not be changed without the written consent of the Declarant. This restriction is intended to prevent interference with the master drainage plans for The Subdivision.

e. No "through the wall" air conditioners may be installed on the front or side wall or in any front or side window of any building.

f. No outside compressors for central air conditioning units may be located other than in the rear yard and must be installed and maintained in such a manner so as to create no nuisance to the residents of adjacent dwellings. Compressors will be allowed in side yards with proper screening provided approval has been given by the Declarant.

g. No above-ground swimming pool may be built.

h. Television satellites dishes will not exceed two(2) feet in diameter, and will be located in the rear yard in close proximity to the house, if possible

i. Notwithstanding anything to the contrary elsewhere set forth herein, Declarant and/or any builders which it may designate, may construct and maintain a sales agency and a business office on any lots which they may select, or may use a model house for such purpose, and Declarant and such designated builders may continue to do so until such time as all of the lots in which the Declarant or such designated builders have an interest, are sold by them.

Section 9. Lease Restrictions.

No owners of any lot shall lease and/or sublet less than the whole of any dwelling on any lot.

Section 10. Exterior Surface on Dwellings.

The visible exterior walls of all dwellings & garages may be made of brick, stone, wood, and/or vinyl siding in any combination. The use of block, metal, asphalt, and/or aluminum siding is expressly prohibited. Windows and doors shall not be included in calculating the total area of visible exterior walls. Fifty percent (50%) of the front walls shall be brick or stone. The Declarant may grant such exceptions to this restriction as it deems suitable.

Section 11. Fences.

a. No fence, wall or solid hedge may be erected, grown, or maintained in front of or along the front line of any lot. The side lot line of each corner lot which faces a street shall be deemed to be a second front lot line and shall be subject to the same restrictions as to the erection, growth, and maintenance of fences, walls or hedges as hereinbefore provided for front building lines.

b. No fence, wall or solid hedge will be erected or maintained on or along the side lines of any lot, and/or on or along the rear line or any lot, except that fences

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which are required by local ordinance to enclose swimming pools, and fences used for dog runs or pens which comply with the requirements of Article II Section4 (a), of the Declaration, shall be permitted.

c. No solid-type wood fences will be allowed. No chain link fences will be allowed except in accordance with Article II Section 4 (a), of this Declaration. The only fences which will be allowed are split-rail to be incorporated into the landscaping. Fences surrounding pools must be either decorative wrought iron or decorative wrought aluminum. No fence of any type may be erected without the Declarant's approval.

Section 12. Signs.

No sign or billboard shall be placed, erected, or maintained on any lot, except one sign advertising the lots, or the house and lot for sale or lease, which said sign shall have a surface of no more than six (6) square feet, and the top of which shall not be more than three (3) feet above the ground; provided, however, that such a sign shall have been constructed and installed In a professional manner. Any such sign shall be kept clean and in good repair during the period of its maintenance on the said lot, and shall in no event be placed and maintained nearer than twenty (20) feet from the front lot line. The provisions of this paragraph shall not apply to such signs as may be installed or erected by Declarant, or any builder which it may designate during the period of construction of houses, or during such periods as any residence is used as a model or for display purposes.

Section 13. Destruction of Building by Fire, etc.

Any debris resulting from the destruction in whole or in part of any dwelling or building on any lot shall be removed with all reasonable dispatch from such lot in order to prevent an unsightly condition. Building permit for reconstruction must be secured within sixty (60) days after destruction in whole or in part of the dwelling. Building must begin within thirty (30) days of permit being ready.

Section 14. Landscaping.

Upon completion of a residence on any of the lots the owner thereof, (and the word "owner", as used in this connection, is intended to mean the person(s) who purchase a residence from the builder thereof, and each subsequent purchaser), shall cause the lot owned by him to be finish-graded and seeded or sodded and suitable landscaped as soon after the completion of construction as the weather permits. The lot and the drainage ditch, if any, contiguous to each lot shall be kept free of weeds by the owner thereof. All landscaping and lawns shall be well-maintained at all times. Grass is not to exceed six (6) inches at any given time.

ARTICLE III
GENERAL PROVISIONS

Section 1. Enforcement.

Any Owner shall have right to enforce by any proceeding at law or in equity all restrictions and conditions imposed by the provisions of this Declaration. Failure of any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

Section 2. Severability

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

Section 3. Amendment.

The covenants and restrictions of the Declaration shall run with and bind the land for a term of twenty (20) years from the date this Declaration is recorded, after which time they shall be automatically be extended for successive periods of ten (10)years. This Declaration may be amended by an instrument signed by not less than seventy-five percent (75%) of the lot owners (Deed holders) except that amendments made by the Declarant during its ownership of lots(s) shall not require the vote, signature or approval of any lot owners; easement, wetland, flood plain, and health provisions may not be amended.

Section 4. Assignment or Transfer of Rights and Powers

Declarant hereby reserves the unequivocal right to assign to others in whole or in part, at any time and from time to time, any or all of the rights and powers, titles and estates hereby reserved or given to Declarant herein, including the right and power to approve or disapprove any use, act, proposed action, or any other matter or thing. Any such assignee shall thereupon have the same rights and powers, and be subject to the same obligations and duties as herein given and reserved to and assumed by Declarant in connection with the rights and powers so assigned, and such instrument, when executed by such assignee shall without further act, release said Declarant from all obligations, duties, and liability in connection therewith.

ARTICLE IV
WETLAND AREA

It shall be unlawful for any person to deposit or permit to deposited any material, including structures, into, within or upon the Wetland Area recorded on the Plat, and/or to disturb, disrupt, impair, damage, modify or harm such areas and/or habitats in or functions performed by such areas. It is the intent of this Article to preserve the Wetland Area; and all activities inconsistent with such intent are prohibited.

However, the owners of the lots adjoining Pamella Park may apply to the Michigan Department of Environmental Quality for a permit to construct a dock across the wetland located within the park, for the purpose of accessing Loon Lake for non-boating activities. Such access is limited to the residents of dwellings on the lots adjoining Pamella Park.

The foregoing Pamella Park provision may not be amended without Township consent, and it may be enforced by the Township.

ARTICLE V
SUBDIVISION ASSOCIATION

The rights and obligations of the Declarant with respect to approval, and supervision, and control of these building and use restrictions involving discretionary decisions

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may be assigned by the Declarant hereafter to a Homeowners Association of the subdivision. Such transfer of rights and obligations may be made at anytime Declarant deems it appropriate but in any event shall be made when Declarant has sold all the lots in the subdivision or has no further interest therein. Declarant shall have the right to form a Michigan non-profit Corporation, and each lot owner shall be required to be a member thereof and to accept it as an operative association, to which the subject rights and obligations may be transferred by Declarant. The Declarant or the Association shall have the authority to impose such dues and assessments as deemed necessary to pay the cost of owning, maintaining and/or improving (a) entrance (b) parks (c) emergency access drive. Dues and assessments shall be due and payable within thirty (30) days after billing. In the event any Lot Owners fail to pay such dues or assessments when due, the Declarant or succeeding Association may record a statement in the Office of the Register of Deeds for Genesee County against the Lot showing the amount due which shall be a lien on the Lot until fully paid. The Association shall have the right to bring an action in a court of competent jurisdiction to collect against said Owner or foreclose the lien. Upon payment thereof, an appropriate discharge of the lien in the form eligible for recording shall be given to the Lot Owner. Any and all such liens for the dues and assessments herein provided shall be subordinate to the lien of any first mortgage.

Pamella Park shall be limited to the use of the owners of the lots adjoining it, for passive recreation. Sandra Park shall be limited to the use of the owners of the lots adjoining it, for passive recreation. Donna Park shall be limited to the use of the owners of the lots adjoining it, for passive recreation. Jeanne and Bryan park shall be available for the use of the owners of all lots of the subdivision, for passive and/or active recreation; however, no structures shall be placed within one hundred feet of the rear property lines of the lots adjoining it.

The foregoing Pamella Park provision may not be amended without Township consent, and it may be enforced by the Township.

ARTICLE VI
RIGHTS OF LENDERS

Section 1. Assessments of Foreclosure.
Any Institutional Holder of any first Mortgage who obtains title to a lot pursuant to the remedies provided in the Mortgage (but exclusive of a deed in lieu of foreclosure), or through foreclosure of the first Mortgage, shall not be liable for any claims for unpaid assessments or charges against such lot which accrued prior to the acquisition of title to such lot by the Institutional Holder of the First Mortgage.

Section 2. Priority on Distribution of Proceeds.
No owner or any other party shall have priority over any rights of Institutional Holders of Mortgages upon individual lots pursuant to their Mortgages in the case of a distribution to owners of insurance proceeds or condemnation awards for losses to or a taking of all or any portion of the commonly owned property, if any, and/or the individual lots and improvements thereon.

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Section 3. Mortgage Protection Clause.
No breach of the covenants, conditions or restrictions herein contained, or any lien created hereby, shall defeat or render invalid the lien of any mortgage or deed of trust made in good faith and for value, but all of said covenants, conditions, and restrictions shall be binding upon and effective against any Owner whose title is derived through foreclosure or otherwise.

ARTICLE VII
COUNTY HEALTH DEPARTMENT RESTRICTIONS

1. No lot shall be used for other than the construction of single family dwellings.
2. Analyses of water samples from test wells on the site detected the presence of naturally occurring arsenic. Although the detected levels did not exceed federal and state health standards, homebuyers may want to install and properly maintain treatment equipment to reduce risk.

   Seven water samples from three test wells drilled between 6-10-01 and 6-26-01 detected arsenic levels ranging from 24 ppb (parts per billion) to 37 ppb. Such levels do not exceed the maximum standard of 50 ppb as of 8-24-01, the date of the county health department's preliminary plat approval. Also, it has been determined by a professional groundwater investigation dated 7-20-01 that the level is not likely to exceed 50 ppb in the future.

   The remaining wells to be drilled on the lots in the subdivision shall be subject to quantity and quality testing prior to approval by the county health department as follows: a four-hour pump test producing no less than 10 gpm (gallons per minute) AND an arsenic test detecting no more than 50 ppb. For a period of four years from the date of purchase, developer guarantees such test results to direct purchasers of lots from it. Should any wells fail such tests, developer will repurchase such lots at the sale prices, and reimburse its purchasers for the actual cost to install such wells, which will be abandoned by developer.
3. Permits for the installation of on-site water well systems shall be obtained from the Genesee County Health Department prior to any construction. Final inspections and approval of on-site water well systems shall be obtained from the Genesee County Health Department prior to any occupancy.
4. The above restrictions are to be in effect for perpetuity and can only be amended with the prior written approval of the Genesee County Health Department.

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ARTICLE VIII
DRAINAGE EASEMENT

The subdivision is subject to a perpetual and permanent easement as shown on the plat in favor of the Genesee County Drain Commissioner, the Lakeview Farm Drain Drainage District, and the County of Genesee (collectively referred to as "grantee"), and grantee's successors, assigns and transferees, in, over, under and through the subdivision which easement may not be amended or revoked except with the written approval of grantee, and amending the plat, and which contains the following rights:

1. The easement shall be for the purposes of developing, establishing, constructing, repairing, maintaining, deepening, cleaning, widening and performing any associated construction activities and grading in connection with any type of drainage facilities or storm darins in any size, form, shape or capacity;
2. The grantee shall have the right to sell, assign, transfer or convey this easement to any other governmental unit;
3. No other in the subdivision shall build or convey to others any permission to build any permanent structures on the said easement.
4. No owner in the subdivision shall build or place on the area covered by the easement any type of structure, fixture or object, or engage in any activity or take any action , or convey any property interest or right, that would in any way either actually or threaten to impair, obstruct, or adversely affect the rights of grantee under the said easement.
5. The grantee and its agents, contractors and designated representative shall have right-of-entry on, and to gain access to, the easement property;
6. All owners in the subdivision release grantee and its successors, assigns or transferees from any and all claims to damages in any way arising from or incident to the construction and maintenance of a drain or sewer or otherwise rising from or incident to the exercise by grantee of its rights under the said easement, and all owners covenant not to sue grantee for any such damages.

The rights granted to the County of Genesee, the Genesee County Drain Commissioner, the Lakeside Acres Drain Drainage District, and their successors and assigns, under Article VIII of these restrictions may not, however, be amended without the express written consent of the grantee hereunder. Any purported amendment or modification of the rights granted thereunder shall be null and void and without legal effect unless agreed to in writing by the grantee, its successors or assigns.

ARTICLE IX
BUILDINGS WITHIN AREAS AFFECTED BY FLOODPLAINS

No filling or occupation of the floodplain area will be allowed without prior written approval from the Michigan Department of Environmental Quality.

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For Pamella Park, any building used or capable of being used for residential purposes and occupancy, shall comply with all of the following requirements:

(a) Be located on a lot having a minimum buildable site of 3,000 square feet of its area at its natural grade above the elevation of the line defining the floodplain limits. The buildable site shall exclude all setbacks and easements.
(b) Be served by streets within the proposed subdivision having surfaces not lower than 1 foot below the elevation defining the floodplain limits.
(c) Have lower floors, excluding basements, not lower than the elevation defining the floodplain limits.
(d) Have openings into the basement not lower than the elevation defining the floodplain limits.
(e) Have basement walls and floors, if below the elevation defining the floodplain limits, which are watertight and designed to withstand hydrostatic pressures from a water level equal to the elevation of the contour defining the floodplain limits following methods and procedures outlined in chapter 5 for type A construction and chapter 6 for class 1 loads found in the publication entitled "Flood Proofing Regulations," EP 1165 2 314, prepared by the office of the chief of engineers, United States Army, Washington, DC, June 1972. Figure 5 on page 14-5 of the regulations shows typical foundation drainage and waterproofing details. This document is adopted by reference in these rules and is available, at no cost, from the Department of Natural Resources, Land and Water Management Division, Steven T. Mason Building, P.O. Box 30028, Lansing, Michigan 48909, or Department of the Army, Corps of Engineers, Publications Depot, 890 S. Pickett, Alexandria, Virginia 22304.
(f) Be equipped with a positive means of preventing sewer backup from sewer lines and drains which serve the building.
(g) Be properly anchored to prevent flotation.

Loon Lake 100-year floodplain elevation: 873.0 feet, National Geodetic Vertical Datum

These restrictions are to be observed in perpetuity, excluded from any time limitations set forth in the declaration, and may not be amended.

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IN WITNESS WHEREOF, the undersigned, have caused these presents to be executed on the 23rd day of October , 2002

In the presence of :

JUDITH A. FOLEY

FENTON 43 VENTURE

By: Michael P Foley
MICHAEL P. FOLEY
PRESIDENT
FOLEY LAND CORP.
PARTNER

PAMELLA K. MC DONOUGH

By: Donald G Van Every
DONALD G. VAN EVERY
PRESIDENT
STREAMWOOD DEV. CO.
INC. II
PARTNER

STATE OF MICHIGAN

SS

COUNTY OF OAKLAND

On this 23rd day of October , 2002 before me personally appeared Michael P. Foley, President, Foley Land Corp. and Donald G. Van Every, President, Streamwood Development Co. Inc. II who, being by me duly sworn did say that they are the partners of Fenton 43 Venture, a Michigan Co-Partnership, on behalf of the Co-Partnership.

My Commission expires:
April 19, 2006

JUDITH A. FOLEY, Notary Public
Oakland County, Michigan

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IN WITNESS WHEREOF, the undersigned, have caused these presents to be executed on this 23rd day of October , 2002

In the presence of :

NATIONAL CITY BANK
OF MICHIGAN/ILLINOIS
1001 SOUTH WORTH
BIRMINGHAM, MI 48009

JUDITH A. FOLEY

By: _____
RICHARD C. LANDGRAFF
SENIOR VICE-PRESIDENT

PAMELLA K. MC DONOUGH

STATE OF MICHIGAN

SS

COUNTY OF OAKLAND

The foregoing instrument was acknowledged before me this 23rd day of October , 2002 by Richard C. Landgraff, Senior Vice-President of National City Bank of Michigan/Illinois, a Michigan Banking Corporation, on behalf of the Corporation.

My Commission expires:
April 19, 2006

JUDITH A. FOLEY, Notary Public
Oakland County, Michigan

Drafted By and Return To: MICHAEL P. FOLEY
612 W. University Dr. Ste. 201, Rochester, MI 48307

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SECOND AMENDMENT
DECLARATION OF RESTRICTIONS
Recorded December 10, 2002
Instrument No. 200212100138524
Fenton Township, Genesee County, Michigan

Lakeside Acres Subdivision
Recorded DEcember 10, 2002
Instrument No. 200212100138524

PIN: 06-16-400-000 (entire)

Pursuant to Article III (General Provisions), Section 3 (Amendment) of the recorded Restrictions, the undersigned declarant of the recorded Restrictions and owner (deedholder) of the subdivision lot(s), hereby amends the recorded Restrictions as follows:

Artice II (Building & Use Restrictions for the Subdivision):

Section 2 (Character and Size of Buildings): is hereby amended in part to read: "... in the case of a one story (ranch) building, the living area thereof shall be not less than 1,600 square feet; and in the case of a one and one-half story (cape cod) building, the living area thereof shall be not less than 1,800 square feet; and in the case of a two-story (colonial) buiolding, the living area thereof shall be not less than 2,000 square feet."

Section 10 (Exterior Surface on Dwellings): is hereby amended in part to add: "Fifty percent (50%) of the front walls shall be brick or stone."

All other Articles of the recorded Restrictions, and sentences of the amanded Article, remain unchanged.

Dated: May 31, 2006

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FENTON 43 VENTURE
a Michigan Copartnership
1460 Walton Blvd., Ste. 210
Rochester Hills, MI 48309

Michael P Foley, President
Foley Land Corp, Partner

State of Michigan
County of Oakland

Subscribed and sworn to before me by Michael P Foley, President, Foley Land Corp, Partner, Fenton 43 Venture, a Michigan Copartnership, on this date: 5-31-06

MARTHA TEETER
Notary Public, Oakland County, MI
My Commission Expires Mar. 18, 2007

Notary Public
OAKLAND County, Michigan
acting in: OAKLAND Co, MI
my commission expires:

drafted by & return to: Michael P. Foley
1460 Walton Blvd., Ste. 210
Rochester Hills, MI 48309

Y
17

LAKESIDE ACRES

PART OF THE SOUTHEAST 1/4 OF SECTION 16, T5N–R6E, TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN

SURVEYOR'S CERTIFICATE

I, VICTOR J. LUKASAVITZ, JR., SURVEYOR, CERTIFY:

THAT I HAVE SURVEYED, DIVIDED AND MAPPED THE LAND SHOWN ON THIS PLAT, DESCRIBED AS FOLLOWS:

LAKESIDE ACRES

PART OF THE SOUTHEAST 1/4 OF SECTION 16, T5N-R6E, TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS S 89°55'01" E (RECORDED AS S 89°05'17" E, S 87°09' E, AND S 87°07'17" E), ALONG THE SOUTH LINE OF SAID SECTION 16, A DISTANCE OF 100.00 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION; THENCE N 00°48'49" W, PARALLEL WITH THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION, A DISTANCE OF 460.00 FEET; THENCE N 89°55'01" W 100.00 FEET TO SAID NORTH AND SOUTH 1/4 LINE; THENCE N 00°48'49" W, ALONG SAID NORTH AND SOUTH 1/4 LINE, 1676.03 FEET; THENCE N 61°20'46" E 176.18 FEET TO AN INTERMEDIATE TRAVERSE LINE LYING SOUTHERLY OF LOON LAKE, ALSO BEING POINT 'A'; THENCE, ALONG SAID INTERMEDIATE TRAVERSE LINE, S 27°22'07" E 576.83 FEET AND N 84°45'50" E 544.41 FEET TO THE END OF SAID INTERMEDIATE TRAVERSE LINE, ALSO BEING POINT 'B'; THENCE S 04°18'43" E 120.62 FEET; THENCE S 86°21'43" E 73.30 FEET; THENCE S 70°50'02" E 48.30 FEET; THENCE S 05°44'46" W 430.15 FEET; THENCE S 84°15'15" E 230.48 FEET TO THE SOUTHWEST CORNER OF UNIT 2 OF GENESEE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 187, 'LAKEWOOD MEADOWS NO. 1', AS RECORDED IN LIBER 3874, PAGES 749-783, GENESEE COUNTY, MICHIGAN RECORDS; THENCE, ALONG THE WEST LINE OF SAID CONDOMINIUM, N 74°59'15" E (RECORDED AS N 77°51'55" E) 156.68 FEET AND S 19°12'53" E (RECORDED AS S 15°20'06" E) 191.12 FEET AND ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 467.00 FEET, A CENTRAL ANGLE OF 07°18'56", WITH A CHORD BEARING AND DISTANCE OF S 15°33'24" E (RECORDED AS S 12°40'40" E) 59.66 FEET AND S 65°29'21" W (RECORDED AS S 66°19'07" W) 212.46 FEET AND S 37°28'52" E (RECORDED AS S 34°36'06" E) 58.00 FEET; THENCE S 87°59'13" W 111.10 FEET; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 303.36 FEET, A CENTRAL ANGLE OF 22°47'02", WITH A CHORD BEARING AND DISTANCE OF S 24°19'07" W 119.84 FEET; THENCE ON A CURVE TO THE LEFT, HAVING A RADIUS OF 651.61 FEET, A CENTRAL ANGLE OF 05°45'55", WITH A CHORD BEARING AND DISTANCE OF S 32°05'44" W 65.67 FEET; THENCE S 60°48'27" E 120.00 FEET TO THE WEST LINE OF THE RECORDED PLAT OF "MCFARLAN SHORES NO. 2", AS RECORDED IN LIBER 54, PAGES 72-73, GENESEE COUNTY, MICHIGAN RECORDS; THENCE, ALONG SAID WEST LINE OF "MCFARLAN SHORES NO. 2", ON A CURVE TO THE LEFT, HAVING A RADIUS OF 531.61 FEET, A CENTRAL ANGLE OF 22°06'37", WITH A CHORD BEARING AND DISTANCE OF S 18°11'14" W 203.99 FEET AND S 06°41'30" W (RECORDED AS S 10°00'36" W AND S 06°55' W) 8.84 FEET AND S 88°09'45" E 60.20 FEET (RECORDED AS S 85°07'44" E 59.27 FEET AND S 85°12' E) TO THE WEST LINE OF THE RECORDED PLAT OF "MCFARLAN SHORES", AS RECORDED IN LIBER 27, PAGES 60-61, GENESEE COUNTY, MICHIGAN RECORDS; THENCE S 07°07'54" W (RECORDED AS S 10°00'36" W AND S 09°51' W), ALONG SAID WEST LINE OF "MCFARLAN SHORES", 310.04 FEET TO THE SOUTHWEST CORNER OF SAID PLAT; THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 366.20 FEET, A CENTRAL ANGLE OF 82°54'04" (RECORDED AS 82°54'12"), WITH A CHORD BEARING AND DISTANCE OF S 48°34'56" W (RECORDED AS S 51°27'41" W) 355.15 FEET TO THE SOUTH LINE OF SAID SECTION 16; THENCE N 89°55'01" W (RECORDED AS N 87°09'17" W, N 87°09' W AND N 87°07'17" W), ALONG SAID SOUTH LINE, 62.47 FEET; THENCE N 00°01'59" E 200.00 FEET; THENCE N 89°55'01" W 200.00 FEET; THENCE S 00°01'59" W 200.00 FEET TO THE SOUTH LINE OF SAID SECTION 16; THENCE N 89°55'01" W (RECORDED AS N 87°09'17" W, N 87°09' W, AND N 87°07'17" W), ALONG SAID SOUTH LINE, 399.73 FEET TO THE PLACE OF BEGINNING, INCLUDING ALL THAT LAND LYING BETWEEN SAID INTERMEDIATE TRAVERSE LINE AND THE EDGE OF LOON LAKE, BOUNDED AS FOLLOWS: FROM SAID PREVIOUSLY DESCRIBED POINT 'A', THENCE N 61°20'46" E 21.2 FEET TO SAID EDGE OF LOON LAKE, AND FROM SAID PREVIOUSLY DESCRIBED POINT 'B', THENCE N 04°18'43" W 34.9 FEET TO SAID EDGE OF LOON LAKE, CONTAINING SIXTY-FOUR (64) NUMBERED LOTS AND FOUR (4) PRIVATE PARKS. THIS PLAT CONTAINS 47.84 ACRES.

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND PLAT BY THE DIRECTION OF THE OWNERS OF SUCH LAND.

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION OF IT.

THAT THE REQUIRED MONUMENTS AND LOT MARKERS HAVE BEEN LOCATED IN THE GROUND OR THAT SURETY HAS BEEN DEPOSITED WITH THE MUNICIPALITY, AS REQUIRED BY SECTION 126 OF THE ACT.

THAT THE ACCURACY OF SURVEY IS WITHIN THE LIMITS REQUIRED BY SECTION 126 OF THE ACT.

THAT THE BEARINGS SHOWN ON THE PLAT ARE EXPRESSED AS REQUIRED BY SECTION 49(4) OF THE ACT AND AS EXPLAINED IN THE LEGEND.

6/18/02
DATE

GOULD ENGINEERING, INC.
2040 EAST MAPLE AVENUE
FLINT, MICHIGAN 48507

VICTOR J. LUKASAVITZ, JR.
PRESIDENT, P.S. #25858

VICTOR J. LUKASAVITZ, JR. PROFESSIONAL SURVEYOR No. 25858

PROPRIETOR'S CERTIFICATE

WE, AS PROPRIETORS, CERTIFY THAT WE CAUSED THE LAND EMBRACED IN THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED, AND DEDICATED AS REPRESENTED ON THIS PLAT AND THAT THE DRIVE AND COURTS ARE FOR THE USE OF THE PUBLIC; THAT THE PUBLIC UTILITY EASEMENTS ARE PRIVATE EASEMENTS; THAT ALL OTHER EASEMENTS ARE FOR THE USES SHOWN ON THE PLAT; PAMELLA PARK IS A PRIVATE PARK RESERVED FOR USE BY LOTS 19 THROUGH 27, SANDRA PARK IS A PRIVATE PARK RESERVED FOR USE BY LOTS 27 AND 28, JEANNE AND BRYAN PARK IS A PRIVATE PARK RESERVED FOR USE BY ALL LOTS WITHIN SUBDIVISION, AND DONNA PARK IS A PRIVATE PARK RESERVED FOR USE BY LOTS 1 THROUGH 9; THAT PAMELLA PARK EXTENDS TO THE WATER'S EDGE; AND LOTS 1 AND 64 SHALL HAVE NO DIRECT INGRESS AND EGRESS TO EAST ROLSTON ROAD.

WITNESSES:

Judith A. Foley
JUDITH A. FOLEY

Pamella K. McDonough
PAMELLA K. MCDONOUGH

FENTON 43 VENTURE
A CO-PARTNERSHIP
612 W. UNIVERSITY DRIVE, SUITE 201
ROCHESTER, MICHIGAN 48307
CERTIFICATE FILE NO. 2001-256
JUNE 13, 2001
OAKLAND COUNTY

Michael P. Foley
MICHAEL P. FOLEY, PRESIDENT
FOLEY LAND CORP. - CO-PARTNER
A MICHIGAN CORPORATION

Donald G. Van Every
DONALD G. VAN EVERY, PRESIDENT
STREAMWOOD DEVELOPMENT CO. INC. II - CO-PARTNER
A MICHIGAN CORPORATION

ACKNOWLEDGEMENT

STATE OF MICHIGAN)
) SS
OAKLAND COUNTY)

PERSONALLY CAME BEFORE ME THIS 18 DAY OF JUNE, 20 02, THE ABOVE NAMED MICHAEL P. FOLEY, PRESIDENT OF FOLEY LAND CORP., CO-PARTNER AND DONALD G. VAN EVERY, PRESIDENT OF STREAMWOOD DEVELOPMENT CO. INC. II, CO-PARTNER, OF THE ABOVE NAMED CO-PARTNERSHIP, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH CO-PARTNERS OF SAID CO-PARTNERSHIP, AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH CO-PARTNERS AS THE FREE ACT AND DEED OF SAID CO-PARTNERSHIP.

Judith A. Foley
NOTARY PUBLIC JUDITH A. FOLEY

OAKLAND COUNTY, MICHIGAN

MY COMMISSION EXPIRES 4-19-06

PROPRIETOR'S CERTIFICATE

NATIONAL CITY BANK OF MICHIGAN/ILLINOIS, A CORPORATION DULY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF MICHIGAN BY RICHARD C. LANDGRAFF, SENIOR VICE PRESIDENT, AS PROPRIETOR, HAS CAUSED THE LAND TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THIS PLAT AND THAT THE DRIVE AND COURTS ARE FOR THE USE OF THE PUBLIC; THAT THE PUBLIC UTILITY EASEMENTS ARE PRIVATE EASEMENTS; THAT ALL OTHER EASEMENTS ARE FOR THE USES SHOWN ON THE PLAT; PAMELLA PARK IS A PRIVATE PARK RESERVED FOR USE BY LOTS 19 THROUGH 27, SANDRA PARK IS A PRIVATE PARK RESERVED FOR USE BY LOTS 27 AND 28, JEANNE AND BRYAN PARK IS A PRIVATE PARK RESERVED FOR USE BY ALL LOTS WITHIN SUBDIVISION, AND DONNA PARK IS A PRIVATE PARK RESERVED FOR USE BY LOTS 1 THROUGH 9; THAT PAMELLA PARK EXTENDS TO THE WATER'S EDGE; AND LOTS 1 AND 64 SHALL HAVE NO DIRECT INGRESS AND EGRESS TO EAST ROLSTON ROAD.

WITNESSES:

Judith A. Foley
JUDITH A. FOLEY

Pamella K. McDonough
PAMELLA K. MCDONOUGH

NATIONAL CITY BANK OF MICHIGAN/ILLINOIS
1001 SOUTH WORTH
BIRMINGHAM, MICHIGAN 48009

Richard C. Landgraff
RICHARD C. LANDGRAFF
SENIOR VICE PRESIDENT

ACKNOWLEDGEMENT

STATE OF MICHIGAN)
) SS
OAKLAND COUNTY)

PERSONALLY CAME BEFORE ME THIS 18 DAY OF June, 20 02, RICHARD C. LANDGRAFF, SENIOR VICE PRESIDENT, OF THE ABOVE NAMED CORPORATION, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND TO ME KNOWN TO BE SUCH SENIOR VICE PRESIDENT OF SAID CORPORATION, AND ACKNOWLEDGED THAT HE EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICER AS THE FREE ACT AND DEED OF SAID CORPORATION, BY ITS AUTHORITY.

Judith A. Foley
NOTARY PUBLIC JUDITH A. FOLEY

OAKLAND COUNTY, MICHIGAN

MY COMMISSION EXPIRES 4-19-06

Filed & Rec 20.00

GOULD ENGINEERING, INC.
2040 E. MAPLE AVENUE FLINT, MICHIGAN 48507
PHONE: 810-743-9130 FAX: 810-743-1787

LAKESIDE ACRES

PART OF THE SOUTHEAST 1/4 OF SECTION 16, T5N-R6E,
TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN

COUNTY TREASURER'S CERTIFICATE

THE RECORDS IN MY OFFICE SHOW NO UNPAID TAXES OR SPECIAL ASSESSMENTS FOR THE FIVE YEARS PRECEDING June 21, 2002 INVOLVING THE LANDS INCLUDED IN THIS PLAT.

DANIEL T. KILDEE,
COUNTY TREASURER,
GENESEE COUNTY, MICHIGAN

COUNTY DRAIN COMMISSIONER'S CERTIFICATE

APPROVED ON Oct. 17th 2002, AS COMPLYING WITH SECTION 192 OF ACT 288, P.A. 1967, AND THE APPLICABLE RULES AND REGULATIONS PUBLISHED BY MY OFFICE IN THE COUNTY OF GENESEE.

JEFFREY WRIGHT,
DRAIN COMMISSIONER

CERTIFICATE OF COUNTY ROAD COMMISSIONERS

APPROVED ON October 22, 2002, AS COMPLYING WITH SECTION 183 OF ACT 288, P.A. 1967, AND THE APPLICABLE PUBLISHED RULES AND REGULATIONS OF THE BOARD OF ROAD COMMISSIONERS OF GENESEE COUNTY.

GALEN JAMISON,
CHAIRPERSON

BONITA LAPEAR-WHITE,
MEMBER

DAVID L. MILLER,
VICE-CHAIRPERSON

CERTIFICATE OF MUNICIPAL APPROVAL

I CERTIFY THAT THIS PLAT WAS APPROVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF FENTON, AT A MEETING HELD OCT 28, 02 AND WAS REVIEWED AND FOUND TO BE IN COMPLIANCE WITH ACT 288, P.A. 1967. SURETY HAS BEEN POSTED TO INSURE THE INSTALLATION OF PUBLIC SEWER. SURETY HAS BEEN POSTED FOR THE PLACEMENT OF MONUMENTS AND LOT CORNERS FOR A PERIOD OF ONE (1) YEAR. THE PRELIMINARY PLAT WAS APPROVED BY THE GENESEE COUNTY HEALTH DEPARTMENT ON AUGUST 24, 2001 FOR ON-SITE WATER WELL SYSTEMS.

CHARLES MUELLER, CLERK

COUNTY PLAT BOARD CERTIFICATE

THIS PLAT HAS BEEN REVIEWED AND IS APPROVED BY THE GENESEE COUNTY PLAT BOARD ON October 24, 02 AS BEING IN COMPLIANCE WITH ALL OF THE PROVISIONS OF ACT 288, P.A. 1967, AND THE PLAT BOARD'S APPLICABLE RULES AND REGULATIONS.

MELVIN PHILLIP McCREE,
REGISTER OF DEEDS

MICHAEL J. CARR,
COUNTY CLERK

DANIEL T. KILDEE,
COUNTY TREASURER

RECORDING CERTIFICATE

STATE OF MICHIGAN)
GENESEE COUNTY)

THIS PLAT WAS RECEIVED FOR RECORD ON THE 10th DAY OF December 20 02 AT 12:01 PM, AND RECORDED IN INSTRUMENT NO. [illegible]

MELVIN PHILLIP McCREE,
REGISTER OF DEEDS

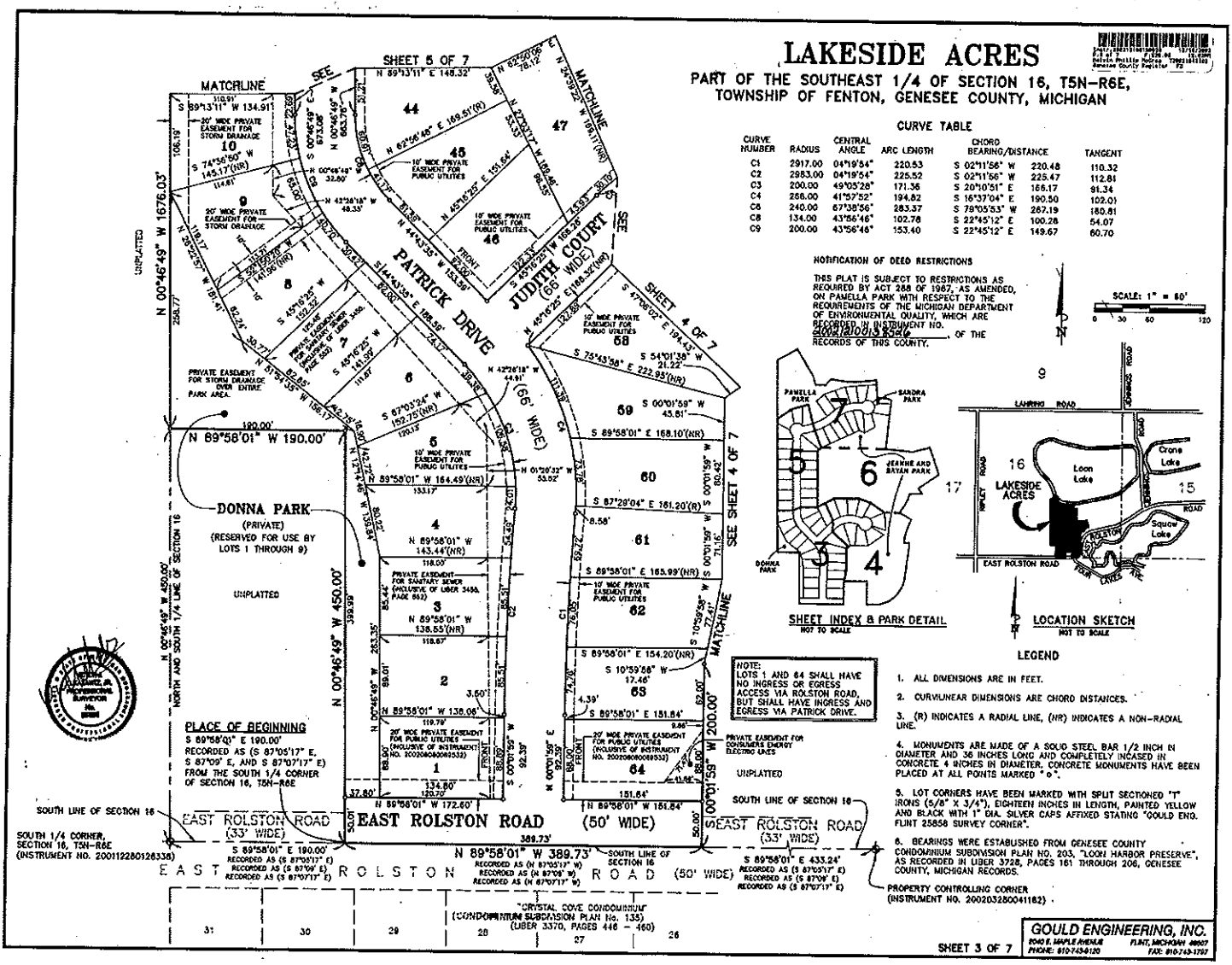
EXAMINED AND APPROVED
DATE Dec. 6, 2002
BY DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BY Maynard R. Dyer
MAYNARD R. DYER, P.S., DIRECTOR
OFFICE OF LAND SURVEY AND REMONUMENTATION

VICTOR I. LEBARRE JR. PROFESSIONAL SURVEYOR

GOULD ENGINEERING, INC.
3040 E. MAPLE AVENUE FLINT, MICHIGAN 48507
PHONE: 810-743-9190 FAX: 810-743-1797

LAKESIDE ACRES

PART OF THE SOUTHEAST 1/4 OF SECTION 16, T5N-R6E,
TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN



CURVE TABLE

CURVE NUMBER	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING/DISTANCE		TANGENT
C1	2917.00	04°19'54"	220.53	S 02°11'56" W	220.48	110.32
C2	2883.00	04°19'54"	225.52	S 02°11'56" W	225.47	112.81
C3	200.00	49°05'28"	171.36	S 20°10'51" E	166.17	91.34
C4	266.00	41°57'52"	194.82	S 16°37'04" E	190.50	102.01
C5	240.00	67°38'56"	283.37	S 79°05'53" W	267.19	160.81
C8	134.00	43°56'46"	102.78	S 22°45'12" E	100.28	54.07
C9	200.00	43°56'46"	153.40	S 22°45'12" E	149.67	80.70

NOTIFICATION OF DEED RESTRICTIONS

THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 288 OF 1967, AS AMENDED, ON PAMELLA PARK WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, WHICH ARE RECORDED IN INSTRUMENT NO. 200212100135546, OF THE RECORDS OF THIS COUNTY.

SCALE: 1" = 60'
0 30 60 120

SHEET INDEX & PARK DETAIL
NOT TO SCALE

LOCATION SKETCH
NOT TO SCALE

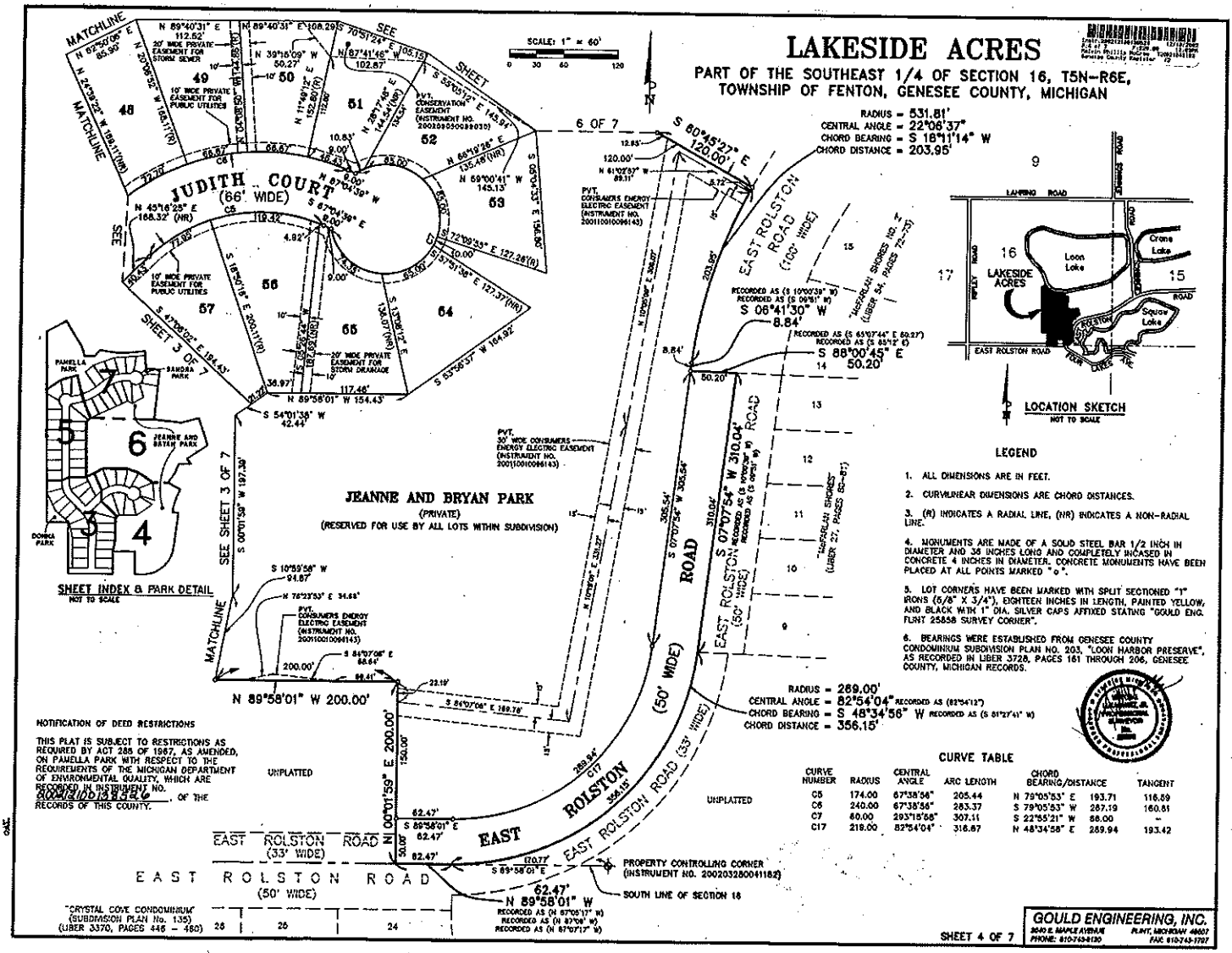
LEGEND

1. ALL DIMENSIONS ARE IN FEET.
2. CURVILINEAR DIMENSIONS ARE CHORD DISTANCES.
3. (R) INDICATES A RADIAL LINE, (NR) INDICATES A NON-RADIAL LINE.
4. MONUMENTS ARE MADE OF A SOLID STEEL BAR 1/2 INCH IN DIAMETER AND 36 INCHES LONG AND COMPLETELY ENCASED IN CONCRETE 4 INCHES IN DIAMETER. CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED " ○ ".
5. LOT CORNERS HAVE BEEN MARKED WITH SPLIT SECTIONED "I" IRONS (5/8" X 3/4"), EIGHTEEN INCHES IN LENGTH, PAINTED YELLOW AND BLACK WITH 1" DIA. SILVER CAPS AFFIXED STATING "GOULD ENG. FLINT 25858 SURVEY CORNER".
6. BEARINGS WERE ESTABLISHED FROM GENESEE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 203, "LOON HARBOR PRESERVE", AS RECORDED IN LIBER 3728, PAGES 161 THROUGH 206, GENESEE COUNTY, MICHIGAN RECORDS.

GOULD ENGINEERING, INC.
8040 E. MAPLE AVENUE FLINT, MICHIGAN 48507
PHONE: 810-7434120 FAX: 810-743-1707

LAKESIDE ACRES

PART OF THE SOUTHEAST 1/4 OF SECTION 16, T5N-R6E,
TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN



SHEET INDEX & PARK DETAIL
NOT TO SCALE

LOCATION SKETCH
NOT TO SCALE

LEGEND

1. ALL DIMENSIONS ARE IN FEET.
2. CURVILINEAR DIMENSIONS ARE CHORD DISTANCES.
3. (R) INDICATES A RADIAL LINE, (NR) INDICATES A NON-RADIAL LINE.
4. MONUMENTS ARE MADE OF A SOLID STEEL BAR 1/2 INCH IN DIAMETER AND 36 INCHES LONG AND COMPLETELY ENCASED IN CONCRETE 4 INCHES IN DIAMETER. CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED "o".
5. LOT CORNERS HAVE BEEN MARKED WITH SPLIT SECTIONED "T" IRONS (5/8" X 3/4"), EIGHTEEN INCHES IN LENGTH, PAINTED YELLOW, AND BLACK WITH 1" DIA. SILVER CAPS AFFIXED STATING "GOULD ENG. FLINT 25858 SURVEY CORNER".
6. BEARINGS WERE ESTABLISHED FROM GENESEE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 203, "LOON HARBOR PRESERVE", AS RECORDED IN LIBER 3728, PAGES 161 THROUGH 206, GENESEE COUNTY, MICHIGAN RECORDS.

CURVE TABLE

CURVE NUMBER	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING/DISTANCE		TANGENT
C5	174.00	67°38'56"	205.44	N 79°05'53" E	193.71	116.59
C6	240.00	67°38'56"	283.37	S 79°05'53" W	267.19	160.81
C7	60.00	293°18'58"	307.11	S 22°55'21" W	66.00	-
C17	219.00	82°54'04"	316.87	N 48°34'56" E	289.94	193.42

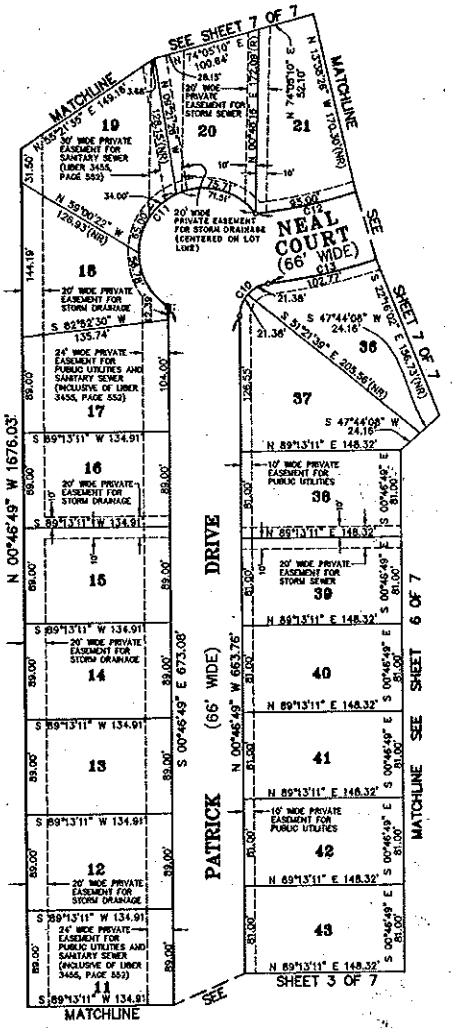
NOTIFICATION OF DEED RESTRICTIONS

THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 288 OF 1967, AS AMENDED, ON PAMELLA PARK WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, WHICH ARE RECORDED IN INSTRUMENT NO. 2002110013846, OF THE RECORDS OF THIS COUNTY.

GOULD ENGINEERING, INC.
3040 E. MAPLE AVENUE
FLINT, MICHIGAN 48507
PHONE: 810-743-4180
FAX: 810-743-1707

LAKESIDE ACRES

PART OF THE SOUTHEAST 1/4 OF SECTION 16, T5N-R6E,
TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN

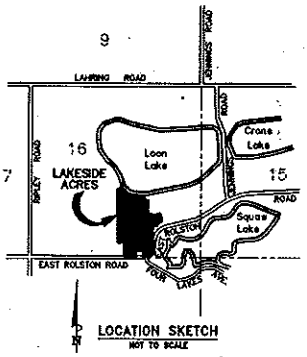


SCALE: 1" = 60'

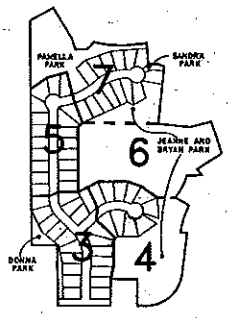
0 30 60 120

CURVE TABLE

CURVE NUMBER	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING/DISTANCE		TANGENT
C10	30.00	83°31'02"	43.73	N 40°58'42" E	39.96	26.78
C11	60.00	200°16'52"	209.77	S 42°44'38" W	118.12	–
C12	462.00	36°03'43"	290.78	S 65°10'56" W	286.01	150.39
C13	528.00	35°35'08"	327.93	N 64°56'39" E	322.69	169.45



LOCATION SKETCH
NOT TO SCALE



SHEET INDEX & PARK DETAIL
NOT TO SCALE

NOTIFICATION OF DEED RESTRICTIONS

THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 288 OF 1967, AS AMENDED, ON PAMELLA PARK WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, WHICH ARE RECORDED IN INSTRUMENT NO. 200018100075256, OF THE RECORDS OF THIS COUNTY.

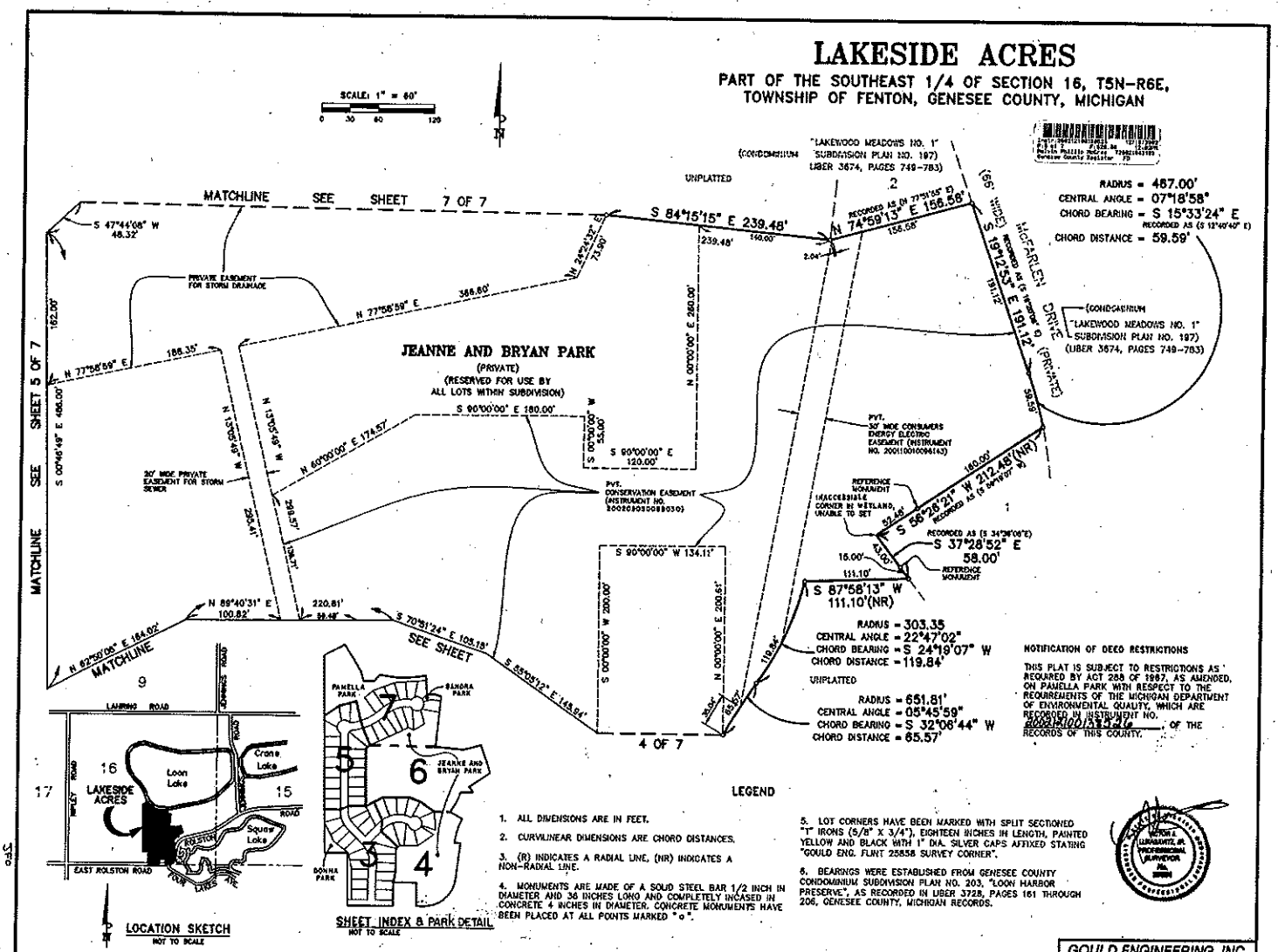
LEGEND

1. ALL DIMENSIONS ARE IN FEET.
2. CURVILINEAR DIMENSIONS ARE CHORD DISTANCES.
3. (R) INDICATES A RADIAL LINE, (NR) INDICATES A NON-RADIAL LINE.
4. MONUMENTS ARE MADE OF A SOLID STEEL BAR 1/2 INCH IN DIAMETER AND 36 INCHES LONG AND COMPLETELY ENCASED IN CONCRETE 4 INCHES IN DIAMETER. CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED "⊙".
5. LOT CORNERS HAVE BEEN MARKED WITH SPLIT SECTIONED "I" IRONS (5/8" X 3/4"), EIGHTEEN INCHES IN LENGTH, PAINTED YELLOW AND BLACK WITH 1" DIA. SILVER CAPS AFFIXED STATING "GOULD ENG. FLINT 25856 SURVEY CORNER".
6. BEARINGS WERE ESTABLISHED FROM GENESEE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 203, "LOON HARBOR PRESERVE", AS RECORDED IN LIBER 3728, PAGES 161 THROUGH 206, GENESEE COUNTY, MICHIGAN RECORDS.

GOULD ENGINEERING, INC.
3140 E. MAPLE AVENUE FLINT, MICHIGAN 48507
PHONE: 810-789-8130 FAX: 810-743-1797

LAKESIDE ACRES

PART OF THE SOUTHEAST 1/4 OF SECTION 16, T5N-R6E,
TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN



NOTIFICATION OF DEED RESTRICTIONS

THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 288 OF 1967, AS AMENDED, ON PANELLA PARK WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, WHICH ARE RECORDED IN INSTRUMENT NO. 2006[illegible]0132246, OF THE RECORDS OF THIS COUNTY.

LOCATION SKETCH
NOT TO SCALE

SHEET INDEX & PARK DETAIL
NOT TO SCALE

LEGEND

1. ALL DIMENSIONS ARE IN FEET.
2. CURVILINEAR DIMENSIONS ARE CHORD DISTANCES.
3. (R) INDICATES A RADIAL LINE, (NR) INDICATES A NON-RADIAL LINE.
4. MONUMENTS ARE MADE OF A SOLID STEEL BAR 1/2 INCH IN DIAMETER AND 36 INCHES LONG AND COMPLETELY ENCASED IN CONCRETE 4 INCHES IN DIAMETER. CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED "o".
5. LOT CORNERS HAVE BEEN MARKED WITH SPLIT SECTIONED "I" IRONS (5/8" X 3/4"), EIGHTEEN INCHES IN LENGTH, PAINTED YELLOW AND BLACK WITH 1" DIA. SILVER CAPS AFFIXED STATING "GOULD ENG. FLINT 25858 SURVEY CORNER".
6. BEARINGS WERE ESTABLISHED FROM GENESEE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 203, "LOON HARBOR PRESERVE", AS RECORDED IN LIBER 3728, PAGES 161 THROUGH 206, GENESEE COUNTY, MICHIGAN RECORDS.

GOULD ENGINEERING, INC.
3040 E. MAPLE AVENUE FLINT, MICHIGAN 48507
PHONE: 810-743-8120 FAX: 810-743-1787

LAKESIDE ACRES

PART OF THE SOUTHEAST 1/4 OF SECTION 16, T5N–R6E, TOWNSHIP OF FENTON, GENESEE COUNTY, MICHIGAN

LEGEND

1. ALL DIMENSIONS ARE IN FEET.
2. CURVILINEAR DIMENSIONS ARE CHORD DISTANCES.
3. (R) INDICATES A RADIAL LINE, (NR) INDICATES A NON-RADIAL LINE.
4. MONUMENTS ARE MADE OF A SOLID STEEL BAR 1/2 INCH IN DIAMETER AND 36 INCHES LONG AND COMPLETELY ENCASED IN CONCRETE 4 INCHES IN DIAMETER. CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED "○".
5. LOT CORNERS HAVE BEEN MARKED WITH SPLIT SECTIONED "T" IRONS (5/8" X 3/4"), EIGHTEEN INCHES IN LENGTH, PAINTED YELLOW AND BLACK WITH 1" DIA. SILVER CAPS AFFIXED STATING "GOULD ENG. FLINT 25858 SURVEY CORNER".
6. BEARINGS WERE ESTABLISHED FROM GENESEE COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 203, "LOON HARBOR PRESERVE", AS RECORDED IN LIBER 3728, PAGES 181 THROUGH 206, GENESEE COUNTY, MICHIGAN RECORDS.

SCALE: 1" = 60'

0 30 60 120

N

CURVE TABLE

CURVE NUMBER	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD BEARING/DISTANCE	TANGENT
C12	462.00	36°03'43"	290.78	S 65°10'56" W 285.01	150.39
C13	528.00	35°35'08"	327.93	N 64°56'39" E 322.69	169.45
C14	262.00	47°00'18"	214.94	N 70°39'14" E 208.97	113.93
C15	328.00	47°00'18"	269.09	S 70°39'14" W 261.61	142.84
C16	60.00	293°15'58"	307.11	N 04°09'23" E 66.00	–

PROPERTY CONTROLLING CORNER (INSTRUMENT NO. 200203280041181)

POINT 'A'

N 61°20'46" E 21.2'

N 61°20'46" E 176.19'

S 00°46'49" E 377.40'

UNPLATTED

EDGE OF WATER LOCATED ON 5/20/01

FLOODPLAIN ELEVATION = 873.00

INTERMEDIATE TRAVERSE LINE TO FLOODPLAIN CONTOUR = 18' DRAIN EASEMENT LINE = 48.84'

INTERMEDIATE TRAVERSE LINE

100 YEAR FLOODPLAIN CONTOUR AS ESTABLISHED BY THE DEPARTMENT OF ENVIRONMENTAL QUALITY, N.G.V. DATUM

N 55°26'05" E 78.04'

17'

S 55°26'05" W 80.90'

PVT. 30' WIDE SANITARY SEWER EASEMENT (LIBER 3450, PAGE 552)

PAMELLA PARK (PRIVATE) (RESERVED FOR USE BY LOTS 19 THROUGH 27)

PRIVATE EASEMENT FOR STORM DRAINAGE (INSTRUMENT NO. 200208180073574)

PVT. CONSERVATION EASEMENT (INSTRUMENT NO. 200208080090030)

NORTH AND SOUTH 1/4 OF SECTION 16 N 00°46'49" W 1676.03'

512.38'

397.80'

S 74°05'10" W 152.74'

S 55°21'35" W 149.16'

MATCHLINE

SEE SHEET 5 OF 7

S 27°22'07" E 376.93'

S 28°39'14" E 193.36'

Loon Lake

EDGE OF WATER LOCATED ON 5/20/01

WATER SURFACE ELEVATION = 871.0 (NGVD) LOCATED ON 5/20/01

FLOODPLAIN AREA

N 84°45'50" E 544.41'

N 04°18'43" W 34.9'

POINT 'B'

FLOODPLAIN ELEVATION = 873.00

UNPLATTED

S 04°18'43" E 120.62'

S 88°21'43" E 73.39'

S 70°59'02" E 48.39'

SANDRA PARK (PRIVATE) (RESERVED FOR USE BY LOTS 27 AND 28) PRIVATE EASEMENT FOR EMERGENCY INGRESS AND EGRESS OVER ENTIRE PARK

10' WIDE SANITARY SEWER EASEMENT (LIBER 2316, PAGE 937)

PVT.

S 84°15'15" E 85.48'

S 79°50'39" E 182.34'(NR)

10.00'

PRIVATE EASEMENT FOR STORM DRAINAGE

UNPLATTED

S 05°44'45" W 430.15'

293.73'

S 25°38'56" E 213.03'

PAMELLA PARK

SANDRA PARK

DONNA PARK

JEANNE AND BRYAN PARK

SHEET INDEX & PARK DETAIL

NOT TO SCALE

22 23 24 25 26 27 28 29 30 31 32 33 34 35

COURT (66' WIDE)

NEAL

MATCHLINE

SEE SHEET 5 OF 7

SEE SHEET 6 OF 7

10' WIDE PRIVATE EASEMENT FOR PUBLIC UTILITIES

20' WIDE PRIVATE EASEMENT FOR STORM SEWER

JEANNE AND BRYAN PARK (PRIVATE) (RESERVED FOR USE BY ALL LOTS WITHIN SUBDIVISION)

PRIVATE EASEMENT FOR STORM DRAINAGE

LOCATION SKETCH

NOT TO SCALE

LAHRING ROAD

JENNINGS ROAD

WEST ROAD

CRANE ROAD

EAST ROLSTON ROAD

LAKESIDE ACRES

Loon Lake

Crane Lake

Squaw Lake

ROLSTON

EASEMENT DETAIL

NOT TO SCALE

RADIUS = 99.30' CENTRAL ANGLE = 16°51'16" CHORD BEARING = N 85°01'36" W CHORD DISTANCE = 30.40'

RADIUS = 60.30' CENTRAL ANGLE = 20°33'03" CHORD BEARING = S 78°03'02" E CHORD DISTANCE = 29.15'

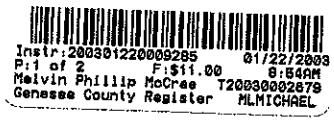
NOTIFICATION OF DEED RESTRICTIONS

THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 288 OF 1967, AS AMENDED, ON PAMELLA PARK WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY, WHICH ARE RECORDED IN INSTRUMENT NO. 200208180073582, OF THE RECORDS OF THIS COUNTY.

PATRICK J. LAHRMANN, JR. PROFESSIONAL SURVEYOR No. 25858

GOULD ENGINEERING, INC.
3040 E. MAPLE AVENUE FLINT, MICHIGAN 48507
PHONE: 810-743-9120 FAX: 810-743-1797

SHEET 7 OF 7



ASSIGNMENT OF DEVELOPER'S RIGHTS PURSUANT TO BUILDING AND USE RESTRICTIONS

WHEREAS, Fenton 43 Venture, a Michigan Co-Partnership, of 612 W. University Dr., Ste. 201, Rochester, MI 48307, being the Developer of Lakeside Acres Subdivision, recorded as Instrument No. 200212100138524, Genesee County Records, did retain certain rights as set forth in the Building and Use Restrictions applicable to said subdivision, recorded as Instrument No. 200212100138526, Genesee County Records; and

WHEREAS, pursuant to Article V of said Building and Use Restrictions, Developer may at any time it deems appropriate transfer and assign the rights and obligations as set forth in said Building and Use Restrictions to a Subdivision Association; and

WHEREAS, the Lakeside Acres Subdivision Association is a Michigan Non-Profit Corporation; and

WHEREAS, Developer desires to assign its rights and obligations, pursuant to said Article V of the Building and Use Restrictions [except Architectural Control (Article I) and Amendment (Article III, Section 3), until Developer has deeded all lots to third parties];

NOW, THEREFORE, Fenton 43 Venture, a Michigan Co-Partnership does hereby transfer and assign its rights and obligations as set forth in the Building and Use Restrictions, recorded as Instrument No. 200212100138526, Genesee County Records, to the Lakeside Acres Subdivision Association, a Michigan Non-Profit Corporation [except Architectural Control (Article I) and Amendment (Article III, Section 3), until Developer has deeded all lots to third parties].

Executed this 10th day of December, 2002

Witnesses:

Judith A. Foley

Pamella K. McDonough

Fenton 43 Venture

Michael P. Foley, President
Foley Land Corp., Partner

2/

Instr:200301220008285 01/22/2003
P:2 of 2 F:$11.00 8:54AM
Melvin Phillip McCrae T20030002679
Genesee County Register MLMICHAEL

State of Michigan

ss

County of Oakland

On this 10th day of December 2002 , before me, a Notary Public in and for said county, personally appeared Michael P. Foley, President, Foley Land Corp., Partner, Fenton 43 Venture, a Michigan Co-Partnership, to me personally known, being first duly sworn, deposed and said that he was duly authorized on behalf of the Developer to execute this Assignment and did so as the free act and deed of said partnership.

Judith A. Foley
Notary Public
Oakland County, Michigan

My Commission Expires: 4-19-06

Lakeside Acres Subdivision (Instrument No. 200212100138524)
Lots 1-64 AND Donna, Sandra, Pamella and Jeanne & Bryan Parks
tax parcel no. 06-16-400-020 (parent)

Drafted By and Return To: Michael P. Foley
612 W. University Dr., Ste. 201
Rochester, MI 48307

T D
11

Instr:200303310048490 03/31/2003
P:1 of 2 F:$17.00 8:33AM
Melvin Phillip McCree T20030012277
Genesee County Register MLMICHAEL

FIRST AMENDMENT
DECLARATION OF RESTRICTIONS
Recorded December 10, 2002
Instrument No. 2002212100138526
Fenton Township, Genesee County, Michigan

Lakeside Acres Subdivision
Recorded December 10, 2002
Instrument No. 200212100138524

PIN: 06-16-400-000 (entire)

Pursuant to Article III (General Provisions), Section 3 (Amendment) of the recorded Restrictions, the undersigned declarant of the recorded Restrictions and owner (deedholder) of the subdivision lots, hereby amends the recorded Restrictions as follows:

Article II (Building & Use Restrictions for the Subdivision):

Section 2 (Character and Size of Buildings): is hereby amended in part to read: "... in the case of a one story (ranch) building, the living area thereof shall be not less than 1,300 square feet; and in the case of a one and one-half story (cape cod) building, the living area thereof shall be not less than 1,400 square feet; and in the case of a two-story (colonial) building, the living area thereof shall be not less than 1,800 square feet."

Section 10 (Exterior Surface on Dwellings): is hereby amended in part to delete: "Fifty percent (50%) of the front walls shall be brick or stone."

All other Articles of the recorded Restrictions, and sentences of the amended Article, remain unchanged.

Dated: March 18, 2003

2
1

Instr:200303310048490 03/31/2003
P:2 of 2 F:$17.00 8:33AM
Melvin Phillip McCree T20030012277
Genesee County Register MLMICHAEL

Fenton 43 Venture
a Michigan Copartnership
612 W. University Dr., Ste. 201
Rochester, MI 48307

Michael P. Foley
President
Foley Land Corp.
Partner

State of Michigan
County of Oakland

Subscribed and sworn to before me by Michael P. Foley, President, Foley Land Corp., Partner, Fenton 43 Venture, a Michigan Copartnership, on this date: March 18, 2003

Judith A. Foley
Notary Public
Oakland County, Michigan
my commission expires: 4/19/06

drafted by & return to: Michael P. Foley
612 W. University Dr., Ste. 201
Rochester, MI 48307

17.00

Instr:200606060054188 06/06/2006
P:1 of 2 F:$17.00 9:18AM
Melvin Phillip McCree T20060014071
Genesee County Register MLMICHAEL

SECOND AMENDMENT
DECLARATION OF RESTRICTIONS
Recorded December 10, 2002
Instrument No. 200212100138524
Fenton Township, Genesee County, Michigan

Lakeside Acres Subdivision
Recorded DEcember 10, 2002
Instrument No. 200212100138524

PIN: 06-16-400-000 (entire)

Pursuant to Article III (General Provisions), Section 3 (Amendment) of the recorded Restrictions, the undersigned declarant of the recorded Restrictions and owner (deedholder) of the subdivision lot(s), hereby amends the recorded Restrictions as follows:

Artice II (Building & Use Restrictions for the Subdivision):

Section 2 (Character and Size of Buildings): is hereby amended in part to read: "... in the case of a one story (ranch) building, the living area thereof shall be not less than 1,600 square feet; and in the case of a one and one-half story (cape cod) building, the living area thereof shall be not less than 1,800 square feet; and in the case of a two-story (colonial) buiolding, the living area thereof shall be not less than 2,000 square feet."

Section 10 (Exterior Surface on Dwellings): is hereby amended in part to add: "Fifty percent (50%) of the front walls shall be brick or stone."

All other Articles of the recorded Restrictions, and sentences of the amanded Article, remain unchanged.

Dated: May 31, 2006

21

Instr:200606060054198 06/06/2006
P:2 of 2 F:$17.00 9:18AM
Melvin Phillip McCree T20060014071
Genesee County Register MLMICHAEL

FENTON 43 VENTURE
a Michigan Copartnership
1460 Walton Blvd., Ste. 210
Rochester Hills, MI 48309

Michael P Foley, President
Foley Land Corp, Partner

State of Michigan
County of Oakland

Subscribed and sworn to before me by Michael P Foley, President, Foley Land Corp, Partner, Fenton 43 Venture, a Michigan Copartnership, on this date: 5-31-06

MARTHA TEETER
Notary Public, Oakland County, MI
My Commission Expires Mar. 18, 2007

Notary Public
OAKLAND County, Michigan
acting in: OAKLAND Co, MI
my commission expires:

drafted by & return to: Michael P. Foley
1460 Walton Blvd., Ste. 210
Rochester Hills, MI 48309

Y
17