

DECLARATION OF RESTRICTIONS

FOR

HARTINDALE MEADOWS

PROGRESSIVE PROPERTIES, INC., A MICHIGAN CORPORATION, IS THE PROPRIETOR OF A CERTAIN PLAT LOCATED IN LYON TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

HARTINDALE MEADOWS, A SUBDIVISION OF PART OF THE N.E. 1/4 OF SECTION 8, TOWN 1 NORTH, RANGE 7 EAST, LYON TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 199 OF PLATS, PAGES 12, 13 & 14 OAKLAND COUNTY RECORDS.

IN CONSIDERATION OF THE MUTUAL BENEFITS TO BE DERIVED BY THE UNDERSIGNED PROPRIETOR AND ALL INTENDING PURCHASERS AND FUTURE OWNERS OF THE LOTS IN HARTINDALE MEADOWS, THE PROPRIETOR DECLARES:

1. LAND USE. ALL LOTS IN THE SUBDIVISION SHALL BE USED ONLY FOR SINGLE FAMILY RESIDENTIAL PURPOSES. NO STRUCTURE SHALL BE ERRECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE (1) SINGLE FAMILY DWELLING. ALL OTHER ACCESSORY STRUCTURES, STORAGE BUILDINGS OR SHEDS ARE PROHIBITED UNLESS APPROVED BY THE HOMEOWNER'S ASSOCIATION.
2. DWELLING SIZE. ALL DWELLINGS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE APPLICABLE GOVERNMENTAL BUILDING CODES. ALL STRUCTURES TO BE ERRECTED, PLACED, ALTERED OR PERMITTED ON ANY LOT SHALL CONFORM WITH THE FOLLOWING MINIMUM SIZE REQUIREMENTS AS TO TOTAL FLOOR AREA:

ONE STORY - NOT LESS THAN 1,200 SQUARE FEET.

TWO STORY - NOT LESS THAN 1,300 SQUARE FEET.

FIRST STORY OF A 1 1/2 STORY - NOT LESS THAN 1,000 SQUARE FEET.

BI-LEVELS, TRI-LEVELS AND MULTI-LEVELS - NOT LESS THAN 1,200 SQUARE FEET ON THE LEVELS AT OR ABOVE THE APPROXIMATE GRADE OF THE STREET ABUTTING THE FRONT YARD LINE.

PORCHES, BREEZEWAYS, TERRACES, BASEMENTS AND GARAGES SHALL NOT BE INCLUDED IN COMPUTING THE MINIMUM TOTAL FLOOR AREA.

NO OLD, USED OR MODULAR STRUCTURES SHALL BE PLACED UPON ANY LOT OR ANYWHERE WITHIN THE SUBDIVISION.
3. GARAGES. ALL DWELLINGS MUST HAVE ONE PRIVATE ATTACHED GARAGE FOR NOT LESS THAN TWO (2) CARS, NOR MORE THAN THREE (3) CARS.
4. BUILDING SET BACK LINES. FRONT, REAR AND SIDE YARD SET BACK REQUIREMENTS SHALL CONFORM WITH SECTION 1700 OF THE LYON TOWNSHIP ZONING ORDINANCE.
5. TEMPORARY BUILDINGS. NO TEMPORARY STRUCTURE OF ANY KIND, SUCH AS A TENT, TRAILER, SHACK, BARN OR GARAGE SHALL BE ERRECTED OR PLACED UPON ANY LOT, HOWEVER, TEMPORARY BUILDINGS TO BE USED DURING CONSTRUCTION OF A DWELLING SHALL BE REMOVED FROM THE PREMISES UPON ENCLOSURE OF THE RESIDENTIAL DWELLING.



6. LOT MAINTENANCE. ALL LOTS IN THE SUBDIVISION SHALL BE KEPT TRIMMED, THE GRASS MOWED, AND FREE OF DEBRIS. NO LOT SHALL BE USED AS A DUMPING GROUND AND ALL RUBBISH, TRASH, GARBAGE OR OTHER WASTE SHALL BE KEPT IN SANITARY CONTAINERS.
7. EXTERIOR SURFACE OF DWELLINGS. EXTERIOR WALLS OF ANY STRUCTURE IN THE SUBDIVISION SHALL BE CONSTRUCTED OF BRICK, STONE, GLASS, WOOD, ALUMINUM OR OTHER STANDARD EXTERIOR SIDING MATERIALS, EXCEPT ASBESTOS OR ASPHALT SIDING OR SHINGLES AND CEMENT BLOCK SHALL NOT BE ALLOWED. ALL STRUCTURES SHALL HAVE ONE OR MORE OFFSETS IN THE FRONT WALL.
8. EASEMENTS. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT AND NO BUILDINGS ARE TO BE CONSTRUCTED OR PLACED WITHIN THE EASEMENTS. EACH OWNER SHALL MAINTAIN THE SURFACE AREA OF EASEMENTS WITHIN HIS PROPERTY, SHALL KEEP GRASS AND WEEDS CUT, SHALL KEEP THE AREA FREE OF TRASH AND DEBRIS AND SHALL TAKE SUCH ACTION AS MAY BE NECESSARY TO ELIMINATE SURFACE EROSION. NO LOT OWNER OR OTHER PERSON MAY CHANGE THE DIRECTION OR ALTER THE FLOW OF SURFACE RUNOFF IN THE DRAINAGE EASEMENTS.
9. FENCES. NO FENCE OR WALL SHALL BE CONSTRUCTED OR PERMITTED IN FRONT OF THE FRONT BUILDING LINE, EXCEPT ORNAMENTAL FENCES WHICH SHALL NOT EXCEED TWENTY FOUR (24) INCHES IN HEIGHT, NOR SHALL FENCES BE CONSTRUCTED MORE THAN FORTY EIGHT (48) INCHES IN HEIGHT ON ANY OTHER LOT LINE, EXCEPT FENCES WHICH ARE REQUIRED BY LOCAL ORDINANCE TO ENCLOSE SWIMMING POOLS. ALL FENCES SHALL BE KEPT IN GOOD CONDITION AND REPAIR AT ALL TIMES.
10. DRIVEWAYS. ALL DRIVEWAYS SHALL BE CONSTRUCTED WITH HARD SURFACING OF ASPHALT OR CONCRETE, WITHIN ONE (1) YEAR OF OCCUPANCY OF THE DWELLING.
11. ACCESS TO HARTINDALE ROAD. THERE SHALL NOT BE ANY DIRECT VEHICULAR ACCESS TO HARTINDALE ROAD FROM LOTS 9, 35, 36, 49, 50 AND 64.
12. VEHICLE STORAGE. NO COMMERCIAL VEHICLES, HOUSETRAILERS, BOAT TRAILERS, BOATS, CAMPING VEHICLES OR CAMPING TRAILERS MAY BE PARKED ON OR STORED ON ANY LOT IN THE SUBDIVISION, UNLESS STORED FULLY ENCLOSED WITHIN AN ATTACHED GARAGE. COMMERCIAL VEHICLES AND TRUCKS SHALL NOT BE PARKED IN THE SUBDIVISION OR ON ANY LOT THEREIN, EXCEPT WHILE MAKING DELIVERIES OR PICKUPS IN THE NORMAL COURSE OF BUSINESS. THIS SHALL NOT APPLY TO VEHICLES AND EQUIPMENT USED IN CONNECTION WITH AND DURING THE PERIOD OF HOME CONSTRUCTION.
13. COMMON AREAS (PARKS). COMMON AREAS SHALL BE USED ONLY BY PROPERTY OWNERS WITHIN THE SUBDIVISION AND THEIR GUESTS. IT IS UNDERSTOOD THAT FUTURE ADDITIONS ADJACENT TO HARTINDALE MEADOWS WILL BE PLATTED AND OWNERS OF LOTS IN THE ADJACENT SUBDIVISIONS SHALL HAVE THE RIGHT TO USE THE COMMON AREAS. THE PARKS HAVE BEEN DEDICATED AS PERMANENT EASEMENTS FOR SURFACE DRAINAGE AND RETENTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE OAKLAND COUNTY DRAIN COMMISSIONER AND THE OAKLAND COUNTY ROAD COMMISSION. ALL LOT OWNERS SHALL HAVE THE RIGHT AND EASEMENT OF ENJOYMENT IN AND TO THE COMMON AREAS, AND SUCH EASEMENT SHALL BE APPURTENANT TO AND SHALL PASS WITH THE TITLE OF EVERY LOT.
14. PETS AND ANIMALS. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT, EXCEPT DOGS, CATS OR OTHER HOUSEHOLD PETS, PROVIDED THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSES.

NOTE:
 SPLIT RAIL fencing
 along parkway entrances
 at busy intersections
 have been approved.
 JY
 4/98
 (e.g. corner
 lots)

4000000000
 COLLECTOR 25

15. LOT OWNER'S ASSOCIATION. ALL LOT PURCHASERS AGREE TO BECOME MEMBERS OF A NON-PROFIT ASSOCIATION HEREINAFTER TO BE FORMED AND TO KNOWN AS THE HARTINDALE MEADOWS HOMEOWNER'S ASSOCIATION, WHICH SHALL CONSIST OF AND EXIST FOR THE BENEFIT OF ALL PERSONS WHO SHALL AT ANY GIVEN TIME OWN LOTS IN THE PLAT OF HARTINDALE MEADOWS AND IN FUTURE ADDITIONS ADJACENT TO SAID PLAT. THE ASSOCIATION SHALL HAVE THE AUTHORITY TO ESTABLISH RULES, REGULATIONS, VOTING PROCEDURES AND POLICIES FOR THE BETTERMENT OF THE ASSOCIATION, INCLUDING THE AUTHORITY TO MAKE AND ENFORCE REGULATIONS PERTAINING TO THE USE AND MAINTENANCE OF THE PARKS. THE ASSOCIATION SHALL ALSO HAVE THE AUTHORITY TO ENFORCE THESE BUILDING AND USE RESTRICTIONS.
16. ASSOCIATION DUES. THE OWNERS OF EACH LOT IN THE SUBDIVISION AND IN FUTURE ADDITIONS ADJACENT TO THE SUBDIVISION OF HARTINDALE MEADOWS, AGREE TO PAY A PROPORTIONATE SHARE OF THE TAXES, MAINTENANCE, IMPROVEMENTS, INSURANCE AND OTHER COSTS INCURRED AGAINST THE COMMON AREAS. THE ASSOCIATION DUES SHALL BE USED EXCLUSIVELY FOR THE PURPOSE OF PROMOTING THE RECREATION, HEALTH, SAFETY AND WELFARE OF THE RESIDENTS AND IN PARTICULAR, FOR THE OPERATION, MAINTENANCE, MANAGEMENT AND IMPROVEMENT OF THE COMMON AREAS. IF THE TOWNSHIP OF LYON FINDS IT NECESSARY TO MAINTAIN THE PARKS, ANY COSTS EXPENDED BY THE TOWNSHIP FOR MAINTENANCE SHALL BE PRO-RATED EQUALLY AMONG THE OWNERS OF LOTS IN HARTINDALE MEADOWS, AND BILLED BY THE TOWNSHIP TO THE PERSONS SHOWN UPON THE LAST TAX RECORDS TO BE OWNERS OF SAID LOTS. THE TOWNSHIP MAY ADD TO THE COST OF MAINTENANCE A SUM NOT TO EXCEED TWENTY FIVE (25%) PERCENT THEREOF, TO COVER THE TOWNSHIP'S OVERHEAD AND ADMINISTRATIVE COSTS. ALL SUCH STATEMENTS SHALL BE DUE AND PAYABLE WITHIN THIRTY (30) DAYS OF RECEIPT, AND ANY STATEMENT NOT PAID SHALL BECOME A LIEN AND ENCUMBRANCE UPON THE LOT WITH RESPECT TO WHICH THE STATEMENT IS MADE.
17. SIGNS. NO SIGNS OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT IN THE SUBDIVISION EXCEPT ONE SIGN NOT MORE THAN FIVE (5) SQUARE FEET IN AREA, FOR THE PURPOSE OF ADVERTISING THE PROPERTY FOR SALE OR LEASE. THIS SHALL NOT APPLY TO THE SIGNS ERECTED BY THE PROPRIETOR DURING THE INITIAL DEVELOPMENT OF THE SUBDIVISION.
18. GRADE CHANGES. THE GRADE OF ANY LOT IN THE SUBDIVISION MAY NOT BE CHANGED WITHOUT THE WRITTEN CONSENT OF THE PROPRIETOR.
19. ARCHITECTURAL REVIEW. NO BUILDING OR STRUCTURE SHALL BE ERECTED OR MAINTAINED, NOR SHALL ANY EXTERIOR ADDITION, CHANGE OR ALTERATION TO ANY STRUCTURE BE MADE, UNTIL THE PLANS AND SPECIFICATIONS ARE SUBMITTED TO AND APPROVED IN WRITING BY THE ARCHITECTURAL REVIEW COMMITTEE. SAID PLANS AND SPECIFICATIONS, PREPARED BY A COMPETENT ARCHITECT, SHOULD SHOW THE SHAPE, ELEVATION, FACADE, HEIGHT, MATERIALS, COLOR SCHEME AND LOCATION ON LOT OF THE STRUCTURE AND/OR ADDITION AS WELL AS THE GRADING PLAN OF THE LOT TO BE BUILT UPON. THE PROPRIETOR SHALL MAKE THE ARCHITECTURAL REVIEW COMMITTEE UNTIL SAID FUNCTION IS TAKEN OVER BY THE HOMEOWNER'S ASSOCIATION.
20. SEWAGE DISPOSAL. PERMITS FOR THE INSTALLATION OF ON-SITE SEWAGE DISPOSAL SYSTEMS SHALL BE OBTAINED FROM THE OAKLAND COUNTY HEALTH DIVISION PRIOR TO ANY CONSTRUCTION ON ANY LOT.
21. WELLS. ALL DWELLINGS SHALL BE SERVED BY A POTABLE WATER SUPPLY SYSTEM. ALL WELLS ON INDIVIDUAL LOTS SHALL BE DRILLED BY A WELL DRILLER LICENSED BY THE STATE OF MICHIGAN TO DEPTHS SO AS TO PENETRATE THE PROTECTIVE CLAY OVERBURDEN. A COMPLETED WELL LOG FORM FOR EACH SUCH POTABLE WATER WELL SHALL BE SUBMITTED TO THE OAKLAND COUNTY HEALTH DIVISION WITHIN SIXTY (60) DAYS FOLLOWING COMPLETION OF SUCH WELL.
22. FLOOD PLAIN. NO FILLING OR OCCUPATION OF THE FLOOD PLAIN AREA WILL BE ALLOWED WITHOUT THE APPROVAL OF THE DEPARTMENT OF NATURAL RESOURCES. ANY BUILDING USED OR CAPABLE OF BEING USED FOR RESIDENTIAL PURPOSES AND OCCUPANCY WITHIN OR AFFECTED BY THE FLOOD PLAIN, DEFINED AS 919.8 (U.S.G.S. DATUM) SHALL:
 - A) HAVE LOWER FLOORS, EXCLUDING BASEMENTS, NOT LOWER THAN THE ELEVATION OF THE CONTOUR DEFINING THE FLOOD PLAIN.

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22. FLOOR PLAIN. (CONCLUDED)

- B) HAVE OPENINGS INTO THE BASEMENT NOT LOWER THAN THE ELEVATION OF THE CONTOUR DEFINING THE FLOOR PLAIN LIMITS.
- C) HAVE BASEMENT WALLS AND FLOORS, BELOW THE ELEVATION OF THE CONTOUR DEFINING THE FLOOR PLAIN LIMITS, WATERTIGHT AND DESIGNED TO WITHSTAND HYDROSTATIC PRESSURES FROM A WATER LEVEL EQUAL TO THE ELEVATION OF THE CONTOUR DEFINING THE FLOOR PLAIN LIMITS, AS OUTLINED IN CHAPTER 5, TYPE A CONSTRUCTION AND CHAPTER 6 FOR CLASS 1 LOADS FOUND IN "FLOOD PROOFING REGULATIONS" EP 1165 2 314 PREPARED BY THE OFFICE OF THE CHIEF OF ENGINEERS, U.S. ARMY, IN JUNE, 1972.
- D) BE EQUIPPED WITH A POSITIVE MEANS OF PREVENTING SEWER BACKUP FROM SEWER LINES AND DRAINS WHICH SERVE THE BUILDING.
- E) BE PROPERLY ANCHORED TO PREVENT FLOTATION.

23. VALIDITY. INVALIDATION OF ANY OF THESE COVENANTS, CONDITIONS OR RESTRICTIONS BY JUDGEMENT OR COURT ORDER, SHALL NOT AFFECT ANY OF THE OTHER COVENANTS, CONDITIONS AND RESTRICTIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

24. CONTINUITY. THE ABOVE STATED COVENANTS, CONDITIONS AND RESTRICTIONS SHALL RUN WITH THE LAND AND SHALL BE OPERATIVE UP TO AND UNTIL JANUARY 1, 1999, AT WHICH TIME THEY SHALL AUTOMATICALLY BE EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS, UNLESS CANCELLED, ALTERED, AMENDED OR MODIFIED BY A VOTE OF 75% OF THE MEMBERS OF THE HOMEOWNER'S ASSOCIATION. ITEM NO. 22 SHALL BE OBSERVED IN PERPETUITY AND MAY NOT BE AMENDED.

IN WITNESS WHEREOF, THE UNDERSIGNED PROPRIETOR HAS CAUSED THIS INSTRUMENT TO BE EXECUTED THIS 12TH DAY OF FEBRUARY, 1988.

WITNESSED BY:

PROGRESSIVE PROPERTIES, INC.,
A MICHIGAN CORPORATION

Thomas J. Campbell
THOMAS J. CAMPBELL

Marshall Blau
MARSHALL BLAU, PRESIDENT

Susan H. Jewell
SUSAN H. JEWELL

STATE OF MICHIGAN
COUNTY OF OAKLAND

ON THIS 12TH DAY OF FEBRUARY, 1988, BEFORE ME PERSONALLY APPEARED MARSHALL BLAU, WHO SWORE THAT HE IS THE PRESIDENT OF PROGRESSIVE PROPERTIES, INC., A MICHIGAN CORPORATION, THIS INSTRUMENT WAS SIGNED ON BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BOARD OF DIRECTORS, AND ACKNOWLEDGED THIS INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION.

MY COMMISSION EXPIRES:
AUGUST 21, 1991

Susan H. Jewell
SUSAN H. JEWELL, NOTARY PUBLIC,
OAKLAND COUNTY, MICHIGAN

DRAFTED BY AND RETURN TO: MARSHALL BLAU
OAKLAND COUNTY HEALTH DIVISION 19100 W. 10 MILE ROAD, #204
27725 Greenhald Road SOUTHFIELD, MI 48075-2411
Southfield, MI 48076

Jewell

C CLR
HAVE
AMENDMENTS
75%