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10/21/1994 08:30A

Carol Wooley, Clinton Co RESTR 0 00 Bk-648 Pg-166

Oct 21 8 30 AM '94

REGISTER OF DEEDS
CLINTON COUNTY, MICH.

Carol Wooley

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DECLARATION OF RESTRICTIONS

KNOW ALL THESE MEN BY THESE PRESENTS, that Springbrook Hills Partnership, a Michigan Co-partnership, of 2360 Jolly Oak Road, Okemos, MI 48864, as Proprietors, have and by the presents do declare the following restrictions upon the real estate legally described as:

The plat of SPRINGBROOK HILLS, a subdivision on part of the SE 1/4 of Section 6, T5N, R2W, DeWitt Charter Township, Clinton County, Michigan.

The 100-year flood elevation for lots #1, #2 and #31 and for the private parks lying adjacent to Lots 1 and 31 are 796.5 (NGV Datum).

All buildings used or capable of being used for residential purposes and occupancy within or affected by the flood plain shall:

(a) Have lower floors, excluding basements, not lower than the elevation of the contour defining the flood plain limits.

(b) Have openings into the basement not lower than the elevation of the contour defining the flood plain limits.

(c) Have basement walls and floors, below the elevation of the contour defining the flood plain limits, watertight and designed to withstand hydrostatic pressures from a water level equal to the elevation of the contour defining the flood plain limits following methods and procedures outlined in Chapter 5,



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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, Washington, D.C., June 1972. Figure 5, Page 14.5 of the regulations shows typical foundations drainage and waterproofing details. This document is available, at no cost, from the Department of Natural Resources, Engineering-Water Management Division, Stevens 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.

(d) Be equipped with a positive means of preventing sewer back-up from sewer lines and drains which serve the building.

(e) Be properly anchored to prevent flotation.

No filling or occupation of the flood plain area will be allowed without the approval of the Department of Natural Resources and that these restrictions are to be observed in perpetuity and may not be amended.

In addition to the foregoing, the following requirements shall be met and the following improvements shall be made with regard to that portion of the Property upon which any dwellings will be constructed:

A. The setback from the front lot line to the front of the



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house shall be at least forty (40) feet unless this requirement is waived by DeWitt Charter Township.

- B. The setback from the rear lot line to the rear of the house shall be at least sixty (60) feet unless this requirement is waived by DeWitt Charter Township.
- C. The side yards shall be at least fifteen (15) feet on each side unless this requirement is waived by DeWitt Charter Township.
- D. One hardwood tree having a trunk diameter of one and one half (1 1/2") inches or larger shall be placed in the front yard of such property and not more than five (5') from the front lot line. and on corner lots 2 trees are required with one and one half (1 1/2") inch trunk diameter to be placed, one on each street within five (5') foot of the lot line.
- E. Five (5') foot sidewalks shall be constructed and installed along the frontage of such property between the front of any such dwelling and any street located in DeWitt Charter Township. One (1') foot inside of the road right of way on all street.



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Carol Wooley, Clinton Co

RESTR 0.00

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In the presence of:

WITNESSES:

Terry L. Holmgren
Terry L. Holmgren
Terry L. Holmgren
Terry L. Holmgren
Terry L. Holmgren
Terry L. Holmgren
Terry L. Holmgren
Terry L. Holmgren
Terry L. Holmgren
Terry L. Holmgren
Terry L. Holmgren

BANK ONE, EAST LANSING

Don F. Chamberlain
By: Don F. Chamberlain
Vice President

Robert L. McKee
By: Robert L. McKee
Vice President

STATE OF MICHIGAN)
) ss.
COUNTY OF INGHAM)

The foregoing instrument was acknowledged before me this 5th day of October, 1994 by Don F. Chamberlain, Vice President, Bank One, East Lansing and Robert L. McKee, Vice President, Bank One, East Lansing

Roger Dean
Roger Dean, Notary Public
Ingham County, MI
My Commission expires 6/23/99

Drafted by:
Roger Dean
P. O. Box 439
Okemos, MI 48805