

107 542

LIBER 107 PAGE 542

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HOMER VALENTINE
Register of Deeds

RESTRICTIONS

THIS INDENTURE made this 14th day of November
A.D. 1963, by Arvid Johnson and Jennie C. Johnson, his wife.

WHEREAS Arvid Johnson and Jennie C. Johnson, his wife, have heretofore caused a plat of certain lands to be made, filed and recorded of land in the Township of Albert, County of Montmorency and State of Michigan, which is described as follows, to-wit:

"ARVID JOHNSON'S SUBDIVISION # 2", being a part of Government Lots Three (3) and Four (4), Section Twenty-seven, Town Twenty-nine (29) North, Range One (1) East, and

WHEREAS the said Arvid Johnson and Jennie C. Johnson, his wife, intend to convey said lots in said subdivision subject to certain restrictions as hereinafter contained and to the end that the restrictions thereon imposed shall inure for the benefit of each and all purchasers of such lots and their respective heirs and assigns.

NOW, THEREFORE in consideration of the mutual covenants herein contained, the said Arvid Johnson and Jennie C. Johnson, his wife, do hereby adopt the following restrictions to apply to the lots in said above mentioned subdivision:

1. All buildings and homes or cottages erected upon said lots shall be upon a permanent foundation of stone, brick or concrete and shall be finished on the sides with siding, of wood or composition shingles, or brick or any other finished siding and not exposed tar paper or any other unfinished material. All roofs shall be of wood or composition shingles, tile or slate, and all such homes shall cost at least \$5,000.00.
2. All cottages or homes shall not encroach closer than 40 to 45 feet from the front lot line and not closer than 5 feet from any side line of any lot.
3. No outside toilet shall be constructed or erected or maintained upon said lots except that a temporary outside toilet may be used while constructing the home or cottage.
4. No trailer shall be permitted on any of the lots, except that the owner of any lot may use his own trailer or tent as a temporary dwelling while constructing a cottage or home.
5. The use of said property is restricted to residential purposes, only, and no business of a commercial nature shall be conducted or maintained on said premises. It shall be permissible for lot owners to construct one modern guest house in addition to the cottage or the home.
6. No sewage, garbage, or refuse of any kind shall at any time be drained or thrown onto said land, nor shall any such waste matter be drained, dumped or deposited in or upon any land adjacent to any lots, and any owner of said lots shall care for all sewage, garbage and refuse so that same shall not become offensive to owners of other land adjacent thereto, and in such a manner as is approved by the Board of Health of the State of Michigan.

HOLIDAY PARK

1. No lot owner or any other person shall place a house

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trailer, tent or any other type of construction, and there shall be no camping in the park, mentioned in said subdivision, which is dedicated to the use of the lot owners.

VIOLATIONS

1. Any violation of any covenant condition, or restriction hereinbefore set forth shall void purchasers deed and in such case the title to said land hereby conveyed and all improvements therein shall revert to said parties of the first part, their heirs, representatives and assigns, and in such case the said parties and owner of said lot or lots shall be liable for all damages that may be sustained by any owner of lots that may have or were hereafter purchased from the parties of the first part, their heirs, representatives or assigns.

WITNESSES:

Julie Mowery
Julie Mowery
Roslyn M. Doerr
Roslyn M. Doerr

Arvid Johnson
Arvid Johnson
Jennie C. Johnson
Jennie C. Johnson

Subscribed and sworn to before me this 14th day of November, A. D. 1963.

Acting in Montmorency County

Roslyn M. Doerr
Roslyn M. Doerr, Oscoda County
Notary Public, Montmorency
County, Michigan.

My Commission expires July 22 nd. 19 67.