BIRCH HILLS SPORTSMAN'S CLUB
PROTECTIVE COVENANTS COMPOSITE

This composite represents a combination of all original Lot Restrictions which were filed on behalf of the Birch Hills Sportsman's Club (BHSC) since it was first created in 1968 as a Non-Profit Corporation. These restrictions are enforceable in a Court of Law. The original documents can be viewed or copied from the Clare County clerk's office in Harrison. The BHSC is comprised of three separate subdivisions plus an expanse of wetlands abutting Spikehorn Creek crossing through the middle of the property, in combination known as section 32 and 33 in Hamilton Township: Sub #1, LIBER 272, pg. 3; Sub #2, LIBER 303, pg. 64 and LIBER 334, pg. 71; Sub #3, LIBER 303, pg. 48. Other restrictions may apply for example ; State, County and Township, DEQ and DNR requirements.

BHSC LOT RESTRICTIONS

I. All lots in BHSC shall be known and described as residential lots except lots 71, 81, 83, 91, 92, 93, 94, 95, 99, 112, A1, A2, A3, A4, A5 andA6 due to the unsuitability of the soils.

II. No structure shall be erected, altered, plotted or permitted to remain on any residential building lot fronting on M-61 or Rogers Road other than one (1) detached single-family dwelling; not to exceed two (2) stories in height and a private garage for not more than two (2) cars and a utility building.

II-A. All lots fronting on Athey Road and Lilly Lake Road which are residential lots may, in lieu of a residential structure as defined in these restrictions, have placed thereon in conformance with these restrictions a mobile home not less than ten feet by fifty feet (10' x 50') and no older than a 1968 model. All grounds around the mobile home must be kept in presentable condition.

III. No building shall be erected, placed or altered on any building lot in the subdivision until the builder's plans, specifications and plot plan showing the location of such building has been approved in writing by the BHSC building committee (contact Club Officer or go to club web site www.birchhsc.com). If the building committee fails to finish the review within 30 days after the plans are received, such approval will not be required. The committee will act without compensation.

IV. No building shall be located on any of the lots on this subdivision nearer than fifty (50) feet to the front lot line, nor nearer than twenty-five (25) feet to the side lot line.

V. No noxious or offensive trade shall be conducted upon any lot; nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Toilets shall be of the attached type and must conform to the laws, rules and regulations of the Michigan Department of Health.

VI. All buildings must be completely finished on the exterior, including painting, oiling or varnishing, and no tar paper exterior shall be allowed on any building in this subdivision after one year from the commencement or erection of said building. No unlicensed cars shall remain on the premises unless in a garage.

VII. No basement, tent, shack, garage, barn or other outbuildings erected on the tract shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence, except mobile homes as set forth herein.

BHSC RESTRICTIONS Cont.

VII-A. A good campsite or tent-camper or trailer may be allowed on any lot from October 1 to December 1, solely for the purpose of hunting. Toilets and suitable refuse containers must be maintained during said period.

VIII. No lot shall be hereafter subdivided.

IX. No septic tanks or any other drainage water shall be drained into any lake or stream.

X. No billboard or advertising signs shall be placed on any lot or part thereof.

XI. All buildings used for dwelling purposes shall conform to the current existing Township square footage requirements.

XII. No lot shall be used for the storage of noxious, dangerous or annoying items, materials or things.

XIII. All lots shall be kept free of noxious and annoying weeds, grasses and foliage.

XIV. If any of the parties hereto, or any of them or their heirs or assigns shall violate or attempt to violate any of the covenants herein it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants and either to prevent him or them from so doing or to recover damages or other dues of such violation.

XV. Invalidation of any one of these covenants by Judgment or Court Order shall in no way affect any of the other provisions which shall remain in full force and effect.

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Compiled by:

Todd Rachel, President BHSC
February 18, 2013