

Dunham Lake Estates Covenants (Livingston County)

DECLARATION OF RESTRICTIONS AND EASEMENTS

KNOW ALL MEN BY THESE PRESENTS, That,

WHEREAS, DUNHAM LAKE DEVELOPMENT COMPANY, a Michigan corporation, has platted lands in the Township of Hartland, County of Livingston, Michigan, known and described as:

"DUNHAM LAKE ESTATES", a subdivision of part of the Southeast quarter Section 13, Town 3 North, Range 6 East, Hartland Township, Livingston County, Michigan, according to the plat thereof recorded in Liber 11 of Plats, on Pages 22 and 23, Livingston County Records;

AND

" DUNHAM LAKE ESTATES SOUTH", a subdivision of part of the East one-half, Section 24, Town 3 North, Range 6 East, Hartland Township, Livingston County, Michigan, according, to the plat thereof recorded in Liber 11 of Plates, on Pages 32 and 33, Livingston County Records;

AND

WHEREAS, the said Dunham Lake Development Company desires to establish a uniform plan of restrictions for the lots in said Subdivisions

NOW, THEREFORE, the said Dunham Lake Development Company does hereby agree with the purchasers of lots 'in said Subdivisions that all such land shall be sold and conveyed expressly subject to the following agreements, easements, covenants and restrictions, which agreements, easements, covenants and restrictions run with the land and relate to the entire Subdivisions and provide a uniform plan for the Improvement of the entire Subdivisions.

A. RESIDENTIAL AREA REQUIREMENTS

1. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed one and one-half 1 1/2) stories in height and a private garage for not more than three (3) cars.
2. No building shall be erected, placed, or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Dunham Lake Civic Committee as to quality of workmanship and materials, harmony of external design with existing structures, and to topography and finish grade as to location with respect elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved. Such approval shall be obtained as hereinafter provided. After construction of any building has commenced, said building shall be completed with due diligence.
3. No dwelling shall be less than the following minimum permitted size, exclusive of open porches, garage and car ports:
 - (a) One-story home, to have a floor area of not less than eleven hundred sixty (1160) square feet;
 - (b) One and one-half story homes, to-have first floor of not less than one thousand and fifty (1050) square feet, with second floor of not more than sixty percent (60%) of first floor.
4. No building shall be located on any lot nearer than fifty (50) feet to the front lot line or nearer than fifteen (15) feet to the side lot lines. Eaves, steps and open porches shall not be considered a part of the building.
5. Each dwelling shall have its own individual septic tank system for the disposal of sewage, and all sewage shall be disposed of in such system. No such septic tank system shall be permitted unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the Sanitary Engineer of- the County Health Department, and unless such system is approved by the Dunham Lake Civic Committee.

6. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purpose, and provided that they are not a nuisance to wild life.
7. No lot shall be used or maintained as a dumping ground for rubbish. Garbage, trash and other, waste shall be disposed of by burning in an incinerator, except that garbage itself may be taken care of by any approved disposal unit into the septic tank. Non-burnable waste oil residue shall be kept in covered sanitary containers, excluding concrete receptacles. All containers must be kept under cover in a garage, utility room or basement. All Incinerators shall be electric incinerators installed and maintained under the supervision of the Detroit Edison Company.
8. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become annoyance or nuisance to the neighborhood.
9. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently.

B. DUNMHAM LAKE CIVIC COMMITTEE

1. The Dunham Lake Civic committee shall be composed of Murray D. Van Wagoner, Rubin Kowall, Paul Glascock, William N. Woodward and Dorothy Finkbiner. A majority of the Committee may designate a representative for it. In event of death or resignation of any act the member or the Committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. At any time, the then record owners of a majority of the lots shall have the power through a duly recorded written Instrument to change the membership of the Committee, enlarge the Committee, or to withdraw from the Committee or restore to it any of its powers and duties.
2. The Committee approval or disapproval as required in these covenants shall be in writing. In the event the Committee, or its designated representative, fails to approve or disapprove within ninety (90) days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.
3. The Dunham Lake Civic committee shall have the right to inspect homes under construction to determine, whether they are being built in accordance with the plans submitted and approved by the Committee. If such plans and specifications are not being followed in the construction of the building, the Dunham Lake Civic Committee may require that any portion of the building not in accordance with such plans and specifications be removed and that the building be completed in accordance with the plans and specifications, all at the expense of the owner.

C. PROTECTION OF WILD LIFE

The lands, of which "Dunham Lake Estates" and "Dunham Lake Estates South" are a part, have been designated as a 'Wild Life Sanctuary under the Michigan Wild Life Sanctuary Law (Act 184 P.A. 1929), which provides in part as follows:

"When lands have been so dedicated and posted as a state wild life sanctuary, the possession or carrying of firearms thereon, hunting or trapping thereon, or the killing or molestation of wild life on such lands by any person or by the owners or lessees thereof, or their agents, shall be unlawful during the period of such dedication. Provided, that the director of conservation may issue permits for the taking on any dedicated lands of predatory animals and birds and such other birds and animals as may require control or as may be appropriate :in connection with experiments in wild life management or for other purposes not inconsistent with the original intent of the dedication."

No hunting or trapping shall be permitted in the Subdivisions contrary to the terms of the Michigan Wild Life Sanctuary Law.

D. PARK AND LAKE PRIVILEGES

1. The park adjoining Dunham Lake and Lots 69 and 70 as shown on the plats have been dedicated to the use of the property owners of Dunham Lake Estates Subdivisions only and shall be kept and maintained as a private park and access area for the exclusive benefit of the property owners of Dunham Lake Estates Subdivisions, their families and their guests
2. No commercial activity of any kind shall be permitted in the Park.
3. Boating on the lake shall be restricted to row boats, canoes and small sail boats. No inboard or outboard motors of any kind or nature shall be permitted.
4. In addition to the foregoing, the use of the Park and lake shall be subject to such regulations as may be adopted by the Dunham, Lake Civic Committee, which shall have control of the Park and lake area. In order to provide funds for the maintenance and upkeep of the Park and lake areas, and the payment of taxes assessed against it, the Dunham Lake Civic Committee may make assessments against the lot owners from time to time.

E. EASEMENTS

A perpetual easement is reserved for the installation and maintenance of electric lines and other public utilities as shown on the plats of the Subdivisions. No buildings or structures shall be placed upon such easements.

F. AMENDMENTS

These restrictions may be amended by the owners of ninety percent (90%) of the lots in the Subdivision. To be effective, such amendment shall be reduced to writing, signed and acknowledged by the owners of ninety percent (90%) of the lots in the Subdivisions and recorded with the Register of Deeds for said County.

IN WITNESS WHEREOF, the said Dunham Lake Development Company has caused this Instrument to be executed by its officers there until duly authorized, this 25th day of November 1964.

DUNHAM LAKE DEVELOPMENT COMPANY,

a Michigan corporation,

IN PRESENCE OF:

Rae Beswick

Eva Garelik

By Murray D. Van Wagoner, President

And Rubin Kowall, Secretary

17220 West Eight Mile Road,
Southfield, Michigan.

INSTRUMENT DRAFTED BY

Sylvan Rapaport

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DUNHAM LAKE IN MICHIGAN
One of America's Great Neighborhoods

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