

Dunham Lake Estates Covenants (Oakland County)

THESE ARE THE BASIC RESTRICTIONS.

BLANK SPACES ARE FOR, THE SECTIONS AS RFCORDED

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 Highland County of Oakland
Michigan, known and described as:

*[Description of Dunham Lake Estates in Oakland
County]*

AND,

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

NOW THEREFORE, the said Dunham Lake Development Company
does hereby agree with the purchasers of lots in said Subdivision 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 Subdivision
and provide a uniform plan for the improvement of the entire Subdivision.

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 respect to topography and finish grade 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, garages and car ports:
 - (a) One story homes to have a floor area of not less than nine hundred -sixty (960) square feet;
 - (b) One and one-half story homes, to have first floor of not less than eight hundred fifty (850) square feet, with second floor of not more than sixty (60%) per cent of first floor.
4. No building shall be located on any lot nearer than thirty-five (35) 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 as part of the building.
5. On lots 1, 2, 12, 13, 17, 18, 19, 20, 21, 28, 29, 40, 41, 53, 58, 78, 79, 84, 98, 99 and 108 there shall be no detached garages, but only car ports or attached garages.
6. 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.
7. 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.

- 8.** 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 an approved disposal unit into the septic tank. Non-burnable waste or 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.
- 9.** No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
- 10.** 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. DUNHAM LAKE CIVIC COMMITTEE

1. The Dunham Lake Civic Committee shall be composed of _____. A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member of 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's 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 Subdivision 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 of 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 Subdivision contrary to the terms of the Michigan Wild Life Sanctuary Law."

D. PARK AND LAKE PRIVILEGES

1. The park adjoining Dunham Lake, as shown on the plat, shall be kept and maintained as a private park for the exclusive benefit of lot owners in Dunham Lake Subdivision, 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 plat of the Subdivision. No buildings or structures shall be placed upon such easements.

F. AMENDMENTS

These restrictions may be amended by the owners of ninety (90%) percent of the lots in the Subdivision. To be effective such amendment shall be reduced to writing, signed and acknowledged by the owners of ninety (90%) percent of the lots in the Subdivision 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 thereunto duly authorized this _____ day of _____ 1953.

DUNHAM LAKE DEVELOPMENT COMPANY,
a Michigan Corporation

DUNHAM LAKE IN MICHIGAN
One of America's Great Neighborhoods

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