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AMENDED RESTRICTIONS AFFIDAVIT

The original restrictions for ROYAL SHORES, located at Liber 306 pages 954 to 957 are amended as follows:

"See Exhibit A"

This subdivision is comprised of 217 voting lots with 109 lots constituting a majority. (Signatures Attached)

Amendments drafted by:
MURPHY, BRENTON & SPAGNUOLO, P.C.
2213 East Grand River
Lansing, Michigan 48912

RECORDED

SEP 10 11 29 AM '91
REGISTER OF DEEDS
CLINTON COUNTY, MICH.
Carol A. Wooley

I, Karen Anderson,
being duly sworn, depose and state that I am the duly elected Secretary of Lake Victoria Property Owner's Association and that I have verified the ownership of each lot as set forth above and I certify that each signature was, on the date of this signature, record owner of said lot(s) according to the books and records of Lake Victoria Property Owner's

Association and that the record owner(s) of 116 lots, out of a total of 217 lots contained within the subdivision, have approved the foregoing amendment to the recorded property restrictions for Royal Shores subdivision and that this constituted a majority of the lots within said subdivision.

Dated: 9-3-91

Karen Anderson

Karen Anderson
Secretary,
Lake Victoria Property Owner's
Association

David R. Fisher

David R. Fisher Witness

Betty Carlisle

Betty Carlisle Witness

Valerie J. Dooley-Scandling

Valerie J. Dooley-Scandling
President
Lake Victoria Property Owners
Association

Subscribed and sworn to before me this 3rd day of September, 1991, by Karen Anderson Secretary of Lake Victoria Property Owner's Association, and by Valerie J. Dooley-Scandling, President of Lake Victoria Property Owner's Association.

Grace E. Beck

Notary Public Clinton
County, MI. My Commission Expires:

July 31 1993

Drafted by:
Vincent P. Spagnuolo (P30350)
MURPHY, BRENTON & SPAGNUOLO, P.C.
2213 East Grand River
Lansing, Michigan 48912
(517) 371-2020



June 27, 1990

Revised Lake Victoria Property Restrictions

We, the undersigned, owners of real property within the subdivision of ROYAL SHORES, Victor Township, Clinton County, Michigan, according to the recorded plat thereof, comprise the owners of a majority of lots of said subdivision as set forth on the attached Certification of Ownership executed by the secretary of Lake Victoria Property Owners Association (LVPOA), and in order to maintain the desired nature and quality of our community and, therefore, to secure to each property owner the benefit and enjoyment in his ownership rights, and continuity in nature and quality of this subdivision community, do pursuant to the powers reserved in Paragraph Number Sixteen of the original Property Restrictions for ROYAL SHORES recorded at State of Michigan, Register of Deeds, County of Clinton, dated June 19, 1962, hereby amend said Property Restrictions and make the following covenants as to limitations, restrictions, and uses to which the lots contained in said subdivision may be put; and we do hereby specify and agree that the following amended Property Restrictions shall constitute covenants running with the land and shall be binding on all owners of record of each lot within said subdivision, and all persons claiming under them.

1. All lots in this subdivision shall be used exclusively for residential purposes. No structure or building shall be erected, altered, placed or permitted to remain on any lot other than one single family dwelling with attached private garage.
2. New garages on all lots in this subdivision shall be of minimal size 20 X 20 feet, structurally and permanently attached to by way of enclosed structure connected with or built as a part of the one family dwelling.
3. **TYPE, SIZE AND CONSTRUCTION:** Any structure erected, placed or altered on any lot in this subdivision must be approved in writing by the Building Control Committee, and, in the case of a requested variance a majority of the LVPOA Board of Directors and (where applicable) the County of Clinton prior to the commencement of construction or placement of structures. Such approval will be made upon submission of satisfactory plans, including a grid map showing location of structure on lot, which conforms with these property restrictions and the following minimum standards:
 - (A) Any residence erected or placed upon any lot in this subdivision shall have a ground floor area exclusive of basement, open porches or garages, not less than 1040 square feet (typically 26 feet by 40 feet) in the case of a one story building or not less than 1400 total square feet in the case of a two story or other type of multi-storied structure.

Garage space cannot be included in square foot computations of living quarters.

(B) Any reasonable proposal per lot for change, modification or addition to the within restrictions shall be considered upon request to the Lake Victoria Property Owners Association (LVPOA) Board of Directors. Upon unanimous approval of abutting lot owners (e.g. sharing a common border, immediately adjacent to, and the two nearest across the street from said requesting lot), such modification shall then be considered and acted upon in a timely fashion by the Building Control Committee and LVPOA Board of Directors. If so consented, the granted variance shall be recorded and when recorded shall be as binding as the original restrictions, as to that lot only. Building Control Committee and Board of Directors approval is not automatic pending abutting lot owners approval, and may take other factors into account.

(C) All construction materials shall be new. No building shall be moved into said subdivision. No trailer, mobile home, modular home, tent, basement, shack, unattached garage, barn, pole barn or other building shall be placed or constructed in the subdivision at any time for use as either a temporary or permanent residence or for any other purpose, except incident to the construction of a dwelling on the premises.

Unattached storage buildings (sheds) are allowed, providing they are no larger in area than 10 X 10, have construction consistent with the design and materials of the primary dwelling, are approved by the Building Control Committee and abutting lot owners.

No building shall be erected, placed, or altered on any residential lot until the building plans, specifications, and lot plan showing the location of such building has been approved in writing by the Building Control Committee and in the case of proposed variance, LVPOA Board of Directors as to the suitability of the building materials, conformity and harmony of exterior design with existing structures in the subdivision, and as to location of the building with respect to topography and finished ground elevations.

(D) Fences, walls and hedges, if any, shall be of open construction not more than five feet in height and shall not extend in front of the dwelling.

(E) All structures shall be completed on the exterior within six (6) months from start of construction including two (2) coats of paint or varnish or the necessary number of coats of an approved equivalent finish on any exterior wood surface. All structures must be completed and site graded, sodded or seeded, and reasonable landscaped within one (1) year from date of commencement of construction.

During the period of construction the premises shall be kept and maintained in a sightly and orderly manner. If the construction does not have an underlying written construction mortgage, it shall be bonded, based on current level of estimated square footage

completion cost for a home of comparable design, as reflected by Realty or construction industry index.

(F) The Building Control Committee shall consider and recommend approval or disapproval of plans for all structures erected, placed or altered in this subdivision. The Committee may reject any plan because of too great a similarity to nearby existing structures. The Building Control Committee shall take into account: harmony of exterior design of the proposed structure with existing structures on the lot and in the subdivision; location of the proposed building with respect to topography and finished ground elevation; whether applicant has obtained any necessary approval from county authorities; compliance with property restrictions; and existence/sufficiency of any necessary construction bond. The Committee shall report its activities and recommendations to the Board of Directors of LVPOA, which has final authority to approve or disapprove any request for a variance.

Precedent - Any approval granted as set forth above shall not set a precedent or constitute a waiver of the procedures and considerations set forth above as applicable to any other or future approval. Each proposal shall be judged, and approved or denied on its own merit, taking into account all factors indicated in these property restrictions.

4. No billboards, or advertising boards, or signs or advertisements shall be constructed or maintained on any lot, street, road or public place, except: (1) signs advertising lots and houses for sale, and, (2) signs for garage sales, which shall be removed after 72 hours.

5. SETBACK - Any structure erected must meet set back and easement restrictions of Clinton County; as in effect 3/1/90; or later County setback requirements, whichever is most restrictive.

6. No dock may be erected without approval of the Building Control Committee. No boathouse or storage facility shall be allowed to be constructed at the shoreline. Boatlifts are allowed and must be approved by the Building Control Committee.

7. Lake Victoria Property Owners Association is a private Association. In order to control the use of Lake Victoria, and thereby benefit all residents of the lands around the Lake, the water of Lake Victoria, and the lands normally flowed and covered by the Lake at its highest level, shall be owned by Lake Victoria Property Owners Association, its successors and assigns. Lots which abut or border on the waters of the Lake shall not include any riparian rights in and to said waters, or to the lands below said waters.

8. Easements for the installation and maintenance of public utilities or drainage facilities are reserved along and within 8 feet of all lot lines and 10 feet on all rear lines in this subdivision. Such other easements are hereby reserved to enter upon improvements, pipes, poles, wires, etc., whether under or

above ground. It is understood and agreed that it shall not be considered a violation of the provisions of the easement if wires or cables carried by such pole lines pass over some portion of said lots within the 6 feet strip, as long as such lines do not hinder the construction of building on any lots in the subdivision.

9. Tanks for the storage of fuel shall be located below ground, if oil and meet State of Michigan and/or County/EPA rules and regulations, or within the confines of the living unit; and above ground in the case of LP fuel, with adequate shrubbery or fence to shield the tank from view.
10. Garbage must be picked up weekly by an authorized contractor. Receptacles for rubbish ashes, and garbage storage shall be hidden from view, either inside the dwelling, or by providing adequate screening such as greenery or fencing coinciding with the topography of the house. All burning, including, but not limited to leaves, rubbish, garbage, is strictly forbidden. Campfires are allowed in a contained area.
11. No refuse pile or other unsightly or objectionable material or thing shall be allowed or maintained on any lot in this subdivision.
12. Owners of unoccupied lots shall at all times keep and maintain their property in this subdivision in an orderly manner and prevent accumulation of rubbish and debris on the premises.
13. No business, trade or enterprise of any kind or nature whatsoever shall be conducted or carried on upon lot or lots or within any structure in said subdivision. "Conducted or carried on upon" means the purveying of a product or service for value or compensation, and that will result in automobile or pedestrian traffic to the lot or structure in order to obtain the product or service.
14. No wild animals, wild birds, fowl, livestock or poultry shall be kept on any lot at any time in this subdivision. The exception is common household pets, which, in the case of dogs, must be kept on the owner's property or under leash at all times.
15. Any dwelling and garage on any lot in this subdivision which may in whole or in part be destroyed by fire, windstorm or for any other reason, must be rebuilt or all debris and the lot restored to sightly condition with reasonable promptness, not to exceed one year.
16. In order to maintain and improve the Lake Victoria community commencing March 1, 1991 and on March 1st of each year thereafter, the purchaser of each lot (or title holder, if title has been conveyed) shall pay to Lake Victoria Property Owners' Association \$100.00 annual assessment for the first (or only) lot owned, \$20.00 for a second contiguous lot, and \$100.00 for each additional lot. When a third contiguous lot is required for construction of a single family dwelling, in order to meet building codes, that third

lot shall be considered as a second lot in terms of annual assessment. At least half of such funds are to be used in the year of collection for dam, lake and park maintenance. To meet increased costs of living, special needs or approved projects, special assessments may be levied by compliance with the following procedure:

- (1) Any such special assessment must be made upon a recommendation from the LVPOA Board of Directors;
- (2) Membership of LVPOA shall be provided with a least thirty days notice of any such recommendation prior to a membership meeting at which said recommendation shall be considered; and
- (3) Approval at a LVPOA membership meeting, by a two-thirds vote of the membership of LVPOA in attendance at such meeting.

Each lot owner will be notified of annual assessments and special assessments for the year on or before March 1 of that year. Payment of said annual assessments and special assessments are due by April 1 of that year.

Annual assessments and special assessments shall be a lien on each lot and, if not paid by June 15th of each year, may be denoted by an affidavit recorded with the Register of Deeds, and this lien may be enforced as are real estate mortgages by foreclosure by advertisement, or in Circuit Court, District Court, Small Claims Court or by any other collection procedures allowed under the State of Michigan.

Five percent annual interest will be charged on all liens, dating from the time payment was first due. Any and all legal fees expended by LVPOA for placement or removal of liens, and any other costs associated with collection of past due annual assessments and special assessments will be charged to the lot owner.

17. Membership in Lake Victoria Property Owners Association is mandatory for all present and future owners of property in ROYAL SHORES. Failure to maintain membership by payment of annual assessments and special assessments by the aforementioned due date shall automatically revoke access and use privilege of all LVPOA common properties, to include Lake Victoria, parking lots, boat launches and parks.

18. These amended restrictions and covenants shall run with the land and shall be binding on all parties claiming under them for successive periods of ten (10) years. These restrictions and covenants may be altered, changed and amended in writing by a vote of a majority of the lot owners of record of the subdivision, and such amendment or modification shall become binding upon being recorded with the Register of Deeds of Clinton County.