

GOVERNMENTAL BUILDING AND USE RESTRICTIONS
AND NOTICE THEREOF
WOODBIDGE LAKE ESTATES SUBDIVISION NO. 3

The undersigned Declarant hereby declares that the restriction herein appearing shall apply to the following described property:

23#003
Lots 40 through 58, inclusive, of Woodbridge Lake Estates Subdivision No. 3 of part of the Southeast 1/4 of Section 15, Town 2 North, Range 8 East, Commerce Township, Oakland County, Michigan, according to the plat thereof as recorded in Liber 233, Pages 3, 4, 5 & 6 of plats, Oakland County Records.

17-15-401-024 - parent parcel
and shall run with the land and be binding upon all owners thereof and the recordation of these restrictions shall serve as public notice to all purchasers of any part thereof.

1. DIRECT ACCESS RESTRICTIONS:

- a. No direct vehicular access is permitted to Oakley Park Road from Woodbridge Park West and Outlot A.
- b. No privacy fences exceeding thirty (30") inches in height shall be placed within eighty-five (85') feet of the centerline of Oakley Park Road. Any privacy fences that are installed along Oakley Park Road shall be identical.
- c. A one (1') foot conservation easement is located along the north side of Oakley Park Road and after the relocation of the Detroit Edison power lines the cutting of the natural vegetation within said easement is prohibited.

The provisions of this Paragraph 1 shall be perpetual and shall not be amended without the consent of the Township of Commerce Board of Trustees, their successors and assigns. In addition, the provisions of subparagraph 1(a) shall not be amended without also the consent of the Road Commission of Oakland County, its successors and assigns.

2. DNR RESTRICTIONS: Portions of the Subdivision are situated in a 100 year floodplain area. The contour of the floodplain areas are delineated on the Plat of the Subdivision and are established by the Michigan Department of Natural Resources at elevation 914.4 (U. S. G. S. Datum). No filling or occupation of the floodplain area will be allowed without approval of the Michigan Department of Natural Resources. Unless waived by the Michigan Department of Natural Resources, any building used or capable of being used for residential purposes and occupancy within or affected by the floodplain shall comply with all of the following requirements:

(a) Be located on a lot having a minimum buildable site of 3,000 square feet of its area at its natural grade above the elevation of the line defining the floodplain limits. The buildable site shall exclude all setbacks and easements. O.K. - LM

(b) Be served by streets within the Subdivision having surfaces not lower than 1 foot below the elevation defining the floodplain limits.

(c) Have lower floors, excluding basements, not lower than the elevation defining the floodplain limits.

(d) Have openings into the basement not lower than the elevation defining the floodplain limits.

(e) Have basement walls and floors, if below the elevation defining the floodplain limits, which are watertight and designed to withstand hydrostatic pressures from a water level equal to the elevation of the contour defining the floodplain limits following methods and procedures outlined in chapter 5 for type A construction and

chapter 6 for class 1 loads found in the publication entitled "Flood Proofing Regulation." EP 1165 2 314, prepared by the office of the chief of engineers, United States Army, Washington, DC. June 1972. Figure on pages 14-5 of the regulations shows typical foundation drainage and waterproofing details. This document is adopted by reference in the restrictions and has been available at no cost from the Department of Natural Resources, Land and Water Management Division, Stevens T. Mas Building, P. O. Box 30028, Lansing, Michigan 48909, or Department of the Army, Corps of Engineers, Publication Depot. 890 S. Pickett Alexandria, Virginia 22060-5586.

(f) Be equipped with a positive means of preventing sewer backup from sewer lines and drains which serve the building.

(g) Be properly anchored to prevent flotation.

The provisions of this Paragraph 2 shall be perpetual and shall not be amended without the consent of the Michigan Department of Natural Resources, its successors and assigns.

3. OAKLAND COUNTY HEALTH DIVISION RESTRICTIONS: The following restrictions are required to be recited herein by the Oakland County Health Division of the Oakland County Department of Institutional and Human Services and unless waived by said Oakland County Health Division the following shall apply to each of the subject lots:

1 (a) No numbered lot shall be used for other than single family residential use. The use of Lots 55 and 56 for a community septic field shall be considered single family residential use for the purpose of these Restrictions.

W (b) Lots 40 through 54, inclusive, and Lots 57 and 58 will be served by a community septic system until and unless a public sanitary sewer system is available for use for sanitary sewage disposal for such lots, or until and unless other sanitary sewage disposal is provided for such lots with the approval of the Oakland County Health Division.

W (c) Lots 55 and 56 may be used for community septic field purposes and other purposes not inconsistent therewith as are permitted under the single family Zoning Ordinance of the Charter Township of Commerce, including but not limited to a surface recreation area; until and unless a public sanitary system is available for use for sanitary sewage disposal for each of the lots in said Woodbridge Lakes Estates Subdivision No. 3, or other sanitary sewage disposal is provided for such lots with the approval of the Oakland County Health Division no homes shall be built on said Lots 55 and 56 and said Lots 55 and 56 shall be used for a community septic field and for such other purpose not inconsistent therewith as permitted above.

W (d) Permits for the installation of sanitary sewer facilities to serve the individual lots shall be obtained from the Oakland County Health Division prior to any construction on the lot.

D (e) All water wells are to be located at least the minimum distance away from sanitary sewer facilities in accordance with the distance separation requirements of the Oakland County Health Division.

D (f) All wells shall be installed by a well driller licensed by the State of Michigan, and well logs for each well shall be submitted to the Oakland County Health Division within sixty (60) days of the well installation.

W (g) All dwellings are to be served by a potable water supply. All wells shall be drilled to a minimum depth of one hundred (100) feet. All wells shall be grouted to a minimum of twenty-five (25) feet.

(h) Anything in this Paragraph 3 to the contrary notwithstanding, if and at such time as the Oakland County Health Division no longer requires Lot 55 to be used as part of the community septic field or its reserve area as a result of new technology or

Order 19.1594/1

otherwise, then in such event a home can be built on Lot 55; and unless a public sanitary system is available for use for sanitary sewage disposal for a home to be built on Lot 55, or other sanitary sewage disposal is provided for such home with the approval of the Oakland County Health Division, a home built on Lot 55 shall be serviced by the community septic system.

(1) Although not considered health related by the Oakland County Health Division, the high iron content or the hardness of the well water may be aesthetically objectionable. Prospective residents must be made aware that softening or treatment systems may be necessary or desirable for their drinking water, and by recordation of the restrictions prospective residents are hereby so advised.

The provisions of this Paragraph 3 shall be perpetual and shall not be amended without the consent of the Oakland County Health Division, the Oakland County Department of Institutional and Human Services, its successors and assigns and the consent of the Declarant, its successors and assigns.

IN WITNESS WHEREOF, the Declarant has this 28th day of July 1994, as Declarant, caused these building and use restrictions to be executed.

WITNESSED BY:

[Signature]
Thomas M. Stulberg
[Signature]
Patricia J. Wiles

WOODBIDGE LAKE PROPERTIES, INC.

By: [Signature]
Edward Barry Stulberg, President

STATE OF MICHIGAN)
) ss.
COUNTY OF OAKLAND)

The foregoing instrument was subscribed and sworn to before me this 28th day of July, 1994 by Edward Barry Stulberg President of Woodbridge Lake Properties, Inc., a Michigan corporation, on behalf of said corporation.

[Signature]
Patricia J. Lambert, Notary Public
Macomb County, Michigan, acting in
Oakland County, Michigan
My Commission Expires: 11-21-95

Drafted by and after
recording return to:

Edward Barry Stulberg
31886 Northwestern Highway
Farmington Hills, MI 48334