

*Excerpt of the Master Deed for  
Osburn Lakes Site Condominium Development*

*ARTICLE VIII*

*RESTRICTIONS AND STANDARDS*

INTRODUCTION

On July 7, 2004, Woodside West, LLC and the City of Owosso entered into a "Second Purchase Agreement". The terms of that agreement are to remain an obligation of the co-owners of the condominium project. The terms of this ARTICLE VIII, RESTRICTIONS AND STANDARDS, cannot be amended without the prior approval of the City of Owosso.

A. The minimum size of a dwelling unit shall be 1078 square feet, except that unit size for Lots 24 through 55 shall be a minimum of 1500 square feet.

B. The minimum roof pitch shall be 7/12.

C. The architectural concept of the homes shall be described in Exhibit E to this Master Deed and shall reflect the features of homes that are characteristic of Owosso's historic neighborhoods or the concept demonstrated in Developer's Heritage Village project at Bristol Road in Swartz Creek. For home designs which are not described herein, architectural compliance review shall be completed before a purchase agreement may be signed.

For homes wider than fifty (50) feet, the following architectural standards for condominium units 24 through 55 apply:

- i. Windows facing the street shall be equipped with mullion or grille pattern dividers;
- ii. A large roof expanse facing the street shall be broken with dormers and/or gable projections;
- iii. The allowable garage projection in front of the home (to be measured with furthest roof projection of living space or covered porch to the front wall of the garage) shall be:
  - (a) Front loaded garage - six feet (6'); and
  - (b) Side yard loaded garage - fourteen feet (14');
- iv. The garage door on a front loaded garage shall be of a decorative design, e.g. raised panel and/or window section;

- v. All home designs not included in Exhibit B-1 to the Development Agreement may be subject to added architectural features such as dormers, roof eyebrows, shutters, specialty windows (octagon, oval), columns, dentals, porch railings, flower boxes, filigree, fret work;
- vi. On a side yard loaded garage, the street facing wall shall have a window wall area no less than ten percent (10%) of the entire wall, in addition to other architectural features such as gable vents or windows, and horizontal division accents in the siding;
- vii. On the street facing wall of the structure, thirty-five percent (35%) of that wall shall be faced with a superior finish such as stone - brick architectural siding (fish scale, dog eared, wood shake); and
- viii. Nothing herein shall prohibit the homes described in Exhibit B-1 to the Development Agreement from being constructed on Units 24 through 55.

D. Every dwelling unit shall have a usable front porch with a minimum square footage of 96 square feet.

E. Within Developer's architectural guidelines outdoor lighting on private lots shall be shielded and avoid direct or indirectly reflected light visible from beyond the boundary of a residential lot. This provision shall not apply to lamps less than 1200 lumens or flood lights less than 900 lumens provided that the floodlight does not provide direct glare to traffic or is not directly aimed at adjoining residential buildings.

F. Mutual easement provisions for the walking trail shall be as mapped with the condominium unit adjoining the property on the north side. The trail location and construction plans are subject to a State of Michigan wetlands permit. The Osburn Lakes Residential Site Condominium Association shall maintain and insure all of the trail including those portions of the trail off the premises.

G. Unless specified in the construction plans at 15 feet, underground gas and/or electric utilities easements shall be permitted within a 10 foot zone adjacent to the street right-of-ways.

H. Lakefront/wetland units are to maintain a 25 foot setback from the wetland boundary subject to the terms of the MDEQ wetlands permit, Permit #03-78-0013-P issued on April 20, 2004. Prior to the sale of any unit or commencement of any construction on any unit, the boundary of the wetland areas shall be protected by the placement of a permanent marker, sign, stake, flagging or structure that is clearly visible and has an obvious purpose to protect the wetland area on the units. The permanent sign detail from the Gould Engineering July 11, 2003 wetland permit application is an acceptable minimum standard for compliance with this provision.

I. From the date of excavation of a dwelling unit, the structure and landscaping must be completed within 12 months according to the approved building

plans.

J. Except for a one week driveway permit from the homeowner's association for recreational vehicles, no recreational vehicles or trailers are to be stored outdoors either in the yard areas or driveways.

K. Developer shall make the maximum feasible effort to arrange for front door delivery of mail.

L. The development of individual lots shall preserve to the maximum feasible extent landmark hardwood trees that are 8" in diameter or greater as measured 4' off the ground.

M. Developer agrees to contract with a third party land manager for the areas defined in a conservation easement zone for the benefit of the occupants of the site condominium and duplex condominium development adjoining the north line of the site condominium. With exception to the trail development to be constructed and maintained by the Developer and eventually the homeowner's association, the purpose of the third party agreement is to preserve and improve the natural character of the conservation zone, to decide on proposed alterations to those areas and to protect native plant and animal species. The third party manager shall be a non-profit corporation organized under the laws of the State of Michigan and established for the purpose of conservation land management. The City of Owosso shall retain the right of review and approval of the selected land management firm, or their successors from time to time, to assure the above standard is achieved.

N. Refuse collection shall be restricted to one refuse company serving the development on one day per week designated under City ordinance. Developer and eventually the homeowner's association shall have the authority to select the service provider, level of service and the term of service. Burning barrels are prohibited.

O. A 15' preserve for a wildlife corridor shall be established for Lots 36 through 48. Except for plantings of local vegetation species suitable for a nature area, this corridor cannot be occupied for yard use and must remain without obstructions such as fences or walls.

P. Sidewalks are to be installed at the time the driveways of the dwelling units are constructed. At a time it elects to do so, the City of Owosso shall reserve the right to complete sidewalk construction in front of the site condominium units without dwelling units and apply special assessments to recover the costs of the installation.