

THUNDER BAY

RESORT



Thunder Bay Heights

07/09

All home sites in Thunder Bay Resort include a Lifetime Family Golf Membership

With a mile of high bank frontage along the Thunder Bay River and a limited number of sites on the golf course itself, you'll find a beautifully wooded vacation or retirement home site to build upon.

Lot	Size	Approx. Acres	Price
#7	110x145x110x145	.37 W, LPS	\$24,900
#8	90x156x123x145	.37 W, LPS	\$24,900
#10*	100x132x101x145	.32 W, LPS	\$22,900
#11*	95x145x130x140	.34 W, LPS	\$19,900
#12*	70x140x230x159	.50 W, LPS	\$20,900
#13*	49x159x90x150x158	.56 W, LPS	\$20,900
#20*	100x146x100x146	.33 W	\$35,900
#21*	100x146x112x149	.36 W	\$35,900
#31*	150x108x150x108	.37 W	\$39,900
#62	100x472x202x248	.83 W, S	\$43,900
#65	192x165x225x180	.83 W, S	\$49,900
#67	100x283x106x369	.76 W, S	\$43,900
#68	100x369x99x374	.85 W, S	\$34,900
#69	100x377x100x375	.86 W, S	\$31,900
#70	100x377x100x377	.86 W, S	\$31,900
#90	100x189x110x186	.45	\$38,900
SOLD	100x175	.40 W, S	\$31,900
#103*	100x175	.40 W, S	\$31,900
#104*	100x175x100x178	.41 W, S	\$35,900

All sites will be served by mail delivery, school bus routes, underground telephone (Verizon), electricity (PIE&G), natural gas (PIE&G) and Village of Hillman water and sewer.

W = Village Water S = Village Sewer

LPS = Village Low Pressure Force Main Sewer

* Lots that are zoned for either single or multifamily homes - May be restricted to single family by deed restrictions

Home sites are being offered in phases as utilities are extended. If you are interested in a home site not shown above and not listed as sold below, please ask.

The following home sites have been sold:

1, 2, 3, 9, 14, 15, 16, 17, 18, 19, 22, 23, 63, 64, 66, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 92, 93, 94, 95, 96, 97, 98, 99, 100 and 101.

Contact:

Jack Matthias

Thunder Bay Resort Real Estate

27800 M-32 Hillman, MI 49746

Direct Office: 989-742-4732

Cell: 989-657-6996

Toll Free: 800-729-9375

"THUNDER BAY HEIGHTS"

FELDBAUSER ASSOCIATES INC.
3650 DIXIE HWY.
DRAYTON PLANK, MICHIGAN 48020

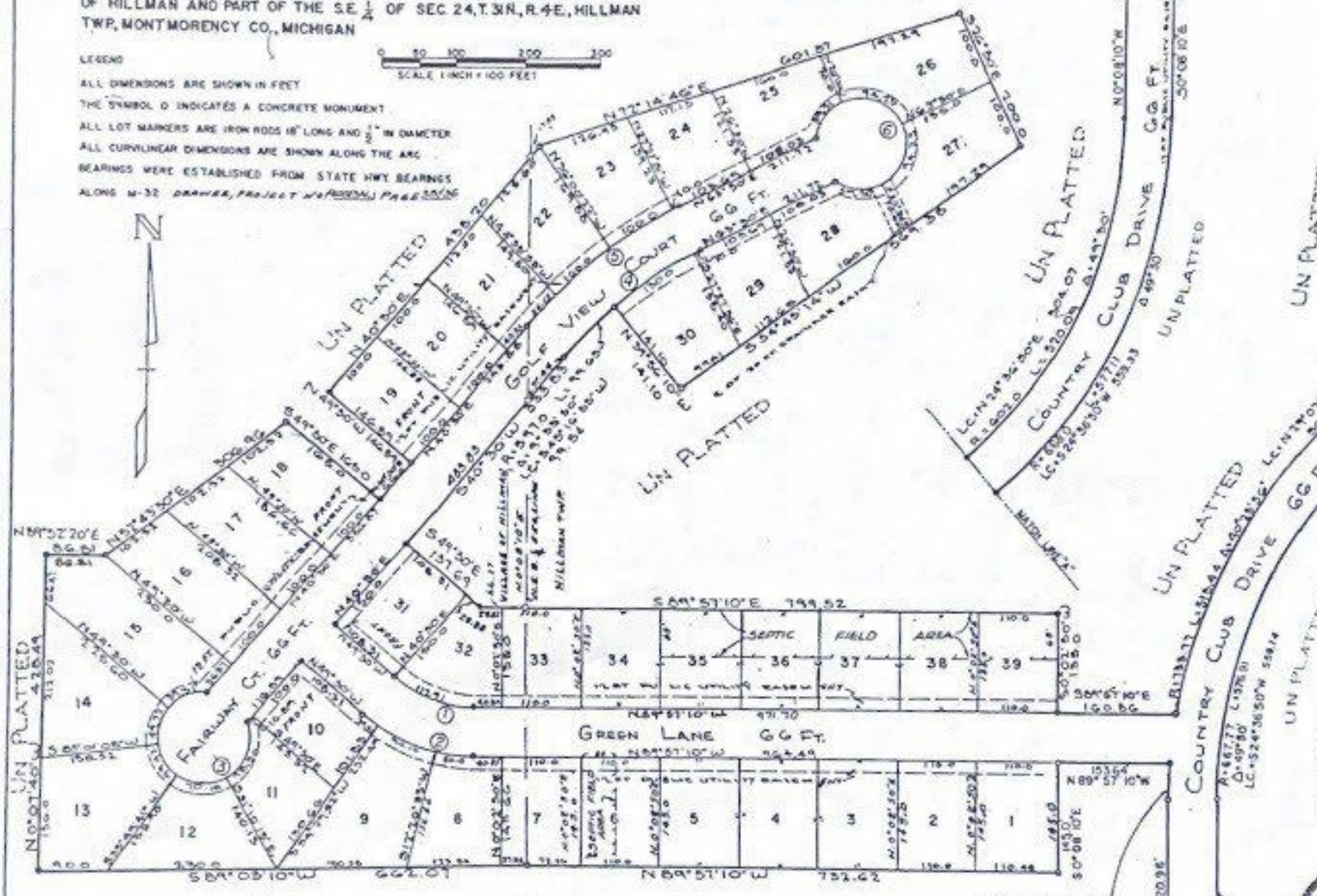
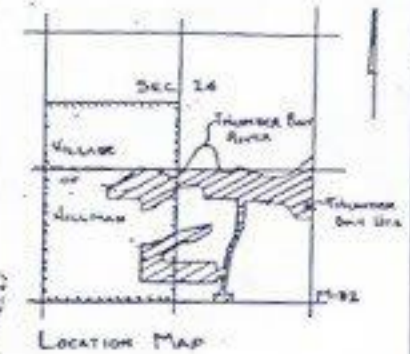
A SUBDIVISION OF PART OF THE S.W. $\frac{1}{4}$ OF SEC. 24, T.31N, R.4E, VILLAGE OF HILLMAN AND PART OF THE S.E. $\frac{1}{4}$ OF SEC. 24, T.31N, R.4E, HILLMAN TWP, MONTMORENCY CO., MICHIGAN

LEGEND

ALL DIMENSIONS ARE SHOWN IN FEET
THE SYMBOL \odot INDICATES A CONCRETE MONUMENT
ALL LOT MARKERS ARE IRON RODS 18" LONG AND $\frac{1}{2}$ " IN DIAMETER
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
BEARINGS WERE ESTABLISHED FROM STATE HWY BEARINGS ALONG M-32 DRAWING PROJECT NO. 1985000, PAGE 35 OF 36

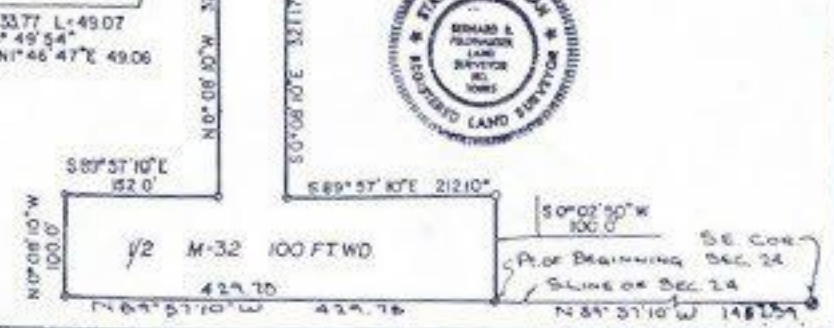


MATCH LINE TO
SEE SH. 2445



NO.	CURVE		DATA		
	RADIUS	DELTA	LENGTH	CHORD BEARING	LENGTH
1	167.00	40°27'10"	117.91	N69°51'35"W	115.47
2	233.00	40°27'10"	164.51	N69°51'35"W	161.11
3	60.00	285°15'58"	307.11	N49°30'00"W	69.00
4	597.00	15°22'10"	140.00	N56°46'55"E	189.68
5	602.00	287°00'00"	249.18	N52°00'00"E	264.59
6	60.00	285°15'58"	307.11	S26°30'00"E	69.00

THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 280 OF P.A. 1967 AS AMENDED ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF PUBLIC HEALTH AND/OR THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES WHICH ARE RECORDED IN LIBER. ON PAGES MONTMORENCY COUNTY RECORDS.

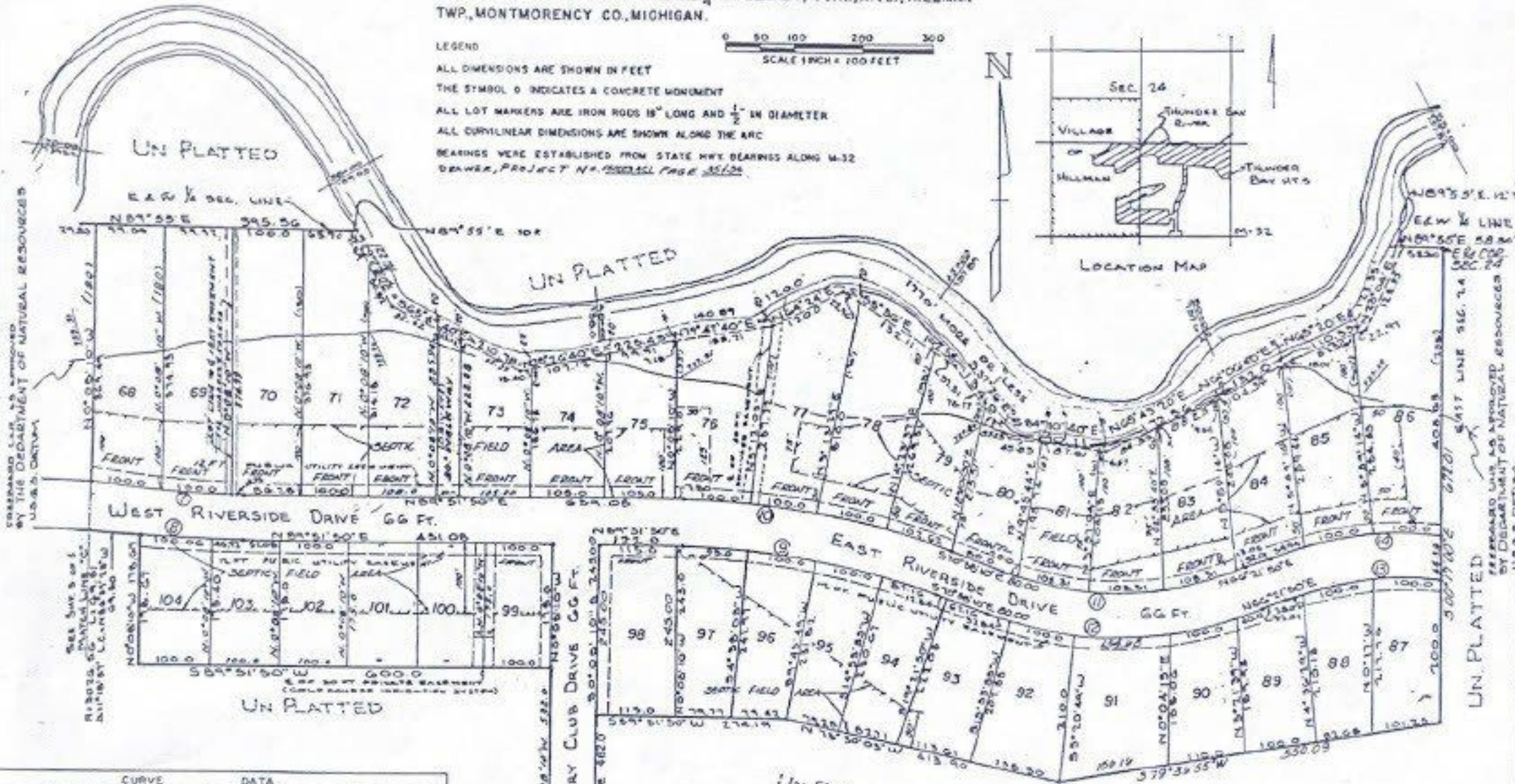
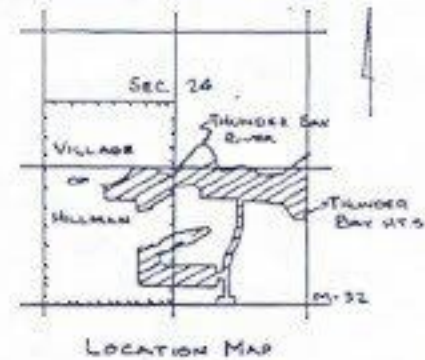


"THUNDER BAY HEIGHTS"

FELDBAUSER ASSOCIATES INC.
3660 DIXIE HWY.
DRAYTON PLAINS, MICHIGAN 48020

A SUBDIVISION OF PART OF THE S.W. $\frac{1}{4}$ OF SEC. 24, T.31N., R.4E., VILLAGE OF HILLMAN AND PART OF THE S.E. $\frac{1}{4}$ OF SEC. 24, T.31N., R.4E., HILLMAN TWP., MONTMORENCY CO., MICHIGAN.

LEGEND
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ALL LOT MARKERS ARE IRON RODS 18" LONG AND $\frac{1}{2}$ " IN DIAMETER
ALL CURVILINEAR DIMENSIONS ARE SHOWN ALONG THE ARC
BEARINGS WERE ESTABLISHED FROM STATE HWY BEARINGS ALONG M-32
DRAWER, PROJECT NO. 888888 PAGE 15/20



FORWARDED FOR APPROVAL BY THE DEPARTMENT OF NATURAL RESOURCES U.S.G.S. DRYDEN

FORWARDED FOR APPROVAL BY THE DEPARTMENT OF NATURAL RESOURCES U.S.G.S. DRYDEN

CURVE		DATA			
No	RADIUS	DELTA	LENGTH	CHORD BEARING	LENGTH
7	2960.56	4° 08' 10"	213.72	N88°04'05" W	213.67
8	3026.54	02°49' 15"	148.98	N88°45'54" W	148.96
9	1117.00	12°30'00"	380.18	S80°23'10" E	378.33
10	1183.00	19°30'00"	402.82	S80°23'10" E	400.68
11	447.00	43°00'00"	357.98	S87°51'50" W	349.64
12	543.00	43°00'00"	407.52	S01°51' 00" W	399.02
13	437.00	29°54'07"	228.07	N81°18'54" E	226.49
14	303.00	29°08'23"	204.94	N80°53'01" E	202.22



RECEIVED
MONTMORENCY CITY
REGISTER OF DEEDS

JUL 13 10 49 AM '90

David G. ...

REVISED DECLARATION OF RESTRICTIONS FOR THUNDER BAY HEIGHTS SUBDIVISION

This declaration made this 16th day of June 1990, by Matthias Development Company, Inc., a Michigan Corporation, (hereinafter referred to as the "Declarants") and the undersigned owners of individual lots who together constitute the owners of 104 lots of the total of 104 lots, Witnesseth:

Whereas, This REVISED DECLARATION OF RESTRICTIONS FOR THUNDER BAY HEIGHTS SUBDIVISION is a revision and replacement of the "DECLARATION OF RESTRICTIONS FOR THUNDER BAY HEIGHTS" originally made January 19, 1979 as recorded in Liber 103, Pages 333 to 330 of Montmorency County Records on June 21, 1979; and

Whereas, such a revision is permitted under Article 11.02 of the original "DECLARATION OF RESTRICTIONS FOR THUNDER BAY HEIGHTS SUBDIVISION" when signed by 65% of the Lot Owners at the time of this agreement; and

Whereas, Declarants are the owners of 100 percent of the real property hereinafter described in Article I hereof; and

Whereas, Declarants desire to subject said property to the following conditions, restrictions and charges, for the benefit of said property and its present and subsequent owners; and

Now, therefore, Declarants hereby declare that the property described in Article I hereof is and shall be held and conveyed upon and subject to the conditions, covenants, restrictions, reservations and charges hereinafter set forth:

ARTICLE I - Property Subject To This Declaration

The real property subject to this Declaration is: The Plat of Thunder Bay Heights - a subdivision of part of the SW 1/4 of Section 24, T.31N., R.4E., Village of Hillman and part of the SE 1/4 of Section 24, T.31N., R.4E., Hillman Township, Montmorency County, Michigan.

ARTICLE II - Definition Of Terms

Wherever used in this Declaration, the following terms shall have the following meanings:

- Article 2.01 - "Dwelling House", shall include both the main portion of such structures and all projections therefrom, including porches, eaves, steps, chimneys and garages.
- Article 2.02 - "Lot" means one of the numbered parcels, 1 through 104
- Article 2.03 - "Building Site" means either a "lot" or contiguous portions of more than one lot provided that such parcel has a minimum street frontage of at least 60 feet and an area of at least 13,000 square feet.
- Article 2.04 - "Set back" means the minimum distance between the dwelling house or other structure referred to and a given street, lot line or building site line.

ARTICLE III - Uses of Property

- Article 3.01 - No building site on said property shall be used for any purpose other than residential purposes. Commercial activities are specifically prohibited. Rental of single family & multifamily units is permitted.
- Article 3.02 - No farm or wild animals shall be raised, kept or permitted on said property. Domestic pets may be kept provided they are not bred or raised for commercial purpose or in unreasonable quantities.
- Article 3.03 - No noxious or offensive trade or activity shall be carried on upon said property, nor shall anything be done or maintained thereon which may be or become an annoyance or nuisance to the neighboring lot owners.
- Article 3.04 - No house trailers, tents, or other substandard housing shall be erected, maintained or used for living quarters.
- Article 3.05 - No commercial vehicles, or other miscellaneous equipment may be kept on said property unless stored in a suitable private garage.
- Article 3.06 Use of fire arms or bows and arrows for hunting or other purposes is prohibited within the subdivision of Thunder Bay Heights.

ARTICLE IV - Character and Size of Buildings

- Article 4.01 - No building may be erected or maintained on any building site on said property except:
 - a) One (1) single family dwelling house designed for occupancy by not more than one family, together with attached garages hereinafter permitted on Lots 61 thru 98.
 - b) Either single family or multi-family dwellings, including condominiums, on Lots 1 thru 60 and 99 thru 104.
 Buildings shall not contain more than 3 stories including the basement level, if any, and no structure shall exceed 32 feet in height including chimneys. T.V. antennas shall not exceed 45 feet in height.
- Article 4.02 - Buildings erected after June 1, 1990 shall conform to the following minimum living area per unit requirements.
 - a) Single family dwellings:
 - Single story dwelling: 960 sq. feet.
 - Two story dwelling: 1st Floor = 700 sq. feet minimum and 1100 sq feet minimum in total (not including basements if any).
 - b) Multifamily dwellings: Efficiency units: 280 sq. feet minimum.
 - One bedroom units: 550 sq. feet minimum.
 - Two bedroom units: 700 sq. feet minimum.
 - Three bedroom units: 850 sq. feet minimum.
 - Four bedroom units: 1000 sq. feet minimum.
- Article 4.03 - Interior living floor space shall consist of the floor area on the main and upper levels inside the outside walls and not including patios, basements, cellars, garages, or unheated porches.
- Article 4.04 - Garages
 - a) Garages may be erected and maintained for the use of the owner as part of the main building on single family dwellings. Detached garages are prohibited on single family dwellings.
 - b) Garages shall conform generally in architectural design, and exterior material and finish to the main dwelling.
 - c) Detached garages are permitted on multifamily dwellings.
- Article 4.05 - No building shall be occupied while in the course of original

- construction until it complies with the area and health requirements applicable thereto. The construction of any building or structure shall be prosecuted with reasonable diligence from the time of commencement until the exterior (including painting and finishing) and plumbing have been completed. Such construction to be completed within 15 months after beginning construction.
- Article 4.06 - Every building, fence, wall or other structure placed on part of said property shall be constructed from new materials, unless use of other materials is approved by the "Declarant," its successors or assigns.
- Article 4.07 - All fuel oil or bottle gas tanks shall be submerged, enclosed in a suitable cabinet or screened from view by an appropriate wall fence, or evergreen planting.

ARTICLE V - Architecture

- Article 5.01 - Declarants wish to encourage a contemporary style of architecture featuring natural exteriors such as wood siding, planking, textured plywood, brick or stone. Colored or textured vinyl or aluminum sidings are acceptable. Declarants wish to discourage the use of white aluminum siding, and plain rectangular ranch style homes. Chalets and A-frames are permitted only on heavily wooded sites.
- Article 5.02 - Lots 18 through 39 and to a lesser extent Lots 87 to 104, and 40 to 45 adjoin Thunder Bay Golf Course in areas where they may be struck by golf balls. Purchasers of these lots should choose exterior materials and window locations so as to minimize any potential damage. Specifically aluminum siding should be avoided, and the possible use of a clear "lexan" type unbreakable plastic might be advisable in high risk window areas. Purchasers of these sites are hereby forewarned and agree not to hold Thunder Bay Golf Course, Inc. or the Declarant responsible for damages caused by errant golf balls. Declarant or Thunder Bay Golf Course personnel can provide prospective purchasers with advice concerning high risk areas, and design techniques that will minimize potential damage.
- Article 5.03 - Mobile homes are specifically prohibited. Use of panelized, modular and other forms of factory assembled housing is not encouraged, but is acceptable, where quality is substantially equal to on site construction done to local building codes and where exterior appearance is appropriate. Such structures shall not be erected on heavily wooded sites unless they can be set in place without removing trees in excess of the number that would have to be removed for on site construction.
- Article 5.04 - No building or other structure shall be erected, or constructed upon said property unless a floor plan, elevation including the exterior color scheme and materials, and plot plan showing the exact location on the building site of the building, water well, septic tank and septic field, shall have been submitted to the appropriate building inspector (currently the Montmorency County Building Inspector) for approval and a building permit obtained. Lots within the Village of Hillman will also require a Village Building Permit. Lots currently within the Village of Hillman are Lots 1 through 21, 31 through 61. Portions of Lots 22, and 62 are also within the Village and may or may not require a Village building permit, depending on the building location on the site.
- Article 5.05 - Proposed dwelling houses that would be served by septic systems will require the submission of a plot plan showing the location of the proposed well, septic system and building to the District 4 Health Department and the issuance of a septic permit prior to any construction. (See Article VI).

ARTICLE VI - Health and Sanitation Standards

Article 6.01

- a) Said property shall be subject to the Sanitation Regulations of the District No 4 Health Department.
- b) Septic Tank permits shall be obtained from the District 4 Health Department prior to beginning any construction. Said permits shall show location of well, septic system, and home on the site, and shall take into consideration the locations of wells and septic systems on adjacent lots to avoid contamination.
- c) Varying amounts of fill material will be necessary on some lots to provide the required forty eight (48) inch isolation distance from the bottom of the drainfield to either the water table or impervious clay layer. The amount of fill required will be determined prior to the issuance of a sewage disposal system construction permit by the District Health Department No 4.

Article 6.02

- a) All sewage systems on Lots thirty five (35) through thirty nine (39), forty eight (48) through eighty six (86), and ninety four (94) through one hundred and four (104) must be located within the areas designated for sewage systems on the final plat. These requirements may somewhat limit placement of homes on said lots.
- b) Lots number one (1) through thirteen (13) are served by a low pressure force main sewer system owned by the Village of Hillman. Homes built on these lots will require a tank and effluent pump or a "Crinder" pump to pump effluent into the Village of Hillman Sewer System.
- c) Lots numbered eighty-seven (87) through ninety-three (93) are not presently suitable for development with the use of sub-surface sewage systems (septic tanks and drain fields) until such time as the water table is effectively drained and maintenance of such a drainage system is assured to comply with the requirements of the Michigan Sub-division Control Act (Act 288, P.A. of 1967) and the District Health Department No 4 Sanitary Code. The District Health Department No 4 shall issue a release statement for each Lot when drainage conditions have been met. This release shall be recorded prior to the sale of any of these lots for residential purposes, and will spell out the limitations concerning location of septic systems on said lots eighty-seven (87) through ninety three (93).
- d) On lots forty (40) through forty seven (47), it will be necessary to cut through and remove a thin clay layer in order to expose underlying permeable material.
- e) Other than those lots mentioned in 6.02 (b) and 6.02 (c) all other sites are approved for on site wells and septic systems. If at some subsequent time, it becomes necessary to construct a community water and / or sewer system, the construction of such systems may be financed in whole or in part by the creation of a special assessment district or districts which may include all or some of the original lots. If such a special assessment district is imposed upon all or any part of this subdivision, in accordance with Michigan Law, then each owner of lots covered by said special assessment district shall pay all of those special assessments as may be levied against his lot by that special assessment district and shall take the necessary steps as required by the appropriate State, County, and Township agencies to connect, at his own expense, his water intake and sewage discharge facilities to such community system within 90 days following the completion.

of said system or systems. No water or sewer system is planned at this time.

Article 6.03 - No building in the Plat of Thunder Bay Heights shall be built within the area defined by the Freeboard Line established by the Department of Natural Resources as shown on the recorded Plat of Thunder Bay Heights. Freeboard limits are defined as 742.0 at the up-stream limit of the plat and 737.0 at the downstream limit of the Plat (U.S.G.S. Datum). All buildings for residential purposes will be constructed above and landward of the Freeboard and openings will not be permitted into basements below the elevation of the Freeboard Line. This restriction is to be observed in perpetuity and excluded from any time limitation.

Article 6.04 - The restrictions of Article VI, other than Article 6.03, can be modified only by the action of the Health Department. Article VI may not be modified under the provisions of Article XI, Duration, Modification or Annulment of Conditions, Restrictions, and Changes, which specifies procedures by which all other restrictions may be renewed, altered, modified, cancelled or changed.

Article 6.05 - All garbage and trash shall be kept in covered containers, and screened from public view. Garbage and trash shall not be burned out of doors, and shall not be buried within the Plat of Thunder Bay Heights.

ARTICLE VII - Greenbelt Areas and Trees

All wooded sites bordering the Thunder Bay River and Thunder Bay Golf Course shall be considered as greenbelt areas, and the following restrictions shall apply:

Article 7.01 - No normal, reasonably healthy pine oak, maple, birch or other hardwood tree greater than 4 inches in diameter (measured 2 feet above ground level) may be removed, damaged or otherwise destroyed unless:

- a) It is within 8 feet of an approved structure including garage, deck or roof overhang.
- b) It is within the path of a single lane driveway not in excess of 14 feet in width, or a turn around area on said drive.
- c) It is within 12 feet of a septic system.
- d) Poplar or Aspen may be removed to provide room for pine or hardwood species

Article 7.02 - Trees less than 4 inches in diameter in the greenbelt areas may be selectively thinned.

Article 7.03 - Trees within the greenbelt area may be pruned of live branches to a height of 10 feet, and of dead branches to any height.

Article 7.04 - River front site owners shall not remove trees or vegetation from steep slopes to the river, and shall take all steps necessary to prevent their usage of such slopes from causing erosion due to damaging the ground cover.

ARTICLE VIII - Setback And Location of Buildings

Article 8.01 Dwelling houses and attached structures such as garages, porches, decks and roof overhangs shall have the following set back requirements:

- a) No structure shall be located within the area defined by the Freeboard Line established by the Michigan Department of Natural Resources as shown on said Plat.
- b) No such structure shall be located closer than 50 feet (measured in the horizontal plane) to the normal water line (vegetation line) of the Thunder

- Bay River, except lots 72 through 75 and 80 through 85 which are high bank lots with a steep slope to the river. On these lots, a structure may be built to within 15 feet of the crest of the bank, provided that no trees greater than 4 inches are removed from in front of the structure. No excavation or filling shall take place within the River-front set-back area without permission of the Declarants, its successors and assigns. This area shall be maintained in its natural state (no lawns).
- c) No single family structure shall be located within 10 feet of the side line of any building site.
 - d) No single family structure shall be located within 30 feet of the right-of-way of any public road, except for corner lots, on which the "side" set back shall be 20 feet from the public road right-of-way.

ARTICLE IX - Docks and Mooring of Boats

- Article 9.01 All river front lots shall extend to the water's edge.
- Article 9.02 All docks shall be built parallel to the shore line and shall not extend more than 5 feet into the river from the normal shoreline (vegetation line).
- Article 9.03 No boat shall extend more than 10 feet into the river from the shore line, when moored to a dock. No boat shall be moored in such a manner as to seriously interfere with navigation in the river.
- Article 9.04 Shallow water near the shore may make mooring of boats to a dock impossible in some sites. No excavation in the river or into the river bank will be permitted to improve or make docking possible.
- Article 9.05 Docks shall be no more than 12 feet wide or long. Docks shall not be more than 15 inches higher than the normal water level. Docks may be constructed that float with the changing river water level, provided they do not extend more than 15 inches above the water level.
- Article 9.06 No boat houses or other structures shall be built along the river or above the deck level of a regulation dock

ARTICLE X - Construction of Conditions and Restrictions

- Article 10.01 In constructing this Declaration, or any part thereof, stipulations which are necessary to make this Declarations of Restrictions, or any of its terms or provisions, reasonable, are implied.
- Article 10.02 The determination of any court that any of the provisions of the Declaration are unlawful or void shall not affect the validity of any of the other provisions hereof.
- Article 10.03 Damages are not declared to be adequate compensation for any breach of the provisions of this Declaration, Declarant contemplating the enforcement of such restrictions are part of the general plan of improvements, and not damages for breach of such restrictions.
- Article 10.04 Nothing contained in this Declaration shall be construed to prevent the erection or maintenance by Declarants or their agents of structures or signs for the conduct of their business in connection with said property.

ARTICLE XI - Duration, modification, or Annulment of Conditions, Restrictions & Charges

Article 11.01 These conditions, restrictions and charges shall run with the land for the benefit of the owners thereof as a part of a general plan of development, improvements, and maintenance. They shall remain in effect permanently unless changed in the manner herein prescribed.

Article 11.02 Said conditions, restrictions, and charges, except those in Article VI, may be changed, modified or annulled in whole or in part unless such changes are prohibited by law, by a written agreement signed by more than sixty five percent (65%) of the lot owners on record at the time of the agreement. In determining this percentage a lot owner shall have one "vote" for each lot owned, thus owners of 68 lots would have to agree to any change to make it valid.

Article 11.03 Exceptions to specific conditions, restrictions, and charges may be made by the Declarant where such conditions might work an undue and unforeseen hardship upon a specific property owner and where such an exception would be detrimental to the overall general plan of development.

ARTICLE XII - Violation of Conditions and Restrictions And Right of Enforcement

Article 12.01 The provisions contained in this Declaration shall bind and inure to the benefit of and be enforceable by the Declarant, and/or the owner or owners of any portion of said property, or their legal representatives, heirs, successors and assigns; and failure by Declarant, or by any other property owner to enforce any of such conditions, restrictions or charges herein contained shall in no event be deemed a waiver of the right to do so hereafter.

Signed this 16th day of June, 1990 by:

Witness:

Patti J. Brandt
Patti J. Brandt

Melissa K. Balog
Melissa K. Balog

Patti J. Brandt
Patti J. Brandt

Melissa K. Balog
Melissa K. Balog

Patti J. Brandt
Patti J. Brandt

Melissa K. Balog
Melissa K. Balog

Matthias Development Company, Inc.

By: Jack E. Matthias
Jack E. Matthias, President

By: Janet P. Matthias
Janet P. Matthias, Secretary

A.I.S. Investors, a Michigan Co-partnership

Jack E. Matthias Lot 14
Jack E. Matthias, General Partner

Kenneth H. Cordea Lot 14
Kenneth H. Cordea, General Partner

Jack E. Matthias Lot 98
Jack E. Matthias

Janet P. Matthias Lot 98
Janet P. Matthias

The Fairways of Thunder Bay Resort

07/09

All homesites in the Fairways at Thunder Bay Resort include Lifetime Family Golf Membership.

The Fairways at Thunder Bay Resort features 14 full wooded golf course sites and will be restricted to homes of 1,500 sq. ft. or larger plus an attached 2-car garage. Exterior sidings will be log, 1/2 log, planking, natural wood siding and stone.

Lot	Size	Approx. Acres	Price	Status
#1	105x254x104x290	67	N/A	Sold
#2	116x254x104x286	63	N/A	Sold
#3	117x203x100x254	52	\$52,900	Available
#4	108x176x102x203	44	N/A	Sold
#5	103x174x102x176	41	\$269,000	Available
#6	103x202x104x174	43	\$49,900	Hold
#7	108x258x104x202	53	\$52,900	Available
#8	110x318x101x258	67	\$53,900	Available
#9	111x355x100x318	77	\$54,900	Available
#10	108x387x100x355	86	\$54,900	Available
#11	105x409x100x387	92	\$54,900	Available
#12	102x252x103x70x138x409	1.06	\$58,900	Available
#13	101x298x67x46x103x252	71	\$54,900	Available
#14	39x25x60x251x96x298	60	\$58,900	Available

All sites will be served by mail delivery, school bus routes, underground telephone (Verizon), electricity (PIE&G), natural gas (PIE&G) and Village of Hillman water and sewer.

Please review "Declaration of Restrictions" terms:

- 1) Cash - 2% Discount
- 2) Mortgage - First Federal of Northern Michigan (Cash Discount applies)
- 3) Land Contract - 15% Down, Balance over 6 years @8%

Contact:

Jack Matthias

Thunder Bay Resort Real Estate

27800 M-32 Hillman, MI 49746

Direct: 989-742-4732

Cell: 989-657-6996

Toll Free: 800-729-9375

Owners: Jack & Jan Matthias

P.O. Box 157, Hillman, MI 49746

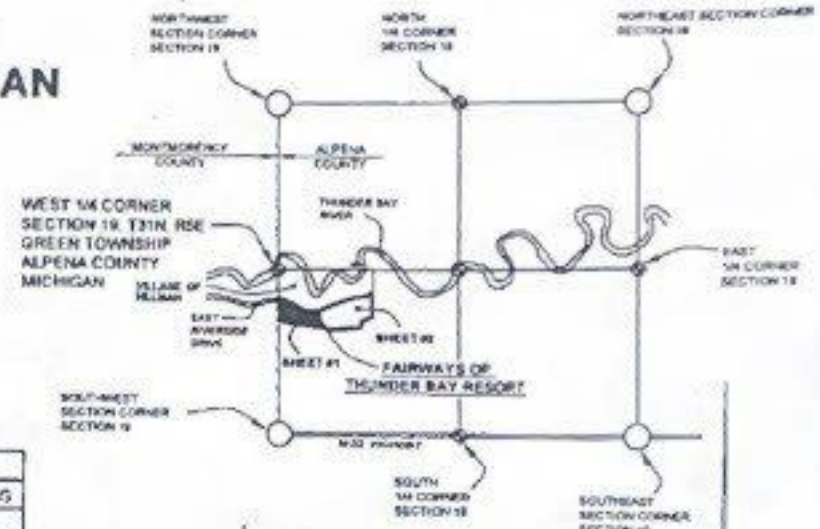
THE FAIRWAYS AT THUNDER BAY RESORT SUBDIVISION

PART OF THE NW 1/4 OF THE SW 1/4
SECTION 19, T31N, R5E
VILLAGE OF HILLMAN
ALPENA COUNTY, MICHIGAN
2002



WEST 1/4 CORNER SECTION 19, T31N, R5E GREEN TOWNSHIP ALPENA COUNTY, MICHIGAN AS FILED IN LIBER 1, PAGE 100 OF ALPENA COUNTY LAND CORNER RECORDS AND AS FILED IN LIBER 1, PAGE 306 OF MONTMORENCY COUNTY LAND CORNER RECORDS

MONTMORENCY COUNTY
THUNDER BAY HEIGHTS SUBDIVISION LIBER 2, PAGE 32 OF MONTMORENCY COUNTY RECORDS



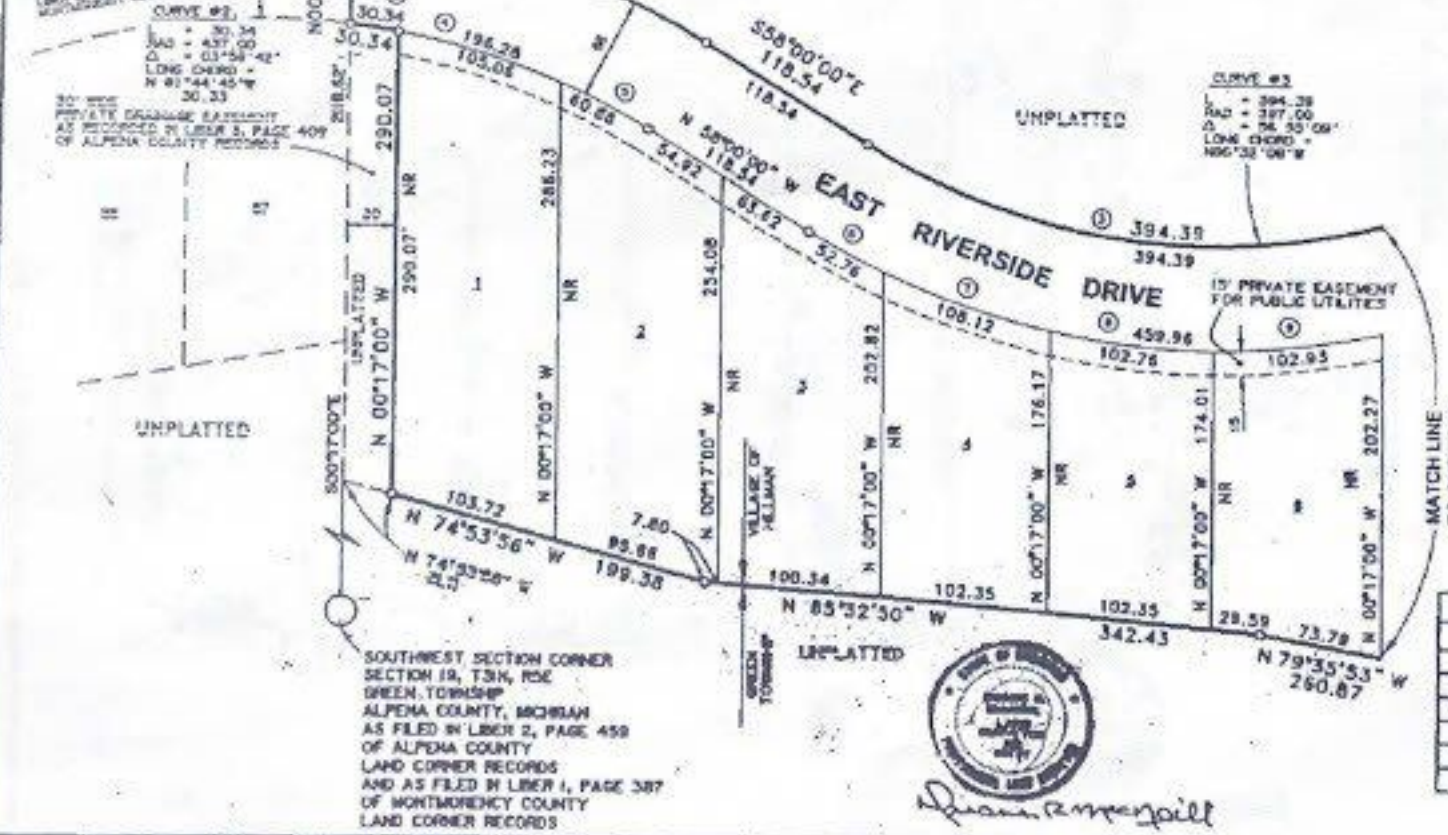
BOUNDARY CURVE DATA						
LOT	CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
-	1	233.50	503.00	22°25'48"	231.40	S21°17'53"E
-	2	50.34	437.00	02°58'49"	50.33	N61°44'45"W
-	3	394.39	397.00	68°55'08"	378.37	S66°32'06"E

CURVE #2
L = 30.34
RAD = 437.00
Δ = 03°58'49"
LONG CHORD = N 61°44'45"W
30.33

CURVE #3
L = 394.39
RAD = 397.00
Δ = 68°55'08"
LONG CHORD = N 66°32'06"E

- LEGEND**
1. ALL DIMENSIONS ARE IN FEET.
 2. ALL CURVE DIMENSIONS ARE IN ARC LENGTH
 3. CONCRETE MONUMENTS, 4 INCHES IN DIAMETER AND 36 INCHES IN LENGTH, WITH 1/2" RE-ROD HAVE BEEN PLACED AT ALL CORNERS MARKED THUS "O"
 4. LOT CORNERS HAVE BEEN MARKED WITH 1/2" STEEL RE-ROD 24 INCHES LONG WITH A YELLOW PLASTIC SURVEYOR'S CAP BEARING NUMBER 19237.
 5. R = RADIAL LINE
 6. NR = NON-RADIAL LINE
 7. BEARINGS WERE ESTABLISHED FROM THE RECORDED PLAT OF "THUNDER BAY HEIGHTS SUBDIVISION" LIBER 3, PAGE 32 OF MONTMORENCY COUNTY RECORDS ALONG THE EAST BOUNDARY OF SAID PLAT.

INTERIOR CURVE DATA						
LOT	CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
1	4	105.00	437.00	03°49'28"	104.90	S72°52'11"E
2	5	60.88	437.00	02°58'49"	60.83	N61°44'30"E
3	6	82.76	443.00	08°31'43"	82.73	S61°20'31"E
4	7	108.12	443.00	12°23'48"	107.87	S71°17'38"W
5	8	102.78	443.00	12°43'00"	102.65	S64°20'32"E
6	9	102.93	443.00	12°44'18"	102.72	N60°44'51"E



SOUTHWEST SECTION CORNER SECTION 19, T31N, R5E GREEN TOWNSHIP ALPENA COUNTY, MICHIGAN AS FILED IN LIBER 2, PAGE 459 OF ALPENA COUNTY LAND CORNER RECORDS AND AS FILED IN LIBER 1, PAGE 387 OF MONTMORENCY COUNTY LAND CORNER RECORDS

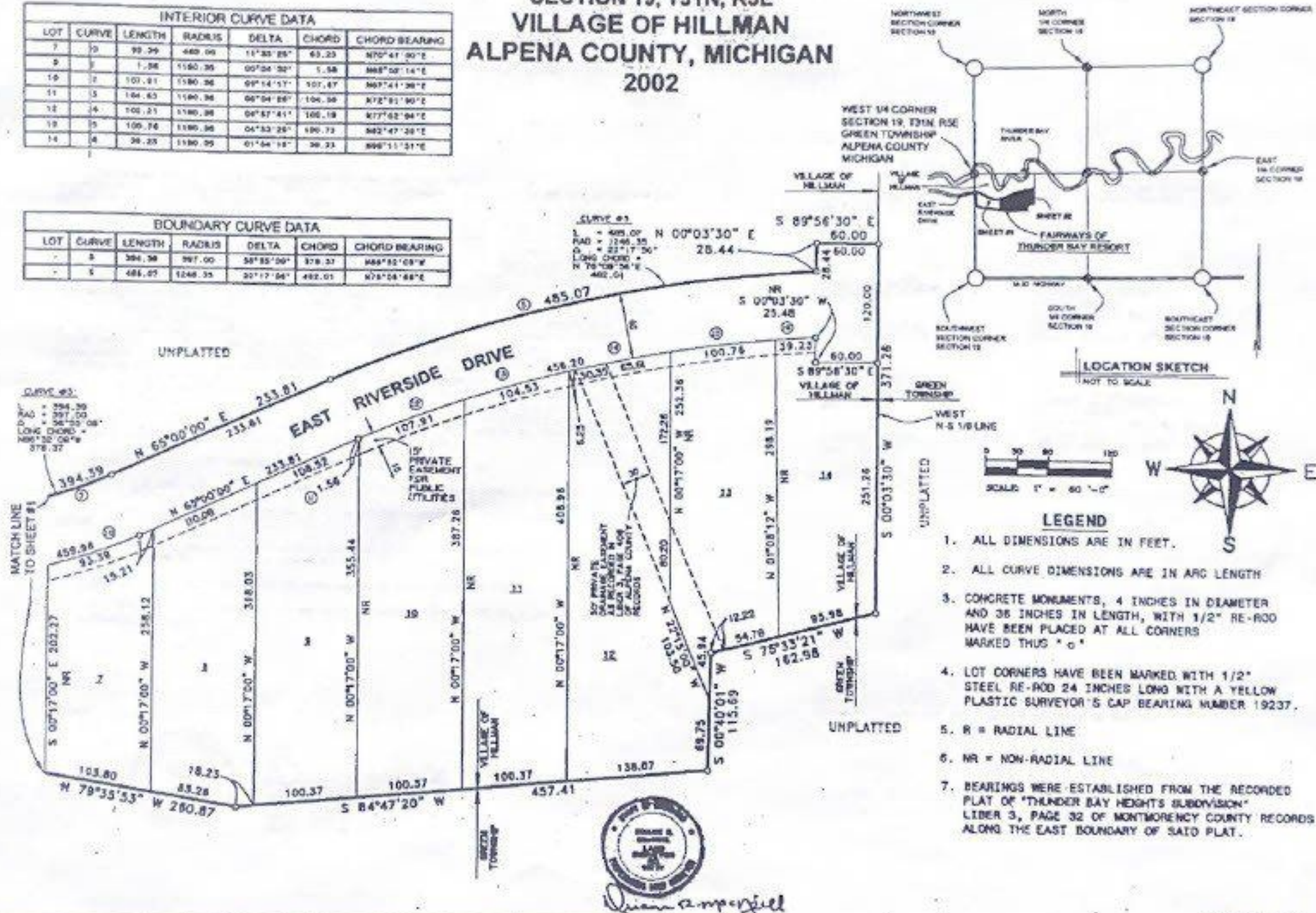


THE FAIRWAYS AT THUNDER BAY RESORT SUBDIVISION

PART OF THE NW 1/4 OF THE SW 1/4
SECTION 19, T31N, R5E
VILLAGE OF HILLMAN
ALPENA COUNTY, MICHIGAN
2002

INTERIOR CURVE DATA						
LOT	CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
7	2	99.29	469.06	11°35'25"	63.23	N70°41'30"E
9	3	1.36	1180.36	00°04'30"	1.36	N88°52'14"E
10	2	107.81	1180.36	00°14'17"	107.67	N67°41'38"E
11	3	164.63	1180.36	00°04'56"	104.36	N72°01'30"E
12	4	100.21	1180.36	00°57'41"	100.18	N77°02'04"E
13	3	100.74	1180.36	04°33'28"	100.73	N62°47'20"E
14	4	38.25	1180.36	01°54'18"	38.23	N66°11'51"E

BOUNDARY CURVE DATA						
LOT	CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
8	3	394.39	397.00	58°55'50"	378.37	N68°52'08"W
5	3	488.07	1248.35	20°17'56"	482.01	N78°08'58"E



- LEGEND**
1. ALL DIMENSIONS ARE IN FEET.
 2. ALL CURVE DIMENSIONS ARE IN ARC LENGTH
 3. CONCRETE MONUMENTS, 4 INCHES IN DIAMETER AND 36 INCHES IN LENGTH, WITH 1/2" RE-ROD HAVE BEEN PLACED AT ALL CORNERS MARKED THUS "C"
 4. LOT CORNERS HAVE BEEN MARKED WITH 1/2" STEEL RE-ROD 24 INCHES LONG WITH A YELLOW PLASTIC SURVEYOR'S CAP BEARING NUMBER 19237.
 5. R = RADIAL LINE
 6. NR = NON-RADIAL LINE
 7. BEARINGS WERE ESTABLISHED FROM THE RECORDED PLAT OF "THUNDER BAY HEIGHTS SUBDIVISION" LIBER 3, PAGE 32 OF MONTMORENCY COUNTY RECORDS ALONG THE EAST BOUNDARY OF SAID PLAT.

Dean Campbell

THE FAIRWAYS AT THUNDER BAY RESORT SUBDIVISION

PART OF THE NW 1/4 OF THE SW 1/4
SECTION 19, T31N, R5E
VILLAGE OF HILLMAN
ALPENA COUNTY, MICHIGAN
2002

SURVEYOR'S CERTIFICATE

Duane R. McNeill, Surveyor, Certify:
That I have surveyed, divided and mapped the land shown on this plat described as follows: The Fairways at Thunder Bay Resort Subdivision, a part of the NW 1/4 of the SW 1/4, Section 19, T31N, R5E, Village of Hillman, Alpena County, Michigan.

As West part of the NW 1/4 of the SW 1/4, Section 19, T31N, R5E, Village of Hillman, Alpena County, Michigan described as follows: Commencing at the West 1/4 Corner of said Section 19, thence S00°17'00"E 405.63 feet along the West Section Line to the Point of Beginning, said point being on the Northernly 33 feet R.O.W. Line of East Riverside Drive; thence Southeastly 233.50 feet along the arc of a 11°23'27" degree curve to the right having a radius of 503.00 feet and a delta angle of 26°33'49" (long chord bearing 371°17'33"E 231.40 feet) along said R.O.W. Line; thence S08°00'00"E 118.54 feet along said R.O.W. Line; thence Easterly 394.39 feet along the arc of a 14°22'56" degree curve to the left having a radius of 397.00 feet and a delta angle of 56°55'08" (long chord bearing 588°32'00"E 378.37 feet) along said R.O.W. Line; thence N65°00'00"E 233.81 feet along said R.O.W. Line; thence Northeastly 465.07 feet along the arc of a 04°35'00" degree curve to the right having a radius of 1246.35 feet and a delta angle of 22°17'30" (long chord bearing N76°08'56"E 482.01 feet) along said R.O.W. Line; thence N00°03'30"E 28.44 feet along said R.O.W. Line; thence S89°56'30"E 60.00 feet along said R.O.W. Line to the West N-S 1/8 Line; thence S00°03'30"W 371.26 feet along said West N-S 1/8 Line; thence S73°23'20"W 162.98 feet; thence S00°40'00"W 115.69 feet; thence S84°47'20"W 457.41 feet; thence N79°35'55"W 260.87 feet; thence N85°32'50"W 342.43 feet; thence N74°53'56"W 189.38 feet to a point 30 feet East of the West Section Line, thence N00°17'00"W 280.07 feet parallel to said West Section Line to the Southernly 33 feet R.O.W. Line of East Riverside Drive, thence Westerly 50.34 feet along the arc of a 13°08'40" degree curve to the left having a radius of 387.00 feet and a delta angle of 03°58'42" (long chord bearing N87°44'45"W 30.33 feet) along said R.O.W. Line to the West Section Line, thence N00°17'00"W 66.38 feet along said West Section Line to the P.O.B.

Subdivision contains 11.28 acres and 14 lots numbered 1 through 14 inclusively.

That I have made such survey, land division and plat by the direction of the owners of such land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it.

That the required monuments and lot markers have been located in the ground or that such survey has been deposited with the municipality, as required by Section 125 of the Act.

That the accuracy of survey is within the limits required by Section 126 of the Act.

That the bearings shown on the plat are expressed as required by Section 126 (3) of the Act and as explained in the legend.

SEPT. 16, 2002
Date



Duane R. McNeill
Duane R. McNeill
P.L.S. 049237
126 S. Ripley Street
Alpena, Michigan 49707

PROPRIETOR'S CERTIFICATE

We as proprietors certify that we caused the land embraced in this plat to be surveyed, divided, mapped and dedicated as represented on this plat and that the Street East Riverside Drive is for the use of the public; that the public utility easements are private easements and that all other easements are for the uses shown on the plat.

WITNESSES:

John Walters
John Walters

Nancy Kaplan
Nancy Kaplan

Jack E. Matthias
Jack E. Matthias
24340 Veterans Memorial Highway
P.O. Box 157
Hillman, Michigan 49746

John Walters
John Walters

Nancy Kaplan
Nancy Kaplan

Janet P. Matthias
Janet P. Matthias
24340 Veterans Memorial Highway
P.O. Box 157
Hillman, Michigan 49746

ACKNOWLEDGEMENTS

State of Michigan)
) S.S.
Montmorency County)

Personally came before me this 17th day of September 2002, the above named Jack E. Matthias and Janet P. Matthias, husband and wife, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

Lucinda R. Wilkerson
Lucinda R. Wilkerson Notary Public
Presque Isle County
Acting in Montmorency County
My commission expires July 27, 2004

THE FAIRWAYS AT THUNDER BAY RESORT SUBDIVISION

PART OF THE NW 1/4 OF THE SW 1/4
SECTION 19, T31N, R5E
VILLAGE OF HILLMAN
ALPENA COUNTY, MICHIGAN
2002

COUNTY TREASURER'S CERTIFICATE

The records in my office show no unpaid taxes or special assessments for the five years preceding September 30, 2002, involving the lands included in this plat.

John McCollum
John McCollum
County of Alpena Treasurer

VILLAGE TREASURER'S CERTIFICATE

The records in my office show no unpaid taxes or special assessments for the five years preceding 2/30, 2002, involving the lands included in this plat.

Vicki Rowland Tapanal
Vicki Rowland
Village of Hillman Treasurer

COUNTY DRAIN COMMISSIONER'S CERTIFICATE

Approved on October 8, 2002, as complying with Section 182 of Act 288, P.A. 1967 and the applicable rules and regulations published by this office in the County of Alpena.

Donald E. Bartosh
Donald E. Bartosh
Drain Commissioner

CERTIFICATE OF COUNTY ROAD COMMISSION

Approved on August 9, 2002, as complying with Section 183 of Act 288, P.A. 1967 and the applicable published rules and regulations of the Board of Road Commissioners of Montmorency County.

Alanna Weaver
Alanna Weaver Member
Stewart Herwood
Stewart Herwood Vice Chairman
Bert Walker
Bert Walker Chairman

CERTIFICATE OF MUNICIPAL APPROVAL

I certify that this plat was approved by the Village Council of the Village of Hillman, at a meeting held October 16, 2002, and was reviewed and found to be in compliance with Act 288, P.A. of 1967.

Surety has been posted to insure the installation of public sewer and public water services.

The municipality has adopted a subdivision control ordinance and zoning ordinance and waives the minimum lot size specified.

Bonnie South
Bonnie South
Village Clerk
Village of Hillman
Montmorency County

COUNTY PLAT BOARD CERTIFICATE

This plat has been reviewed and is approved by the Alpena County Plat Board on November 14, 2002, as being in compliance with all provisions of Act 288, P.A. 1967 and the Plat Board's applicable rules & regulations.

Kathy J. Matlack
Kathy J. Matlack
Register of Deeds
Bonnie Friedrichs
Bonnie Friedrichs
County Clerk
John McCollum
John McCollum
County Treasurer
Mark D. Straley
Mark D. Straley
Engineer

EXAMINED AND APPROVED
DATE Jan 16, 2003
BY DEPARTMENT OF CONSUMER
AND INDUSTRY SERVICES
BY Waymond R. Dyer
WAYMOND R. DYER, P.E. DIRECTOR
OFFICE OF LAND SURVEY
AND REMONUMENTATION

RECORDING CERTIFICATE

State of Michigan
Alpena County

This plat was received for record on the 21st day of January, 2003, at 12:56 p.m., and recorded in Liber 5, of plat on Pages 89.

Kathy J. Matlack
Kathy J. Matlack
Register of Deeds



Shane Maxwell



DECLARATION OF RESTRICTIONS FOR "THE FAIRWAYS AT THUNDER BAY RESORT SUBDIVISION"

This declaration is made this 5th day of March, 2003 by Janet P. Matthias and Jack E. Matthias, husband and wife, of 24340 Veteran's Memorial Highway, P. O. Box 157, Hillman, Michigan 49746, (hereinafter referred to as the "Declarants"), the undersigned owners of all 14 lots of the new legally platted subdivision known as "The Fairways at Thunder Bay Resort Subdivision."

Whereas, Declarants desire to subject said property to the following conditions, restrictions and charges, for the benefit of said property and its present and subsequent owners; and

Now, therefore, Declarants hereby declare that the property described in Article I hereof is and shall be held and conveyed upon and subject to the conditions, covenants, restrictions, reservations and charges hereinafter set forth:

ARTICLE I - PROPERTY SUBJECT TO THIS DECLARATION

The real property subject to this Declaration is : The Plat of "The Fairways at Thunder Bay Resort Subdivision" - a subdivision of part of the NW 1/4 of the SW 1/4 of Section 19, T31N, R5E, Village of Hillman, Alpena County, Michigan 2002 as recorder in Liber 5 of Plats, Page 89 on January 21, 2002.

ARTICLE II - DEFINITION OF TERMS

Wherever used in this Declaration, the following terms shall have the following meanings:

Article 2.01 - "Dwelling House", shall include both the main portion of such structures and all projections therefrom, including porches, eaves, steps, chimneys and garages.

Article 2.02 - "Lot" means one of the numbered parcels, 1 through 14.

Article 2.03 - "Building Site" means either a "lot" or contiguous portions of more than one lot provided that such parcel has a minimum street frontage of at least 85 feet and an area of at least 17,000 square feet.

Article 2.04 - "Set back" means the minimum distance between the dwelling house or other structure referred to and a given street, lot line or building site line.

ARTICLE.III - USES OF PROPERTY

Article 3.01 - No building site on said property shall be used for any purpose other than residential purposes. Commercial activities are specifically prohibited. Rental of single family units is permitted.

Article 3.02 - No farm or wild animals shall be raised, kept or permitted on said property. Domestic pets may be kept provided they are not bred or raised for commercial purposes or in unreasonable quantities.

Article 3.03 - No noxious or offensive trade or activity shall be carried on upon said property, nor shall anything be done or maintained thereon which may be or become an annoyance or nuisance to the neighboring lot owners.

Article 3.04 - No house trailers, tents, manufactured homes, recreational vehicles or other substandard housing shall be erected, maintained, stored or used for living quarters.

Article 3.05 - No commercial vehicles, boats, trailers, snowmobiles, 4 wheelers or other miscellaneous equipment may be kept on said property unless stored in a suitable private garage.

Article 3.06 - Use of fire arms, cross bows, or archery for hunting or other purposes is prohibited within the subdivision of The Fairways at Thunder Bay Resort.



ARTICLE IV - CHARACTER AND SIZE OF BUILDINGS

Article 4.01 - No building may be erected or maintained on any building site on said property except one single family dwelling house designed for occupancy by not more than one family, together with an attached garage not to exceed four stalls or 1150 square feet in size. Building shall not contain more than 3 stories including the basement level, if any and no structure shall exceed 34 feet in height. Tv Antennas and or chimneys shall not exceed 45 feet in height.

Article 4.02 - Buildings erected after March 1, 2003 shall conform to the following minimum living area, not including basements, if any, or garages:

Single story dwellings: 1,500 square feet

Two story dwellings: 1,500 square feet including not less than 1,050 square feet on the first floor level.

Garages shall be required on all homes and shall be attached and shall be a minimum of two cars with a minimum of 480 square feet.

Article 4.03 - Living space shall consist of the floor area on the main and upper levels including the outside walls and excluding patios, basements, cellars, garages and unheated porches.

Article 4.04 - Garages

a) Garages shall be erected and maintained for use of the owner as part of the main building.

b) Garages shall conform generally in architectural design, and exterior materials and finish to the main dwelling.

c) Maximum garage size shall not exceed 1150 square feet.

Article 4.05 - No storage sheds, barns or other types of buildings not specifically provided for in these restrictions shall be permitted on any lot.

Article 4.06 - No building shall be occupied while in the course of original construction until it complies with the area and health requirements applicable thereto. The construction of any building or structure shall be prosecuted with reasonable diligence from the time of commencement until the exterior, including painting and finishing, and plumbing have been completed. Such exterior construction shall be completed within 15 months after beginning construction.

Article 4.07 Every building, fence, wall or other structure placed on part of said property shall be constructed from new materials, unless use of other materials is approved by the "Declarants", their successors and assigns.

Article 4.08 The property is served by natural gas, so propane or bottle gas tanks shall not be used or stored outdoors, except as part of a portable gas grill. No fuel oil or gasoline tanks shall be buried on the property or maintained outdoors.

ARTICLE V - ARCHITECTURE

Article 5.01 - Homes styles may include log, 1/2 log and natural wood siding or planking, and stone or brick for accents. Chalets, traditional cottage and contemporary designs are permitted. Colored or textured vinyl, aluminum or steel siding are permitted only for soffets under the eaves.

Article 5.02 - Lots 1 through 14 adjoin Thunder Bay Golf Course in areas where they may be struck by golf balls. Purchasers of these home sites should choose exterior materials, window locations and setbacks so as to minimize the potential damages. Use of a clear "lexan" type unbreakable plastic for windows or protective screening would be advisable in high risk window areas. Design and location of porches or decks should also consider the possibility of being struck and injured by a golf ball. Purchasers of these sites are hereby forewarned and by purchasing one or more of these site subject to these "Restrictions" agree not to hold Thunder Bay Golf Course, Inc., Thunder Bay Resort or the Declarants responsible for damages or injury caused by errant golf balls.



Purchasers accept these risks as a trade off for enjoying living on a site adjoining a golf course.

Article 5.03 - Mobile homes are specifically prohibited. Use of manufactured or modular homes is prohibited due to the need to clear significant portions of the wooded site in order to set such homes in place, which would violate other restrictions about tree clearing. Use of panelized or other forms of factory assembled housing is not encouraged, but may be acceptable where quality is substantially equal to or better than on site construction done to national building codes, where exterior appearance is appropriate and where the home could be assembled with removing trees in excess of what is permitted.

Article 5.04 - No building or other structure shall be erected, or constructed upon said property unless a floor plan, elevations, list of exterior colors and materials and plot plan showing the exact location of the building and any other improvements on the site, including driveway, garage, utility service leads and proposed tree clearing has been submitted to the "Declarants" and approved. Lots are within the Village of Hillman and require a Village Zoning permit and driveway permit. A building permit shall also be obtained from the building inspector having jurisdiction for Green Township in Alpena County.

ARTICLE VI - HEALTH AND SANITATION STANDARDS

Article 6.01 - Municipal water and sewer are provided by the Village of Hillman and hook-up fees will be payable to the Village of Hillman. Septic systems will not be permitted for sewage disposal. While wells are not prohibited, each home shall be hooked up to the Village water and sewer system.

Article 6.02 - All garbage, refuse, and trash shall be kept in covered containers, and screened from public view. Garbage and trash shall not be burned out of doors and shall not be buried within the lots.

ARTICLE VII - GREENBELT AREAS AND TREES

All wooded sites bordering Thunder Bay Golf Course shall be considered as greenbelt areas, and the following restrictions shall apply.

Article 7.01 - No normal, reasonably healthy pine, oak, maple, birch or other hardwood tree greater than 4 inches in diameter (measured 2 feet above ground level) may be removed, damaged or otherwise destroyed unless:

- a) It is within 10 feet of an approved structure including garage, porch, deck or roof overhang.
- b) It is within the path of a single lane driveway not in excess of 14 feet in width or a turnaround area on said driveway. To the extent practical, service leads shall be kept within driveway areas to avoid additional clearing.
- c) Poplar or aspen trees may be removed to provide room for pines and hardwood species within 60 feet of the house and garage.

Article 7.02 - Trees less than 4 inches in diameter in the greenbelt areas may be selectively thinned.

Article 7.03 - Trees within the greenbelt area may be pruned of live branches to a height of 10 feet, and of dead branches to any height.

ARTICLE VIII - SETBACK AND LOCATION OF BUILDINGS

Article 8.01 - Dwelling houses and attached structures such as garages, porches, decks and roof overhangs shall have the following minimum set back requirements. These setbacks are minimums, and setting back further may be advisable in areas with high risk of being struck by errant golf balls.

- a) No dwelling house and attached structures shall be within 10 feet of the side line of



- any building site.
- b) No structure shall be located within 30 feet of the South right of way line of East Riverside Drive, or within 30 feet of the South lot line fronting on Thunder Bay Golf Course.

ARTICLE IX - CONSTRUCTION OF CONDITIONS AND RESTRICTIONS

- Article 9.01 - In constructing this Declaration, or any part thereof, stipulations which are necessary to make this Declaration of Restrictions, or any of its terms or provisions, reasonable, are implied.
- Article 9.02 - The determination of any court that any of the provisions of the Declaration are unlawful or void shall not affect the validity of any of the other provisions hereof.
- Article 9.03 - Damages are not declared to be adequate compensation for any breach of the provisions of this Declaration, Declarants contemplating the enforcement of such restrictions are part of the general plan of improvements, and not damages for breach of such restrictions.
- Article 9.04 - Nothing contained in this Declaration shall be construed to prevent the erection or maintenance by Declarants or their agents of structures or signs for the conduct of their business in connection with said property.

ARTICLE X - DURATION, MODIFICATION, OR ANNULMENT OF CONDITIONS, RESTRICTIONS AND CHARGES.

- Article 10.01 - These conditions, restrictions and charges shall run with the land for the benefit of the owners thereof as a part of a general plan of development, improvements and maintenance. They shall remain in effect permanently unless changed in the manner herein prescribed.
- Article 10.02 - Said conditions, restrictions and charges may be changed, modified or annulled in whole or in part, unless such changes are prohibited by law or work an undue or unreasonable hardship against a minority of lot owners, by a written agreement signed by more than seventy percent (70%) of the lot owners of record at the time of the agreement. In determining this percentage, a lot owner shall have one vote for each lot owned, thus owners of ten lots would have to agree to any change to make it valid.
- Article 10.03 - Exceptions to specific conditions, restrictions, and charges may be made by the Declarants where such conditions might work an undue and/or unforeseen hardship upon a specific property owner and where such exception would not be detrimental to the overall general plan of development.

ARTICLE XI - VIOLATION OF CONDITIONS AND RESTRICTION AND RIGHT OF ENFORCEMENT

- Article 12.01 - The provisions contained in this Declaration shall bind and inure to the benefit of and be enforceable by the Declarants, and/or the owner or owners of any portion of said property, or their legal representatives, heirs, successors and assigns; and failure by Declarants, or by any other property owner to enforce any of such conditions, restrictions or charges herein contained shall in no event be deemed a waiver of the right to do so hereafter.



L- 422 P- 212

03/07/2003 01:14P

Page: 5 of 5

Kathy J. Matash, Register Alpena Co., MI RESTR 17.00

SIGNED THIS 5TH DAY OF MARCH, 2003 BY :

WITNESS:

Melissa K Balog
Melissa K. Balog

Janet P Matthias
Janet P. Matthias

Nancy Kaplan
Nancy Kaplan

Jack E. Matthias
Jack E. Matthias

State of Michigan
County of Montmorency

On this 5TH day of March, 2003 before me a Notary Public in and for Montmorency County, appeared Janet P. Matthias and Jack E. Matthias, husband and wife, to me known to be the persons named in and who executed this document and acknowledged the same to be their free act and deed.

Melissa K Balog
Melissa K. Balog, Notary Public
Montmorency County, Michigan
Commission expires: 8-16-06

Prepared by :
Jack E. Matthias
24340 Veterans Memorial Highway
P. O. Box 157,
Hillman, Michigan 49746
989-742-4732