

RESTRICTIONS THAT WILL APPEAR ON DEED/TITLE (for Parcel #2)

- 1) **USE:** The real property herein conveyed shall be used for single family residential purposes only and that no more than one (1) residential dwelling may be located on the real property herein conveyed. No trade or business may be conducted in or from any real property herein conveyed except business activities within the dwelling so long as: (a) the existence or operation of the business activity is not apparent or detectable by sight, sound, or smell from outside the dwelling; (b) the business activity conforms to all zoning limitations by the City; (c) the business activity does not involve persons coming onto the property who do not reside on the property; and (d) the business activity does not constitute a nuisance, or a hazardous, or offensive use, or threaten the security or safety of other abutting real property owners.
- 2) **BUILDING AREA AND CONSTRUCTION:** A residence constructed on real property herein conveyed shall contain the following: one-story residence shall contain not less than 1,200 square feet of finished living area on the main floor and one and a half or two story residence shall contain not less than 1,800 square feet of finished living area on the main floor and second floor combined; all measurements shall be exclusive of garage, breezeway, and basement. No building or structure shall be constructed on real property herein conveyed nearer than 200 feet of the North property line in the area East of Parcel #1 (a/k/a 55879 Colby Street, Dowagiac MI), as described on survey prepared by Wightman & Associates Inc. dated April 12, 2016, and nearer than 20 feet from all other property lines. No mobile home, modular home, or pre-fabricated home shall be located or placed upon the real property herein conveyed, it being the intention of grantor that only stick-built homes may be erected or constructed.
- 3) **Utility Easements.** Grantor reserves the rights to install underground utilities across property to service abutting property being 143 Conifer Trail, Dowagiac, MI, or Parcel #3 as drawn on survey prepared by Wightman & Associates Inc. dated April 12, 2016, including but not limited to: underground water, sewer, electric, cable TV, phone, natural gas, etc., for the benefit of abutting property including the right to reasonably remove trees, excavate, provided that soils are back filled when completed. Grantee hereby provides easement for underground utilities to Grantor and/or public utility providers for property herein conveyed.
- 4) **BASEMENT OR TEMPORARY STRUCTURES:** No basement without a main floor living area as described in the preceding paragraph, or temporary structure shall be used for living quarters. Any residence

constructed on real property herein conveyed shall be completed within 18 months from the time of the issuance date of its building permit.

- 5) **AUXIALRARY STRUCTURES:** No old or used buildings of any kind whatsoever shall be moved or reconstructed on real property conveyed herein; and no outbuilding, enclosure or auxiliary structure other than attached garage(s) or carport (s) constructed in conjunction with a single family residence shall be permitted on property; unless: (a) outbuilding shall exactly match the design, exterior siding, and aesthetics of the residence; and (b) that no exterior siding material of aluminum, steel, concrete block, or poured concrete be used.
- 6) **MISCELLANEOUS:** That the real property herein conveyed shall not be further divided except to add or subtract to or from a contiguous real property as permitted by local zoning and the Michigan Land Division Act as amended.