

10/30/57

CONSTITUTION AND BY-LAWS OF  
NORTHVILLE ESTATES  
CIVIC ASSOCIATION

Article I

Section 1. The name and title by which said corporation is to be known in law is: Northville Estates Civic Association.

Article II

Section 1. The principal office or place of business of the corporation shall be at 47055 S. Chigwidden, Novi Township, Oakland County, Michigan.

Article III

Membership

Section 1. The membership of the Association consists of those persons whose names are duly recorded in its Roll of Membership.

Section 2. (a) Membership shall be of two classes: (1) Active, and (2) Associate. All classes must be residents of the community known as Northville Estates. Each membership shall consist of 2 members, each entitled to a vote.

(b) Active members must be owners of residence property situated in Northville Estates subdivision. They shall be eligible to hold elective office in the Association.

(c) Associate Members must be occupants of residence property situated in Northville Estates subdivision. They shall be entitled to all of the privileges of the Association, except the right to hold elective office.

Section 3. Ownership of all property, both real and personal, belonging to the Association, shall be exclusively vested in the Active Members.

Section 4. Any person meeting the foregoing requirements for membership may present to the Secretary his application for Active or Associate membership, in writing on forms supplied by the Association. The Secretary shall promptly submit the application to the Board of Directors who shall promptly investigate or otherwise determine the admissibility of the applicant as a member. An affirmative vote of a majority of the Directors shall be necessary for election to membership.

Article IV

Purpose

Section 1. The purpose of this association is: To promote the interest and welfare of the residents of Northville Estates; to construct and maintain buildings for the use of its members; to maintain park facilities for the use of its members; to enforce building restrictions within the subdivisions included in Northville Estates;

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## Article IV (Continued)

II

To procure the construction of necessary public improvements within these subdivisions and insure their proper maintenance, and to do any and all other matters of interest to the welfare and advancement of the property and residents of Northville Estates.

## Article V

## Meeting of Members

Section 1. ANNUAL MEETINGS. The annual meeting of the members of the Association for the election of officers and directors shall be held between January 15 - February 15 of each year. The date of this meeting shall be set by the Board of Directors. At this meeting annual reports of the retiring officers and directors shall be presented and such other business transacted as shall properly come before the meeting.

Section 2. REGULAR MEETINGS. In addition to the annual meeting, regular meetings of the members for the transaction of business shall be held quarterly.

Section 3. SPECIAL MEETINGS. Special meetings of members, other than those regulated by statute may be called at any time by the president or by a majority of the directors. It shall also be the duty of the president to call such meeting whenever requested in writing to do so by ten (10) per cent of the members of the Association having at that time power to vote, upon the matter or matters to be considered at the meeting.

Section 4. PLACE OF MEETINGS. All meetings of the Members shall be held in a place designated by the President or Board of Directors, and shall be called to order promptly at 8:00 P. M.

Section 5. NOTICES. A notice of every meeting, stating the time, place and object thereof, shall be given by serving personally or by mailing, postage prepaid, at least ten (10) days before such meeting, a copy of such notice addressed to each member at his postoffice address.

Section 6. QUORUM. All members having been duly informed in accordance with Article V Section 5, any number of members present at a regularly called meeting and having at that time the power to vote upon the matter or matters to be considered shall constitute a quorum for the transaction of business. Matters voted upon shall be confined to the agenda set forth in the notice of meeting except that if 2/3 of the membership is present, any new business may be transacted. A majority of the votes cast shall be controlling.

## Article VI

## Officers and Directors

Section 1. OFFICERS. The officers of this association shall consist of a President, a Vice-President, a Secretary, and a Treasurer.

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III

## Article VI (Continued)

Section 2. DIRECTORS. The directors of this Association shall consist of the four officers named above and three additional members elected by the Association.

Section 3. ELECTION. The officers and directors shall be elected from the Active Members, at the annual meeting and shall hold their respective offices for the term of approximately one (1) year following their election and until their successors are elected and have qualified, unless previously removed by action of the Association.

Section 4. NOMINATING COMMITTEE. (a) Not later than December 1 of each year the President shall appoint a Nominating Committee whose duty it shall be to select nominees for the office of President, Vice-President, Secretary, Treasurer, and three (3) Directors, and to report its recommendations which shall be delivered to the members at least 10 days prior to the annual meeting.

(b) It shall be the duty of the Nominating Committee whenever possible to select not less than two nominees for each office to be filled and it shall be a qualification of such nominees that those selected have indicated to the Nominating Committee a willingness to serve in said office, if subsequently elected.

(c) Additional nominations for the offices to be filled may be made from the floor by any member at the annual meeting provided the member nominated is present and is willing to serve.

Section 5. BALLOT. (a) Election of officers and directors shall be by secret ballot. Candidates receiving the greatest number of votes cast for the respective offices shall be declared elected. The use of sticker candidates is prohibited and any such votes for sticker candidates shall be void.

(b) Balloting - It shall be the duty of the President to see that a proper polling place is provided to assure the taking of a secret ballot; that the Secretary is present with the Roll of Membership and that only qualified members are permitted to vote; that a sufficient number of tellers are appointed to insure an honest, impartial and prompt tabulation of votes and report of election during the course of the annual meeting.

(c) ABSENTEE BALLOT. In the event a member, otherwise qualified to vote, is unable to appear in person at the polling place during the hours designated for voting, he shall not thereby be deprived of his right vote but may obtain an absentee ballot from the Secretary in advance of the election. Such ballot when marked by the voter must be placed by him in a sealed envelope with no writing thereon, which envelope in turn shall be placed in another sealed envelope which must bear the name and address of the member voting. This envelope may then be delivered by messenger to the tellers in charge of the polling place, who shall see that the name appearing

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## Article VI (Continued)

on the outer envelope is checked by the Secretary against the Roll of Membership to ascertain if it is the name of a qualified voter, and if so this envelope shall be opened and the plain envelope enclosing the ballot shall then be placed in the sealed ballot box. Should the name of the envelope not be that of a qualified voter, the ballot shall immediately be destroyed.

(d) In the event of a tie vote for any office, either nominee for the office may request a recount of the votes cast, in which event the President shall nominate a new set of tellers who shall forthwith proceed with a new tabulation of the votes cast and report their findings before adjournment of the annual business meeting. Should the recount disclose a tie vote or should no recount be requested, a selection to fill the office shall immediately be made by drawing.

## Article VII

## Duties and Powers of Officers and Directors

Section 1. **PRESIDENT.** The President shall preside at all meetings of the Association and of the Board of Directors. He shall appoint all standing and special committees and shall be ex-officio member of such committees. He shall call meetings of the Board of Directors at such times as he may deem advisable and shall call special meetings of the Board at the request of two (2) members of the Board. It is his duty to carry out the will of the Board and of the Association as expressed at their respective meetings, and, in general, to conduct the affairs of the Association in a manner consistent with the authority and responsibility pertaining to his office.

Section 2. **VICE-PRESIDENT.** The Vice-President, in the absence of the President, shall discharge the duties of the President.

Section 3. **SECRETARY.** The Secretary shall give notice of all meetings of the Board of Directors and of the Association, and shall attend all such meetings and keep a true and accurate record of their proceedings. He shall enroll a complete list of all members of the Association with their addresses on the Roll of Membership. He shall carry on the correspondence of the Association and perform such other duties as instructed by the Board of Directors or by the Association. In the absence or incapacity of the Secretary, the President or any one of the officers may be authorized by the Board of Directors to perform such duties of the Secretary as may become necessary during his absence or incapacity.

Section 4. **TREASURER.** The Treasurer shall keep account of all monies received by and expended for the use of the Association. All checks shall be signed by the Treasurer and countersigned by the President or the Secretary in the President's absence. When his term of office expires, the Treasurer shall deliver to his successor all monies, books, papers, and other property belonging to the Association

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V

## Article VII (Continued)

which may then be in his possession or under his control, and in the absence of such successor, the Treasurer shall deliver all such monies, books, papers and other property to the President of the Association upon the order and direction of the Board of Directors. In the absence or incapacity of the Treasurer, the President, or any of the officers may be authorized by the Board of Directors to issue checks or perform such other duties of the Treasurer as may become necessary during his absence or incapacity.

Section 5. FUNDS. All monies of the Association shall be deposited in a bank approved by the Board of Directors. The Treasurer's accounts shall be audited annually by the Board of Directors or by a competent auditor selected by the Board.

Section 6. RECORDS. When the term of office of the Secretary and, or Treasurer expires, they shall deliver to their successors all money, books, papers and other property belonging to the Association which may then be in their possession or under their control, and in the absence of such successor, they shall deliver all such monies, books, papers and other property to the President of the Association upon the order and direction of the Board of Directors.

Section 7. DUTY AND POWER OF DIRECTORS. It shall be the duty of the Board of Directors to care for the property and interests of the Association and to determine policies for the conduct of its affairs, consistent with such specific instructions as the Board may receive from the Association. The Board shall have the power to raise and expend funds to promote the welfare of the Association and to employ all such means, not in conflict with these By-Laws, or with the laws of this State, as it may deem proper and expedient to secure the objects for which the Association is organized.

Section 8. MEETINGS OF DIRECTORS. The Board of Directors shall meet as often and at such time and place as the President, or the Board itself, may deem advisable. Five (5) Directors present in person at meetings of the Board of Directors shall constitute a quorum for the transaction of business.

Section 9. REMOVAL. The Association may remove from office any officer or director whenever, in its judgment, the welfare of the Association requires such removal, provided that a statement signed by at least twenty-five (25%) per cent of the members in good standing and sitting forth the intention to ask for such removal, shall be filed with the Secretary, or with the President, or with any member of the Board of Directors, and shall be read at a stated meeting of the Association. Thereafter, but not before the next stated meeting of the Association, the Association may proceed, by a vote of not less than two-thirds of the members present, to carry out and put into effect such removal.

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Article VII (Continued)

Section 10. VACANCY. In case a vacancy shall occur among the Board of Directors, said vacancy shall be filled within 30 days by vote of the Board of Directors for the balance of the unexpired term.

Article VIII

Dues and Assessments

Section 1. (a) The dues and assessments of the members shall be for such amount or amounts as shall be determined by the Members, at any meeting, to be necessary to meet the needs and defray the expenses of the Association.

(b) Until this By-Law is amended, the following schedule of dues, payable in advance shall apply to Active and Associate members.

\$20.00 for each membership for the full calendar year commencing January 1st, or for new members admitted during the months of January, February, and March.

\$15.00 for each new membership admitted during the months of April, May, and June.

\$10.00 for each new membership admitted any time after July 1st.

Section 2. BILLINGS AND PAYMENT OF DUES. During the month of December of each year the Treasurer shall prepare and mail to all members whose names appear on the Roll of Membership an invoice specifying the dues for the ensuing year, and requesting payment thereof in advance of the date of the annual meeting.

Section 3. DELINQUENCY. (a) Any member whose dues remain unpaid by the following April 1st forfeits his right to vote and to enjoy the other rights and privileges of the Association.

(b) If his dues are still unpaid by the following July 15th, such delinquent member shall be dropped from the Roll of Membership. Re-instatement thereafter shall only be possible by special resolution of the Board of Directors following payment of all delinquent dues.

Section 4. RESIGNATION. Any member wishing to resign his membership may do so in good standing by filing his resignation with the Secretary provided his dues are paid to date. Such member shall then be eligible for reinstatement by special resolution of the Board of Directors.

Section 5. EXPULSION. The Association may expel any of its members whenever, in its judgment, the welfare of the Association requires such expulsion. Provided, however, that special notice of the expulsion proceedings shall be given the member against whom they are brought, by the Secretary by registered mail, at least ten (10) days before the meeting at which they are to be submitted to the Association for vote, and that the member shall be given ample opportunity to speak in his own behalf before the vote of expulsion is taken. A vote of not less than two-thirds of the members present shall be necessary to carry out and put in effect such expulsion. A member paid a sum of money for dues or penalties for non-payment of dues shall not be

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## Article IX

## Amendments

Section 1. These by-laws may be amended in the following manner. Any member or group of members, may file with the Secretary such amendment or amendments as he may think advisable. The Secretary shall submit this amendment or these amendments to the Board of Directors, who, after due and thorough consideration shall report to the Association at its next meeting, with a recommendation for or against adoption, or the Board may recommend alterations, additions or omissions. The amendment, or amendments, in its, or their original form, must, however, be read at the meeting of the Association and may be adopted by the Association without the alterations. additions or omissions recommended by the Board. A two-thirds

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APPOINTMENT OF DESIGNATED REPRESENTATIVE AT  
TO ACT FOR ARCHITECTURAL CONTROL COMMITTEE  
OF NORTHVILLE ESTATES SUBDIVISION

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Re, the undesignated, consolidated bill of the stockholders,  
as well as the authorized officers of THE WACKESY COMPANY, a  
Michigan Corporation, do hereby appoint D. DONA CONSTRUCTION  
COMPANY, 21130 E. Chippewa, Northville, Michigan, as our  
successor committee, to act as the Architectural Control Committee  
in all matters involving Northville Estates Subdivision of Novi  
Township, Oakland County, Michigan, in accordance with terms of  
certificatory Deed documents, as recited in lines 49,  
pages 3, 4, and 5 of Plans, Oakland County Records. Said  
representative is hereinafter empowered and authorized to act in  
our name and stead in the performance of all duties and  
activities of the said Architectural Control Committee including,  
but not limited to, the approval or rejection of all construction  
plans and specifications and plan plans affecting real estate in  
Northville Estates Subdivision.

In witness whereof, we have hereunto set our hands this

2nd day of October, 1987

THE WACKESY COMPANY

*Doris L. Gault*  
Doris L. Gault

*Edward J. Mackesy*  
BY EDWARD J. MACKESY,  
PRESIDENT

*Michael J. Zurawski*  
MICHAEL J. ZURAWSKI

*Edward J. Mackesy*  
BY EDWARD J. MACKESY, SECRETARY  
4834 MILLARD WAY LANSING, MICHIGAN

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
BEFORE ME on this 2nd day of October, 1987, personally  
appeared before me *Edward J. Mackesy* and *Doris L. Gault* and  
they acknowledged to me the foregoing instrument is and was executed  
by them for the purposes and contents therein expressed and the  
contents of the same are true and correct, and by authority of the  
Board of The Wackesy Company, a Michigan Corporation, I, *Edward J. Mackesy*  
Secretary of said Corporation, do hereby certify that the foregoing  
instrument is a true and correct copy of the original instrument  
as the same appears in the records of said Corporation.

*Edward J. Mackesy*  
BY EDWARD J. MACKESY, SECRETARY  
4834 MILLARD WAY LANSING, MICHIGAN

*Return to: D. Zurawski, 21130 E. Chippewa, Northville, Mich 48161*

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(2)

Northville Development Co.  
John Patrick Malley and  
Frances Smith Malley, his wife and  
Depositors State Bank of  
Northville  
as to  
Northville Estates Subdivision.

Restriction Agreement.  
Liber 3522, page 492, O.C.R.  
Dated April 6, 1956.  
Acknowledged April 6, 1956.  
Recorded May 4, 1956.  
Regulator No. 27344.

The following covenants, conditions, restrictions, easements,  
reservations and agreements are hereby imposed on all lots in:

The land embraced in the annexed plat of "Northville Estates Sub-  
division of part of the southwest quarter of Section 33, town 1 north,  
range 6 east, Novi Township, Oakland County, Michigan", comprising  
lots 1 to 154, both inclusive, is described as follows: Beginning at the  
southwest corner of Section 33, town 1 north, range 6 east; thence  
along the west line of said section due north 2643.79 feet to the west  
quarter line of said section; thence north 89 degrees 34 minutes 30  
seconds east, 668.61 feet; thence north 88 degrees 51 minutes 25 seconds  
east, 1222.30 feet; thence south 0 degrees 18 minutes 06 seconds east,  
2556.54 feet to the south line of said section; thence along said south  
line south 89 degrees 31 minutes 35 seconds west, 1920.18 feet to the  
point of beginning.

And shall constitute a general plan of uniform restrictions imposed on  
all lots in said subdivision and shall be binding upon the undersigned  
and upon their heirs, legal representatives, successors and assigns and  
upon all grantees, their heirs, legal representatives, successors and  
assigns.

#### LAND USE AND BUILDING TYPE

(A) No building or structure shall be erected, altered, used,  
placed on, or permitted to remain on, any lot in said subdivision other  
than one detached single-family private dwelling not to exceed two stories  
in height. A private garage to be used to house automobiles of the  
purchaser, his leasee or guests, and for the use of which no charge is  
made, and a private stable for the keeping of riding horses, as herein-  
after provided. Two story houses can be built only on the approval of  
the Architectural Control Committee.

(B) No structure shall be erected, altered, placed or permitted  
to remain on any building plot containing less than 15,000 square feet.  
In event of construction of a residence structure as herein permitted on  
a building plot consisting of more or less than one full lot, then  
such plot shall be treated for the purpose of this agreement as a single  
lot, but in any event no lot shall contain less than four-tenths of an  
acre of land.

#### ARCHITECTURAL CONTROL

No building, fence, walls, water tank, or structure shall be  
commenced, erected, placed, or altered, on any lot until the construction  
plans and specifications and a plan showing the location of the structure  
on said lot or building plot have been approved by the Architectural  
Control Committee as to quality, construction, and materials. Harmony of  
external design with existing structures and as to location with respect  
to topographic finish, grade elevation and these restrictions. No  
structure shall be erected and any fence to be erected must  
first have approval of the Architectural Control Committee. Approval  
shall be as hereinafter provided.

#### RESIDENCE REQUIREMENTS

Residence structures erected on any lot shall be erected, altered,  
placed on, or permitted to remain on any lot unless such structure shall  
have a square foot area at first floor level of at least 1,200 square  
feet.

(B) No one and one-half story residence structure shall be erected, altered, placed or permitted to remain on any lot unless such structure shall have a square foot area at first floor level of at least 1,000 square feet.

(C) "Square Foot Area" shall be computed by including exterior walls, and shall include partitions and interior walls, bay windows if the same reach to the floor, and fully enclosed and heated porches and breezeways; but such porches and breezeways shall not be credited for more than 100 square feet in the aggregate. Garages and open or unheated porches and breezeways shall not be included in computing square foot area.

(D) Exterior walls of residence structures, garages and breezeways shall be constructed only of stone (briar hill, ledge rock or other stone of equal grade and quality), brick, or of cedar, white pine, or cypress siding with an exposure of not less than 4 inches to the weather, or of cedar shakes. Vertical tongue and groove siding or ornamental plywood may be used if not less than 250 square feet of brick or not less than 60 square feet of stone (briar hill, ledge rock, or equal) is also used in exterior walls, exposed portion of chimney, or in window boxes. No cylinder or concrete blocks may be used more than 26 inches above the grade line except in construction of a barbecue grill in rear of lot. No cement or asbestos siding may be used.

(E) No old, used, or other structure of any kind may be moved upon any lot. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other building, or out building shall be constructed or placed upon the premises prior to the beginning of construction of the main residence structure, nor shall the same be used or occupied on any lot at any time as a residence either temporarily or permanently. In the event an owner or an occupant shall have a private trailer such trailer shall not be stored in the open but must be housed in a garage or other adequate permanent enclosed structure.

#### GARAGES, BREEZEWAYS AND STABLES

(A) Garages, breezeways and stables to house horses shall have exterior walls only of materials permitted for exterior walls of residence structures.

(B) All garages must be built integral with the residence structure or connected thereto with an enclosed breezeway.

(C) No structure shall extend nearer than 25 feet to any side street line nor nearer than 15 feet to an interior side lot line.

(D) No private stable shall be erected or maintained on any lot having an area of not more than 3 acres and stables shall be for the accommodation of not more than 3 horses. Such stables shall have exterior walls only of materials permitted for exterior walls of residence structures. Such stables shall not be nearer than 100 feet to any residence building and shall be erected only on the rear half of the lot and in any case the size of the stable must first be approved by the Architectural Control Committee. The stable shall be used only to house horses for the private use of the owner, his guests or tenant, and for which no sign shall be made.

(E) All garages, breezeways and stables to house horses shall have a floor area of less than 100 square feet.

(F) All garages, breezeways and stables shall have a floor area of less than 5 inches in width.

(G) All garages, breezeways and stables shall be constructed with doors and windows simultaneously kept on any lot except that not more than 3 horses may be kept on lots having an area of not less than two full acres if an adequate stable is provided. Household pets may be kept on any lot for use by the owner and members of his family or a tenant of the owner provided they are not kept in any commercial purpose, or provided they do not exceed the use of such household pets may be kept in any residential purpose, stable or barbecue.

(1) No structure shall be constructed, erected or maintained on any lot unless the same be constructed or erected under the direct supervision and control of a builder who is registered under the laws of the State of Michigan, except that the subdivisor reserves the right to place a temporary sales office and signs on any lots in said subdivision and maintain storage and necessary shops during construction of homes.

#### BUILDING AND GRADE LINES

(A) The finish grade line shall be such as shall be established by the Architectural Control Committee giving due consideration to the topography of each lot. No structure shall be erected, altered, placed or permitted to remain on any lot unless the finish grade thereof shall conform to the grade lines established by said committee.

(B) No structure shall be erected, altered, placed or permitted to remain on any lots nearer than 50 feet to the front lot line or nearer than 15 feet to interior lot lines or nearer than 25 feet to any side street lines. A front building line greater or less than 60 feet from the front line may be established upon any lot by the Architectural Control Committee after giving due consideration to the topography of the lot and harmony with the building line of then existing structures.

(C) For the purpose of building line restrictions, eaves, steps, and open porches extending more than five feet beyond the main residence structure shall not be considered a part of a building.

#### NUISANCES

No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

#### EASEMENTS

Easements for installation and maintenance of utility and drainage facilities and reserved as shown on the recorded plan.

#### MISCELLANEOUS

(A) The exterior of all residence structures, stables and garages must be completed, including at least two coats of paint on all exterior woodwork, within six months from the date of commencement of construction on any lot.

(B) No lot shall be used or maintained as a dumping ground for rubbish. All incinerators or other equipment for the disposal of rubbish and garbage shall be kept in a clean and sanitary condition.

#### ARCHITECTURAL CONTROL COMMITTEE

(A) The Architectural Control Committee is composed of a majority of the stockholder of Northville Development Company, a Michigan Corporation. A majority of the committee may appoint a designated representative to act for it. In case of death or resignation of any member of the committee, or in the event of any member of said committee shall sell or otherwise dispose of his stock in said Northville Development Company, the remaining members shall have full authority to appoint a successor. Neither the members of the committee nor its designated representative shall be entitled to compensation for service performed pursuant to this covenant.

(B) The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee or its designated representative fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin construction has been commenced prior to completion thereof, approval will not be required and the related covenants shall be deemed to have been complied with, provided said plans and specifications on their face are in accordance with restrictions.

### FIRST AMENDMENT TO DEED RESTRICTIONS

<sup>A.</sup> **NORTHVILLE ESTATES SUBDIVISION**, whose address is 46976 Elmstere, Northville, Michigan 48167, does hereby amend its Deed Restrictions and states as follows:

**WHEREAS, NORTHVILLE DEVELOPMENT CO.**, as Grantor, did file certain Deed Restrictions as to Northville Estates Subdivision, said Deed Restrictions being recorded in Liber 3522, Pages 492-498 for certain real property described as follows:

The land embraced in the annexed plat of "Northville Estates Subdivision of part of the southwest quarter of Section 33, town 1 north, range 8 east, Novi Township, Oakland County, Michigan", comprising Lots 1 to 154, both inclusive, is described as follows: Beginning at the southwest corner of Section 33, town 1 north, range 8 east; thence along the west line of said section due north 2643.79 feet to the west quarter line of said section; thence north 89 degrees 34 minutes 30 seconds east, 668.61 feet; thence north 88 degrees 51 minutes 25 seconds east, 1222.30 feet; thence south 0 degrees 38 minutes 06 seconds east, 2658.54 feet to the south line of said section; thence along said south line south 89 degrees 33 minutes 35 seconds west, 1920.18 feet to the point of beginning.

**WHEREAS**, said Deed Restrictions provided under General Provisions, Paragraph (A) that the same could be modified by a majority of the lot owners of the subdivision, and

**WHEREAS**, proposed Amendment for Modification and Amendment to the Deed Restrictions has been circulated among the homeowners, and

**WHEREAS**, there are 155 property owners, thereby requiring 80 affirmative votes to obtain a 51% majority approval, and

**WHEREAS**, 83 votes approving said Amendment have been forwarded and signed, and

**WHEREAS**, the majority of the property owners have voted for approval of the amendment to Deed Restrictions,

**NOW, THEREFORE**, Deed Restrictions dated April 6, 1956 and recorded May 4, 1956 are hereby amended as follows:

Under provision entitled Architectural Control, the sentence stating, "no tight board fence shall be erected and any fence to be erected must first have approval of the Architectural Control

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PAGE 4 85-1

NORTHVILLE ESTATES

GENERAL PROVISIONS

(A) These restrictions are covenants and shall run with the land and shall be binding on all parties and all persons claiming by, under or through them for a period of 35 years from and after the date of recording of this agreement with the office of the Register of Deeds of Oakland County, Michigan, after which date said covenants shall be automatically extended for successive periods of 10 years each, unless an instrument signed by the owners of record of a majority of the lots in the subdivision has been recorded with the Register of Deeds Office of Oakland County, Michigan, changing or modifying said restrictive covenants in whole or in part.

(B) Invalidation of any one of these restrictions and covenants by judgment or decree shall in no wise affect any of the other provisions hereof which shall remain in full force and effect, and be enforceable as herein provided. Each restriction herein contained is intended to be severable.

(C) These restrictions are intended to be minimum restrictions and all lots in the subdivision must be used in full conformity with the zoning ordinances of the Township of Novi, Oakland County, Michigan, or any other applicable zoning ordinances and with the laws of the Township of Novi, Oakland County, Michigan.

Northville Development Co., a Michigan Corporation signed and acknowledged by Harry Macksey, President and Thomas H. Macksey, Vice President-Treasurer and Alfred J. Macksey, Vice President-Secretary.

Executed by authority of its Board of Directors, Corporate Seal.

Depositors State Bank of Northville signed and acknowledged by A. Russell Clarke, President and John P. Stubenvoll, Cashier.