

DECLARATION OF RESTRICTION ON LAND USE

THIS DECLARATION is made this 30th day of March, 2000, by William J. McMaster, whose address is 4450 East Mitchell Road, Petoskey, Michigan 49770 (herein referred to as "Owner").

WHEREAS, Owner is the title holder of certain property located near Alanson, Michigan, situated on Banwell Road in the Township of Littlefield and County of Emmet, more particularly described on attached Exhibit A and herein referred to as the "Property".

WHEREAS, the Property contains certain areas that have been identified as "waters of the United States, including wetlands", as defined in regulations promulgated pursuant to Section 404 of the Clean Water Act [33 CFR 328.3(b)], and

WHEREAS, Owner desires to obtain reasonable economic use of the Property for single-family residential purposes, by constructing certain improvements in portions of the waters of the United States, including providing road access to individual building sites and access to the water through a path and boardwalk system leading to a seasonal boat dock, as shown on the attached site plan drawing dated 7-15-99 modified 03-30-00 and referred hereto as "Exhibit B", and

WHEREAS, Owner has agreed to voluntarily restrict activities in the remaining wetland areas of the Property, lying outside of the improved portions as described in general above, and as shown on the attached drawing and depicted thereon as "Preserved Area", and

WHEREAS, Owner has agreed to minimize detriments to natural resources in the Preserved Area, remaining outside the improvement areas, in exchange for and as a condition of authorization of the improvements by the Department of the Army, United States of America, Corps of Engineers ("Corps") in accordance with Permit # 99-034-001-0B.

THEREFORE, Owner hereby declares and covenants that no discharging of dredged or fill material, dredging, or other altering, modification or development of the Preserved Area shall be undertaken. Owner will ensure, to the best of his ability, that the vegetation, soils and hydrology of the Preserved Area shall remain in an unaltered, natural condition.

The restriction and covenant created herein shall be perpetual, and shall be binding upon the Owner and his legal representatives, heirs and assigns. The Corps, and its successors and designees, shall have the right to enforce any of the provisions contained herein against the Owner and his legal representatives, heirs and assigns.

IN WITNESS WHEREOF, the undersigned, being the Owner herein, has executed this instrument on the day set forth above.

Signed in presence of:

Witness:

_____ William J. McMaster

Witness:

STATE OF MICHIGAN)
) ss.
COUNTY OF _____)

On this, the ____ day of _____, 2000, before me, a notary public in and for said county, personally appeared William J. McMaster, who made an oath that he executed the within DECLARATION OF RESTRICTION ON LAND USE of his own free act and deed.

- Notary Public,
_____ County, Michigan

(affix seal of notary) My commission expires: _____

Drafted by: Bert C. Ebbers of Great Lakes Ecosystems, P.O. Box 156,
 Indian River, Michigan 49749 (as agent for Owner)

EXHIBIT A

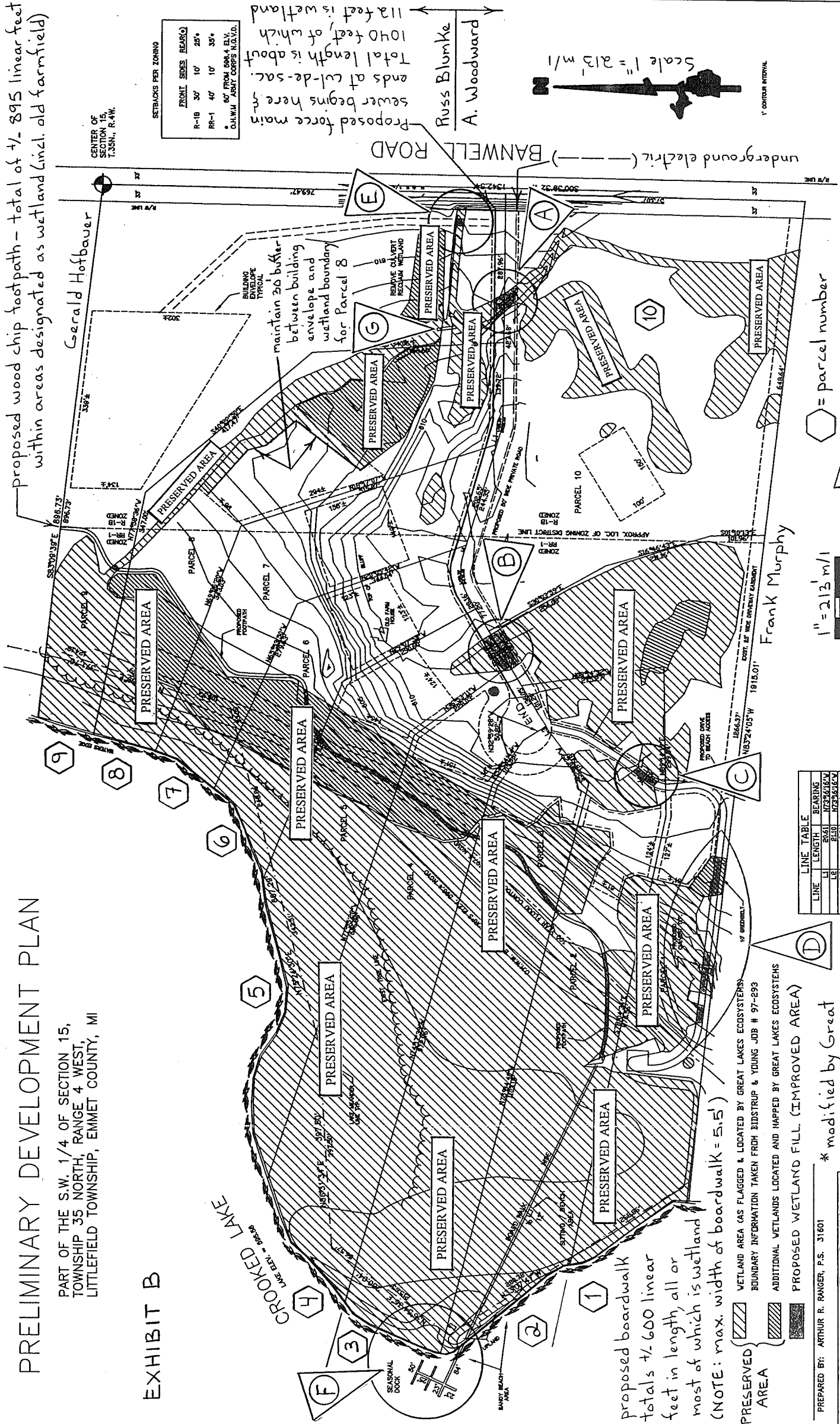
LEGAL DESCRIPTION: PARCEL 8

PART OF GOVERNMENT LOT 2 AND THE SOUTHWEST FRACTIONAL QUARTER OF FRACTIONAL SECTION 15, TOWNSHIP 35 NORTH, RANGE 4 WEST, LITTLEFIELD TOWNSHIP, EMMET COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT A 1-1/2" IRON PIPE AT THE SOUTH QUARTER CORNER OF SAID SECTION 15; THENCE NORTH 00°39'32" EAST ON THE NORTH AND SOUTH QUARTER LINE OF SAID SECTION 15 (AS MONUMENTED) A DISTANCE OF 1915.27 FEET; THENCE NORTH 89°34'10" WEST 287.96 FEET TO THE TRUE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°34'10" WEST 139.72 FEET; THENCE NORTHWESTERLY 35.56 FEET AROUND A 125.00 FOOT RADIUS CURVE TO THE RIGHT WHOSE CHORD BEARS NORTH 81°25'13" WEST 35.44 FEET; THENCE NORTH 73°16'16" WEST 20.61 FEET; THENCE NORTH 18°17'07" WEST 515.07 FEET TO A 1/2" IRON ROD; THENCE NORTH 69°26'20" WEST 343.03 FEET TO A 1/2" IRON ROD MEANDER POINT ON THE SHORE OF CROOKED LAKE; THENCE NORTH 18°21'44" EAST ON A MEANDER LINE ALONG SAID SHORE 141.59 FEET TO A 1/2" IRON ROD MEANDER POINT; THENCE LEAVING SAID SHORE SOUTH 77°58'36" EAST 347.00 FEET TO A 1/2" IRON ROD; THENCE SOUTH 40°22'50" EAST 417.47 FEET TO A 1/2" IRON ROD; THENCE SOUTH 03°34'06" EAST 366.60 FEET TO THE POINT OF BEGINNING. ALSO, ALL THE LAND LYING BETWEEN SAID MEANDER LINE AND CROOKED LAKE, ALL CONTAINING 4.96 ACRES OF LAND MORE OR LESS. SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD OR OTHERWISE. ASSUMED THE NORTH AND SOUTH QUARTER LINE OF SECTION 15 TO BEAR NORTH 00°39'32" EAST PER SURVEYS OF RECORD IN THE AREA.

PRELIMINARY DEVELOPMENT PLAN

PART OF THE S.W. 1/4 OF SECTION 15,
TOWNSHIP 35 NORTH, RANGE 4 WEST,
LITTLEFIELD TOWNSHIP, EMMET COUNTY, MI

EXHIBIT B



Proposed wood chip footpath - total of +/- 895 linear feet within areas designated as wetland (incl. old farmfield)

CENTER OF SECTION 15, T.35N., R.4W.

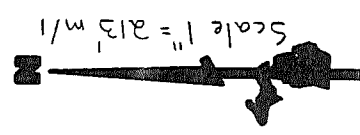
SETBACKS PER ZONING

FRONT	SIDES	REAR
R-1B	30'	10'
RR-1	40'	10'

25%
35%
D.H.W.M. ARMY CORPS N.O.V.D.

Proposed force main sewer begins here. 1040 feet, of which 112 feet is wetland

Russ Blumke
A. Woodward



1' contour interval

1" = 213' m/1

0 40' 80' 120'

GRAPHIC SCALE

LINE	LENGTH	BEARING
L1	80.61	N73°36'16"W
L2	81.0	N73°36'16"W
L3	9.81	S89°48'07"W
L4	81.83	N75°52'43"E
L5	7.88	N85°51'55"E
L6	17.51	S70°51'54"E

○ = parcel number



wetland site involved in permitting - see cross section drawings for more details

Proposed boardwalk totals +/- 600 linear feet in length, all or most of which is wetland (NOTE: max. width of boardwalk = 5.5')

- WETLAND AREA (AS FLAGGED & LOCATED BY GREAT LAKES ECOSYSTEMS)
- BOUNDARY INFORMATION TAKEN FROM BIDSTRUP & YOUNG JOB # 97-293
- ADDITIONAL WETLANDS LOCATED AND MAPPED BY GREAT LAKES ECOSYSTEMS
- PROPOSED WETLAND FILL (IMPROVED AREA)

* modified by Great Lakes Ecosystems on 7-15-99, drawn by BLEJ again on 9-09-99 (add Site G) 11-11-99 + 01-10-00 + 03-15-00 + 03-30-00

PREPARED BY: ARTHUR R. RANGER, P.S. 31601

SITE DEVELOPMENT PLAN
LITTLEFIELD TOWNSHIP
EMMET COUNTY, MI

DATE: 02/01/99
SCALE: 1" = 80'

RANGER & ASSOCIATES, INC.
CHARLEVOIX, MI 49720

05/759 U.S.-31 SOUTH
450 ARTHUR R. RANGER
PETOSKEY, MI 49770

08/840
X-552