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Liber 1430 Page 713-719 \$32.00
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Liber 1430 Page 713

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS is made this 22nd day of January, 2007, by **GERALD M. KOTT**, an unmarried man (hereinafter, "Mr. Kott"), survivor of himself and **CAROL L. KOTT**, whose Certificate of Death is recorded in Liber 1380, Page 166, St. Joseph County records, whose address is 11790 Highview Shores, Vicksburg, MI 49097.

RECITALS

WHEREAS, Mr Kott is the owner of the parcel described in Exhibit "A" attached (hereinafter, the "Kott Parcel"); and

WHEREAS, on or about November 5, 2006, the Township of Constantine granted to Mr. Kott the right to make divisions of the Kott Parcel under the Land Division Act, being 1967 P.A. 288 as amended, which proposed to divide the Kott Parcel into Parcels A through M, inclusive, plus a Remainder Parcel, which are described in the attached Exhibit "B".

WHEREAS, Mr. Kott desires to subject and burden Parcels A through M, inclusive, and the Remainder Parcel, to certain restrictions and covenants for the orderly development of Parcels A through M and the Remainder Parcel, and for the mutual benefit of such parcels;

DECLARATION OF RESTRICTIVE COVENANTS

NOW THEREFORE, in consideration of \$1.00 and other consideration, Mr. Kott hereby declares and imposes the following restrictive covenants:

1. No parcel shall be used for other than single-family or two-family residential purposes. Duplexes shall be permitted on the parcels, provided each residential unit contains no more than a single family.
2. No modular or manufactured homes may be placed or erected upon any parcel.
3. All homes must include a full basement equal in dimension to the perimeter walls of the first floor.
4. All one-story homes containing a single residential unit shall contain a minimum of 1,400 square feet of finished first-floor space, exclusive of basements, porches, decks, and other attachments.
5. All one-story homes containing two residential units shall contain a minimum of 1,200 square feet of finished first-floor space, exclusive of basements, porches, decks, and other attachments, for each unit.

RETURN TO:
DEVON TITLE
THREE RIVERS

St. Joseph County Register of Deeds
Delivered 4/11/07 Time 10:21 AM

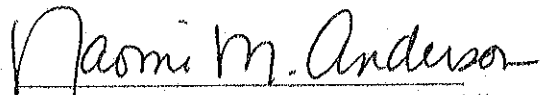
- 6 All two-story, bi-level or multi-level homes containing a single residential unit shall contain a minimum of 1,800 square feet of finished space, exclusive of basements, porches, decks, and other attachments.
7. All two-story, bi-level or multi-level homes containing two residential units shall contain a minimum of 1,500 square feet of finished space, exclusive of basements, porches, decks, and other attachments, for each unit.
- 8 The roofs on all houses and garages must have a 5/12 roof pitch or steeper.
9. The keeping of livestock, horses, swine, chickens, or other fowl or farm animals shall be permitted on the parcels, provided, however, that no intensive livestock (or other intensive animal husbandry) operations shall be permitted; a maximum of six (6) animal units per parcel shall be permitted, subject to a maximum of four (4) pigs or swine per parcel. In no case shall there be permitted on any parcel a concentrated animal feeding operation (CAFO) as that is defined in state or federal law or regulations. No savage or dangerous animal shall be kept on any parcel.
10. No improper, unlawful or offensive activity shall be carried on, nor shall the parcels be used for any lewd or immoral purpose.
11. The restrictive covenants set forth above shall run with the land and be binding upon Parcels A through M, inclusive, and upon the Remainder Parcel.

Dated: 1-22-07


Gerald M. Kott

STATE OF ALABAMA)
) SS.
COUNTY OF Baldwin)

Acknowledged before me on January 22, 2007 by Gerald M. Kott.



Notary Public
Baldwin County, Alabama
My Commission Expires: 9/14/08
Acting in Baldwin County

This Instrument Drafted By,
and After Recording Return to:
James M. Marquardt (P32790)
LEWIS REED & ALLEN, P.C.
Fifth Third Bank Bldg., Suite 800
136 East Michigan Avenue
Kalamazoo, Michigan 49007
Telephone: (269) 388-7600
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NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Sept 14, 2008
BONDED THRU NOTARY PUBLIC UNDERWRITERS