

DECLARATION OF RESTRICTIONS FOR HICKORY HEIGHTS NO. 1, A SUBDIVISION OF PART OF THE S.E. ¼ OF SECTION 13, T. 2N, R.10E., BLOOMFIELD TWP., OAKLAND CO., MICH. (Liber 3489, page 261)

PAUL ROBERTSON, being first duly sworn, deposes and says that he is a partner in the Hickory Hill Land Co., proprietor of "Hickory Heights No. 1," a subdivision of the S.E. ¼ of Section 13, T. 2 N, R. 10 E, Bloomfield Twp., Oakland Co, Mich., the plat of which is recorded in Liber 83, Page 19, Oakland County, Michigan Register of Deeds records; deponent further says that every conveyance of a lot or lots within said subdivision shall be upon and with the following conditions, covenants and restrictions which shall run with the land and the grantees of said lots shall, upon acceptance of the deeds of conveyances for themselves, their heirs, devisees, executors, administrators, successors and assigns agree to uphold, maintain and enforce the same, said conditions covenants and restrictions being as follows:

1. USE: Each lot shall be used only for residential purposes. No more than one permanent single family dwelling and garage shall be erected or maintained thereon. No structure other than such dwelling and garage shall be erected or maintained thereon, except a fence. No fence shall be erected or maintained nearer to the street than the front building line.
2. SIZE: On Lots 102 to 125, inclusive, 148 to 160 inclusive, and lots 175 and 176, the ground floor area exclusive of garage shall be not less than Twelve Hundred Fifty (1250) square feet for a one story or one and one-half story dwelling and Seven Hundred (700) square feet for a two story dwelling.

On lots 126 to 147 inclusive, 161 to 174 inclusive, 177 to 188 inclusive, the ground floor area exclusive of garage shall not be less than Sixteen Hundred Fifty (1650) square feet for a one story of one and one-half story dwelling and One Thousand (1000) square feet for a two story dwelling.

Two-thirds of the floor area of an attached and roofed porch may be included as part of the area of the dwelling.

3. LOCATION: No dwelling or garage shall be located on any lot nearer than forty (40) feet from the front lot line and nearer than sixteen (16) feet from a side lot line and nearer than forty (40) feet to an adjoining residence, and nearer than thirty (30) feet to an abutting side street lot line if a corner lot. For the purpose of the restriction eaves, steps, open porches and trellises shall not be considered as a part of the dwelling or garage.
4. GARBAGE DISPOSAL: Garbage shall be disposed of either in an incinerator or mechanical disposal plumbing unit and for this purpose one or the other shall be installed in each dwelling.
5. REFUSE DISPOSAL: No lot shall be used or maintained as a dumping ground for rubbish. Trash or other waste shall not be kept except in sanitary containers.
6. EASEMENTS: The following easements are hereby reserved for public utility purposes:
 - a. A twelve-foot (12') easement as designated on the plat
 - b. An easement over the rear twenty (20) feet of lots 102 to 105 inclusive and 140 to 150 inclusive and over the Easterly twenty (20) feet of lots 139 and 156;
 - c. An easement over six (6) feet on each side of the side lot line dividing lots 148 and 149;
 - d. Easements as designated on the plat, "Six (6) foot easements," and "six (6) foot drainage easement."

A further easement is reserved over the three (3) feet adjacent to each side lot line and each rear lot line for the purpose of installing and maintaining a subdivision surface drainage system.

7. SIGNS: No signs of any kind shall be displayed to public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.
8. LIVESTOCK AND POULTRY: No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.
9. EGRESS AND INGRESS: No egress or ingress shall be permitted over the rear of lots backing to Wattles Road.
10. Sewers: Each lot owner shall connect his house to a public sanitary sewer if and when a sewer is installed.
11. ARCHITECTURAL CONTROL: No structure shall be erected or maintained on any lot unless the construction plans and specifications for such structure shall have first been submitted to the proprietor of the subdivision and the proprietor shall have approved the same in writing.

It is the intent of the proprietor to build or cause to be built for sale a sufficient number of dwellings and garages in the subdivision to establish the general plan and scheme of development as to quality of workmanship, kind and quality materials and design with respect to architecture, topography and finish grade elevation.

To be entitled to the approval of the proprietor construction plans and specifications must conform to the general architectural plan and scheme of development of the subdivision evidenced by structures theretofore erected and maintained thereon.

The proprietor, by instrument in writing duly recorded, may, at any time hereafter, delegate its rights and powers hereunder to an organization composed of owners of lots in said subdivision.

Original document on file at Oakland County Clerk/Register of Deeds