

# Explanation of the Amended and Restated Declaration of Restrictions by Section

Note: The Board will conduct a Special Meeting on \_\_\_\_\_ to review the Amended and Restated Declaration of Restrictions and vote on the language for the final Declaration. Members are encouraged to attend and voice their opinions and share comments. Members can also email the Board IN ADVANCE of the Special Meeting at [board@lapoa.com](mailto:board@lapoa.com) with their opinions or comments.

## Introduction

The Introduction was changed to reflect the ownership change from the Central Realty Company to Lake Arrowhead Property Owner's Association. Additionally, the Six Subdivisions were combined into what is now referred to collectively, as the "Subdivisions". This section also outlines the process of amendment and recording an instrument signed by the owners of record of a majority of the lots in the Subdivisions.

## Section 1. RESIDENTIAL USE

TO BE DETERMINED

## Section 2. TYPE, SIZE, AND CONSTRUCTION

This section was changed to include:

- a site plan to scale showing the structure on the lot, all setback distances, elevations with building heights, roof pitch and proposed materials.
- reserves the Association's right to require a survey from a licensed professional surveyor if the Board deems necessary.
- expands on the minimum of square footage requirements
- Barndominiums requirements
- new requirements for barns and detached garages
- addresses BOCA compliant modular homes and manufactured homes bearing a HUD certification label
- expands on the restrictions to fences, walls, and landscaping
- expands on the timeframe for construction completion
- expands on the requirements for Building Control Committee

## Section 3. SIGNS, BANNERS AND ADVERTISING

Changed to expand on definitions and timeframes.

## Section 4. SETBACKS

Changed to comply with applicable township, county and state ordinances.

Section 5. DOCKS

Changed to comply with the Michigan Department of Environment, Great Lakes, and Energy (EGLE) and any applicable township, county or state zoning ordinances. It also expands on existing permanent docks, unserviceable or unsafe docks and the definition of a temporary dock.

Section 6. LAKE RIGHTS (former Sections 6 & 7 combined)

This change suggested by the attorney gives the owners of lots that abut or border the waters of Buhl Lake Arrowhead or Lake Little Deer, lake rights while reserving their regulation by the Association.

Section 7. EASEMENTS (former Section 8)

Changed to include operation and repair of public utilities and similar improvements and required applicable township, county, or state ordinances.

Section 8. FUEL STORAGE TANKS (former Section 9)

Changed to comply with applicable township, county, state requirements and EGLE regulations.

Section 9. REFUSE

Separate section.

Section 10. LOT MAINTENANCE

Expanded to all lots from unoccupied lots.

Section 11. COMMERCIAL ACTIVITY formerly NO BUSINESS TRADE OR ENTERPRISE

TO BE DETERMINED

Section 12. ANIMALS (formerly part of Section 11)

Changed to allow for poultry (chickens, ducks, geese or quail).

Section 13. DAMAGE OR DESTRUCTION (former Section 12)

Changed to expand on applicable township, county, and state and building safety codes and the Building Controls Committee oversight.

Section REPURCHASE OF PROPERTY (former Section 13)

This section was removed as the Association does not have funds to repurchase property.

Section 14. MANDATORY MEMBERSHIP (formerly part of Section 14)

Defines the Member's rights and obligations and binds them to the Declaration, the Articles of Incorporation, Bylaws, and any rules and regulations adopted by the Board.

Section 15. ASSESSMENTS (formerly part of Section 14)

Ties assessments to the current Association Bylaws and sets a minimum percentage of assessments collected to be reserved for park maintenance, lake level regulation, and other purposes that maintain or improve the Association's common areas.

Section 16. DURATION AND AMENDMENT (formerly part of Section 15)

Changes from 10-year renewal period to in perpetuity. Adds a five-year review by the Board.

Section 17. SERVABILITY (formerly part of Section 15)

Changed to include a court of competent jurisdiction.

Section 18. ENFORCEMENT

New language recommended by attorney.

Section 19. NOTICE

New language recommended by attorney.

Section 20. GOVERNING LAW

New language recommended by attorney.