

13/18

**DECLARATION OF RESTRICTIONS  
OF RUSH LAKE PROPERTY OWNERS' ASSOCIATION**

RUSH LAKE DEVELOPMENT GROUP LIMITED PARTNERSHIP, a Michigan Limited Partnership, whose Post Office address is 1108 Lake Valley Drive, Fenton, MI 48430, and the developer of Moon Shadows on Rush Lake Condominium, pursuant to the authority reserved to the developer in the Master Deed, as amended, pertaining thereto, which is recorded at Liber 1463, Page 923 through 984, Livingston County Records, and subsequently amended, does hereby declare that the Units of said condominium are subject to the rules, regulations, By-Laws, dues and assessments, and lien to secure the payment of said dues and assessments, of the Rush Lake Property Owners' Association, a Michigan Body Politic and Corporate, organized under the provisions of Public Act 137 of 1929, as amended. The real estate which comprises said condominium is described as Parcels A and B on the attachment hereto. This Declaration is given for the purpose of giving all persons Notice that said Units are subject to the corporate jurisdiction of Rush Lake Property Owners' Association.

IN THE PRESENCE OF:

RUSH LAKE DEVELOPMENT GROUP  
LIMITED PARTNERSHIP

*Carolyn A. Eschelbach*  
CAROLYN A. ESCHELBACH

*Shirley B. Wantuck*  
SHIRLEY B. WANTUCK

BY: *James R. Kremidas*  
JAMES R. KREMEIDAS  
General Partner

Subscribed and sworn to before me  
this *24th* day of *March*, 1995

*Carolyn A. Eschelbach*  
CAROLYN A. ESCHELBACH  
Notary Public  
Genesee County, Michigan  
My commission expires: 10-18-95

Prepared by:  
PETER C. FLINTOFT (P-13531)  
KEUSCH AND FLINTOFT, P.C.  
Attorneys for Rush Lake Property Owners Association  
BY: PETER C. FLINTOFT, (P-13531)  
119 South Main Street, P.O. Box 187  
Chelsea, Michigan 48118  
Telephone: 313/475-8671.

Rush\Declaration  
95:0125ps

RECORDED  
MAY 24 54 PM '95  
HARVEY  
REGISTER OF DEEDS  
LIVINGSTON COUNTY, MI  
48843

Case No. L-02360

Legal Description

Hamburg Township

PARCEL A:

A part of the Southeast 1/4 of the Southeast 1/4 of Section 18, Southwest 1/4 of the Southwest 1/4 of Section 17, the Northeast 1/4 of then Northeast 1/4 of Section 19 and the West 1/2 of the Northwest 1/4 of Section 20, all in Town 1 North, Range 5 East, Michigan, more particularly described as follows: Commencing at the East 1/4 corner of Section 19; thence along the East-West 1/4 line of said Section 19 and the centerline of State Highway M-36, South 86 degrees 00 minutes 10 seconds West, 1313.38 feet to a found iron pipe; thence along the centerline of Chambers Road North 02 degrees 08 minutes 44 seconds West, 1315.96 feet to the monumented center of the Northeast 1/4 of said Section 19, a found 1/2 inch iron rod and the Point of Beginning of the Parcel to be described; thence along the West line of the Northeast 1/4 of the Northeast 1/4 of said Section 19 and the centerline of Chambers Road, (as previously surveyed and monumented by Munsell and Garlock, Incorporated and shown on a drawing dated August 30, 1967), North 02 degrees 17 minutes 34 seconds West, 1319.73 feet (previously recorded North 1320 feet); thence along the West line of the Southeast 1/4 of the Southeast 1/4 of said Section 18 and the centerline of Chambers Road, (as previously surveyed and monumented by Munsell and Garlock, Incorporated and shown on a drawing dated August 30, 1967), North 01 degrees 55 minutes 35 seconds West, 1337.70 feet; thence along the North line of the Southeast 1/4 of the Southeast 1/4 of said Section 18 as occupied by a fence North 86 degrees 08 minutes 04 seconds East, 945.07 feet to traverse point "A", a capped 1/2 inch iron rod lying 1 foot East of the end of said fence lying 20 feet West of the water's edge of Rush Lake; thence continuing North 86 degrees 08 minutes 04 seconds East, 386.41 feet to a point on the line between Sections 18 and 17, said point lying South 02 degrees 19 minutes 10 seconds East, 1325.49 from the East 1/4 corner of said Section 18; thence along the North line of the Southwest 1/4 of the Southwest 1/4 of said Section 17, North 89 degrees 33 minutes 18 seconds East, 1348.00 feet; thence along the East line of the Southwest 1/4 of the Southwest 1/4 of said Section 17, South 01 degrees 37 minutes 34 seconds East, 842.61 feet to a point on the North line of "Vista on the Lake", a subdivision as recorded in Liber 3 of Plats, page 5, Livingston County Records; thence along the North line of said "Vista on the Lake", South 85 degrees 00 minutes 00 seconds West, 4.80 feet to the Northwest corner of said subdivision; thence along the West line of said "Vista on the Lake", South 01 degrees 43 minutes 45 seconds East, 63.62 to traverse point "B".

CONTINUED

Case No. L-02360

Legal Description

Continued

Hamburg Township

A capped 1/2 inch iron rod lying 20 feet South of the water's edge of Rush Lake, said point being located by an intermediate traverse line South 63 degrees 17 minutes 44 seconds East, 1958.12 feet from aforementioned traverse point "A"; thence continuing along the West line of said "Vista on the Lake", South 01 degrees 43 minutes 45 seconds East, 1748.00 feet; thence South 89 degrees 49 minutes 34 seconds West, 0.31 feet to a found 1/2 inch iron rod at the Northeast corner of Parcel 6 of a survey by Boss Engineering Company, Job No. 11439, recorded in Liber 938 of Deeds, pages 269 thru 292, Livingston County Records; thence along the East line of said Parcel 6, South 01 degrees 45 minutes 43 seconds East 372.93 feet (previously recorded as South 02 degrees 09 minutes 11 seconds West, 372.93 feet) to a found 1/2 inch iron rod; thence along the South line of said Parcel 6 and the Northerly Right-of-Way line of the Old Grand Trunk Western Railroad (50 feet wide), South 84 degrees 40 minutes 24 seconds West, 1102.24 feet (previously recorded as South 88 degrees 36 minutes 00 seconds West, 1101.94 feet); thence along the West line of said Parcel 6, North 02 degrees 19 minutes 00 seconds West, 472.11 feet (previously recorded as North 01 degrees 34 minutes 45 seconds East, 472.13 feet); thence along North line of said Boss Engineering Company survey, South 89 degrees 49 minutes 34 seconds West, 235.00 feet to a found 1/2 inch iron rod; thence continuing along said North line South 85 degrees 42 minutes 55 seconds West, 1315.65 feet to the Point of Beginning.

Legal Description - "Exception"

Part of the Southwest 1/4 of Section 17 and the Northwest 1/4 of Section 20, Town 1 North, Range 5 East, Michigan, more particularly described as: Commencing at the South 1/4 corner of said Section 17; thence South 89 degrees 58 minutes 22 seconds West, 1332.08 feet to the Point of Beginning; thence South 01 degrees 43 minutes 45 seconds East, 168.44 feet; thence South 88 degrees 16 minutes 15 seconds West, 250.00 feet; thence North 01 degrees 43 minutes 45 seconds West, 546.00 feet; thence North 88 degrees 16 minutes 15 seconds East, 125.00 feet; thence North 01 degrees 43 minutes 45 seconds West, 60.00 feet; thence North 88 degrees 16 minutes 15 seconds East, 125.00 feet; thence South 01 degrees 43 minutes 45 seconds East, 437.56 feet to the Point of Beginning.

Subject to and including the use of a 66 foot wide private road easement for ingress and egress, the centerline of which is described as follows: Commencing at the East 1/4 of corner of said Section 19; thence due West along the East-West 1/4 line of said Section 1309.51 feet to the centerline of Chambers Road;

CONTINUED

Case No. L-02360

Legal Description - Continued

thence North 01 degrees 34 minutes 45 seconds East along said centerline 1213.88 feet to the point of beginning of said easement; thence South 88 degrees 25 minutes 15 seconds East 280.00 feet; thence Northeasterly on an arc left, having a length of 142.37 feet, a radius of 230.00 feet, a central angle of 35 degrees 28 minutes 03 seconds and a chord which bears North 73 degrees 50 minutes 43 seconds East 140.11 feet; thence Northeasterly on an arc right, having a length of 134.60 feet, a radius of 230.00 feet, a central angle of 33 degrees 31 minutes 47 seconds and a chord which bears North 72 degrees 52 minutes 36 seconds East 136.68 feet; thence North 89 degrees 38 minutes 29 seconds East 776.10 feet; thence South 86 degrees 14 minutes 43 seconds East 1339.71 feet to the point of ending of said easement.

PARCEL B:

A part of the West 1/2 of the Northwest 1/4 of Section 20, Town 1 North, Range 5 East, Michigan, more particularly described as follows: Commencing at the West 1/4 corner of said Section 20, said corner also being common to the East 1/4 corner of Section 19, of said Township; thence along the East-West 1/4 line of said Section 20 and the centerline of State Highway M-36, South 88 degrees 33 minutes 22 seconds West, 247.31 feet to the Point of Beginning of the Parcel to be described; thence North 01 degrees 48 minutes 40 seconds West, 796.16 feet (previously recorded as North 02 degrees 05 minutes 40 seconds East, 796.51 feet); thence along the Southerly Right-of Way line of the Old Grand Trunk Western Railroad (50 feet wide), North 84 degrees 40 minutes 28 seconds East (previously recorded as North 88 degrees 36 minutes 00 seconds East), 1087.02 feet; thence South 01 degrees 48 minutes 24 seconds East, 869.75 feet (previously recorded as South 02 degrees 05 minutes 40 seconds West, 869.81 feet); thence along said East-West 1/4 line of Section 20 and the centerline of State Highway M-36, South 88 degrees 33 minutes 22 seconds West, 1332.24 feet (previously recorded as North 87 degrees 32 minutes 19 seconds West, 1332.42 feet), to the Point of Beginning.