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STATE OF MICHIGAN - LENAWEE COUNTY
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Carolyn S. Bater, REGISTER OF DEEDS \$30.00



IRISH MIST PROPERTY OWNERS ASSOCIATION

CC&R'S (AS AMENDED)

1) ASSIGNMENT OF RIGHTS (ORIGINAL 8-8-97)

2) BYLAWS & RESTRICTIONS

(AS AMENDED 10-31-22)

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Epgs ✓

STATE OF MICHIGAN
LENAWEE COUNTY
RECORDED

8 AUG 97 11:19 A.M.

VICTORIA J. DANIELS
REGISTER OF DEEDS**ASSIGNMENT OF RIGHTS**

THIS ASSIGNMENT OF RIGHTS is made this 30th day of July, 1997, by Peninsular Point, Inc., a Michigan corporation (the "Developer") and Irish Mist Property Owners' Association, a Michigan non-profit corporation (the "Irish Mist Association"), for purposes of assigning certain rights under Restrictions recorded on June 28, 1995 in Liber 1365, pages 199-203, Lenawee County Register of Deeds Records (the "Irish Mist Restrictions") affecting the Plat of Irish Mist as follows:

1. The Irish Mist Restrictions require the owners of all lots in the Plat of Irish Mist to be members of the Irish Mist Association and the Loch Erin Property Owners' Association (the "Loch Erin Association") and require such owners to be bound by the Bylaws, Articles, Rules and Regulations of each Association as they may be amended from time to time.

2. The Irish Mist Restrictions provide certain rights and remedies for the Irish Mist Association and the Loch Erin Association, including the right to regulate and approve certain conduct and activities. It is necessary that both the Irish Mist Association and the Loch Erin Association have the right to enforce the Irish Mist Restrictions to fulfill the intended purposes of the Irish Mist Restrictions and implement the rights, remedies and benefits given to each Association by the Irish Mist Restrictions.

3. The Irish Mist Restrictions grant the right to the Irish Mist Association to enforce the Irish Mist Restrictions against any person, including the right to recover costs and reasonable attorneys fees against persons violating the Irish Mist Restrictions.

4. In consideration of the mutual covenants, rights, responsibilities and benefits between the Developer, the Irish Mist Association and Loch Erin Association, and other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, the Developer and the Irish Mist Association assign to the Loch Erin Association the rights and benefits to enforce the Irish Mist Restrictions in the same manner and to the same extent granted to the Irish Mist Association, except for the landscape and maintenance obligations for Tara Court, Devon Court and Irish Mist Court and the entranceway contained in paragraph 12 of the Irish Mist Restrictions, including the right to costs and reasonable attorneys fees, against persons violating the Irish Mist Restrictions.

Irish Mist Property Owners Association Bylaws

As approved by the IMPOA board on August 22nd, 2022

1. These By-Laws are promulgated pursuant to paragraph 12 of the Restrictions of the Plat of Irish Mist as recorded in Liber 1365 Pages 199-203 of the Lenawee County Records as further amended and recorded below.
2. The Association shall be governed by a board of five (5) members who shall be elected every two (2) years by a meeting called by the then existing Board of Directors, which meeting shall be held no later than September 1st each year. The current board of directors consists of, Patrick Muldoon, Tom Kanable, Pete Depaulis, Michael Klein and Tom Love.
3. As stated in paragraph 12 of the Restrictions above referred to, the primary purpose of the Irish Mist Property Owners Association is to provide for the care and maintenance of Tara Ct, Devon Ct, Irish Mist Ct, the entrance Ct from Stephenson Rd, the two vacant boundary lots currently located to the immediate west of Lots 1 and 43 and for the park situation on the south shore of the Plat of Irish Mist between Lots 25 and 26. The maintenance costs of these areas shall be paid by an annual dues assessment of not less than \$75.00 per owner per lot owned, and shall be due each year no later than May 1st.
 - a) With regard to the island in the courts and entrance, and the boundary lots, the Association shall see to the maintenance and care of the landscaping as such is required and shall keep both in good repair.
 - b) With regard to the park, the Association shall see to the proper landscaping and maintenance thereof and any decision for that purpose shall be made by a majority of the board.
4. Irish Mist Park is situated on the shoreline of the Plat of Irish Mist between lots 25 and 26. It is intended that the park shall be available to all the owners of the lots of the Plat of Irish Mist and their guests. Three docks not exceeding 30 feet in length and not less than 40 feet apart with the westerly dock to be erected not less than 40 feet from the east line of Lot 26 may be erected. Dockage at the park is limited to the Irish Mist lots 1,3, 9, 39 and 43. Both IMPOA and LEPOA have the right to erect docks in the water and abutting the shoreline of Irish Mist Park. Park mowing and regulation of the dock slips shall be administered by LEPOA.
5. One of the functions of the board shall be to resolve any conflicts between owners and their guests from either the use of the park or the use of the docks in the event the Board of Directors determines that said lot owners or their guests have abused said facilities.
6. The board of Directors may increase the annual assessment or approve special assessments at its annual meeting or by holding a special meeting for the purpose of approving a special assessment by giving at least 10 days written notice of the meeting and the Boards' intention to increase said assessments. In the event of either assessment, the assessment shall be levied upon all property owners upon approval of the majority of the property owners voting at said

IRISH MIST RULES AND REGULATIONS

These Irish Mist Rules and Restrictions are promulgated pursuant to the Irish Mist Property Owners Assignments of Rights as recorded in Lenawee County Michigan Register of Deeds (liber 1488 Pages 650 and 651) and the Irish Mist Property Owners Bylaws (liber 1365 Pages 199-203) as amended on this 22nd day of August, 2022 inclusive of the revisions below.

The owner of real estate located in Cambridge Township, Lenawee County, Michigan of the Plat of Irish Mist, together with any additions to such plat, does hereby, impose the following restrictions as negative reciprocal restrictions on all lots to said plat:

All lots shall be used for one-family residential purposes only and shall be further subject to the following restrictions:

1. All lots shall be subject to the zoning and building ordinances of Cambridge Township, Lenawee County, Michigan and shall be further subject to all laws, rules and regulations of the State of Michigan, the Lenawee County Health Department and the Department of Environmental Quality as such pertain to wells, sanitation and the established one-hundred-year flood plain.
2. No lot shall be subdivided, nor shall any easements or licenses be granted which provide access to the lake across any property. All lots in this subdivision shall be used exclusively for residential purposes.
3. No structure or other building shall be erected or permitted to remain on any lot other than one single family dwelling with an attached garage. All dwellings shall have at least a two-car garage. No unattached garage or storage space is permitted. No sheds or accessory structures of any kind. Any structures must be approved in writing by the Irish Mist Property Owners Association. LEPOA, or it assigns.
4. No unlawful, noxious or offensive activities shall be carried on upon the parcels, nor shall anything be done which may be or may become an annoyance or nuisance to the neighborhood. Except for the use of Snow plowing or blowing, IMPOA follows the Cambridge township ordinances with regard to the usage of any motorized landscaping equipment such as, but not limited to, lawn mowers, weed whackers, leaf blowers or any other equipment that may disturb the peace.
5. All buildings constructed or erected on said lots must be built with new solid and permanent material; no aluminum siding may be used for the exterior surface of any structure to be situated upon any of the lots. All wood exteriors shall be stained or painted; no building shall have tar paper, brick siding or similar materials on the outside walls. The exterior surface of such structures shall be of brick, stone or cedar, vinyl, Hardboard, Drivit or comparable building products. No geodesic dome or earth covered homes may be built on any site. The exteriors of all buildings must be completed within six (6) months from the date that construction commences.
6. No structure or preconstructed home modules shall be moved onto any lot, including modular or mobile homes or trailers. Pre-constructed wall panels may be utilized.
7. No structure shall be erected, placed, altered, or permitted to remain on any lot not in conformance with the following minimum size requirements as to living area, measurements to be made of external walls:

One story	1,800 square feet
Two story	2,200 square feet



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Setbacks to be as follows:

Roadside: min. 35 feet

Sides: 10 feet min. one side, 25 feet min. combined 2 sides

Lake side: 50 feet from high water line

Rear: 35 feet on non-lake frontage lots

The grade level of each unit shall be such as to blend into the adjacent lot and the grade level for all dwelling construction shall be such as to provide necessary drainage away from dwelling.

All dwellings shall be completed within one (1) year after the start of construction and no dwelling shall be occupied until it is fully completed, both inside and outside.

All dwellings shall be connected to the municipal sewer.

No underground tanks, to store any liquid whatsoever, shall be constructed on any lot, except as required for the sewage disposal systems.

Driveways must be constructed with asphalt, concrete, brick, or similar material. Gravel driveways are not permitted.

The shoreline of each lakefront unit must be stabilized by the purchaser within (8) eight months after purchase with techniques approved by the Department of Natural Resources.

Private easements for public drainage are for the use of roadway drainage and are to be considered a grass waterway. No structures, shrubbery, trees, rocks, or fences are permitted within the easement.

Development will be restricted to Irish Mist lots served by the community sewage system.

8. The construction of water supply wells will be secured as follows:

Permits will be secured from the Lenawee County Health Department prior to construction of water supply wells.

Water supply wells shall terminate below 80 feet.

Water supply wells shall be constructed and grouted in accordance with the Michigan Groundwater Quality Rules authorized in Part 127 of Act 368 of the Public Acts of 1978, as amended, and the Lenawee County Environmental Health Code.

Water supply wells shall not be located on a flood plain.

8a The elevation of the lower floor, excluding basement, of all residential buildings shall be not less than 928.8 feet N.G.V. Datum.

8b The basement opening of any residential building shall not have an elevation less than 927.8 feet N.G.V. Datum.

8c. All residential buildings having basement walls and floors lower than 927.8 feet N.G.V. Datum, shall be constructed watertight and reinforced to withstand hydrostatic pressure from a water level

equal to 927.8 feet N.G.V. Datum. All residential buildings having construction at or lower than 927.8 feet N.G.V. Datum shall be equipped with a positive means of preventing sewer backups from sewer lines and drains which serve the building and shall be securely anchored to prevent floatation.

8d No filling will be permitted, or structures erected within the flood plain area without a valid permit issued by the Department of Natural Resources.

8e The 100 year flood plain elevation of Lake Loch Erin is defined by the Department of Natural Resources at 927.8 feet N.G.V. Datum

9. No dwelling or other structure shall be erected, placed or altered on any lot until the building plans, specifications and site plan have been approved by the IMPOA and the LEPOA for conformity and harmony of external design, the location of the building with respect to set-back distances and conformity to deed restrictions as also may be required by the State, County, Township, or EGLE.

10. All construction undertaken in any dwelling must be under the building permit issued by Cambridge township and shall meet all requirements thereof.

11. Lakefront lots shall have a minimum lakeside yard set-back of fifty (50) feet including attached decks and patios. Non-Lakefront units shall comply with the road setback requirements of the respective zoning ordinance.

12. The owner of each lot shall belong to the Loch Erin Property Owners Association and the Irish Mist Property Owners Association and shall be bound by the By-laws, Articles, Rules and regulations of the Associations as they may be amended; from time to-time. All dues, fines, assessments and special assessments levied against the members by the Loch Erin Property Owners Association, or the Irish Mist Property Owners Association shall constitute an obligation binding upon and running with the land. In the event of nonpayment, either Association may file a lien on the unit(s) by recording the appropriate lien with the Lenawee County Register of Deeds and may enforce such lien by foreclosure in the same manner that real estate mortgages may be foreclosed under Michigan law.

It is the intention of these restrictions that the primary purpose of the IMPOA is to landscape and maintain the islands of Tara, Devon and Irish Mist Courts and the entrance court to said plat, in addition to any other properties that may be acquired or deeded to the Irish mist Property Owners Association for their use, care and maintenance.

13. No boat docks, boat lifts or covers, floats or other structures extending into the lake more than 30 feet shall be constructed or placed into or on said lake without IMPOA approval. All Property Owners shall comply with the rules and regulations pertaining to the use of the lake and as such shall be enacted and amended from time to time by the Loch Erin Property Owners Association.

14. Except for Invisible dog fences, no chain link fences, shrubs, plantings of any kind or material that interfere with the lake view of other property owners are allowed. Large plantings and permanent or temporary structures of any kind shall never be closer than fifty (50) feet from the lakefront lot line.

14. No above ground pools of any kind are permitted on any lot.

15. No basement construction, temporary construction, garage, trailer, tent or mobile home shall be used as living quarters in whole or part at any time, and no tents, trailers, motor coaches, house trailers, campers or similar vehicles shall be stored thereon.

16. All commercial and recreational vehicles, vans, campers, boats, carts, trailers of any kind shall be stored on any lot. Wagons or similar or related vehicles shall be stored inside a garage, when not in use. Owners may not store any such vehicle(s) on the lot (outside the garage) for more than 72 hours.

17. The number of dogs and cats per residence shall not exceed 2 dogs OR 2 cats OR 1 of each.
18. No other animals, livestock, or poultry of any kind shall be raised on any lot, except those above. Household pets may be kept provided they are not kept, bred or maintained for commercial purposes. Dogs shall not be permitted to run at large at any time. No dog runs, kennels or pet enclosures of any kind are permitted. No animals shall be allowed to roam freely or to become a public nuisance. When not within a resident property, dogs are required to be on a leash. Dog waste should never be left in the park, on other common or personal property or deposited in any porta-potty.
19. Satellite dishes exceeding thirty-six (36) inches shall not be permitted at any time on any lot or residence.
20. No trash burning shall be allowed on any lot.
21. In accordance with any LEPOA or Cambridge Township ordinances, no outdoor lighting nuisance shall be permitted.
22. No signs shall be allowed in common areas or any road right of way. Realtor Signs shall be confined to your lot. Election signs restrictions are governed by Cambridge Township.
23. No more than five (5) boats or watercraft of any kind including but not limited to motor craft, sailboats, kayaks, fishing boats, jet skis, canoes or paddle boats may be docked in front of any lakefront lot at any time.
24. Dockage at Irish Mist Park is private and limited to lots 1, 3, 9, 39 and 43. IMPOA and LEPOA has the right to erect docks in the water and abutting the shoreline of Irish Park. Regulation of dock slips shall be administered by LEPOA.
25. No recreational vehicles such as but not limited to campers, trailers, motor homes, boats or other watercraft shall be parked on any lot more than seventy-two (72) hours, unless suitably housed in the attached garage. Camping on any Irish Mist or Loch Erin Property is prohibited.
26. All lots shall be kept trim, and the grass mowed and free of debris. It is intended that no temporary or permanent structure or planting of any kind shall obstruct the view of a neighboring property.
27. Restrictions in paragraphs 1-27, excluding section 8, shall run with the land and shall bind the purchasers, successors, assigns and any persons claiming under them until January 1, 2005. These restrictions shall be automatically extended for successive 10-year periods unless, prior to the expiration of any 10-year period, an instrument changing, altering, amending or revoking these restrictions in whole, or part are signed by the then 2/3rds owners of record of the lots recorded.
28. Said representatives shall act without compensation in the event no authorized representative has been designated.
29. Invalidation of any one or more of these restrictions by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.
30. These restrictions are to run with the land herein described and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants and restrictions are recorded, after which time the covenants will be extended automatically for successive periods of ten (10) years unless an instrument signed by a 2/3rds majority of the then property owners has been recorded agreeing to change said covenants in full or in part.
31. Enforcement of these restrictions shall be by proceedings at law or in equity by the IMPOA members or any owner of a lot, against any person(s) violating or attempting to violate any

