



3081801
 Page: 1 of 5
 10/23/2007 11:25A
 AGE
 26.00

Kalkaska County Joan Hall, Register

**MAINTENANCE AGREEMENT
 AND
 RESTRICTIONS**

Rosemarie Franco Bell and Edmund J. MacKeller PO Box 39, Kalkaska, MI 49646, owner(s) and/or developer(s) of:

THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 20, TOWN 28 NORTH, RANGE 7 WEST, RAPID RIVER TOWNSHIP, KALKASKA COUNTY, MICHIGAN.

We, on 6/26/07, hereby establish this agreement for the improvement, maintenance, use and to set forth restrictions for the parcels and easements located within the above description. Parcel and easement identification is established by survey and said surveys are attached.

MAINTENANCE

INTENT

It is the intent of this maintenance agreement to provide an effective, yet convenient mechanism for the owners owning parcels within the above description, to maintain a shared easement road. To provide a reasonably safe easement, suitable for safe travel by parcel owners, their invites, governmental agencies and public and private utilities. That accumulation of snow and other hazards should be removed from time to time as needed.

OWNER LIABILITY:

Each owner shall be responsible to promptly repair any damage caused to the easements of whatever kind or nature by themselves, their guests, invites and by any contractor, tradesman or utilities supplier entering the subject lands at that owners request. If such owner fails to make repairs to the reasonable satisfaction of the remaining owners, the other owners may do so and charge the cost of such repairs to the responsible parties. If unpaid, such charges shall be a lien against the property owned by the owner who is responsible for the damages.

STANDARD YEARLY DUES:

An initial administrator will be designated by the developer/owner. The administrator shall prepare an estimated road snow removal and simple yearly cleanup budget, for each year, and send it to the parcel owners in the form of a yearly dues bill. Owners must provide said administrator with any address or ownership changes. The owners will vote on the estimate within 15 days of receipt. If passed by a simple majority vote the owners will be notified, and said dues will become due and owing. If modified, a follow up vote will be taken.

Dues will be billed in the fourth quarter of each year to cover the following 12 months. Payment will be due at the time of billing. The Administrator shall collect said dues and deposit this money in a separate account to be opened in a bank of his choice. Said account to be open for review by any parcel owner upon request.

If a dues bill is not paid by the next bill date a \$50.00 (and \$50.00 for each year not paid) delinquent fee will be added. If said bill is not paid by the following bill date a Lien will be placed on the owners parcel.

The administrator shall cause the road to be maintained in accordance with the budget amount.

The owners, by a percentage majority vote, may at any time change the administrator. Said vote may be taken by mail, in writing, or in a meeting assembled for such purpose.