

DEC 15 1998

FOREST E. YOUNGBLOOD
REGISTER OF DEEDS
WAYNE COUNTY

DECLARATION OF RESTRICTIONS FOR FLOOD PLAIN REQUIREMENTS

FOR

STONEWATER SUBDIVISION NO. 1

\$4.00 REMONUMENTATION
\$16.00 LIENS/NISC
RECORDED
FOREST E. YOUNGBLOOD, REGISTER OF DEEDS
WAYNE COUNTY, MI
Receipt #100574

This Declaration of Restrictions for Flood Plain Requirements ("Declaration"), made as of the 13 day of ~~OCTOBER~~, 1998, by Stonewater L.L.C., a Michigan Limited Liability Company, whose address is 3005 University Drive, Auburn Hills, Michigan 48326 ("Declarant"), is based upon the following:

A. Declarant is the owner of and has developed a certain parcel of land located in the Township of Northville, Wayne county, Michigan, as a single-family residential development, being more particularly described as:

Lots 1 through 120, both inclusive, Stonewater Subdivision No. 1, according to the Plat thereof recorded in the Liber 113, Pages 52 through 70, of Plats, Wayne County Records (the "Subdivision").

B. Declarant desires to impose and subject the Subdivision to certain restrictions as hereinafter set forth.

C. It is the purpose and intention of this Declaration that all of the Lots shall be conveyed by Declarant subject to the covenants and restrictions set forth in this Declaration.

Now, therefore, Declarant hereby publishes, declares, and makes known to all intending purchasers and future owners of the Lots within the Subdivision, that the Subdivision, and all of the Lots therein, will and shall be used, held occupied, sold, and conveyed expressly subject to the following conditions, restrictions, covenants, and agreements, which shall be incorporated by reference in all deeds of conveyance and contracts for the sale of any of the Lots, and which shall run with the land (the Subdivision and all of the Lots therein) and shall be binding upon and inure to the benefit of all parties having any right, title, or interest in the Subdivision, or any part thereof, and their heirs, personal representatives, successors, and assigns, and on all grantees of all individual Lots in the Subdivision and on their respective heirs, personal representatives, successors, and assigns for the time and in the manner specified herein.

R RST 16 4R 4pgs S RS

ARTICLE I

FLOOD PLAIN REQUIREMENTS

Section 1. **Floodplain.** Lots 9 through 32 inclusive abut the floodplain area of Stoneridge Lake as established by the Michigan Department of Environmental Quality. The elevation defining the floodplain contour is 828.0 N.G.V. Datum.

Lots 33-42 inclusive	Teal Lake
Elevation 828.0 N.G.V. Datum	
Lots 110-120 inclusive	Spring Hill Lake
Elevation 828.0 N.G.V. Datum	
Lots 54-65 & 81-80 inclusive	Mystic Lake
Elevation 825.0 N.G.V. Datum	

(a) No filling or occupation of the floodplain area shall take place without prior written approval from the Michigan Department of Environmental Quality.

(b) Any building used or capable of being used for residential purposes and occupancy within or affected by the floodplain shall:

(1) Have lower floors, excluding basements, not lower than the elevation defining the floodplain limits.

(2) Have openings into the basement not lower than the elevation defining the floodplain limits.

(3) Have basement walls and floors, below the elevation defining the floodplain limits, watertight and designed to withstand hydrostatic pressures from a water level equal to the elevation of the contour defining the floodplain limits following methods and procedures outlined in Chapter 5, type A construction and Chapter 6 for class 1 loads found in "Floodproofing Regulations" EP 1165 2 314 prepared by the Office of the Chief of Engineers, U.S. Army, Washington D.C., June, 1972.

(4) Be equipped with a positive means of preventing sewer back up from the sewer lines and drains which serve the building.

(5) Be properly anchored to prevent flotation.

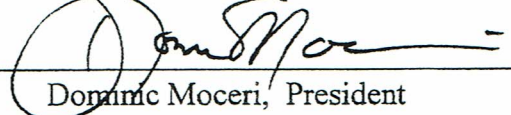
(c) The floodplain restrictions contained herein are to be observed in perpetuity, are excluded from any time limitations set forth in the Declaration and may not be amended.

WITNESSES:

Stonewater L.L.C.
a Michigan Limited Liability Company

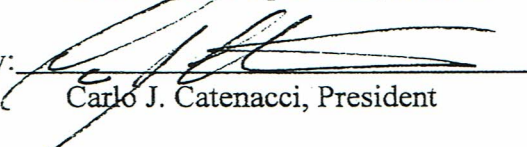
By: Mocer/Stonewater L.L.C., member
a Michigan Limited Liability Company

By: Mocer Management Company,
a Michigan Corporation, member

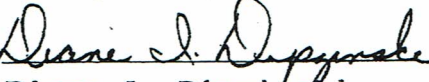
By: 
Dominic Mocer, President

By: Trinity/Stonewater L.L.C., member
a Michigan Limited Liability Company

By: Carlo Management Corporation,
a Michigan Corporation, member

By: 
Carlo J. Catenacci, President


Kelly F. Poniers Zablocki

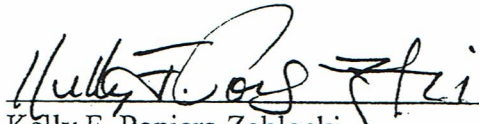

Diane I. Dipzinski


Kelly F. Poniers Zablocki


Diane I. Dipzinski

STATE OF MICHIGAN }
 } SS.
COUNTY OF OAKLAND }

On this 13 Day of OCTOBER, 1998, the foregoing instrument was acknowledged before me by Dominic Mocer, president of Mocer Management Company, a Michigan Corporation, member of Mocer/Stonewater L.L.C. a Michigan limited liability company, member of Stonewater L.L.C., and by Carlo J. Catenacci, president of Carlo Management Corporation, a Michigan Corporation, member of Trinity/Stonewater L.L.C. a Michigan limited liability company, member of Stonewater L.L.C. a Michigan limited liability company, on behalf of the company.


Kelly F. Poniers-Zablocki
Notary Public, Oakland County, Michigan
My Commission Expires: 12-26-2000

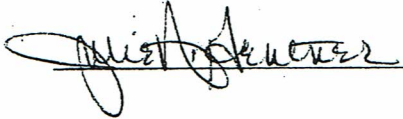
DRAFTED BY AND
WHEN RECORDED RETURN TO:
David Pawlaczyk
Stonewater L.L.C.
3005 University Drive
Auburn Hills, MI 48326

CONSENT OF MORTGAGEE

The undersigned, D&N Bank, fsb, whose address is 363 W. Big Beaver, Suite 150, Troy, Michigan, 48084, being the holder of a certain Mortgage covering Stonewater Subdivision No. 1, hereby acknowledges and consents to the foregoing Declaration of Restrictions for Flood Plain Requirements for Stonewater Subdivision No. 1.

WITNESSES:

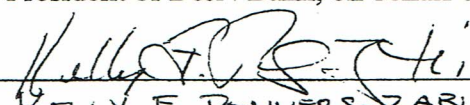
D&N BANK, fsb




By: Frank R. Donnelly, its Senior Vice President

STATE OF MICHIGAN }
 } SS.
COUNTY OF OAKLAND }

On this 13 Day of OCTOBER, 1998, the foregoing instrument was acknowledged before me by Frank R. Donnelly, Senior Vice President of D&N Bank, on behalf of it.



KELLY F. PONIERS-ZABLOCKI
Notary Public, OAKLAND County, Michigan
My Commission Expires: 12-26-2000

JAN 08 1999

DECLARATION OF RESTRICTIONS FOR FLOOD PLAIN REQUIREMENTS

FOR

STONEWATER SUBDIVISION NO. 2

\$4.00 RECONVEYANCE
\$16.00 NOTARIAL

RECORDED

FOREST E. YOUNGBLICH, REGISTERED PROFESSIONAL

WAYNE COUNTY, MI

Receipt #102807

This Declaration of Restrictions for Flood Plain Requirements ("Declaration"), made as of the 21 day of December, 1998, by Stonewater L.L.C., a Michigan Limited Liability Company, whose address is 3005 University Drive, Auburn Hills, Michigan 48326 ("Declarant"), is based upon the following:

A. Declarant is the owner of and has developed a certain parcel of land located in the Township of Northville, Wayne county, Michigan, as a single-family residential development, being more particularly described as:

Lots 121 through 209, both inclusive, Stonewater Subdivision No. 2, according to the Plat thereof recorded in the Liber 113, Pages 88 through 97, of Plats, Wayne County Records (the "Subdivision").

B. Declarant desires to impose and subject the Subdivision to certain restrictions as hereinafter set forth.

C. It is the purpose and intention of this Declaration that all of the Lots shall be conveyed by Declarant subject to the covenants and restrictions set forth in this Declaration.

Now, therefore, Declarant hereby publishes, declares, and makes known to all intending purchasers and future owners of the Lots within the Subdivision, that the Subdivision, and all of the Lots therein, will and shall be used, held occupied, sold, and conveyed expressly subject to the following conditions, restrictions, covenants, and agreements, which shall be incorporated by reference in all deeds of conveyance and contracts for the sale of any of the Lots, and which shall run with the land (the Subdivision and all of the Lots therein) and shall be binding upon and inure to the benefit of all parties having any right, title, or interest in the Subdivision, or any part thereof, and their heirs, personal representatives, successors, and assigns, and on all grantees of all individual Lots in the Subdivision and on their respective heirs, personal representatives, successors, and assigns for the time and in the manner specified herein.

R DEB 11 11/2002 S 7/18 ✓

ARTICLE I

FLOOD PLAIN REQUIREMENTS

Section 1. **Floodplain.** Lots 121 through 144 inclusive abut the floodplain area of Spring Hill Lake and Lots 190 through 209 inclusive abut the floodplain area of Teal Lake as established by the Michigan Department of Environmental Quality. The elevation defining the floodplain contour is 828.0 N.G.V. Datum.

(a) No filling or occupation of the floodplain area shall take place without prior written approval from the Michigan Department of Environmental Quality.

(b) Any building used or capable of being used for residential purposes and occupancy within or affected by the floodplain shall:

(1) Have lower floors, excluding basements, not lower than the elevation defining the floodplain limits.

(2) Have openings into the basement not lower than the elevation defining the floodplain limits.

(3) Have basement walls and floors, below the elevation defining the floodplain limits, watertight and designed to withstand hydrostatic pressures from a water level equal to the elevation of the contour defining the floodplain limits following methods and procedures outlined in Chapter 5, type A construction and Chapter 6 for class 1 loads found in "Floodproofing Regulations" EP 1165 2 314 prepared by the Office of the Chief of Engineers, U.S. Army, Washington D.C., June, 1972.

(4) Be equipped with a positive means of preventing sewer back up from the sewer lines and drains which serve the building.

(5) Be properly anchored to prevent flotation.

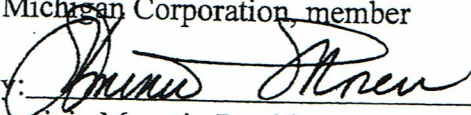
(c) The floodplain restrictions contained herein are to be observed in perpetuity, are excluded from any time limitations set forth in the Declaration and may not be amended.

WITNESSES:

Stonewater L.L.C.
a Michigan Limited Liability Company

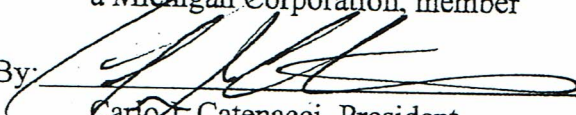
By: Mocerì/Stonewater L.L.C., member
a Michigan Limited Liability Company

By: Mocerì Management Company,
a Michigan Corporation, member

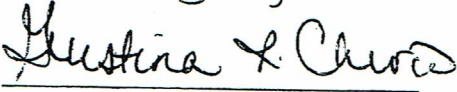
By: 
Dominic Mocerì, President

By: Trinity/Stonewater L.L.C., member
a Michigan Limited Liability Company

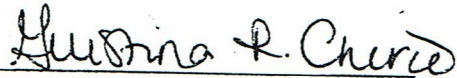
By: Carlo Management Corporation,
a Michigan Corporation, member

By: 
Carlo J. Catenacci, President










STATE OF MICHIGAN }
 } SS.
COUNTY OF OAKLAND }

On this 22 Day of DECEMBER, 1998, the foregoing instrument was acknowledged before me by Dominic Mocerì, president of Mocerì Management Company, a Michigan Corporation, member of Mocerì/Stonewater L.L.C. a Michigan limited liability company, member of Stonewater L.L.C., and by Carlo J. Catenacci, president of Carlo Management Corporation, a Michigan Corporation, member of Trinity/Stonewater L.L.C. a Michigan limited liability company, member of Stonewater L.L.C. a Michigan limited liability company, on behalf of the company .



Kelly F. Poniers-Zablocki
Notary Public, Oakland County, Michigan
My Commission Expires: 12-26-2000

DRAFTED BY AND
WHEN RECORDED RETURN TO:
David Pawlaczyk
Stonewater L.L.C.
3005 University Drive
Auburn Hills, MI 48326

CONSENT OF MORTGAGEE

The undersigned, D&N Bank, fsb, whose address is 363 W. Big Beaver, Suite 150, Troy, Michigan, 48084, being the holder of a certain Mortgage covering Stonewater Subdivision No. 1, hereby acknowledges and consents to the foregoing Declaration of Restrictions for Flood Plain Requirements for Stonewater Subdivision No. 1.

WITNESSES:

D&N BANK, fsb

Christina K. Chered

Frank R. Donnelly
By: Frank R. Donnelly, its Senior Vice President

STATE OF MICHIGAN }
 } SS.
COUNTY OF OAKLAND }

On this 23 Day of DECEMBER, 1998, the foregoing instrument was acknowledged before me by Frank R. Donnelly, Senior Vice President of D&N Bank, on behalf of it.

Kelly F. Powers-Zablocki

Notary Public, County, Michigan
My Commission Expires:

KELLY F. POWERS-ZABLOCKI
Notary Public, Oakland County, MI
My Commission Expires Dec. 28, 2000

10001334

Liber-31191 Page-417
200057998 3/07/2000
F.E. Youngblood, Wayne Co. Register of Deeds
RDLEWSEL



DECLARATION OF RESTRICTIONS FOR FLOOD PLAIN REQUIREMENTS

FOR

\$4.00 REMONUMENTATION
Receipt #5833

STONEWATER SUBDIVISION NO. 3

RECORDED
FOREST E. YOUNGBLOOD, REGISTER OF DEEDS
WAYNE COUNTY, MI

This Declaration of Restrictions for Flood Plain Requirements ("Declaration"), made as of the 9th day of FEBRUARY, 2000, by Stonewater L.L.C., a Michigan Limited Liability Company, whose address is 3005 University Drive, Auburn Hills, Michigan 48326 ("Declarant"), is based upon the following:

A. Declarant is the owner of and has developed a certain parcel of land located in the Township of Northville, Wayne county, Michigan, as a single-family residential development, being more particularly described as:

Stonewater Subdivision according to the Plat thereof recorded in the Liber 116, Pages 6 through 24, of Plats, Wayne County Records. Said Plat contains 123 lots numbered 210 through 332 and four private parks, Shorebrook, Creekside, Creekside East and Wildlife (The "Subdivision").

B. Declarant desires to impose and subject the Subdivision to certain restrictions as hereinafter set forth.

C. It is the purpose and intention of this Declaration that all of the Lots shall be conveyed by Declarant subject to the covenants and restrictions set forth in this Declaration.

Now, therefore, Declarant hereby publishes, declares, and makes known to all intending purchasers and future owners of the Lots within the Subdivision, that the Subdivision, and all of the Lots therein, will and shall be used, held occupied, sold, and conveyed expressly subject to the following conditions, restrictions, covenants, and agreements, which shall be incorporated by reference in all deeds of conveyance and contracts for the sale of any of the Lots, and which shall run with the land (the Subdivision and all of the Lots therein) and shall be binding upon and inure to the benefit of all parties having any right, title, or interest in the Subdivision, or any part thereof, and their heirs, personal representatives, successors, and assigns, and on all grantees of all individual Lots in the Subdivision and on their respective heirs, personal representatives, successors, and assigns for the time and in the manner specified herein.

\$18.00 DEED

D. Plat is 4R 4999 S 2A

ARTICLE I

FLOOD PLAIN REQUIREMENTS

Section 1. **Floodplain.** Lots 220 through 239 inclusive abut the floodplain area of Stoneridge Lake as established by the Michigan Department of Environmental Quality. The elevation defining the floodplain contour is 828.0 N.G.V. Datum. Lots 308 through 329 inclusive abut the floodplain area of Parkshore Lake as established by the Michigan Department of Environmental Quality. The elevation defining the floodplain contour is 828.0 N.G.V. Datum. The Stonewater Creek, also known as the Sump Drain, meanders through Shorebrook Park, Creekside Park and Creekside Park East. It does not enter into or border on any lot. The Elevation defining the flood plain contour as established by the Department of Environmental Quality, is 849.0 N.G.V. Datum at the upper end as it enters the Subdivision, and descending to 830.0 N.G.V. Datum at the lower end as it exits the Subdivision.

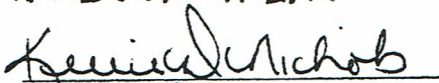
- (a) No filling or occupation of the floodplain area shall take place without prior written approval from the Michigan Department of Environmental Quality.
- (b) Any building used or capable of being used for residential purposes and occupancy within or affected by the floodplain shall:
 - (1) Have lower floors, excluding basements, not lower than the elevation defining the floodplain limits.
 - (2) Have openings into the basement not lower than the elevation defining the floodplain limits.
 - (3) Have basement walls and floors, below the elevation defining the floodplain limits, watertight and designed to withstand hydrostatic pressures from a water level equal to the elevation of the contour defining the floodplain limits following methods and procedures outlined in Chapter 5, type A construction and Chapter 6 for class 1 loads found in "Floodproofing Regulations" EP 1165 2 314 prepared by the Office of the Chief of Engineers, U.S. Army, Washington D.C., June, 1972.
 - (4) Be equipped with a positive means of preventing sewer back up from the sewer lines and drains which serve the building.
 - (5) Be properly anchored to prevent flotation.
- (c) The floodplain restrictions contained herein are to be observed in perpetuity, are excluded from any time limitations set forth in the Declaration and may not be amended.

WITNESSES:

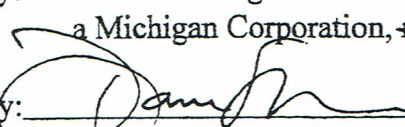
Stonewater L.L.C.
a Michigan Limited Liability Company

By: Mocerri/Stonewater L.L.C., member
a Michigan Limited Liability Company


DAVID PAWLACZYK


KELLIE D. NICHOLS

By: Mocerri Management Company,
a Michigan Corporation, member *MANAGER

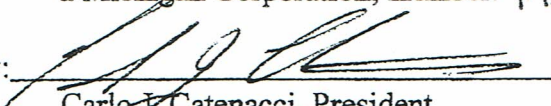
By: 
Dominic Mocerri, President

By: Trinity/Stonewater L.L.C., member
a Michigan Limited Liability Company

By: Carlo Management Corporation,
a Michigan Corporation, member *MANAGER


KELLY F. PONDERS-ZABLOCKI



KELLIE D. NICHOLS

By: 
Carlo J. Catenacci, President

STATE OF MICHIGAN }
 } SS.
COUNTY OF OAKLAND }

On this 7TH Day of JANUARY, 2000, the foregoing instrument was acknowledged before me by Dominic Mocerri, president of Mocerri Management Company, a Michigan Corporation, ~~Member~~ of Mocerri/Stonewater L.L.C. a Michigan limited liability company, member of Stonewater L.L.C., and by Carlo J. Catenacci, president of Carlo Management Corporation, a Michigan Corporation, member of Trinity/Stonewater L.L.C. a Michigan limited liability company, member of Stonewater L.L.C. a Michigan limited liability company, on behalf of the company.

* = manager


Kelly F. Ponders-Zablocki
Notary Public, Oakland County, Michigan
My Commission Expires: 12-26-2000


DRAFTED BY AND
WHEN RECORDED RETURN TO:
David Pawlaczyk
Stonewater L.L.C.
3005 University Drive
Auburn Hills, MI 48326

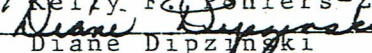
CONSENT OF MORTGAGEE

The undersigned, D&N Bank, a Michigan Banking Corp., whose address is 363 W. Big Beaver, Suite 150, Troy, Michigan, 48084, being the holder of a certain Mortgage covering Stonewater Subdivision No. 3, hereby acknowledges and consents to the foregoing Declaration of Restrictions for Flood Plain Requirements for Stonewater Subdivision No. 3.

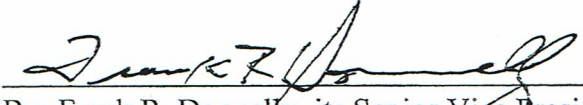
WITNESSES:

D&N.BANK, a Michigan Banking Corp.



Kelly F. Poniars-Zablocki



Diane Dipzinski



By: Frank R. Donnelly, its Senior Vice President

STATE OF MICHIGAN }
 } SS.
COUNTY OF OAKLAND }

On this 9 Day of FEBRUARY, 2000, the foregoing instrument was acknowledged before me by Frank R. Donnelly, Senior Vice President of D&N Bank, on behalf of it.



Notary Public, County, Michigan
My Commission Expires:

KELLY F. PONIARS-ZABLOCKI
Notary Public, Oakland County, MI
My Commission Expires Dec. 25, 2000

\$15.00 DEED
Receipt #182174
RECORDED
BERNARD J. YOUNGBLOOD, REGISTER OF DEED
WAYNE COUNTY, MI

Li-37638 Pa-7
203115731 3/21/2003
Bernard J. Youngblood
Wayne Co. Register of Deeds

\$4.00 RECONUMENTATION

MAR 21 2003

DECLARATION OF RESTRICTIONS FOR FLOOD PLAIN REQUIREMENTS

STONEWATER SUBDIVISION NO. 4

This Declaration of Restrictions for Flood Plain Requirements ("**Declaration**"), made as of the 10th day of March, 2003, by Stonewater L.L.C., a Michigan limited liability company, whose address is 3005 University Drive, Auburn Hills, Michigan 48326 ("**Declarant**"), is based upon the following:

A. Declarant is the owner of and has developed a certain parcel of land located in the Township of Northville, Wayne County, Michigan, as a single-family residential development, being more particularly described as:

Stonewater Subdivision No. 4 according to the Plat thereof recorded in the Liber 119, Pages 92 through 102 of Plats, Wayne County Records. Said Plat contains 39 lots numbered 333 through 371 ("**Lots**") and seven private parks, Overlook, Waterway, Sandshores, Community Gardens, Ridgeview, Shorebrook Park East and Shorebrook Park West (the "**Subdivision**").

B. Declarant desires to impose and subject the Subdivision to certain restrictions as hereinafter set forth.

C. It is the purpose and intention of this Declaration that all of the Lots shall be conveyed by Declarant subject to the covenants and restrictions set forth in this Declaration.

Now, therefore, Declarant hereby publishes, declares, and makes known to all intending purchasers and future owners of the Lots within the Subdivision, that the Subdivision, and all of the Lots therein, will and shall be used, held, occupied, sold, and conveyed expressly subject to the following conditions, restrictions, covenants and agreements, which shall be incorporated by reference in all deeds of conveyance and contracts for the sale of any of the Lots, and which shall run with the land (the Subdivision and all of the Lots therein) and shall be binding upon and inure to the benefit of all parties having any right, title, or interest in the Subdivision, or any part thereof, and their heirs, personal representatives, successors, and assigns, and on all grantees of all individual Lots in the Subdivision and on their respective heirs, personal representatives, successors and assigns for the time and in the manner specified herein.

R RST 1542 3ppr (AR)

FLOOD PLAIN REQUIREMENTS

Floodplain. Lots 342 through 362 inclusive abut the floodplain area of Parkshore Lake as established by the Michigan Department of Environmental Quality. The elevation defining the floodplain contour is 828.0 N.G.V. Datum. Stonewater Creek, also known as the Sump Drain, meanders through Overlook Park. It does not enter into or border on any lot. The elevation defining the flood plain contour as established by the Department of Environmental Quality, is 362.9 N.G.V. Datum at the upper end as it enters the Subdivision, and descending to 849.5 N.G.V. Datum at the lower end as it exits the Subdivision.

(a) No filling or occupation of the floodplain area shall take place without prior written approval from the Michigan Department of Environmental Quality.

(b) Any building used or capable of being used by residential purposes and occupancy within or affected by the floodplain shall:

(1) Have lower floors, excluding basements, not lower than the elevation defining the floodplain limits.

(2) Having openings into the basement not lower than the elevation defining the floodplain limits.

(3) Having basement walls and floors, below the elevation defining the floodplain limits, watertight and designed to withstand hydrostatic pressures from a water level equal to the elevation of the contour defining the floodplain limits following methods and procedures outlined in Chapter 5, type A construction, and Chapter 6 for class 1 loads found in "Floodproofing Regulations" EP 1165 2 314 prepared by the Office of the Chief of Engineers, U.S. Army, Washington D.C., June, 1972.

(4) Be equipped with a positive means of preventing sewer back up from the sewer lines and drains which serve the building.

(5) Be properly anchored to prevent flotation.

(c) The floodplain restrictions contained herein are to be observed in perpetuity, are excluded from any time limitations set forth in the Declaration, and may not be amended.

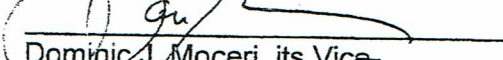
Signatures on following page:

IN WITNESS WHEREOF, the Declarant has executed this Declaration as of the date first written above.

Stonewater L.L.C., a Michigan limited liability company

By: Mocer/stonewater L.L.C., a Michigan limited liability company, its Authorized Member

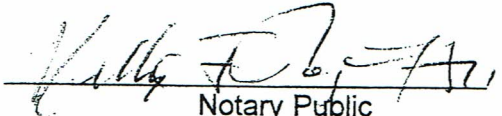
By: Mocer Management Co., a Michigan corporation, its Manager

By: 
Dominic J. Mocer, its Vice-President

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

On this 10th day of March, 2003, the foregoing instrument was acknowledged before me by Dominic J. Mocer, the Vice-President of Mocer Management Co., a Michigan corporation, the Manager of Mocer/stonewater L.L.C., a Michigan limited liability company, the Authorized Member of Stonewater L.L.C., a Michigan limited liability company, on behalf of said limited liability company.

KELLY F PONIERS-ZABLOCKI
Notary Public, Oakland County, MI
My Commission Expires Dec 26, 2004


Notary Public
County, Michigan
My Commission Expires: _____

DRAFTED BY AND WHEN RECORDED RETURN TO:
Jorge I. Beltran, Esq.
Wasinger Kickham & Hanley PC
26862 Woodward Avenue
Suite 100
Royal Oak, Michigan 48067

MAR 26 2004

Li-40235 Pa-11
204165203 3/26/2004
Bernard J. Youngblood
Wayne Co. Register of Deeds

DECLARATION OF RESTRICTIONS FOR FLOOD PLAIN REQUIREMENTS

STONEWATER SUBDIVISION NO. 5

This Declaration of Restrictions for Flood Plain Requirements ("**Declaration**"), made as of the 11th day of March, 2004, by Stonewater L.L.C., a Michigan limited liability company, whose address is 3005 University Drive, Auburn Hills, Michigan 48326 ("**Declarant**"), is based upon the following:

A. Declarant is the owner of and has developed a certain parcel of land located in the Township of Northville, Wayne County, Michigan, as a single-family residential development, being more particularly described as:

Stonewater Subdivision No 5 according to the Plat thereof recorded in the Liber 121 , Pages 31 through 41 , of Plats, Wayne County Records. Said Plat contains 53 lots numbered 372 through 424 ("**Lots**") and three private parks, North Mystic Shores Park, Trailside Park East and Trailside Park West (the "**Subdivision**").

B. Declarant desires to impose and subject the Subdivision to certain restrictions as hereinafter set forth.

C. It is the purpose and intention of this Declaration that all of the Lots shall be conveyed by Declarant subject to the covenants and restrictions set forth in this Declaration.

Now, therefore, Declarant hereby publishes, declares, and makes known to all intending purchasers and future owners of the Lots within the Subdivision, that the Subdivision, and all of the Lots therein, will and shall be used, held, occupied, sold, and conveyed expressly subject to the following conditions, restrictions, covenants and agreements, which shall be incorporated by reference in all deeds of conveyance and contracts for the sale of any of the Lots, and which shall run with the land (the Subdivision and all of the Lots therein) and shall be binding upon and inure to the benefit of all parties having any right, title, or interest in the Subdivision, or any part thereof, and their heirs, personal representatives, successors, and assigns, and on all grantees of all individual Lots in the Subdivision and on their respective heirs, personal representatives, successors and assigns for the time and in the manner specified herein.

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FLOOD PLAIN REQUIREMENTS

Floodplain. Lots 379 through 387, inclusive, and 389 and 390 abut the floodplain area of Heather Lake and lots 391 through 410 inclusive abut the floodplain area of Mystic Lake as established by the Michigan Department of Environmental Quality. The elevation defining the floodplain contour is 825.0 N.G.V. Datum.

(a) No filling or occupation of the floodplain area shall take place without prior written approval from the Michigan Department of Environmental Quality.

(b) Any building used or capable of being used for residential purposes and occupancy within or affected by the floodplain shall:

(1) Have lower floors, excluding basements, not lower than the elevation defining the floodplain limits.

(2) Have openings into the basement not lower than the elevation defining the floodplain limits.

(3) Have basement walls and floors, below the elevation defining the floodplain limits, watertight and designed to withstand hydrostatic pressures from a water level equal to the elevation of the contour defining the floodplain limits following methods and procedures outlined in Chapter 5, type A construction, and Chapter 6 for class 1 loads found in "Floodproofing Regulations" EP 1165 2 314 prepared by the Office of the Chief of Engineers, U.S. Army, Washington D.C., June, 1972.

(4) Be equipped with a positive means of preventing sewer back up from the sewer lines and drains which serve the building.

(5) Be properly anchored to prevent flotation.

(c) The floodplain restrictions contained herein are to be observed in perpetuity, are excluded from any time limitations set forth in the Declaration, and may not be amended.

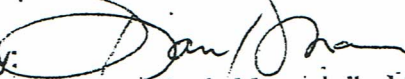
Signatures on following page:

IN WITNESS WHEREOF, the Declarant has executed this Declaration as of the date first written above.

Stonewater L.L.C., a Michigan limited liability company


By: Mocer/stonewater L.L.C., a Michigan limited liability company, its Authorized Member

By: Mocer Management Co., a Michigan corporation, its Manager

By: 
Dominic J. Mocer, its Vice-President

STATE OF MICHIGAN)
)ss.
COUNTY OF OAKLAND)

On this 11th day of March, 2004, the foregoing instrument was acknowledged before me by Dominic J. Mocer, the Vice-President of Mocer Management Co., a Michigan corporation, the Manager of Mocer/stonewater L.L.C., a Michigan limited liability company, the Authorized Member of Stonewater L.L.C., a Michigan limited liability company, on behalf of said limited liability company.


MARTHA DIEHL Notary Public
Oakland County, Michigan
My Commission Expires: 4/4/06

DRAFTED BY AND WHEN RECORDED RETURN TO:
Jorge I. Beltran, Esq.
Kickham Hanley P.C.
26862 Woodward Avenue
Suite 100
Royal Oak, Michigan 48067