

Restrictions

EXCERPTS FROM DEEDS RESTRICTIONS SPRINGWELLS PARK ASSOCIATION, INC.

DEARBORN, MICHIGAN

Springwells Park, better known as the Ford Foundation, was founded in 1939 as a unique development. The combination of Colonial-style homes, "commons", and cul-de-sacs was intended to create a special community unlike any other in Dearborn. Its architecture was planned around a colonial theme, with open spaces and curved streets. Variation in home design was planned within narrow bounds so that the community would maintain a consistent look throughout, unlike so many other subdivisions in the metropolitan Detroit area which were developed haphazardly and look different from street to street.

We strongly feel that the consistency of architecture in our subdivision holds a special attraction to prospective homeowners which allows for higher property values and less homeowner turnover, as well as extraordinarily beautiful place to work and grow. We wish to retain the special character of our community, and in order to do so, we must incorporate restrictive covenants into the deeds of our properties to insure that homeowners are legally unable to build or modify homes that deviate from the original colonial designs planned by the developers of the subdivision.

Enforcement of the Deed Restrictions which follow is the responsibility of the Restrictions and Improvement Committee, which is prepared to offer every possible assistance to prospective buyers and homeowners living in the community.

AUTHORITY OF SPRINGWELLS PARK ASSOCIATION, INC.

All references and powers granted to the Ford Foundation in the original restrictions shall refer to and be discharged by the Springwells Park Association, Inc., through its Restrictions and Improvements Committee and Executive Committee.

PLANS AND SPECIFICATION: BUILDING PERMITS

The Restrictions and Improvement Committee of the Springwells Park Association, Inc. (hereafter "the Association") must give approval for new homes, exterior repairs or additions to existing homes. To avoid unnecessary delay and to minimize cost to owner and builder, sketch plans should be submitted for tentative approval to the Restrictions and Improvement Committee of the Association. In addition to obtaining written approval from the Association, homeowners contemplating construction or renovation must submit the necessary documents for a building permit to the City of Dearborn. **THE CITY OF DEARBORN WILL NOT ISSUE A BUILDING PERMIT UNLESS THE APPROVAL OF THE ASSOCIATION ACCOMPANIES THE APPLICATION FOR A PERMIT.** (A complete set of blueprints are then required by the Association and will remain in the possession of the Association).

TYPES OF ARCHITECTURE

To be of Colonial or Early American influence. Only these types of homes can be built, but their range is considerable. This includes additions which must be harmonious with the basic structure.

EXTERIOR MATERIALS

Acceptable are: (1) brick, (2) stone, (3) brick and frame, (4) stone and frame, (5) frame, and (6) vinyl and aluminum siding. Samples of stone and brick veneer must be submitted for approval. Beige brick and cement block are not acceptable exterior materials and will not be approved. **DUPLEX EXTERIORS:** Must be in harmony with the neighborhood, and adjoining units must be uniform (the same) in color.

WINDOWS

Only windows broken up with horizontal and vertical muntin bars on all four sides of the house are acceptable. Picture windows are not in keeping with the Colonial or Early American design, and will not be approved,

ENTRANCES AND BAYS

On new homes and as additions to existing homes, plans must be approved by both the Restrictions and Improvement Committee of the Association and the City of Dearborn.

ROOFING

Acceptable materials: (1) Wood Shingles, (2) Slate, (3) Tile, (4) Copper, and (5) Composition Shingles in black, brown, Colonial slate, or other appropriate dark color. As to composition shingles, the following minimum specifications are permissible:

NEW CONSTRUCTION REPLACEMENT ROOFS

Organic asphalt	255 lbs. / sq.	233 lbs. / sq.
Fiberglass asphalt	300 lbs. / sq.	260 lbs. / sq.

Composition shingles or random pattern, simulating cedar shake, may be used provided they meet the aforementioned weight restrictions. Roof venting is to be accomplished through the use of ridge vents, of the conventional vent system installed on the side of roof not visible to the street.

Room additions to an existing dwelling must meet the "Replacement Roof" criteria.

FENCES, OUTBUILDINGS, DECKS, HOT TUBS, AND ADDITIONS

Fence design and location must be submitted for approval by the Restrictions and Improvements Committee of the Association as well as by the City of Dearborn.

EXTERIOR PAINT SCHEMES

Paint schemes (basic color plus trim), other than those which are in harmony with the existing subdivision exterior paint schemes and in keeping with traditional Colonial paint schemes must be approved by the Restrictions and Improvements Committee of the Association. The Association will use as a guide the Williamsburg Colonial color schemes.

SWIMMING POOLS

In or above grounds swimming pools will not be permitted.

SATELLITE DISHES

Applications for satellite dishes must be approved by the Restrictions and Improvements Committee of the Association.

CONSTRUCTION LIABILITY

Maintenance of the construction area as well as removal of all debris is the obligation and responsibility of contractor and the homeowner.

VARIANCES

A request for a variance from the aforementioned restrictions shall be submitted in writing (with the proposed plans) by the property owner to the Restrictions and Improvements Committee of the Association. The Restrictions and Improvements Committee shall issue a written recommendation to the Executive Committee of the Association for consideration of the variance. The Executive Committee shall schedule a variance hearing request within thirty (30) days of submission of the written variance by the property owner to the Restrictions and Improvements Committee.

Reasonable notice of the variance hearing shall be given to all affected property owners as so deemed by the Executive Committee. The property owner requesting the Variance and any other property owners in the subdivisions may appear before the Executive Committee at the variance hearing.

A variance request shall be approved only upon affirmative vote of two-thirds (2/3) of the Executive Committee members in attendance at the variance hearing. The failure to obtain an affirmative two-thirds (2/3) of the Executive Committee shall constitute a denial of the variance request. No vote shall be taken unless a quorum of the Executive Committee as established by the by-laws of the Association is present at the variance hearing. The Executive Committee may adjourn a variance hearing at its discretion should it not have a quorum present, require additional information concerning the variance, or determine that notice shall be given to additional property owners. A new variance hearing shall be held within fourteen (14) days of any adjournment.

The decision of the Executive Committee in all variance hearings shall be based upon what effect approval of a variance will have on all subdivisions and its impact upon the general plan as found in the original restrictions as well as the Second Amendment to Restrictions.

The decision of the Executive Committee shall become final after twenty-one (21) days, unless a petition signed by a simple majority of lots in the specific subdivision where the property for which the variance is being sought is filed with the Executive Committee within the twenty-one (21) day time period, which shall have the effect of overriding the decision in whole or in part of the Executive Committee. If such an override petition is timely filed, the Executive Committee, upon verification of the petition signatures, shall receive the petition as the final decision of the association at its next regularly scheduled meeting and such decision shall become effective when so received.

IT IS FURTHER AGREED, DECLARED AND AFFIRMED that if any of the restrictions or covenants of the original restrictions conflict with the provisions of this Second Amendment to Restrictions, the provisions of this instrument shall control.

IT IS FURTHER AGREED, DECLARED AND AFFIRMED that the extension of the original restrictions, and the amendments set forth in this Second Amendments of Restrictions, shall be effective from the date of recording this instrument with the Wayne County Register of Deeds, such restrictions and covenants shall continue to run with the land and be effective until December 31, 2000, at which time such restrictions and covenants shall automatically extend for successive period of ten (10) years.

IT IS FURTHER AGREED, DECLARED AND AFFIRMED that an agreement may be entered into at any time by the owners of a majority of the lots in all of said subdivisions to terminate or change said restrictions and covenants in whole or in part.

Published by the Springwells Park Association, Inc.

in agreement with the Ford Foundation, September 30, 1949

AS TO LAND BY SPRINGWELLS PARK ASSOCIATION, INC., a Michigan Corporation, upon motion made, seconded and passed, which motion is recorded in the books of the secretary of SPRINGWELLS PARK ASSOCIATION, INC., at the Executive Committee meeting of the Association held on the 1st day of November 1990.

Rules Governing the Parkways in Springwells Park

The parkways (parks and access easements) in Springwells Park are a unique feature of the neighborhood. They beautify our surroundings, provide recreational space, serve as a habitat for wildlife, and enhance our property values. The parkways are intended for the use and enjoyment of all neighborhood residents.

The Springwells Park Association holds title to the parkways. Property taxes on this land are paid by the Association from membership dues.

The following rules and regulations apply to the parkways:

1. Routine maintenance of the parkways, including grass cutting, leaf raking and disposal, light pruning of trees and shrubs, and snow removal where paved pathways are present is the responsibility of Springwells Park residents. Such maintenance is normally performed by those residents living adjacent to the pathways but the participation of all residents is welcome. Hazardous maintenance requirements will be handled by the Association and should not be attempted by individual residents.
2. The access easements serve as pedestrian entrances to the parks and are public domain. The beautification of the access easements by planting flowers, shrubs, and hedges is permitted and encouraged, but under no circumstances should public access be blocked or restricted by these plants or shrubs. Free and open pathways of at least three feet wide are required in all access easements (whether or not paved pathways are present) and overhanging branches must be pruned to allow ample headroom for all.
3. Landscaping of the parks by residents is also permitted and encouraged, but must be performed in a manner that does not restrict full public access to the parks. In particular, landscaping which serves to define property boundaries should not infringe on park land such that private property "expands" at the expense of the parks.
4. Fences, children's play sets, vegetable gardens, wood piles, animal pens, compost heaps, or other "permanent" private intrusions, except for bird houses and feeders, are not allowed in the parkways.
5. The Springwells Park Association pays for removal of dead trees and major tree pruning on parks and access easements and for pesticide spraying in the event of major infestations of tree disease. When problem trees are partially located on Association property and partially on residential property, tree maintenance will only be done at the property owner's request or by Association directive with the consent of the property owner. Cost of such work is shared by the property owner and the Association. A tree fund has been established for such tree maintenance, and it is strongly recommended that all residents include a tree fund contribution when they pay their membership dues. The level of tree maintenance that the Association can provide is dependent on the tree fund balance.
6. Comments and questions involving the parkways and requests for tree maintenance should be directed to Park Committee members. The Parks Committee is responsible for assigning priorities and approving all tree maintenance actions in the parkways. The planting of trees, shrubs, and flowers in the parkways must be reviewed first by the Parks Committee.
7. Any complaints regarding the parkways must be written and signed by a resident and submitted to the parks Chairperson