

AGREEMENT TO PERMIT CONSTRUCTION AND DEVELOPMENT OF LOTS IN
THE PLAT OF CANTERBURY ESTATES

The undersigned, as parties to this Agreement, acknowledge and agree as follows:

1. Paragraph 15 of the “Building and Use Restrictions” of Canterbury Estates provides in part as follows:

The development of lots with individual on-site sewage disposal systems shall be prohibited on any of the lots in this plat, except a maximum of 15 may place on-site sewage disposal systems. Any lots developed with on-site sewage disposal systems shall be required to connect to the public sewage system as required under paragraph 16 of these restrictions. At such time as a public sewage system is available for connection, the restrictions set forth in this paragraph shall cease and be null and void. Until such time as a public sewage system is available for connection to the lots in this plat, or until a written agreement is reached between the Isabella County Board of Public Works, the Central Michigan District Health Department, and the Michigan Department of Public Health, or their successors, permitting herein provided for upon reviewing the status of development and the progress towards extending public sewers, these restrictions and limitations shall remain in full force and effect. All individual wells are to be drilled through the protective clay barrier at approximately 60 feet and will comply with the Ground Water Quality Control Act, Act 294 of 1965, and Rules.

2. The “Building and Use Restrictions” of Canterbury Estates have been recorded in Liber 433, page 439 of the Isabella County Register of Deeds.
3. The Michigan Department of Natural Resources and Environment is the successor in interest to the Director of the Michigan Department of Public Health.
4. The parties acknowledge that they have been informed of the current status of development and the progress towards extending public sewers in the plat of Canterbury Estates.
5. An evaluation of suitability for individual wells and individual on-site wastewater systems was conducted in September 2008 the results of which are documented in a report prepared by Rowe Incorporated dated October 2008 and titled “Village of Lake Isabella, Septic Field Suitability Analysis For The Plats of: Lake Isabella Airpark, Canterbury Estates, Lake Isabella North, Lake Isabella South and Lake Isabella Golf Estates II.”

