## PLANNED UNIT DEVELOPMENT AGREEMENT

THIS PLANNED UNIT DEVELOPMENT AGREEMENT is made by Long Lake Township and DCR Investments, LLC, a Michigan limited liability company ("DCR"), which is the owner of the property described on the first page of these plans (the "PUD Property"), pursuant to Article 15 of the Long Lake Township Zoning Ordinance entitled: "Planned Unit Development".

- 1. Planned Unit Development Agreement is Controlling. This Planned Unit Development Agreement includes the attached drawings, surveys, and plans (these "plans"), which together set forth the features of the Planned Unit Development, and in particular, specify those areas of the Planned Unit Development which differ from the otherwise applicable zoning ordinances of Long Lake Township. To the extent the features set forth in this Planned Unit Development Agreement differ from the applicable zoning ordinances of Long Lake Township, this Planned Unit Development Agreement shall be controlling.
- 2. General. The PUD Property will be developed as at least two separate condominium projects. One condominium project will be a storage condominium which will have multiple separate storage Units in the buildings of the storage condominium. This storage condominium will hereinafter be referred to as the "Storage Condominium". The balance of the PUD Property will be developed as one or more residential site condominium projects, which collectively will hereinafter be referred to as the "Residential Site Condominium".
- 3. Density. The densities allowed are shown on these plans (pages through). 34 residential building sites are provided for in the Northern Phase, 45 residential building sites are provided for in the Central Phase, and 24 residential building sites are provided for in the Southern Phase. Additionally, the Storage Condominium will be comprised of up to 6 buildings which will contain up to 70 condominium storage units which will be for the exclusive use of owners of Units in the Residential Site Condominium. Although the locations of the 6 storage condominium buildings and the boundaries of the residential site condominium Units may vary from what is shown on these plans, the densities specified for the Northern Phase, the Central Phase, and the Southern Phase shall not be subject to change. Additionally, dedicated open space will remain at a minimum of 36.3 acres.
- Lot Size. The minimum size for residential building sites for the Northern Phase, the Central Phase, and the Southern Phase shall be as depicted on these plans. Each residential building site shall constitute a residential site condominium unit. The boundaries between units may vary from the boundaries shown on these plans. Residential building sites may be combined to allow for duplexes without increasing overall density. Lots sizes may be increased so long as such increases do not reduce the amount of dedicated open space.
- 5. Setbacks. The setbacks for building of structures (the term structures shall not include patios, decks, sidewalks, driveways, planters or plantings) shall be as depicted on page \_\_\_\_\_\_ through page \_\_\_\_\_ of these plans. For any structure, the setbacks shall be measured from the closest point of the foundation of the structure.
- Private Roads. The private roads on the PUID Property shall be as approved by the Long Lake Township Board in their July 10, 2007, meeting. The approved private road plans are attached hereto on page \_\_\_\_\_through page \_\_\_\_\_.
- Ownership and Use of Storage Condominium Units . The Master Deed for the Storage Condominium will provide that Units of the Storage Condominium may be owned and used only by an owner of a unit of the Restdential Site Condominium. That Master Deed will also provide that Units may not be rented by the owner to any person or entity.
- Dedicated Open Space. The property which is depicted as dedicated open space on these plans will also be depicted as dedicated open space on the condominium subdivision plan for the Residential Site Condominium. Such dedicated open space will be defined as a general common element of the Residential Site Condominium, which will be for the exclusive use of owners of Residential Site Condominium Units and their guests. The Master Deed and Bylaws of the Residential Site Condominium will provide that the general common elements (including dedicated open space) will be maintained by the condominium association will regulate the use of general common elements (including dedicated open space). Such regulation of use by the condominium association will include the building of any improvements on general common elements (including dedicated open space). The Master Deed and Bylaws will provide the mechanism by which the condominium association may levy assessments to provide funding for the maintenance of the dedicated open space.
- 9. <u>Barn A and Barn B.</u> Barn A and Barn B, as shown on these plans, will be common elements of the Residential Site Condominium. The Master Deed and Bylaws of the Residential Site Condominium shall provide that the Barn A and Barn B shall be maintained by the condominium association as a common element. Use of Barn A and Barn B shall be as determined by the condominium association.
- 10. Shared Driveways. Shared driveways will be allowed in the discretion of the condominium association of the Residential Site Condominium. Shared driveways will be allowed with the approval of the design review committee established pursuant to the Master Deed and Bylaws of the Residential Site Condominium. The mechanism for approval and any standards relating to such approval will be set forth in the Master Deed, Bylaws and the Architectural Design and Landscape Guidelines of the Residential Site Condominium. A shared driveway will also require the consent of all owners of the residential site condominium Units who wish to share the driveway. Shared driveways may be located on more than one Unit.
- Accessory Buildings. In the Residential Site Condominium, accessory buildings will be allowed only with the approval of the condominium association or the association's design review committe. The mechanism for approval and any standards relating to such approval will be set forth in the Master Deed, Bylaws and the Architectural Design and Landscape Guidelines of the Residential Site Condominium. Except for the existing farm buildings shown on these plans, no accessory building having a footprint greater than 600 square feet shall be allowed without the written approval of the condominium association or the design review committee. All accessory buildings will be subject to the same front, rear and side setbacks which are applicable to the primary building on any Unit and which are depicted on page \_\_\_\_\_\_ through page \_\_\_\_\_ of these plans. For any structure, (including accessory buildings) the setbacks shall be measured from the closest point of the foundation of the structure.
- 12. Walkways. The approximate locations of walkways are shown on these plans. Walkways shall be built in conjunction with the development of each Phase.
- 13. <u>Control Over Structures</u>. It is contemplated that the condominium documents which establish the Residential Site Condominium will provide for limitations on the footprints and heights of structures and for other controls over the design and exterior appearance of structures. The contemplated limitations will be administered by the condominium association via a design review committee established under the condominium documents.
- 14. Items Not Covered By This Planned Unit Development Agreement \_ . Grading and drainage plans, road building engineering specifications, and utility installations will require approval by the permitting agency and must follow all applicable county, state, and federal requirements.

Township Signature	Date

## LANDSCAPE ARCHITECT:



ENGINEERS:



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## CENTURY FARM VILLAGE

LONG LAKE TOWNSHIP MICHIGAN



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19 MAY. 2006 LLT SUBMITTAL
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PUD AGREEMENT

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