

*SEVEN MILE POINT PROPERTY OWNERS ASSOCIATION, INC.
PROPERTY USE GUIDELINES*

SMPPOA PROPERTY USE GUIDELINES

Adopted September 27, 2003

These Property Use Guidelines (the "Guidelines") are promulgated by the Board of Directors of Seven Mile Point Property Owners Association (the "Association") pursuant to Article X, Section 2 of the Bylaws of the Association (the "Bylaws"). These Guidelines are effective as of **SEPTEMBER 27, 2003** and shall remain in effect until amended or revoked by the Board of Directors of the Association.

It is the intent of these Guidelines to assist in creating a natural and peaceful environment for owners of property within the Subdivision (as defined in the Bylaws). These Guidelines are established for the purpose of providing the membership of the Association information on the use and development of their property and establishing meaningful standards that will enhance the enjoyment of the property for all members. Additionally, these Guidelines should give future buyers or owners confidence in the type of neighborhood into which they contemplate moving and thereby enhance property values. These Guidelines are also, and not incidentally, formulated to protect the beautiful but fragile environment of the Subdivision.

These Guidelines may be amended from time to time by the Board of Directors when deemed to be in the best interest of the Association. In order to remain an Active Member of the Association (as defined in the Bylaws), owners are required to abide by them. If a particular Guideline creates a hardship for an owner, that owner may seek a waiver of the Guideline from the Board of Directors (which waiver may be denied by the Board of Directors, in its sole discretion) to the extent necessary to alleviate the hardship.

1. In order to protect the shoreline from erosion and to protect the view from the beach, buildings or structures must be erected at least 75 feet from the cut bank edge of the beach. If the site features will permit, the setback should be at least 100 feet.
2. Residential lots, numbered 2 through 23 should be used for seasonal and permanent single family residential purposes only, one building per lot. Premises are for use of owners and their family member only.
3. Houses, structures, additions, garages, and other outbuildings shall have their exteriors finished with environmentally attractive and natural materials; colors should be wood or earth tones. Outbuildings should be screened from view from the road or beach by natural trees or vegetation. Bright, glaring colors are to be avoided.
4. No mobile homes, camping trailers, motor homes or tents should remain outside a building on any lot in excess of ten (10) consecutive calendar days, unless used as a temporary dwelling during a reasonable construction period of the original main dwelling.
5. No docks or other permanent structures may be erected on the beach.
6. No commercial activity of any kind, whether as a trade, business, occupation, profession or otherwise, that detracts from the exterior appearance of the property or creates objectionable traffic, noise, or unsightly storage of materials, equipment, or vehicles should take place within the Subdivision.

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7. There shall be no dead storage such as abandoned vehicles or accumulated trash in excess of thirty days. Neatly stacked firewood is acceptable.
8. Recreational equipment such as tents, volleyball nets, etc., must be removed from the beach when no longer in use and may be installed only temporarily. Family members camping on the beach must be respectful of and not disturb other owners.
9. Exterior fires may lit only in compliance with all applicable laws and governmental regulations and after all necessary permits have been obtained. Care and diligence must be used to protect property from fire, and equipment must be kept at hand to readily and thoroughly extinguish all fires. Fires must not be left unattended. Brush, construction scrap, and cuttings should be accumulated and disposed of through a wood chipper that the Association may schedule from time to time. Alternatively, these cuttings may be burned in open areas or on the beach when there is a snow cover in the woods of at least one (1) inch. Small bonfires may be lit on the beach by owners or their guests but should be thoroughly extinguished when unattended. The same "fire pit" should be used each time to prevent the proliferation of burn marks on the beach.
10. The 66 foot wide strip of land identified as Easement "A" on the Declaration of Easements, Covenants and Restrictions dated April 11, 1995 and recorded at Liber P, Page 667, Keweenaw County Records on April 17, 1995 (the "Declaration"), which serves as the access road to and through the Subdivision from Five Mile Point Road is to be known as "Seven Mile Point Road." Seven Mile Point Road must be kept free from all obstructions (including parking of vehicles, construction equipment, recreational vehicles, etc.) and is restricted to use by owners of Lots in the Subdivision (as defined in the Bylaws) and their guests only; use by the public is not permitted. The maximum speed limit on Seven Mile Point Road is 20 MPH. Care should be taken to drive as slowly as necessary so as not to raise unreasonable amounts of dust.
11. Snow removal will not be provided by the Association. Full or partial year residents must arrange for necessary snow removal activities.
12. Every owner should take care to protect the shoreline from erosion. Sloping or grading of the shoreline to beach level is strongly discouraged. No access ramps for boats, all-terrain vehicles, or other vehicle may be constructed. Access stairways must be constructed in such a fashion to protect the shoreline from erosion and reasonable efforts undertaken to conceal such stairways from view from other residences or from the beach. Other structures on or near the beach are not to be constructed.
13. Use of outdoor lights that unreasonably interfere with the observance of stars and the northern lights from other owners' Lots is prohibited.
14. No trails or paths *between* Seven Mile Point Road *and* Lake Superior may be used by any person other than the owner of the Lot upon which such trails or paths are located. Subdivision Lot owners may use the 30 foot wide strips of land identified as Easements "B," "C," "D," and "E," on the Declaration as governed by the terms of the Declaration (the "Trail Easements"). Use of the Trail Easements is limited to owners of Lots in the Subdivision only, and such use shall be limited to hiking, cross country skiing, and snowshoeing. No motorized vehicles (including, but not limited to, snowmobiles, all

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terrain vehicles, motorcycles, or pickup trucks) on the Trail Easements is allowed. No camping is allowed along the Trail Easements. Access to the Trail Easements from adjoining State or privately owned land should be posted indicating that there is no public access.

15. *Hunting is not allowed between Seven Mile Point Road and Lake Superior.* Hunting may be allowed on property *southeast* of Seven Mile Point Road only within the Seven-Mile Point subdivision with the approval of the property owner and with respect to their own property only. Baiting of deer or bear is not an acceptable practice.

16. Dogs or other pets should not be allowed to roam free in the Subdivision. Large animals such as horses, cows, or similar animals should not be stabled or pastured on any Lot in the Subdivision.

17. The Association members have agreed that the beach should be open for walking only to other Association members and their guests. All walkers must be respectful of the rights the beach owners, and must not interfere with the use of the beach by the owner. Should this privilege be abused, the Board may declare that beaches are closed to those committing the abuse. No motorized vehicles (including, but not limited to, snowmobiles, all terrain vehicles, motorcycles, or pickup trucks) are permitted on the beach. Noisy or boisterous conduct or activity clearly audible at adjacent or nearby lots is strongly discouraged.

18. Harvesting of timber, cutting or removing of shrubs or trees on all Subdivision lands is discouraged except as necessary for construction of homes, yards, and necessary outbuildings. It is strongly suggested that cuttings be limited to no more than 25% of existing forest. Cutting of dead trees, firewood, and thinning should be in accordance with recognized forest management practices that the Association will make available to property owners or inform owners where the information is available. Reasonable efforts should be made to keep the vegetation in its natural state. Owners should avoid planting vegetation which, not being natural to the area, will spread and overtake natural species.

19. Keweenaw County or its contractor shall pick garbage up weekly. Owners should be aware of the location and schedule of pickups and should secure garbage left for pickup to minimize access by birds and other animals. The Board may work with Keweenaw County to develop a system for garbage pickup and removal. Garbage or unused fill should not be deposited on lands and no fill not for use of the property owner shall be removed. No disposition of any liquids other than water should be made on any land in the Subdivision.

20. All conduct and activities within the Subdivision shall comply with all applicable federal, State, and local laws, ordinances, rules and regulations.