

The following information regarding Big Powderhorn Mountain  
“Building Restrictions” is provided courtesy of:  
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## ADOPTION OF USE AND BUILDING RESTRICTIONS

RE UPLAND MEADOWS SUBDIVISION, a part of  
N1/2 NW1/4 Sec. 32, T48N, R46W, Ironwood Township,  
Gogebic County, Michigan

KNOW ALL MEN BY THESE PRESENTS, That We, Tom C. Schneller and Georgeanna Schneller, his wife, and Gerald L. Bonnevier and Susan G. Bonnevier, his wife, being the platters and owners of all the land comprised within the plat of UPLAND MEADOWS SUBDIVISION, hereby adopt and make applicable to all of the lots of said plat, as covenants running with the land, the following restrictions, namely:

### ON-SITE SEWAGE DISPOSAL SYSTEMS

1. There is a moderate fragipan at 12" to 26" in depth, which is underlain with a leached clay layer to a total depth of approximately 48 inches. This clay layer is considered a limiting layer of less permeable soil. All disposal systems must cut through this limiting layer of clay and shall require backfilling of the trenches to a depth of two feet below ground surface with suitable material such as sand or gravel. The depth of bury of the tile shall be no greater than two feet below ground surface.
2. The disposal systems shall be sized in accordance with recommendations of the Michigan Public Health Service Publication Number 526, Manual of Septic Tank Practice.
3. All sewage systems for this plat require a permit and field inspection from the Michigan County Health Department, before any building is begun.

### ON-SITE WATER SYSTEMS

1. All wells in this plat shall be drilled wells. The wells must conform to Act 294, P.A. 1965.
2. All wells must be installed under permit from Western Upper Peninsula Health Department.

### BUILDING

#### 1. LAND USE

All lots in Upland Meadows Subdivision shall be used for residential purposes only. No building shall be erected, altered, placed, or permitted to remain on any lot other than one, single or two-family dwelling, not exceeding twenty-six (26) feet in height and a private garage for not more than two cars, and other out-buildings incidental to residential use of the premises.

#### 2. BUILDING SIZE

No dwelling on any lot shall have a living area of less than 800 square feet per family unit with a minimum square footage of 480 on the first floor. The living area must be above building grade level unless building is of acceptable split level design and have a ceiling height of at least 7' – 0".

#### 3. ARCHITECTURAL CONTROL

To assure all owners of property in Upland Meadows Subdivision that the proposed structure as to outward appearance and design will be in accord with the general plan and development of Upland Meadows Subdivision, no dwelling shall be erected until plans have been submitted to and approved in writing by sub-divider, their successors, assigns, or their designated agent.

4. TEMPORARY STRUCTURES

No structure of a temporary caricature and no trailer, shack, garage or other out building shall be used on any lot at any time as a residence, either temporarily or permanently.

5. BUILDING LOCATION

Any building or attached appurtenances or garage erected in Upland Meadows Subdivision shall have a setback from the front lot line of not less than twenty-five (25) feet and not less than ten (10) feet from side and rear lot lines. For purposes of this paragraph, eaves, and steps and open porches shall not be considered as part of a building.

6. SIGNS

No sign of any kind shall be displayed to the public view on any lot except One (1) sign of not more than Five (5) square feet advertising the property for sale or rent or a sign used to advertise the property during the construction and sales period. All signs shall be located within the building setback lines as defined hereinbefore.

7. ANIMALS AND POULTRY

No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose, or allowed to annoy neighbors.

8. GARBAGE AND REFUSE DISPOSAL

No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipemtn for the storage or disposal of such material shall be kept in a clean and sanitary condition, and suitably screened from view from streets.

9. No fence, wall, hedge or mass planting shall be permitted except upon approval in writing by the sub divider, his successors, assigns or designated agent.

10. TERM AND AMENDMENT

Unless amended as herein provided, this declaration shall run with the land and shall be binding upon all persons claiming under the undersigned for a period of 25 years from the date this Declaration is initially recorded. During a period of three years from the date of such recording, or until residences have been constructed upon all of the lots subject to this Declaration, whichever occurs later, this Declaration may be amended by the recording of a written instrument executed by or on behalf of all of the following: (1) The undersigned or their heirs, successors, and assigns, (2) The owners of two-thirds of those lots subject to this Declaration upon which residences have been constructed and occupied by the owners thereof, thereafter until the expiration of such 25-year period, this Declaration may be amended by the recording of an instrument executed by the owners of two-thirds of the lots subject hereto. All amendments made during such 25-year period shall be consistent with the general plan of development embodied in this Declaration. After the expiration of such 25-year period, this Declaration (as presently written or as so amended) shall be automatically extended for successive periods of ten years, unless an instrument executed by the owners of a majority of the lots subject hereto has been recorded to abolish or change the same in whole or in part. In ascertaining the number of owners assenting to any such amendatory



Schneller, his wife, and Gerald L. Bonnevier and Susan G. Bonnevier, his wife, to me known to be the same persons described in and who executed the with instrument, who acknowledged the same to be their free act and deed.

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Notary Public  
Gogebic County, Michigan

This instrument drafted by:  
Tom C. Schneller  
Route 1 Box 85  
Bessemer, MI 49911

My commission expires: September 12, 1976