

Table of Contents and Summary of Homeowner Responsibilities

Category: Other Documents

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HARTLAND ESTATES

GOVERNING DOCUMENTS

OVERVIEW

There are three main sections to the documents which govern Hartland Estates Condominium Association:

- The Master Deed and subsequent Amendments
- The Bylaws (Appendix A of the Master Deed)
- The Declaration of Restrictions and subsequent Amendments

The Master Deed is filed by the Developer and establishes Hartland Estates as a Condominium Project (a Site Condominium Unit Development) under the Michigan Condominium Act. There is a great deal of content here involving definition of the Developer, Co-owners, Directors, responsibilities of the same, elections, common elements, easements, etc.

The Bylaws largely contain the rules of operation of the Association. This encompasses the rights of the Developer, the establishment and election of the Board of Directors, responsibilities of the same, meetings, voting, finances, assessments and defaults, and some rules involving leasing, architectural control, offensive activities of Co-owners, etc.

The Declaration of Restrictions contains provisions governing everything from land use, lot size, home size, easements, building approval, to nuisances, signs, animals and refuse, gates, mailboxes, trees, and more.

The entire body of documents essentially lays out for the Board, the Developer and the Co-owners "what you can do, what you can't do and how to go about doing what you want to do."

***** IMPORTANT NOTES ABOUT THIS CD *****

The pdf versions of the HECA Governing Documents contained on this CD are generally "searchable" using free software such as Adobe Acrobat Reader (www.adobe.com), however we cannot guarantee that searches will be 100% reliable.

These files were created from scanned copies, not original documents.

The HECA Board of Directors highly recommends that you read through these documents in their entirety and print a hard copy for reference.

If you sell or lease your home, please leave behind this CD or a hard copy of these documents for the new occupants.

Thank you!

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HARTLAND ESTATES

GOVERNING DOCUMENTS

OWNERS PROPERTY MAINTENANCE RESPONSIBILITIES

This overview contains some highlights of the HECA Governing Documents. It is not all inclusive and in no way supersedes the actual wording of the Master Deed, Bylaws, Declaration of Restrictions or any associated Amendments.

- Intent is to protect Hartland Estates as a "quality residential community".
- Inoperable vehicles, house trailers, boats, boat trailers, recreational vehicles or equipment, construction vehicles or equipment (except developer's) or commercial vehicles may not be kept on property unless in a garage.
- Pools (including seasonal ones) and brick storage buildings are only allowed with written authorization from the board, prior to installing, in keeping with certain rules and requirements. (There are additional restrictions imposed by the township).

Play structures are not to exceed 12 feet in height.

- All yard areas are to be maintained and lawns kept regularly cut to an appropriate length.

fences are always prohibited • Lawns and other landscaping for yards must be in place within 5 months of building completion or closing, whichever occurs first, weather permitting. Grass only is not considered adequate landscaping.

- Refuse, building materials, garbage or debris of any kind shall not be visible to neighboring property owners.
- All owners are responsible for maintaining their property in a safe, clean and sanitary condition.
- Certain responsibilities for maintenance are required for lot owners whose lots abut the drainage culvert of a road right of way.
- No more the 3 household pets are allowed per lot and must be leashed when outside of owner's lot. Owners are responsible for immediate removal of dog feces from yards and all common areas.
- Gardens not exceeding 1200 sq. ft. are permitted in rear yards only.
- No signs are permitted on property other than "For Sale or Rent." (one sign only) • No homeowner shall plant trees, shrubs or flowers in Common Areas around home without prior written approval form Board.
- Sidewalks and mailboxes are to be maintained by each homeowner. The developer/association is not responsible for their maintenance.
- Satellite dishes, not to exceed 18" in diameter, are permitted but shall be located where least visible to neighbors and road. Placement on front of house and roofs are discouraged.
- Garage sales are held twice per year at designated times.

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GOVERNING DOCUMENTS - TABLE OF CONTENTS
MASTER DEED (MD) - HARTLAND ESTATES

(February 8, 1998, Liber 2295, Pages 788-803)

Article I - Title and Nature

2

Article II - Legal Description

2 (see MD IS, 2nd ", 3rd, 4th and 5'h Amendments for changes)

Article III - Definitions

3

Section 1 - Act

3

Section 2 - Association

3 3

Section 3 - Bylaws

Section 4 - Common Elements

4

Section 5 - Condominium Documents

4 (see MD I" and 2nd Amendments for changes)

Section 6 - Condominium Premises

4 (see MD 1" and 2nd Amendments for changes)

Section 7 - Condominium Project, Condominium, Development or Project

4 (see MD I" and 2'd Amendments for changes)

Section 8 - Condominium Plan

4 (see MD I" and 2nd Amendments for changes)

Section 9 - Construction and Sales Period

Section 10 - Co-owner

4

Section 11 - Developer

(see MD I" and 2nd Amendments for changes)

Section 12 - First Annual Meeting

Section 13 - Transitional Control Date

Section 14 - Unit or Condominium Unit

(see MD I" and 2nd Amendments for changes)

Article IV - Common Elements

5 (see MD 1"" Amendment for complete replacement of Article IV)

Section 1 - General Common Elements

6 a. Land b. Improvements c. Electrical d. Telephone e. Gas f. Water g. Sanitary Sewer h. Storm Sewer (see MD 3'id Amendment for changes to Section I(h)) i. 7 Telecommunications Other 7 j.

Section 2 - Limited Common Elements

7 7

Section 3 - Responsibilities

a. Co-owner Responsibilities 7 7 i. Units and Other Areas ii. Utility Services 7 7 b. Association Responsibilities 8

Section 4 - Utility Systems

Article V - Unit Description and Percentage of Value

9

Section 1 - Description of Units

9 (see MD 1" Amendment for complete replacement of Section 1)

Section 2 - Percentage of Value

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Article VI - Easements

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Section 1 - Easement for Maintenance of Encroachments and Utilities

Section 2 - Grant of Easements by Association

9 10

Section 3 - Association and Developer Easements for Maintenance, Repair and Replacement

(see MD 1" Amendment for complete replacement of Section 3)

Section 4 - Utility Easement

11

Section 5 - Telecommunications Agreements

11

Article VII - Amendment

12 (see MD 1" Amendment for complete replacement of Article VI and additions of Sections 7-11)

Section 1 - Modification of Units or Common Elements

12

Section 2 - Mortgagee Consent

12 12

Section 3 - By Developer

Section 4 - Change in Percentage of Value

12

Section 5 - Termination, Vacation, Revocation or Abandonment

13

Section 6 - Developer Approval

Section 7 - Expansion

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Section 8 - Expansion Reservation of Right

Section 9 - Expansion Election

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Section 10 - Expansion Method

Section 11 - Possible Expansion Area

(see MD 3"d and 4h' Amendments for changes to Section 11)

Article VIII - Assignment

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Article IX - Hartland Township Ordinance Compliance/Approval

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EXHIBIT A - HARTLAND ESTATES ASSOCIATION - BYLAWS

(February 8, 1998, Liber 2295, Pages 804-827)

Article I - Association of Co-owners

1

Article II - Assessments

1 1

Section 1 - Assessments for Common Elements

2

Section 2 - Determination of Assessments

a. Budgets 2 2 b. Special Assessments

Section 3 - Apportionment of Assessments and Penalty for Default

2 3

Section 4 - Waiver of Use or Abandonment of Unit

Section 5 - Enforcement

3 Remedies 3 3 b. Foreclosure Proceedings Notice of Action 4 d. Expenses of Collection

Section 6 - Liability of Mortgagee

Section 7 - Developer's Responsibility for Assessments

Section 8 - Property Taxes and Special Assessments

Section 9 - Personal Property Tax Assessment of Association Property

Section 10 - Mechanic's Lien

Section 11 - Statement as to Unpaid Assessments

Article III - Arbitration

Section 1 - Scope and Election

Section 2 - Judicial Relief

Section 3 - Election of Remedies

aaau Amidetion 1-SErent of Coverage a. Responsibilities of Association b. Insurance Common Elements c.
 Premium Expenses d. Proceeds of Insurance Policies

Section 2 - Authority of Association to Settle Insurance Claims**Section 3 - Responsibilities of Co-owners****Section 4 - Waiver of Right of Subrogation****Article V - Reconstruction or Repair****Section 1 - Association Responsibility for Repair****Section 2 - Timely Reconstruction and Repair****Section 3 - Eminent Domain**

Taking of Unit b. Taking of Common Elements c. Continuation of Condominium After Taking d. Notification of Mortgagees 8

Section 4 - Priority of Mortgagee Interests

Arise in 1 - Residential Use

Section 2 - Leasing and Rental

a. Right to Lease b. Leasing Procedures

Section 3 - Architectural Control**Section 4 - Changes in Common Elements**

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Section 6 - Aesthetics

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Section 7 - Rules and Regulations

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Section 8 - Landscaping

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Section 9 - Common Element Maintenance

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Section 10 - Co-owner Maintenance

11 11

Section 13 - Reserved Rights of Developer

a. Prior Approval by Developer 11 11 b. Developer's Rights in Furtherance of Development and Sales c.
Enforcement of Bylaws 12

Article VII - Mortgages

12 ection 1 - Notice to Associatio 12 12 lection 2 - Insurance

Section 3 - Notification of Meetings

12

Article VIII - Voting

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Section 1 - Vote

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Section 2 - Eligibility to Vote

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Section 3 - Designation of Voting Representative

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Section 4 - Quorum

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Section 5 - Voting

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Section 6 - Majority

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Article IX - Meetings

13 13

Section 1 - Place of Meeting**Section 2 - First Annual Meeting**

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Section 3 - Annual Meetings

14

Section 4 - Special Meetings

14

Section 5 - Notice of Meetings

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Section 6 - Adjournment

14

Section 7 - Order of Business

14

Section 8 - Action Without Meeting

14

Section 9 - Consent of Absentees

15

Section 10 - Minutes, Presumption of Notice

15

Article X - Advisory Committee

15 (see MD 3rd Amendment for addition of Article X - Health Department Restrictions) (see MD 4th Amendment for complete replacement of Article X - Advisory Committee)

Article XI - Board of Directors

15

Section 1 - Number and Qualification of Directors

15

Section 2 - Election of Directors

15 a. First Board of Directors 15 16 b. Appointment of Non-developer Co-owners to Board Prior to First Annual Meeting c. Election of Directors at and After First Annual Meeting 16

Section 3 - Powers and Duties

17

Section 4 - Other Duties

17

Section 5 - Management Agent

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Section 6 - Vacancies

18

Section 7 - Removal

18 18

Section 8 - First Meeting**Section 9 - Regular Meetings**

18

Section 10 - Special Meetings

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Section 11 - Waiver of Notice

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Section 12 - Adjournment

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Section 13 - First Board of Directors

19 19

Section 14 - Fidelity Bonds

Article XII - Officers

19

Section 1 - Officers

19 a. President 19 19 b. Vice President c. Secretary 20 20 d. Treasurer

Section 2 - Election

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Section 3 - Removal

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Section 4 - Duties

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Article XIII - Seal

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Article XIV - Finance

20

Section 1 - Records

Section 2 - Fiscal Year

Section 3 - Bank

Article XV - Indemnification of Officers and Directors

21

Article XVI - Amendments

Section 1 - Proposal

Section 2 - Meeting

Section 3 - Voting

	Section 4 - By Developer
	Section 5 - When Effective
	Section 6 - Binding
22	
	Article XVII - Compliance
	Article XVIII - Definitions
22	
	Article XIX - Remedies for Default
22	
	Section 1 - Legal Action
	Section 2 - Recovery of Costs
	Section 3 - Removal and Abatement
	Section 4 - Assessment of Fines
	Section 5 - Non-waiver of Right
	Section 6 - Cumulative Rights, Remedies and Privileges
23	
	Section 7 - Enforcement of Provisions of Condominium Documents
23	
	Article XX - Rights Reserved to Developer
23	
	Article XXI - Severability
24	
	Article XXII - Health Department Restrictions
	(see MD 4'h Amendment for addition of Article XXII) (see MD 5'h Amendment addition of Section 3)
	Section 1 - Phase 3 (Units 87-126)
	Section 2 - Phase 4 (Units 127-131)
	Section 3 - Phase 5 (Units 132-155)
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EXHIBIT B - PLANS & SURVEYS

(February 8, 1998, Liber 2295, Pages 828-833) Cover 1 Composite Plan 2 Site Plans 3 Survey & Utility Plans 5

AMENDMENTS TO THE MASTER DEED

FIRST AMENDMENT TO THE MASTER DEED OF HARTLAND ESTATES (March 8, 2000, Liber 2735, Pages 373-393) Amends "Exhibit B" Amends MD Article II to include units 41 - 86 3 • Amends MD Article III, Sections 5, 6, 7, 8, 11, 14 to include units 41 - 86 Replaces MD Article IV in its entirety 4

Article IV - Common Elements

Section 1 - General Common Elements

4 a. Land 4 5 b. Improvements C. Electrical 5 d. Telephone 5 e. Gas 5 f. Water 5 g. Sanitary Sewer 5 h. Storm Sewer 6 (See MD 3rd Amendment for changes to Section 1(h)) 1. Telecommunications 6 Other j. 6

Section 2 - Limited Common Elements

Section 3 - Responsibilities

a. Co-owner Responsibilities i. Units and Other Areas 7 ii. Utility Services b. Association Responsibilities 7 8

Section 4 - Utility Systems

Replaces MD Article V, Section 1 - Description of Units - in its entirety 9 Replaces MD Article VI, Section 3 - Association and Developer Easements for Maintenance, Repair and Replacement - in its entirety 9 • Replaces MD Article VII in its entirety

Article VII - Amendment/Expansion

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Section 1 - Modification of Units or Common Elements

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Section 2 - Mortgagee Consent

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Section 3 - By Developer

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Section 4 - Change in Percentage of Value

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Section 5 - Termination, Vacation, Revocation or Abandonment

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Section 6 - Developer Approval

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Section 7 - Expansion

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Section 8 - Expansion Reservation of Right

Section 9 - Expansion Election

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Section 10 - Expansion Method

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Section 11 - Possible Expansion Area

12 (see MD 3'd and 4'h Amendments for changes to Section 11)

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SECOND AMENDMENT TO THE MASTER DEED OF HARTLAND ESTATES (July 6, 2001, Liber 3044, Pages 573-586) • Amends "Exhibit B" • Amends MD Article II to include units 54 - 57 • Amends MD Article III, Sections 5, 6, 7, 8, 11, 14 to include units 41 - 86 • Right-of-way added to Maria Ct.

- Existing right of way on Giovanni Court extended

THIRD AMENDMENT TO THE MASTER DEED OF HARTLAND ESTATES (November 15, 2002, Liber 3622, Pages 471-485) • Amends "Exhibit B" • Amends MD Article II to include units 87-126 • Amends MD Article IV, Section 1(h) - Storm Sewer Amends MD Article VII, Section 11 - Possible Expansion Area • Amends Bylaws to add Article X - Health Department Restrictions (see MD 4th Amendment for complete replacement of Article X)

FOURTH AMENDMENT TO THE MASTER DEED OF HARTLAND ESTATES (June 10, 2003, Liber 3976, Pages 89-101) • Amends "Exhibit B" • Amends MD Article II to include lots 127-131 • Amends MD Article VII, Section 11 - Possible Expansion Area • Amends Bylaws, Article X - Advisory Committee • Adds Bylaws, Article XXII - Health Department Restrictions (see MD 5th Amendment for changes to Article XXII)

FIFTH AMENDMENT TO THE MASTER DEED OF HARTLAND ESTATES (January 23, 2004, Liber 4316, Pages 600-613) • Amends "Exhibit B" • Amends MD Article II to include lots 132-155 • Adds Bylaws, Article XXIII, Section 3 - Phase 5 (Units 132-155) • Terminates the Grant of Temporary Drainage Easement (Liber 3622, Page 0486)

SIXTH AMENDMENT TO THE MASTER DEED OF HARTLAND ESTATES (March 7, 2006, Liber 5059, Pages 857-868) Amends "Exhibit B" Corrects street name, changing "CristinaAnne Court" to "Cristina Anne Court"

GRANT OF TEMPORARY DRAINAGE EASEMENT (November 15, 2002, Liber 3622, Pages 486-492) • Terminated by MD 5th Amendment (January 23, 2004, Liber 4316, Page 600)

ASSIGNMENT OF DEVELOPER'S RIGHTS OF APPROVAL (June 25, 2007) • Transfers Rights of Approval from Developer to the Association.

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DECLARATIONS OF RESTRICTIONS (DOR) (February 8, 1998, Liber 2295, Pages 834-847) (see DOR 1", 3", 5", 6" Amendments to apply DOR to all lots) 1. Land Use 1 a. Permanent structures 1 b. 2 Temporary structures C. Vehicles 2 2 d. Builder exceptions

2 2. Character and Size of Structures Approved plans required for exterior changes 2 b. Pools 2 C. Grading 2 d. 3 Right to refuse to approve plans e. 3 Vertical exterior surfaces f. Satellite dish antennas 3 (see DOR 7" Amendment for changes to Section 2(f)) g. Minimum residence size 3 h. 3 Square Footage computation i. Minimum width of structures 3 3 j. Garages 4 k. Driveways 1. Play structures 4 m. Side entryways 4

4 3. Outbuildings 4. Lot size 4

4 5. Front, Rear and Side Building Lines and Yard Areas Waivers by Hartland Township 5 b. Front setbacks based on average setbacks 5 Maintained Yards, Lawns, Irrigation, Gardens, Clotheslines, Roadside Trees 5 (see DOR 2'd Amendment for changes to Section 5(c) re: roadside trees) (see DOR 5" Amendment for changes to Section 5(c) re: roadside trees)

5 6. Sight Distance at Intersections

6 7. Fences, Berms and other Barriers

8. Easements for Utilities 6

6 9. Sidewalks

10. Architectural and Plan Approval 6

7 11. Association and Membership 7 12. Minimum Annual Maintenance Charge

13. Nuisances, Garage Sales 7 (see DOR Th Amendment for addition of Garage Sales to Section 13) 7 14. Signs

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15. Animals 8

16. Refuse 8

8 17. Drainage and Drainage Easements

18. Structures in Common Areas 8

19. Easements and Right of Way 8

20. Water Supply and Sewage Disposal 9

21. Miscellaneous Provisions 10 (see DOR 8'h Amendment changes to Section 21) a. Roads 10 b. Lot size minimums 10 c. Open space areas (park) 10 d. Restricted access, gated community 10 e. 10 Gate access f. Exit gate activation 10 g. 10 Pedestrian gates h. Pedestrian gate exit 11 i. Waste collection and landscape maintenance 11 Gate system 11 k. Mail pickup 11 (see DOR 4'h Amendment for changes to this paragraph of Section 21 re: mail pickup) 1. Covered Bus Area 11 (see DOR 3'd Amendment which deletes this paragraph of Section 21re: bus area) m. Emergency Vehicle Access 11

22. General Conditions 11

23. Term 11

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AMENDMENTS TO THE DECLARATIONS OF RESTRICTIONS
AMENDMENT TO DECLARATION OF RESTRICTIONS

(February 8, 1998, Liber 2735, Page 394-396) • Applies DOR to Lots 41-86

SECOND AMENDMENT TO DECLARATION OF RESTRICTIONS (September 16, 2002, Liber 3658, Pages 578-579) • Modifies Section 5(c) regarding roadside trees (see DOR 5"" Amendment for changes to Section 5(c) regarding roadside trees)

THIRD AMENDMENT TO DECLARATION OF RESTRICTIONS (November 15, 2002, Liber 3622, Pages 493-496) • Replaces "Exhibit A" of the DOR • Applies DOR to Lots 1 - 126 • Deletes second to last paragraph in Section 21 regarding Covered Bus Area
FOURTH AMENDMENT TO DECLARATION OF RESTRICTIONS (January 27, 2003, Liber 3797, Pages 236-237) • Modifies 11""h paragraph of Section 21, adding an additional sentence regarding Mailboxes
FIFTH AMENDMENT TO DECLARATIONS OF RESTRICTIONS (June 10, 2003, Liber 3976, Pages 102-105) • Replaces "Exhibit A" of the DOR • Applies DOR to Lots 1 - 131 • Modifies Section 5(c) regarding roadside trees

SIXTH AMENDMENT TO DECLARATION OF RESTRICTIONS (January 23, 2004, Liber 4316, Pages 614-617) • Replaces "Exhibit A" of the DOR • Applies DOR to Lots 1 - 155

SEVENTH AMENDMENT TO DECLARATION OF RESTRICTIONS (March 18, 2008, Document# 2008R-009152) • Modifies Section 2(f) regarding Satellite Dishes.

- Modifies Section 13, adding a paragraph regarding Garage Sales.

EIGHTH AMENDMENT TO DECLARATION OF RESTRICTIONS (May 2, 2008, Document# 2008R-016838) Modifies Section 21 concerning operation of the gates and waste collection.

21. Miscellaneous Provisions Roads • Lot size minimums Open space areas (park) Restricted access, gated community, sensors Remote access Exit gate activation Pedestrian gates Emergency Vehicle Access Waste Collection

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