

10. RESTRICTIONS IMPOSED PURSUANT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY

A. The 100 year floodplain of Cedar Lake West, as defined by elevation 606.5 feet (N.G.V. Datum), encroaches on Lots 208 through 231, inclusive, as shown on the final plat drawing. The 100 year floodplain of Willow Lake, as defined by elevation 606.5 feet (N.G.V. Datum), encroaches on Lots 232 through 239, and 241 through 245, inclusive, as shown on the final plat drawing. No filling or occupation of the floodplain area will be allowed without prior written approval of the Department of Environmental Quality.

B. No building used or capable of being used for residential purposes shall have a lower floor, including basements, which shall extend below the 100 year flood plain elevation of 606.5 feet (N.G.V. Datum).

C. Restrictions pursuant to the requirements of the Michigan Department of Environmental Quality are to be observed in perpetuity, excluded from any time limitation paragraph set forth in the declaration and may not be amended without prior written approval from the Michigan Department of Environmental Quality.

11. RESTRICTIONS PURSUANT TO THE REQUIREMENTS OF THE OTTAWA COUNTY WATER RESOURCES COMMISSIONER

In accordance with Section 280.433 of the Michigan Drain Code (Act 40 of the Public Acts 1956, as amended) special assessment drainage districts have been created to provide for the maintenance of the Cedar Lake East Drain. The Drain District consist of all lots within the plat. At some time in the future, the lots within the Drainage District will be subject to a special assessment for the improvement or maintenance of the Cedar Lake East Drain. The routes of the Drain are shown on Exhibit "A" attached hereto.

A. Easements for Surface Drainage:  
Private Easements for drainage have been dedicated to the Cedar Lake East Drain Drainage District. The locations of the aforesaid easements are shown on the final plat. These easements for drainage are for the benefit of upland lots within the subdivision and any construction, development, or grading that occurs within these easements will interfere with the drainage rights of those upland lots. Easements for Drainage are for the continuous passage of surface drainage and each lot owner will be responsible for maintaining the surface drainage system across their property. The Ottawa County Water Resources Commissioner's Office does not permit structures in Drainage Easements. This includes, but is not limited to, swimming pools, sheds, garages, patios, decks, fences or other permanent structures or landscaping features. No dumping of grass clippings, leaves, brush or other refuse is allowed within the drainage easement. These items obstruct drainage, restrict flow and plug culverts. This can lead to higher maintenance costs and cause flooding situations.

B. Block Grading Plan:  
The block grading plan, attached on Exhibit "B", shows the direction of flow for the surface drainage for all lots. It is the lot owner's responsibility to ensure that the final grading of the lot is

in accordance with the block grading plan. During the final lot grading and landscaping, the owner shall take care to ensure that the installation of fences, plantings, trees, and shrubs do not interfere with nor concentrate the flow of surface drainage. No changes will be made in the grading of any lot areas used for drainage which would later affect surface run-off drainage patterns without the prior written consent of the Ottawa County Water Resources Commissioner for all portions of the drainage system.

**C. Minimum Opening Elevation Restrictions:**

To eliminate the potential of structural damage due to flooding from rear yard drainage, the lot owners shall keep the lowest door or window sill above the minimum opening elevations listed below. The opening elevations listed below together with benchmarks set within the plat are shown on the block grading plan, attached Exhibit "B".

The lowest allowable opening elevations are set 1' or more above the 100-year floodplain or hydraulic gradeline of the storm system. These elevations are set to reduce the risk of structural damage and the flooding of residential interiors. A waiver from elevations may be granted by the Ottawa County Water Resources Commissioner following receipt of a certification from a registered professional engineer demonstrating that the proposed elevation does not pose a risk of flooding.

Minimum Building Opening (MBO) elevations, based on NAVD88, for the following lots are:

LOT NO.	MBO	LOT NO.	MBO	LOT NO.	MBO
246	615.0	254	618.0	262	610.0
247	615.0	255	618.0	263	610.0
248	615.0	256	616.5	264	610.0
249	615.0	257	616.0	265	610.0
250	615.0	258	616.0	266	610.0
251	615.5	259	616.5	267	610.0
252	615.0	260	612.0	268	610.0
253	618.0	261	611.0	269	610.0

Benchmarks (NAVD88 Datum):

BM #1 TBD: Top of SE flange bolt on hydrant at lot line 248 & 249.

BM #2 TBD: Top of SE flange bolt on hydrant at NW corner of Lot 251.

BM #3 TBD: Top of SE flange bolt on hydrant at lot line 255 & 256.

**D. Soil Erosion and Sedimentation Control:**

Each individual lot owner will be responsible for the erosion control measures necessary on each lot to keep loose soil from their construction activities out of the street, catch basins and off of adjacent property. If any sedimentation in the street, catch basins, or adjacent lots is a direct

result of construction for a particular site, it is the responsibility of that lot owner to have this cleaned up. This applies to ALL lot owners.

A Soil Erosion and Sedimentation Control Permit must be obtained from the Ottawa County Water Resource Commissioner's Office prior to excavation for all Lots. All conditions set forth by permit shall be met throughout construction activity until permit is allowed to expire.

E. Footing Drains & Sump Pumps:

Laundry facilities or other similar features shall not be connected to a footing drain or pump system discharging to footing laterals and the storm sewer system. Laundry facilities and sewage lift pumps must be drained to the sanitary sewage disposal system. If a footing drain and sump pump system is provided for view out basements, the connection to the storm sewer system or to an overland outlet is to be made from the sump pump through a check valve system. Under no circumstance shall a gravity connection to the storm sewer be allowed. All gutters and eave troughs with downspouts connected to an underground piping system shall be directed to a point in the rear yard so that the discharge point will not drain onto or adversely affect a neighboring lot. If this cannot be accomplished, then splash plates at the gutter downspouts near the residence will be the only alternative. De-chlorinated swimming pool water shall be drained to the backyard storm sewer system or directed into the street.

F. Miscellaneous

Each lot owner waives his claim against the Cedar Lake East Drain Drainage District, the Ottawa County Water Resources Commissioner, his employees and agents, Georgetown Township, the Engineer, and the Developer from any and all claims, damage and obligation arising from the existence or operation of the drainage system.

Restrictions pursuant to the requirements of the Ottawa County Water Resources Commissioner to be perpetual and shall run with the land. Drain restrictions may not be amended or modified without prior written approval of the Ottawa County Water Resources Commissioner and properly recorded at the Ottawa County Register of Deeds. A waiver of building elevations may be granted by the Ottawa County Water Resources Commissioner following receipt of a certification from a registered professional engineer demonstrating that the proposed elevation change does not pose a risk of flooding. However, under no circumstances shall any opening elevation or basement floor be lower than 608.7 feet NAVD88.

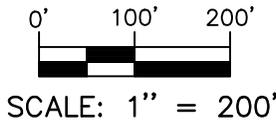
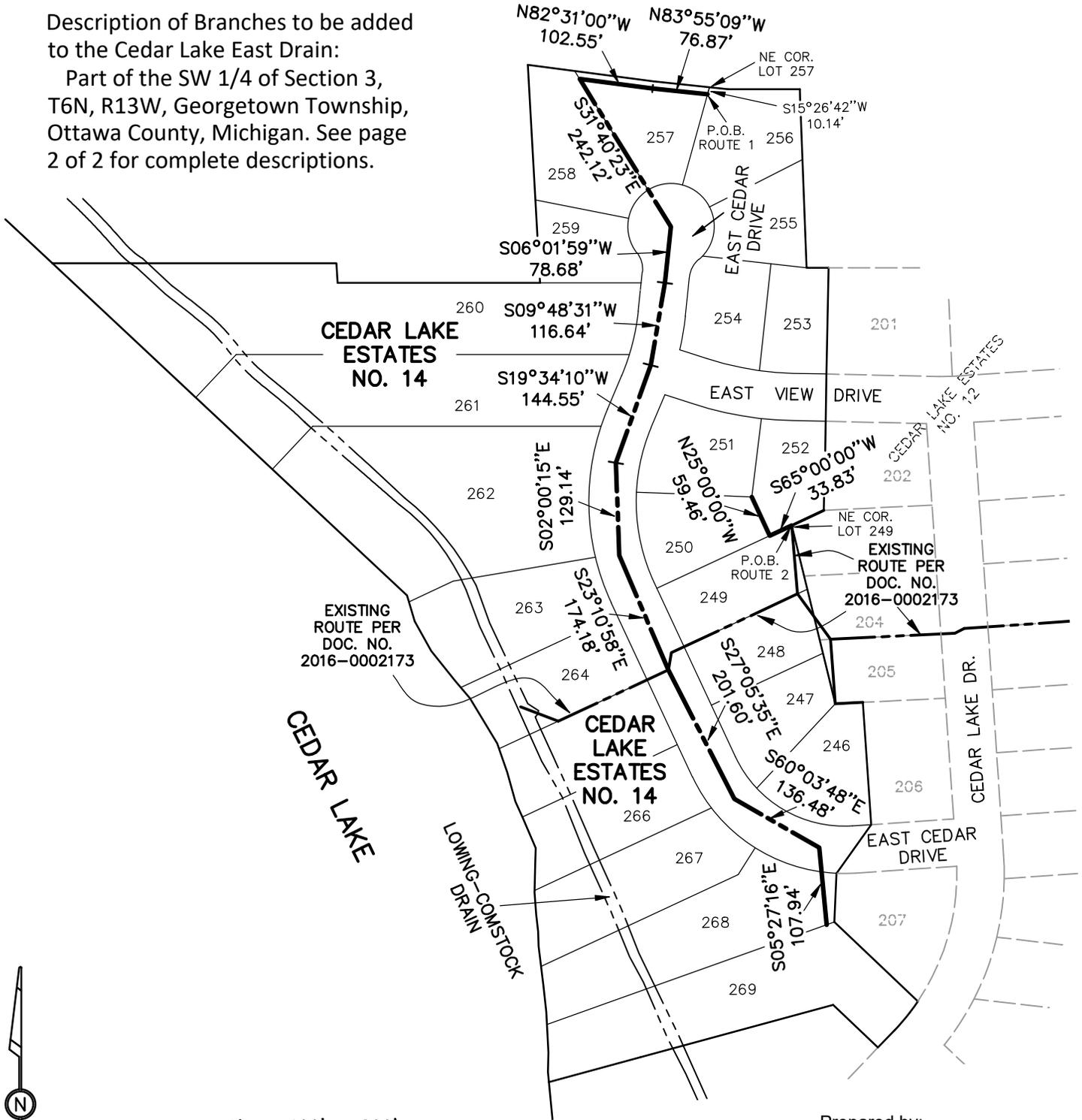
# EXHIBIT "A"

PAGE 1 OF 2

## ROUTE OF THE CEDAR LAKE EAST DRAIN

Description of Branches to be added to the Cedar Lake East Drain:

Part of the SW 1/4 of Section 3, T6N, R13W, Georgetown Township, Ottawa County, Michigan. See page 2 of 2 for complete descriptions.



Prepared by:  
Exxel Engineering, Inc.  
5252 Clyde Park Avenue, SW  
Grand Rapids, MI 49509

RE: Cedar Lake Estates No. 14  
191937E 07/18/2020 kv

# ***EXHIBIT "A"***

***PAGE 2 OF 2***

## ***ROUTE OF THE CEDAR LAKE EAST DRAIN***

### **Description of Branches to be added to the Route of Cedar Lake East Drain:**

#### **Route 1:**

Part of Cedar Lake Estates No. 14, part of the SW 1/4 of Section 3, T6N, R13W, Georgetown Township, Ottawa County, Michigan, described as: Commencing at the NE corner of Lot 257, Cedar Lake Estates No. 14; thence S15°26'42"W 10.14 feet along the East line of said Lot 257 to the PLACE OF BEGINNING of this description; thence N83°55'09"W 76.87 feet; thence N82°31'00"W 102.55 feet; thence S31°40'23"E 242.12 feet; thence S06°01'59"W 78.68 feet; thence S09°48'31"W 116.64 feet; thence S19°34'10"W 144.55 feet; thence S02°00'15"E 129.14 feet; thence S23°10'58"E 174.18 feet; thence S27°05'35"E 201.60 feet; thence S60°03'48"E 136.48 feet; thence S05°27'16"E 107.94 feet to the Place of Ending.

#### **Route 2:**

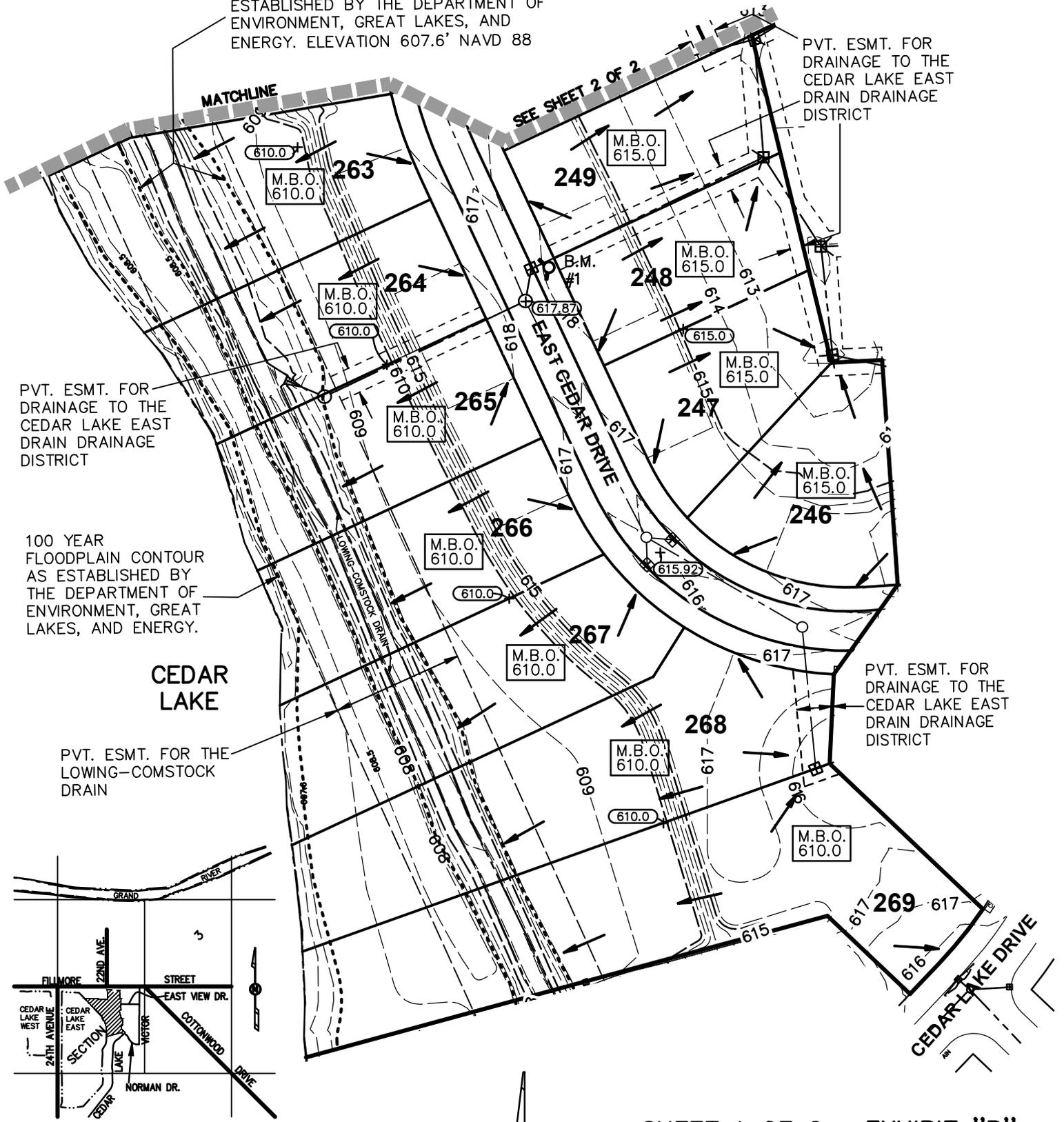
Part of Cedar Lake Estates No. 14, part of the SW 1/4 of Section 3, T6N, R13W, Georgetown Township, Ottawa County, Michigan, described as: BEGINNING at the NE corner of Lot 249, Cedar Lake Estates No. 14; thence S65°00'00"W 33.83 feet along the North line of said Lot 249 to the SE corner of Lot 250, Cedar Lake Estates No. 14; thence N25°00'00"W 59.46 feet along the East line of said Lot 250 to the NE corner of said Lot 250 and the Place of Ending.

Prepared by:

Exxel Engineering, Inc.  
5252 Clyde Park Avenue, SW  
Grand Rapids, MI 49509

RE: Cedar Lake Estates No. 14  
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100 YEAR FLOODPLAIN CONTOUR AS ESTABLISHED BY THE DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY. ELEVATION 607.6' NAVD 88



PVT. ESMT. FOR DRAINAGE TO THE CEDAR LAKE EAST DRAIN DRAINAGE DISTRICT

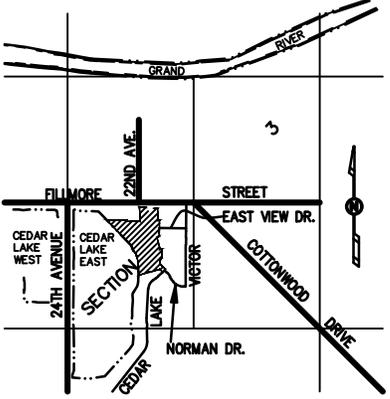
PVT. ESMT. FOR DRAINAGE TO THE CEDAR LAKE EAST DRAIN DRAINAGE DISTRICT

100 YEAR FLOODPLAIN CONTOUR AS ESTABLISHED BY THE DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY.

CEDAR LAKE

PVT. ESMT. FOR THE LOWING-COMSTOCK DRAIN

PVT. ESMT. FOR DRAINAGE TO THE CEDAR LAKE EAST DRAIN DRAINAGE DISTRICT



LOCATION MAP

- = SURFACE DRAINAGE DIRECTION
- ⊠ = YARD DRAIN OR STREET CATCH BASIN
- B.M. # = BENCHMARK HYDRANT
- ⊙ 693.0 = SPOT ELEVATION
- M.B.O. 735.0 = MINIMUM BUILDING OPENING

SCALE: 1" = 100'  
1' CONTOUR INTERVAL

SHEET 1 OF 2 EXHIBIT "B"

BLOCK GRADING PLAN

CEDAR LAKE 14

**exxel engineering, inc.**  
 planners • engineers • surveyors  
 5252 Clyde Park, S.W. • Grand Rapids, MI 49509  
 Phone: (616) 531-3660 Fax: (616) 531-2121  
 www.exxelengineering.com

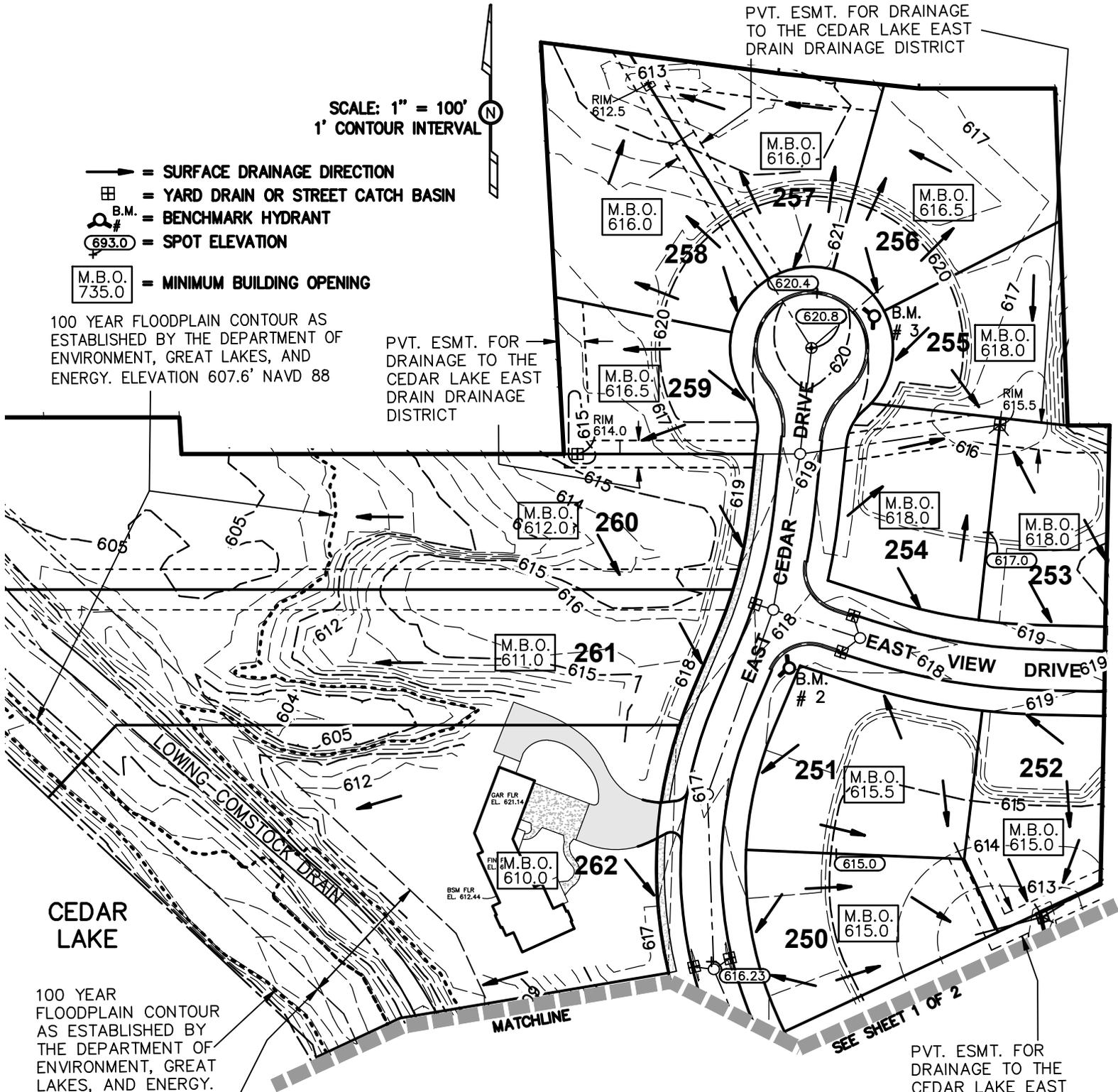
SCALE: 1" = 100'  
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100 YEAR FLOODPLAIN CONTOUR AS ESTABLISHED BY THE DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY. ELEVATION 607.6' NAVD 88

PVT. ESMT. FOR DRAINAGE TO THE CEDAR LAKE EAST DRAIN DRAINAGE DISTRICT

PVT. ESMT. FOR DRAINAGE TO THE CEDAR LAKE EAST DRAIN DRAINAGE DISTRICT



CEDAR LAKE

100 YEAR FLOODPLAIN CONTOUR AS ESTABLISHED BY THE DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY.

EASEMENT FOR THE LOWING-COMSTOCK DRAIN

PVT. ESMT. FOR DRAINAGE TO THE CEDAR LAKE EAST DRAIN DRAINAGE DISTRICT



LOCATION MAP

SHEET 2 OF 2 EXHIBIT "B"

**BLOCK GRADING PLAN**  
**CEDAR LAKE 14**

**exxel engineering, inc.**  
planners • engineers • surveyors

5252 Clyde Park, S.W. • Grand Rapids, MI 49509  
Phone: (616) 531-3660 Fax: (616) 531-2121  
www.exxelengineering.com