

AGREEMENT TO PERMIT CONSTRUCTION AND DEVELOPMENT OF LOTS IN
THE PLAT OF LAKE ISABELLA AIRPARK

The undersigned, as parties to this Agreement, acknowledge and agree as follows:

1. Paragraph 29 of the “Building and Use Restrictions” of Lake Isabella Airpark provides as follows:

The development of lots with individual on-site sewage disposal systems shall be prohibited on any of the lots in this plat, except a maximum of 15 may place on-site sewage disposal systems. Any lots developed with individual water intake facilities shall be required to connect to the public water system and any lots developed with on-site sewage disposal systems shall be required to connect to the public sewage system as required under paragraph 30 of these restrictions. At such time as a public sewage system and water system is available for connection, the restrictions set forth in this paragraph shall cease and be null and void. Until such time as a public sewage system and/or water system is available for connection to the lots in this plat, or, until a written agreement is reached between the Isabella County Board of Public Works, the Central Michigan District Health Department, and the Michigan Department of Public Health, or their successors, permitting herein provided for upon reviewing the status of development and the progress towards extending public sewers and/or water system there restrictions and limitations shall remain in full force and effect. All individual wells are to be drilled through the protective clay barrier at approximately 60 feet.

2. The “Building and Use Restrictions” of Lake Isabella Airpark were originally recorded in Liber 397, page 54 of the Isabella County Register of Deeds.
3. The “Building and Use Restrictions” of Lake Isabella Airpark, since the date of the original recording, have been amended three times. Those amendments can be found at Liber 981, page 326 (dated April 27, 2000), Liber 1071, page 518 (dated March 12, 2002), and Liber 1295, page 228 (dated June 2, 2005)
4. The parties hereby agree that the removal of paragraph 29 of the “Building and Use Restrictions” of Lake Isabella Airpark per any of the amended building and use documents recorded with the Isabella County Register of Deeds was invalid.
5. The parties acknowledge that they have been informed of the status of development and the current progress towards extending public sewers and a municipal water system in the plat of Lake Isabella Airpark.

