

**City of Mt. Pleasant  
Mt. Pleasant, Michigan**

**MT. PLEASANT INDUSTRIAL PARK - SOUTH  
Protective Covenants**

**November 11, 2013**

**October 1, 2013**

**PROTECTIVE COVENANTS**

**MT. PLEASANT INDUSTRIAL PARK-SOUTH**

**MT. PLEASANT, MICHIGAN**

WHEREAS, the Grantors, the City of Mt. Pleasant and the Mt. Pleasant Industrial Development Corporation, are the owners/developers of real property known as the Mt. Pleasant Industrial Park-South and are desirous of subjecting the property to the conditions, covenants, restrictions, reservations and easements, hereinafter set forth, each and all of which is for the benefit of said property and each owner thereof, and insure for the benefit of and possession with certain property and each and every parcel thereof and shall apply and bind the successors in interest and any owner thereof;

NOW, THEREFORE, the City of Mt. Pleasant and the Industrial Development Corporation hereby declare that the real property described and referred to hereof is and shall be held, transferred, sold, conveyed and occupied subject to the conditions, covenants, restrictions, reservations and easements hereinafter set forth.

Property Subject To This Declaration

The real property which is and shall be conveyed, transferred, restricted and sold subject to these conditions, restrictions, reservations and easements set forth herein is located in the City of Mt. Pleasant, County of Isabella, State of Michigan, and is more particularly described as follows, to wit:

The N 900' of the W 1210' of the SW 1/4 of Section 24, T14N, R4W, Union Township, Isabella County, Michigan,

AND

The Southwest Quarter of Section 24, Township 14 North, Range 4 West, Isabella County, Michigan, less U.S. 27, and except commencing at the Northwest corner, thence East 1210 feet, thence South 900 feet, thence West 1210 feet, thence North to the point of beginning, and except commencing 2053.35 feet East of the West Quarter corner, thence East 200 feet, thence Southerly along highway U.S. 27 right-of-way line 200.27 feet, thence West 210.26 feet, thence North 200 feet to the point of beginning.

General Purpose Of Conditions

The property is subject to the conditions, covenants, restrictions, reservations and easements hereby declared to insure proper use and appropriate development and improvement of each building site:

1. to protect the owners of building sites against such improper use of surrounding building sites as will depreciate the value of their property;
2. to guard against the erection thereon of structures built of improper or unsuitable materials;
3. to insure adequate and reasonable development of the property;
4. to encourage the erection of attractive improvements on the property, with appropriate locations of building sites;
5. to prevent haphazard and inharmonious improvement of building sites;
6. to secure and maintain proper setbacks from all streets and compliance with the appropriate City of Mt. Pleasant codes and ordinances addressing building construction, renovation, expansion, and related activities ; and

7. in general, to provide adequately for a desirable type and quality of improvements in said property.

#### Restrictions

- A. No noxious or offensive activity shall be carried on at any building site which produces unhealthy or harmful odors, fumes, dust, smoke, waste, noise, or vibrations beyond that normally and reasonably expected in a light industrial development.
- B. The following uses shall not be permitted unless otherwise approved by a vote of the Park Review Board:
  1. asphalt or tar manufacturing or refining or the manufacture of gas, coke or coal tar products;
  2. ammunition, fireworks or explosives manufacture;
  3. live animal stock, slaughtering, rendering, or animal offage or garbage;
  4. blast furnace, petroleum refining, or other similar factories or uses;
  5. auto wrecking, salvage yards, used material yards, or storage of bailing waste or scrap paper, rags, scrap metals, bottles or junk; and
  6. central mixing plant of asphalt, mortar, plaster or concrete.

#### Park Review Board

- A. No improvements shall be erected on any building site until the improvement plans specifications and plot plan have been submitted in writing to and approved in writing by the Park Review Board. An improvement may skip the Park Review Board if the Board cannot be convened in a timely manner such that it may jeopardize the completion of the project as outlined in Section E.
- B. The Board shall be comprised of five (5) members with seats to be fulfilled by: a designee of the City of Mt. Pleasant, a representative of the Middle Michigan Development Corporation, and three (3) representatives of the property owners in the Industrial Park. The Park Review Board shall be established in a meeting of Industrial Park South property owners by a vote of present owners after nominations for board seats have been solicited. The Park Review Board will meet as necessary upon application for Site Review; a quorum will be established once three (3) members of the Park Review Board are present; a majority vote shall be a majority of the members present.
- C. All plans and specifications with respect to any building site shall include all of the following:
  1. a description of all exterior elevations;
  2. a description of all exterior building materials;
  3. a description of all vertical roof projections;
  4. a utility plan identifying the location, size, and other pertinent information relating to all utility connections; and
  5. a site landscaping plan.

- D. The Park Review Board shall approve all plans and specifications to ensure:
1. conformity and harmony with the external design of existing and planned structures on the property; and
  2. location of the building site in a manner which does not adversely affect other building sites.
- E. The Park Review Board shall meet prior to the meeting of the City of Mt. Pleasant Planning Board and following the receipt of plans and specifications. Approval or disapproval shall be transmitted in writing to the property owner. Should the Park Review Board be unable to meet prior to the meeting of the Planning Board, the Planning Board shall take the protective covenants under advisement. Middle Michigan Development Corporation shall be responsible for notifying all property owners in the park of an application for Site Plan review and transmit any comments from park owners to the Park Review Board and City Planning Board.
- F. The Park Review Board shall not be liable for damages by reason of any action or inaction in connection with the submission, approval, or disapproval of any plans.
- G. The Park Review Board and/or the "Declarant" as provided in Paragraph B above shall have the authority to modify the effect of the provisions contained herein, provided, however, that such authority is limited as follows:
1. The Park Review Board and/or the "Declarant" shall have the authority to permit uses prohibited or excluded from the "Property", and
  2. The Park Review Board and/or the "Declarant" shall not have the authority to abrogate the spirit and the intent of these covenants.
- H. No review or approval required or authorized by these covenants is to be construed as replacing the normal requirements for building in the City of Mt. Pleasant. Specifically, the review and approval of the Park Review Board as specified herein is in addition to any and all approvals and reviews required by the Ordinances of the City of Mt. Pleasant.

#### General Provisions

- A. Front, Side, and Back Setback requirements are 20 feet. 50 feet shall be provided for every yard that abuts a residentially zoned property. No private access shall be allowed from Broomfield.. Access to the park shall be from Gover Parkway or the existing two access points constructed along Isabella Road.
- B. The street side of buildings shall not be of less than masonry, precast concrete, or factory-finished metal construction except that metal panels shall be limited to areas four (4) or more feet above the building grade.
- C. The storage of bulk commodities shall be confined to side, back, and not street side facing locations as approved by the Park Review Board and shall be screened.

- D. The Park Review Board shall not require sidewalks on street frontages within Industrial Park South. Street frontage facing Isabella Road may require the installation of sidewalks to adhere to City of Mt. Pleasant Policy. Such a determination will be made by the City of Mt. Pleasant Planning Board and not the Park Review Board.

Landscaping

- A. Transformers, gas and other meters located in street side facing areas shall be located in shrub plantings or screened with appropriate walls.

Building Regulations

- A. All on-site electrical, telephone and other utilities shall be underground.

Adopted by the Mt. Pleasant City Commission January 6, 1992  
Amended by the Mt. Pleasant City Commission December 20, 1993  
Amended by the Park Review Board October 1, 2013 and ratified by the  
Mt. Pleasant City Commission November 11, 2013