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MODIFICATION OF RESTRICTIVE COVENANTS

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This Agreement made this 14 day of November, 1978, by and between Winchester Real Estate Investments, Limited, and Hubert S. Garner, and Elsie J. Garner, his wife, having an address of P. O. Box 137, Clarkston, Michigan, hereinafter referred to as "Declarant", and John D. Pearl and Sharon L. Pearl, his wife

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having an address known as 23012 Nottingham, Birmingham, MI 48010 hereinafter referred to as "Purchaser",

WITNESSETH:

WHEREAS, the Declarant is the owner of the real property described in Article I of the Declaration of Protective Covenants recorded in Liber 7030, Page 284-312, Oakland County Register of Deeds, State of Michigan; and,

WHEREAS, Declarant perceives that certain hardships will result unless a restriction regarding the square footage of platted lots is granted and waived, said hardship having arisen as a result of certain governmental regulations in the development of said land,

NOW, THEREFORE, in consideration of the modification of the restriction contained in Article I, Paragraph 4 of the aforesaid recorded covenants and restrictions, the Declarant does hereby agree to sell the following described property: Lots 81, 82, 83, 84, 85, 86, 87, 108, 109, 110, 111, 112, 114, 115, 116, 117, 118 and 120 of Deer Lake Farms Subdivision No. 2, according to the plat thereof as recorded in Liber 161, Pages 4 to 10, inclusive, of Plats, Oakland County Records.

Return to:
Winchester Real Estate Investments, Ltd.
P.O. Box 137
Clarkston, Michigan 48016

IT IS FURTHER AGREED that the lots hereinafter described shall contain a square footage of not less than twenty thousand square feet and

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NOV 20 78

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that Article I, Paragraph 4, is thereby modified in accordance herewith.

IN WITNESS WHEREOF, we have hereunto put our hands and seals on the date first above written.

WITNESSES:

WINCHESTER REAL ESTATE INVESTMENTS, LIMITED

James J. Scharl
James J. Scharl

BY: Hubert S. Garner
Hubert S. Garner, President

Joyce E. Thompson
Joyce E. Thompson

Hubert S. Garner
Hubert S. Garner, Individually

Elsie J. Garner
Elsie J. Garner, Individually

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss.

On this 14 day of November, 19 78, before me personally appeared Hubert S. Garner, President of the above-named corporation, to me known to be the person who executed the foregoing instrument and to me known to be such president of said corporation, and acknowledged that he executed the foregoing instrument as such officer as the free act and deed of said corporation, by its authority.

Joyce E. Thompson
Joyce E. Thompson
Notary Public
Oakland County, Michigan
My Commission Expires: April 5, 1982

STATE OF MICHIGAN)
COUNTY OF OAKLAND) ss.

On this 14 day of November, 19 78, before me personally appeared Hubert S. Garner and Elsie J. Garner, his wife, to me known to be the persons who executed the foregoing instrument and acknowledged that they executed the foregoing instrument as their free act and deed.

Joyce E. Thompson
Joyce E. Thompson
Notary Public
Oakland County, Michigan
My Commission Expires: April 5, 1982

This instrument drafted by:

Jack L. Banycky
Attorney at Law
2893 Dixie Highway
Pontiac, MI 48055
674-4676