

2026 Proposed Declaration of Restrictions for Annual Meeting-NOT FINAL
RESTATED AND APPROVED DECLARATION OF RESTRICTIONS

Whereas the ROSE LAND COMPANY, a Michigan corporation, which established Fiesta Shores Association, adopted a certain Declaration of Restrictions on June 7, 1957, which recorded at Liber 266 Pages 22024 and whereas the Fiesta Shores Association is a successor organization to the Rose Land Company and whereas the Fiesta Shores Association updated and restated its bylaws on June 26, 2021, and whereas the Association desires to update the restrictions, taking into account changes in the law, as well as the ordinances which affect property in Fiesta Shores, the following Declaration of Restrictions shall be adopted and recorded in the Branch County Register of Deeds Office:

1. No buildings shall be erected or maintained on any lot in Fiesta Shores other than a private residence and a private garage for the sole use of the owner (or occupants). Any building shall comply with local township, county, and state ordinances and laws.
2. Nor part of any premises within Fiesta Shores shall be used for commercial or manufacturing purposes. All uses must be in conformance with township, county and state ordinances and laws.
3. No one shall conduct a garage sale within Fiesta Shores subdivision more often than twice per year, unless otherwise approved by the Association, local or state officials.
4. No residential buildings shall be erected or maintained on any lot in Fiesta Shores having a ground area of less than 1,000 square feet. All residences shall be in compliance with local township, county and state ordinances and laws.
5. No outside toilet or privy shall be erected or maintained in Fiesta Shores, unless pursuant to short term events. No outside toilet or privy shall be maintained in Fiesta Shores for longer than seven days.
6. No animals, or birds, other than household pets, shall be kept on any lot in Fiesta Shores. Any animals which are outside of a residence, must be contained on an owner's property, on a leash, under control of the owner. All animal waste must be cleaned up and disposed of by the owner of the animal.
7. Easements are reserved along and within five feet of the rear lines, front lines, and sidelines in all subdivisions for the construction and perpetual maintenance of conduits, poles, wires and fixtures for electric lights, telephones, water mains, internet service, sanitary and storm sewers, road drains, and any other public or quasi-public utilities and to trim any trees which at any time may threaten to interfere with the maintenance, or such lines with right or ingress to and egress from said premise to employees of said utilities. The easement shall also extend along any owners side and real property lines in case of fractional.
8. It is understood and agreed that it should not be considered a violation of easement if wires, or cables carried by poles pass over some portion of lots not within the five foot wide strip as long as such lines do not hinder the construction of buildings on any lots in the subdivision.
9. These conditions and restrictions shall be binding upon all owners of all lots in Fiesta Shores, their heirs and assigns, except as noted below.
10. The restrictions in this document shall not be binding upon Lot 165, except that Lot 165 will not be used for commercial purposes.

11. No long-term camping shall be permitted on any vacant lots, unless in accordance with applicable township zoning ordinances and regulations. This restriction shall not prevent occasional camping by family members around campfires, or on a short-term basis as a family event. No camping shall be permitted for commercial purposes.

Violations of these restrictions shall be subject to a request for an injunction by the Fiesta Shores Association. If a property owner is found to have violated these restrictions, the Association shall be authorized to seek costs, including attorneys fees and the cost of enforcement by the violation property owner.

It is not the intention of these restrictions to regulate the aesthetics of the individual residences within the Fiesta Shores Subdivision. However, all property owners within the subdivision are encouraged to take into account their general tenor of the aesthetics of the subdivision and to act withing those aesthetics whenever possible.