

5. No garage or other outbuilding more than two stories in height shall be erected upon any numbered lot. The entrance to a garage shall not face the street or be cater-cornered thereon, unless it has doors. The entrance to all carports shall face the rear or the side of the lot, except on corner lots in which case the entrance must be from the rear.

6. No above ground swimming pools may be constructed on any numbered lot of Map 2, Section III.

### III/ APPROVAL OF PLANS CHANGES

1. The Architectural Committee shall be composed of John C. Cothran, Joe Jelks, Ellis L. Darby, Jr., and M. Graham Proffitt, III. In the event of the failure or inability, for any reason, of a member to act, the vacancy created shall be filled temporarily or permanently, as necessary, by the remaining member(s) of the Committee.

All members shall constitute a quorum and a unanimous vote shall be required for the transaction of any business of the Committee.

2. No improvements, buildings, structures whether permanent or temporary, including but not limited to television satellite disc systems shall be erected, placed, or altered on any lot or lots until and unless building plans, specifications and plot of such residence, structures or television satellite disc systems have been approved in writing as to the conformity and harmony of external design and consistence with plans of existing residences or other buildings and as to the location of the structure with respect to topography and finished ground elevation, by the Architectural Committee.

3. In order to prevent duplication of buildings or improvements to be constructed in this section or adjacent section, the Committee is vested with full authority to approve or disapprove plans for the construction of any building or improvements with its major features so similar to an existing building or improvement as to be construed as a practical duplication thereof in the discretion of the Committee.

4. In the event said Committee fails to approve or disapprove such designs and plans within 30 days after said plans have been submitted to it, or in any event, if no suit to enjoin the erection or alteration of such building or improvement has been commenced before such erection or alteration is substantially completed, such prior approval will not be required and this covenant will be deemed to have been fully complied with and no suit or claim will be available to said Committee, nor to any lot owner or other person. The term "building or improvement" shall be deemed to include the erection, placement, or alteration of any outbuilding, wall, or fence to be made in any lot.

5. The Committee is authorized by unanimous vote of all its members to approve or ratify in the construction or alteration of any building minor violations of the requirements herein set forth under Section II, "Setbacks, Location, and Size of Improvements and Lots", if in the opinion of all the members of the Committee, the same be necessary to prevent undue hardship because of topography, the shape of any platted lot or the setback lines as shown on the recorded plat, and if in the opinion of the members of the Committee such violation will cause no substantial injury to any other lot owner. In no event may the Committee approve or ratify a violation of the front setback line of more than five feet or of the main building side line restriction of more than than four feet or of the restrictions by the Committee in accordance with this paragraph shall be binding on all persons.

6. Nothing in this section shall prevent the Architectural Committee from requesting the Homeowners Association to establish a sub-committee of the Architectural Committee, made up exclusively of homeowners, residents of Sugar Creek, Section III, for the sole purpose of acting upon requests by existing owners to modify their residence or add an outbuilding. Such request shall include, but not be limited

