

beautification easements. Likewise, with the consent and approval of the Highway Department, permit the Owner or any Grantee to remove, replace or alter the location of such shrubbery as may now lie within the bounds of said easements.

(d) Permit the use and installation by the owner of any lot, or lots, of a residential driveway over so much of any lot as may lie within the bounds of said easements, except as regards Lots 1, 2, 24 and 25 (as shown on said plat), upon which four lots' driveways or parking areas for commercial purposes may be constructed upon approval and under the supervision of the said Highway Department.

(e) Waive (and by the execution of this instrument does waive) any and all objections to the following encroachments upon said beautification easements:

- (1) Lot No. 18 - an 18-inch encroachment in depth resulting from construction of a brick perch and concrete steps.
- (2) Lot No. 25 - a twenty-five (25) foot encroachment in depth upon such portions of said lot as may be necessary to the erection and use of a structure, or structures, for commercial purposes.

(f) Continue to maintain, plant and cut grass and shrubbery over and upon those residential front yard areas of all lots lying within the bounds of said beautification easements, to the extent and in the same manner employed by the Highway Department in the maintenance of like beautification areas. However, the owner may supplement maintenance of said beautification easement in keeping with the remainder of his property, and should the said owner elect to plant additional shrubbery, it will be incumbent upon him to keep it properly maintained.

THAT DURING THE EXISTENCE OF SAID BEAUTIFICATION EASEMENT, THE OWNER SHALL:

(a) Refrain from questioning or contesting by Court action, or otherwise, the legality and/or validity of any easement, or easements, obtained for beautification purposes by said Highway Department affecting the said 52 acres originally purchased from the heirs of William M. Tindal, deceased.

(b) Place in all deeds conveying any one or all of Lots No. 1