

Section 10. Delegation of Use. Any owner may delegate, in accordance with the By-Laws, his right of enjoyment to the Common Properties and facilities to the members of his family, his tenants, or contract purchasers who reside on the property.

Section 11. Easements. A valid easement is hereby granted and does and shall continue to exist on and upon the Common Properties as shown on the recorded plat of the Properties as to, upon and in favor of each Lot for the purpose of installation, maintenance, repair and replacement of sewer, septic tanks and septic tank lines, water, power, TV cable and telephone lines, pipes, mains, conduits, wires, poles, transformers and any and all other equipment or machinery necessary or incidental to the proper functioning of any utilities and the delivery of governmental services. No common utility line shall run under any Dwelling Unit. No connection utility line shall run under any Dwelling Unit except the one it services. A valid easement does and shall continue to exist over and across the Common Properties as shown on the recorded plat as a roadway for ingress and egress.

Section 12. Uniform Rate of Assessment. Both annual and special assessments must be fixed at a uniform rate for all Lots and may be collected on a monthly basis.

ARTICLE VIII

ARCHITECTURAL CONTROL

No building, fence, wall or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration thereon be made until the plans and specifications showing the nature, color, kind, shape, height, materials, and location of same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an architectural committee composed of three (3) or more representatives appointed by the Board. In the event said Board, or its designated committee, fails to approve or disapprove such design and location with thirty (30) days after said plans and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with. Except, however, the Developer, his heirs and assigns, shall not be required to comply with this Article as to any new Dwelling Units which he constructs.

ARTICLE IX.

EXTERIOR MAINTENANCE

In the event an owner of any Lot in the Properties shall fail to maintain the premises and the improvements situated thereon in a manner satisfactory to the Board of Directors,

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