

encroachments or projections and the maintenance thereof shall exist so long as such improvements shall stand. If such encroachment or projection occurs as a result of replacement, the encroachment or projection must be inadvertent in order for a valid easement to exist.

Section 6. Party Wall Rights Run with the Land. The rights of support, quiet enjoyment, entry to repair or restore and contribution for the cost of the same which are described in this Article shall run with the land and shall bind the heirs, successors and assigns of each owner.

Section 7. Right of Contribution Runs with Land. The right of any owner to contribution from any other owner under this Article shall be appurtenant to the land and shall pass to such owner's successors in title.

Section 8. Arbitration. In the event of any dispute arising concerning a party wall, or under the provisions of this Article, each party shall choose one arbitrator, and such arbitrators shall choose one additional arbitrator, and the decision shall be by a majority of all the arbitrators.

ARTICLE VIII

USE OF PROPERTY

The use of a unit by a member or other occupant shall be subject to the rules, regulations and provisions of this Declaration, the By-Laws and Rules and Regulations of the Board of Directors and the following covenants and restrictions:

- A. Each member's unit and lot shall be maintained in good repair and overall appearance.
- B. Any member who mortgages or sells his unit shall notify the Board of Directors providing the name and address of his mortgagee or new owner.
- C. The Board of Directors shall, at the request of the mortgagee of the unit, report any delinquent assessments due from the owner of such unit.
- D. No nuisances shall be allowed upon the property nor shall any use or practice be allowed which is a source of annoyance to residents or which interferes with the peaceful possession and proper use of the property by its residents.
- E. No improper, offensive or unlawful use shall be made of the property nor any part thereof and all valid laws, zoning ordinances, the regulations of all governmental bodies having jurisdiction thereof, shall be observed.
- F. Regulations promulgated by the Board of Directors concerning the use of the property shall be observed by the members, provided, however, that copies of such regulations are furnished to each member prior to the time the said regulations become effective.
- G. The maintenance and special assessments shall be paid when due.
- H. No owner or resident shall keep or maintain any animals or birds except a single animal or bird commonly known as a household pet unless prior written consent is obtained from the

Board of Directors. No owner or resident shall allow any pet to run free on the common areas. Pets on the common areas shall be on leash and accompanied by an adult. Owners shall be responsible for picking up after pets.

I. No resident of a unit shall post any advertisement or posters for business, commercial or political purposes of any kind in or on the properties except as authorized by the Board of Directors. This paragraph shall not apply to Declarant.

J. No fence or gate shall be erected on the properties without the prior written consent of the Board of Directors. This paragraph shall not apply to Declarant.

K. No television or radio antenna or any other type of receiving or transmitting antenna nor awnings or other projections or structure shall be attached or erected on the exterior of units or on any lot without the prior written consent of the Board of Directors.

L. No unit owner shall move, remove, add or otherwise change the landscaping on the properties.

M. No unit owner shall paint the exterior surfaces of windows, walls or doors opening out of his unit.

N. No boats, trailers, motorcycles, bicycles, motor homes, campers or motor vehicles of any kind other than a licensed private passenger type shall be parked on the premises except in the unit garage, nor shall any person park a motor vehicle or otherwise obstruct any resident's use of ingress or egress to any sidewalk, garage, driveway or parking space nor may any motor ve-

hicle be parked on the roadways when parking would obstruct access by emergency or service vehicles. No baby carriages nor bicycles shall be allowed to stand on the sidewalks, entrances, driveways or other common areas.

O. No unit owner shall install or permit to be installed any window mounted or through the wall mounted air conditioning unit in his unit.

P. No repair of motor vehicles shall be made in any of the roadways, driveways or parking areas to the development nor shall such areas be used for storage parking of any boat, trailer, camper, bus, truck or commercial vehicle without the written permission of the Board of Directors.

Q. No unit owner shall make or permit any disturbing noises in any building or do or permit anything to be done therein, which will interfere with the rights, comforts or conveniences of other unit owners.

R. Units may be used for residential purposes only.

S. The common area shall not be obstructed, littered, defaced or misused in any manner.

T. Every member shall be liable for any and all damage to the common area and the property of the Association which shall be caused by said owner or such other person for whose conduct he is legally responsible.

U. No interior alterations to a home are permitted which would impair the structural soundness of any party walls, reduce

the levels of fire safety in neighboring units or diminish the heat and sound insulation between units.

V. It is prohibited to install clothes poles, exterior antennas and other types of exterior items or to hang garments, rugs, etc., or to string clothes lines on any portion of the unit, lot or common area.

W. All units shall be used for single family residence purposes only.

ARTICLE IX

ARCHITECTURAL CONTROL

Section 1. 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 therein be made until the plans and specifications showing the nature, kind, shape, height, materials and location of the 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 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 within 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.