

actions or suits which shall be necessary for the collection of said charges.

In the event that it is necessary to foreclose the lien herein created as to any property, the procedure for foreclosure shall be the same as for the foreclosure of a real estate mortgage. The lien hereby reserved, however, shall be subject to the following limitations:

(1) Such lien shall be at all times subordinate to the lien of any mortgagee of any lender of any sums secured by a properly recorded mortgage, to the end and intent that the lien of any mortgagee shall be paramount to the lien for charges described herein and provided, further, that such subordination shall apply only to the charges that shall become payable prior to the passing of title under foreclosure of mortgage or acquisition of title by deed in lieu of foreclosure, and nothing herein contained shall be held to affect the rights herein given to enforce the collection of such charges accruing after sale under foreclosure of such mortgage or acquisition of title by deed in lieu of foreclosure.

(2) Notice of any charge due and payable shall be given by filing notice of pendency of action in the Lis Pendens Book in the Office of the Clerk of Court for Greenville County. As to subsequent bona fide purchasers for value, the lien herein reserved for charges due and payable shall be effective only from the time of the filing of said Lis Pendens: provided, however, that nothing herein contained shall affect the right of the Association to enforce the collection of any charges that shall become payable after the acquisition of title by such subsequent bona fide purchaser for value.

(3) The lien herein created shall be subordinate to the lien of laborers, contractors or materialmen furnishing labor or services in connection with the construction or alteration of any improvements located on any lot, except that nothing herein contained shall be held to affect the rights herein given to enforce the collection of such charges accruing after foreclosure of any such lien.

16. The sidewalks, streets, parking area, on or under said property are not intended for public use or dedicated for public purposes or to be subject to public or municipal control, but are intended for private use and are, and shall remain, the sole and exclusive property of the Developers and lot owners described herein, their heirs and assigns, and be controlled, improved, graded and maintained at their expense and regulated by them for their own benefit and the common use and enjoyment of the owners of said lots, their heirs and assigns, forever. Said expenses of maintenance shall be prorated as provided for in paragraph 15 above.