

or by a committee composed of Margaret P. Schwiers, August B. Schwiers and Charles H. Schwiers in the event the remaining members do not appoint a successor within two weeks after the failure or inability of a committee member to act. In any event such successive appointment shall be within the categories of the original members so that there shall always be on the committee a member of the Schwiers family, a land planner or a realtor, a lawyer, and a property owner or a representative of a corporate property owner of a lot or lots in Schwiers Garden.

Any two members shall constitute a quorum for the transaction of any business before the committee; provided, however, that for any plans to be disapproved not less than two members shall join in voting to disapprove such plans. In all other matters except those mentioned in the last paragraph of this section a simple majority of those voting shall govern.

3. Paragraphs 2, 3, 4, 5, 6 and 7 of III. Approval of Plans Changes in A - Single Family Dwellings are adopted and incorporated by reference as a part of this item of Restrictive and Protective Covenants applicable to the construction or erection of multiple family dwellings in Schwiers Garden.

If the undersigned, or their Successors, Heirs or Assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person owning any real property situated in said sector of the subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages for such violation.

Invalidation of any one or more of these covenants by Judgment or Court Order shall in no wise affect any of the other provisions which shall remain in full force and effect.

If any of these covenants shall be found to be contrary to the recommendations of the Federal Housing Administration or any other national agency granting or insuring loans and shall render any lot in said subdivision unacceptable for any such loan, the developer shall have the authority to alter, amend or annul any such covenants as may be necessary to make any of the lots herein acceptable for such loan.

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*Handwritten notes:*  
M.P.S.,  
C.H.S.  
A.B.S.  
E.L.M.  
J.P.H.