

this Article XIV should prove inadequate for any reason, including non-payment of any Owner's Assessment, the Board of Directors may, at any time, levy additional Assessments in like proportion; provided, however, that the Annual Assessments may not be increased above the maximum except as provided in Section 3 of this Article XIV.

Section 8. Effect of Non-Payment of Assessments: Remedies of the Association. Any Assessments which are not paid when due shall be delinquent. If the Assessment is not paid within thirty (30) days after the due date, the Assessment shall bear interest from the date of delinquency at the rate of eight percent (8%) per annum, and the Association may bring an action at law against the Owner personally obligated to pay the same or foreclose its lien against such Owner's Townhome, in which event, interest, costs and attorneys' fees equal to twenty-five (25%) of the principal amount shall be added to the amount of such Assessments as may then be due. Each Owner, by his acceptance of a deed to a Townhome, vests in the Association or its agents the right and power to bring all actions against him personally for the collection of such charges as a debt or foreclose the aforesaid lien in the same manner as other liens for the improvement of real property. The lien provided for in this Article XIV shall be in favor of the Association and shall be for the benefit of all other Owners. The Association, acting on behalf of the Owners, shall have the power to bid in the Townhome at any Foreclosure sale and to acquire, hold, lease, mortgage and convey the same. No Owner may waive or otherwise escape liability for the Assessments provided for herein by non-use of the General Common Elements or abandonment of his Townhome.

Section 9. Priority of Lien. The lien of the Assessments provided for in this Article XIV shall be prior and superior to all other liens except only (a) ad valorem taxes and (b) all sums unpaid on a first mortgage of record. The sale or transfer of any Townhome shall not affect the Assessments lien; provided, however, that the sale or transfer of any Townhome pursuant to the foreclosure of a first mortgage thereon, shall extinguish the lien of such Assessments as to the payments thereon which became due prior to such sale or transfer. No sale or transfer shall relieve such Townhome from

RES 75

4328 RV.2