

4.6. Upon approval by the Committee, the construction may be commenced. Should the applicant request the same, the Committee will approve the construction by a written permit.

4.7 The Committee is authorized by majority vote of its members to approve or ratify any minor violations of the requirements herein set forth under Section III, "Setbacks, Location and Size, Improvements, and Lots", if in the opinion of the Committee the same shall be necessary to prevent undue hardship because of topography, the shape of any platted lot or the setback lines as shown on the recorded Plat, and if in the opinion of the Committee such violation will cause no substantial injury to any other lot owner. In no event may the Committee approve or ratify a violation of the front setback line of more than 5 feet or of the main building side line restriction of more than 3 feet or of the restrictions as to building size imposed by Section III hereof by more than 15 square feet. The approval of ratification by the Committee in accordance with this paragraph shall be binding on all persons.

V.

MAINTENANCE CHARGES

HOMEOWNER'S ASSOCIATION

5.1 All numbered lots on the recorded Plat shall be subject to an annual maintenance charge or assessment of \$100.00 per year payable in advance on January 1 of each year beginning January 1, 1983. Said maintenance charge shall be payable to Walden Pond Homeowners Association, Inc. The maintenance charge shall not apply to the Developer, College Properties, Inc., or any successor Developer.

5.2 Should the Developer convey numbered lots to Purchasers at any time other than January 1st, then the purchaser shall pay his or her pro rata share of the annual maintenance charge as of date of closing the transaction.

5.3 The yearly assessment of \$100.00 is subject to change from time to time as may be determined by a majority vote of the property owners in all phases of Walden Pond Subdivision. There shall be one vote for each lot in each phase of the Subdivision whether owned by one person or by more than one person. It shall be the responsibility of a person purchasing property in Walden Pond to contact Walden Pond Homeowners Association, Inc. to determine the amount of the yearly dues and whether