

successively reappointed. In the event of the failure or inability of any member to act, the vacancy created shall be filled temporarily or permanently as necessary by the remaining members of the committee or by the developer his heirs and assigns 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 and a lawyer.

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.

2. No improvements or buildings shall be erected, placed or altered on any lot or lots until and unless the building plans, specifications and plot plan showing the proposed type of construction, exterior design and location of such residence have been approved in writing as to conformity and harmony of external design and consistence of plans with existing residences or other buildings and as to the location of the structure with respect to topography and finished ground elevation, by the architectural committee.

3. In order to prevent duplication of buildings or improvements to be constructed the committee is vested with full authority to approve or disapprove plans for the construction of any building or improvements with its major features so similar to an existing building or improvement as to be construed as a practical duplication thereof in the discretion of the committee.

4. In the event said committee fails to approve or disapprove such designs and plans within two weeks after said plans have been submitted to it or in any event, if no suit to enjoin the erection or alteration of such building or improvement has been commenced before such erection or alteration is substantially completed, such prior approval will not be required and this covenant will be deemed to have been fully complied with and no suit or claim will be available to said committee, not to any lot owner or other person. The term "building or improvement" shall