

landscaping and drainage, all subject to the approval of the Architectural Committee.

V/ MAINTENANCE CHARGES, RECREATIONAL FACILITIES & COMMON GROUNDS

1. On or before such time as there are one hundred families living in the subdivision, the developers shall cause an eleemosynary corporation to be formed for the benefit of the residents of the subdivision, which shall bear the name "Sugar Creek Recreational Center, Inc." The owner of every residence located in said subdivision shall be a member of said corporation, and shall be entitled to one vote, regardless of the number of lots used in connection with his residence. When title to the property is vested in two or more persons jointly, the vote shall be exercised as they among themselves determine but in such case no more than one vote shall be cast per residence. Membership shall be appurtenant to and may not be separated from ownership of the property which is subject to assessment.

2. An annual assessment consistent with the By-Laws of Sugar Creek Recreational Center, Inc., shall be levied by said Recreational Center against the owner(s) of each residence in the subdivision. This assessment shall be based on the residence only but shall be a lien upon all lots or portions of lots used by an owner in connection with his residence. Said assessment shall be due and payable to the Recreational Center on January 1 of each year. Any assessment not paid within thirty (30) days after the due date thereof shall bear interest from the due date at the highest legal rate. The acceptance of a deed by a grantee shall be construed to be a covenant by the grantee(s) to pay said assessment, which shall run with the land and be binding upon the grantee, his successors, heirs and assigns. No persons may waive or otherwise escape liability hereunder by the non-use of the facilities of the corporation or abandonment of the property.