

c) No condominium owner, or any other party, shall have priority over any rights of the First Mortgagee of the condominium Unit pursuant to its mortgage in the case of a distribution to such Unit owner of insurance proceeds or condemnation awards for losses to or a taking of condominium Units and/or Common Elements.

31. Binding Effect, Covenants Running with the Land. The provisions of this Declaration, as amended from time to time, and of the annexed By-Laws and the Charter of the Association, as same may be lawfully amended from time to time, shall be binding upon all of the Unit owners and their heirs, personal representatives, successors and assigns.

Restrictions contained in the By-Laws of the Association and rules and regulations promulgated in accordance with the condominium documents shall be applicable to and covenants running with the land.

The provisions hereof shall be enforceable, covenants and equitable servitudes, and shall run with the land and shall be effective until this Declaration is revoked or terminated.

32. Remedies Upon Breach and Non-Waiver. Failure of a Unit owner to comply with the terms of this Declaration, the By-Laws and Articles of Incorporation of the Association attached as Exhibits shall entitle the Association or other Unit owners to such relief as may be provided by law in addition to the rights conferred to them by this Declaration. And, if the Association shall be required to file any action to obtain compliance therewith or to enforce its rights against a Unit owner, it shall be entitled to be reimbursed for its reasonable attorney's fees and court costs which the Unit owner hereby agrees to pay.

The failure of the Grantor or the Association or any Unit owner to enforce any covenant, restriction or other provision of this Declaration, the By-Laws or the rules and regulations of the Association adopted pursuant thereto, or any of the rights conferred by the Condominium Act of the State of South Carolina shall not constitute a right or waiver to do so thereafter.

33. Failure to Maintain Unit. In the event the co-owner of a Unit fails to maintain said Unit and Limited Common Elements, as are required in

E
2
7
5

4328 RV-2