

III.

PERPETUAL NON-EXCLUSIVE EASEMENT IN GENERAL COMMON ELEMENTS

The General Common Elements shall be, and the same are hereby declared to be subject to a perpetual non-exclusive easement in favor of all the Co-owners of Units in the Creekside Horizontal Property Regime for their use and the use of their immediate families, guests and invitees, for all proper and normal purposes, and for the furnishing of services and facilities for which the same are reasonably intended, for the enjoyment of said Co-owners of Units. Notwithstanding anything above provided in this Article, Creekside Association (hereinafter identified) shall have the right to establish the rules and regulations pursuant to which the Co-owners of the Units may be entitled to use the Common General Elements. The rights of each Co-owner to the use of the easements and privileges granted herein shall be limited by all such rules and regulations. Such rights of enjoyment shall also be limited by the right of the Board of Directors of said Association to impose assessments against Co-owners of Units, as hereinafter provided, and the right of such Directors to suspend the privilege of utilizing all or certain of the General Common Elements by reason of delinquencies in the payment of such assessments.

IV.

EASEMENTS FOR ENCROACHMENTS AND SUPPORT

Each Unit and the Property included in the General Common Elements shall be subject to an easement for encroachments created by construction, settling and overhangs as designed or constructed by the Developer. A valid easement for said encroachments and for the maintenance of same, as long as they stand, shall and does exist. In the event that any Building is partially or destroyed and then rebuilt, the Co-owners of the Units so affected agree that minor encroachments of parts of the adjacent Units or General Common Elements due to construction shall be permitted, and that a valid easement for said encroachments and the maintenance thereof shall exist. Every portion of an Unit contributing to the support of an