

3.9 Easements. A 10-foot easement for the drainage of surface water shall be reserved on each side of all streams on a Numbered Tract. Each Homeowner shall keep natural swales located on a Numbered Tract maintained with grass, ground covers, or natural mulch, free, unobstructed and graded in a good state of repair and condition and shall provide for the installation of such culverts on his property as may be reasonably required for proper drainage in order to preserve the present natural drainage system of the Real Property.

3.10 Utility Easements. Owner hereby reserves and is given a perpetual, alienable and releasable easement for the benefit of all homeowners for the installation of utilities (including water, electric, telephone, gas and sewer lines) over, in and under a five-foot strip parallel to and tangent with all side and rear lot lines of any Numbered Tract. Owner shall have the unrestricted power of alienating, conveying and releasing the easements reserved under the terms of this paragraph to any public authority having jurisdiction over the utility service rendered. The Tract line easements herein granted in the event any Numbered Tract shall be subdivided or replatted, as herein provided, shall thereafter apply only to a Numbered Tract as resubdivided or replatted instead of applying to the Numbered Tract as originally platted.

3.11 Rubbish Removal. The owner of a Numbered Tract, improved or unimproved, shall keep the same free of trash and rubbish, maintained in such a manner as to prevent the same from becoming unsightly, unsanitary or a hazard to health and in an attractive natural condition.

ARTICLE IV.

APPROVAL OF PLANS AND SPECIFICATIONS

4.1 Architectural Committee. For the purposes of insuring the development of the Real Property for the aforesaid purposes, no building, structure, fence, wall, barn, outbuilding, utility area, driveway, swimming pool or other structural improvement, regardless of size or purpose whether attached to or detached from a main residence, shall be commenced, placed, erected, or allowed to remain on any Numbered Tract, unless building plans and specifications showing the nature, kind, shape, height, size, materials, floor plans, exterior color schemes, location and orientation on the Numbered Tract (together with such other information as shall be reasonably required by the Architectural Committee, including a written application for approval) shall have been submitted and a permit granted in writing by the Architectural Committee hereinafter established. Additionally, the Architectural Committee shall have all powers and authorities elsewhere conferred upon it under the terms and conditions of these Covenants.

4.2 Committee Members. The Architectural Committee shall be composed of William E. Garner and Mary B. Garner, or such other person or persons as shall be from time to time designated by them in writing to serve as members of the Architectural Committee. In the event of the failure or inability for any reason of a Member to act, or any resignation from the Architectural Committee, the vacancy created shall be filled either permanently or temporarily as necessary, by the Owner or by the remaining Member or Members of the Architectural Committee. For any matter to be disapproved, not less than a two-thirds majority of the Architectural Committee shall join in voting to disapprove the same. In all matters, except for the disapproval of matter, a simple majority of those voting shall govern.

4.3 Failure to Approve or Disapprove. In the event that the Architectural Committee fails to approve or disapprove any matters within the scope of its authority within thirty (30) days after a written application for a permit shall have been submitted

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