

years of the date of this instrument, provided that the ANNEXATION is in accordance with the GENERAL PLAN OF DEVELOPMENT heretofore approved by the Federal Housing Administration or the Veterans Administration. Such ANNEXATIONS, if they are made, will subject the annexed property to these Covenants and Restrictions.

ANNEXATIONS, if any, shall become effective upon the recording of an amendment to this Declaration in the Public Records of the County.

Section 2. ADDITIONS OR MODIFICATIONS. Such amendments to the DECLARATION, as contemplated by Section 1 of this Article VII, may contain such complementary additions and modifications of this DECLARATION as may be necessary to reflect the different character, if any, of that portion of the PROJECT or the UNDEVELOPED PARCEL which are the subject of such amendments to the DECLARATION as are not inconsistent with the scheme of this DECLARATION, as determined by the DEVELOPER. Further, such amendments to the DECLARATION may contain provisions relating to such portion of the PROJECT and/or such UNDEVELOPED PARCEL, or any portions thereof, dealing with, among other things, assessments and the basis thereof, rules and regulations, architectural controls and other provisions consistent with the nature of the development of such PROJECT and pertaining to all or part of such portion and/or such UNDEVELOPED PARCEL to the exclusion of other portions of the PROJECT.

The provisions of this Article VII, Section 2, cannot be amended without the written consent of the DEVELOPER, and any amendment of this Article VII, Section 2, without the written consent of the DEVELOPER shall be deemed null and void.

Section 3. OTHER ANNEXATION OF PROPERTY. Except as set forth in Section 1 above, residential property, common areas and recreational facilities may be annexed to the property with the consent of two-thirds (2/3) of each class of members of the ASSOCIATION. Such ANNEXATION shall become effective upon the recording of an amendment to this Declaration in the Public Records of the County.

#### ARTICLE VIII PLATTING AND SUBDIVISION RESTRICTIONS

As long as there is a Class "B" membership, Developer shall be entitled at any time and from time to time, to plat and/or replat all or any part of the PROJECT, and to file subdivision restrictions and/or amendments thereto with respect to any undeveloped portion or portion(s) of the PROJECT without the consent or approval of LOT OWNERS.

#### ARTICLE IX ARCHITECTURAL CONTROL

Section 1. APPROVAL. No building, fence, wall or other structure shall be commenced, erected or maintained upon the properties nor shall any exterior addition or change or alteration therein, including a change of the building exterior paint color, be made within the individual's lot line or property line until the plan and specifications showing the nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to the harmony of external design and location in relation to the surrounding structures and topography by the BOARD, or by an architectural control committee composed of three (3) or more representatives appointed by the BOARD ("Committee"). In the event said BOARD or its designated Committee fails to approve or disapprove such design and location within thirty (30) days after said plan and specifications have been submitted to it, approval will not be required and this Article will be deemed to have been fully complied with. Nothing contained herein shall relieve the OWNER from the responsibility of obtaining proper governmental approvals and permits.

Section 2. NO LIABILITY. The ASSOCIATION or the designated Committee shall not be liable to any OWNER in connection with the exercise or non-exercise of architectural control hereunder, or the approval or disapproval of any alteration, addition, improvement, or change. Furthermore, any approval of any plans or specifications by the ASSOCIATION or its designated Committee shall not be deemed to be a determination that such plans or specifications or complete or do not contain defects, or in fact meet any standards, guidelines and/or criteria of the ASSOCIATION, or are in fact