

boundary fencing as allowed herein. No other lot owner or the public shall have any rights to enter upon any lot other than their own, except the ACC or its agents for maintenance or improvement purposes as described herein. No fencing will be allowed within the 25 ft. easement area being retained by the Declarant.

- (12) Enforcement shall be by the Declarant, ACC, or any recorded real property lienholder upon any part of said property, or any lot owner of record through the ACC, who shall have the right to enforce individually or collectively, by any proceeding at law or in equity. All restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of the declaration. Failure to enforce any covenants or restriction herein contained, shall in no event be deemed a waiver of the right to do so thereafter.

If any owner constructs or permits to be constructed on his property, any improvement which allows the condition of his property to violate any provisions of this declaration, he shall be subject to remedy as provided for herein or at law. If the offending party is determined to be in violation of the condition, covenant or restriction, in the sole and absolute discretion of the ACC or any court of competent legal jurisdiction, and has not remedied the problem after delivery of written notice setting forth the nature of the violation, then the offending party will be liable for the cost of a third party entering the property to alter, repair, and or remove the cause of such violation or item which is in violation of such declaration, in such manner as to make it conform thereto.

- (13) The cutting or removal of living trees will only be permitted where necessary for the construction of buildings or thinning for the beautification of the property. All such cutting must be approved by the declarant and or the ACC. Such approval must be granted before cutting begins.

- (14) Each lot owner shall provide individually for his own garbage and trash disposal. No parcel or any part thereof shall be used or maintained as a dumping ground for rubbish, trash, garbage, wrecked or disabled vehicles or other waste. Any normal accumulation of garbage or trash or waste shall be kept in sanitary containers at all times, and systematically removed in a reasonable length of