

ARTICLE IV

APPROVAL OF PLANS AND SPECIFICATIONS

4.1 Architectural Committee. For the purposes of insuring the development of the Real Property as an area with an esthetic appearance, and except as excluded in paragraph 4.4, no building, structure, fence, wall, utility area, driveway, swimming pool or other structural improvement, regardless of size or purpose whether attached to or detached from a main residence, located in the Residential Area shall be commenced, placed, erected or allowed to remain on any Numbered Lot, nor any additions to, or exterior changes in, or alterations thereto shall be made unless building plans and specifications covering the same, showing the nature, kind, shape, height, size, materials, floor plans, exterior color schemes, location and orientation on the Real Property together with such other information as shall be reasonably required by the Architectural Committee shall have been submitted to and approved 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 Jack E. Shaw, James P. McNamara and Patrick H. Brown, III. 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 remaining member or members of the Architectural Committee. For any matter to be disapproved, not less than three members of the Architectural Committee shall join in voting to disapprove the same. In all other matters, except for the disapproval of matters, a simple majority of those voting shall govern.

4.3 Successors. After the sale of all Real Property in the Residential, Multi-Family and Recreational Areas by the Developer, the Board of Directors of the Homeowners Association shall have the right to fill any vacancies which may occur in the membership of the Architectural Committee.

4.4 Standards of Disapproval. The Architectural Committee shall have the absolute and exclusive right to refuse to approve any building plan, specification, materials, design, lot grading or landscaping plan of any thing or structure which in the opinion of the Architectural Committee are not suitable or desirable for any reason whatsoever, including purely esthetic reasons and reasons connected with the future development plans of the Developer of contiguous lands. In passing upon such matters the Architectural Committee may take into consideration the suitability of proposed materials, the quality of proposed workmanship, harmony of external design with the surrounding neighborhood and existing structures therein, and the effect and appearance of such construction as viewed from neighboring properties; provided, however, that it shall not be necessary to obtain the approval of the Architectural Committee for any structure which is to be erected and maintained wholly within and obscured by a Utility Area as hereinabove required.

4.5 Failure to Approve or Disapprove. In the event that the Architectural Committee fails to approve or disapprove any matters with the scope of its authority within thirty (30) days after same have been submitted to it, or in any event, if no suit to enjoin such matter or thing has been commenced prior to completion or the doing of such matter or thing, such prior approval shall not be required