

4. In the event said Committee fails to approve or disapprove such designs and plans within 30 days after said plans have been submitted to it, or in any event, if no suit to enjoin the erection or alteration of such building or improvement had been commenced before such erection or alteration is substantially completed, such prior approval will not be required and this covenant will be deemed to have been fully complied with and no suit or claim will be available to said Committee, nor to any lot owner or other person. The term "building or improvement" shall be deemed to include the erection, placement or alteration of any outbuilding, wall or fence to be made in any lot.

5. The Committee is authorized by unanimous vote of all its members to approve or ratify in the construction or alteration of any building minor violations of the requirements herein set forth under Section II, "Setbacks, Location and Size of Improvements and Lots", if in the opinion of all the members of the Committee the same shall be necessary to prevent undue hardship because of topography, the shape of any platted lot or the setback lines as shown on the recorded plats, and if in the opinion of the members of the Committee such violation will cause no substantial injury to any other lot owner. In no event may the Committee approve or ratify a violation of the front setback line of more than 5 feet or of the main building side line restriction or more than 4 feet or of the restrictions as to building size imposed by Section II hereof. The approval or ratification by the Committee in accordance with this paragraph shall be binding on all persons.

IV EASEMENTS

1. An easement is reserved over the rear and side lot lines 5 feet in width on each lot for the installation, operation and maintenance of utilities and for drainage purposes. Such easements across the lots as are shown on the recorded plat are also reserved.

The easements herein provided for shall include the right to cut trees, grade swales or ditches, lay drain pipes or do such other things as may be reasonably required to provide for necessary drainage.