

servitudes and easements shall give to the Declarant the right to immediate entry upon the property upon which such violation exists and summarily to abate and remove at the expense of the owner thereof, any erection, structure, building, thing or condition that may be or exist thereon contrary to this Declaration and to the true intent and meaning of the provisions hereof, and the Declarant shall not thereby be deemed guilty of any manner of trespass for such entry, abatement or removal, nor shall the Declarant be liable for any damages occasioned thereby. The result of every act or of omission or commission or the violation of any covenant, restriction, reservation, servitude and easement is violated in whole or in part, is hereby declared to be and to constitute a nuisance and every remedy by law or equity against a nuisance, either public or private, shall be applicable against any such owner of any lot and may be prohibited and enjoined by injunction. Such remedy shall be deemed cumulative and not exclusive where an action, suit or other judicial proceeding is instituted or brought for the enforcement of these covenants, restrictions, reservations, servitudes and easements. The losing party in such litigation shall pay all expense, including a reasonable attorney's fees incurred by the other party in such legal proceeding.

XIV

RIGHT TO ENFORCE

The provisions contained in this Declaration shall bind and inure to the benefit of and be enforceable by the Declarant or by the owner or owners of any portion of said property, their and each of their legal representatives, heirs, successors and assigns, and failure by the Declarant or by the owner or owners of any portion of said property or their legal representatives, heirs, successors and assigns to enforce any of such covenants, restrictions, reservations, servitudes and easements herein contained shall in no event be deemed a waiver of the right to do so thereafter, unless otherwise herein provided.

XV

ASSIGNMENT OF POWERS

Any and all rights and powers and reservations of the Declarant herein contained may be deeded, conveyed or assigned to another corporation, co-partnership

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