

WILLIAM 457

5. (a) After the expiration of one (1) year from the date of completion of any structure or alteration, such structure or alteration shall be deemed to comply with all the provisions of this paragraph unless notice to the contrary shall have been recorded in the public records of said county or legal proceedings shall have been instituted to enforce such compliance.

(b) In the event that Declarant shall fail for a period of forty-five (45) days to approve or disapprove any plans, specifications or plot plans submitted to it for approval, the same shall be deemed to have been approved.

6. The Declarant or any agent of the Declarant may at any reasonable time enter and inspect any building or property subject to these restrictions, during construction.

7. Prior to the occupancy of any dwelling constructed or erected on any such plot, the prospective occupants thereof shall obtain a certificate of occupancy issued by the Declarant certifying that the construction thereof has been completed in accordance with the plans and specifications and approved by the Declarant. No dwelling shall be occupied prior to the issuance of such certificate of occupancy. The Declarant may, from time to time, delegate to a person or persons the right to approve or disapprove the plans and specifications and plot plans and to issue such certificate of occupancy, except, however, this provision shall not apply to an institutional lender which holds a first mortgage over any lot in the subdivision in the event of a foreclosure or deed in lieu of foreclosure.

8. The plans and specifications to be submitted to the Declarant shall show the nature, kind, shape, height, materials, floor plans, color scheme, location of such structural work to be done and the grading plan of the plot to be built upon, and the Declarant shall have the right to refuse to approve any such plans and specifications or grading plans which are not suitable or desirable in his option for esthetic or any other reasons; and in so passing upon such plans and specifications and grading plans, shall have the right to take into consideration the suitability of the proposed building or other structure and of the materials of which it is to be built on the site upon which it is proposed to erect the same, the harmony thereof with the surroundings and the effect of the building or other structures as planned and on the outlook from the adjacent or neighboring property.

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