

the building plans, specifications and plat plan showing the proposed type of construction, exterior design and location of such residences have been approved in writing by the Committee. While it is the express desire of Developer that one of the above six plans be constructed on each lot, if in the sole discretion of the Committee, after reviewing the plans and specifications, the Committee determines that the proposed plan is in conformity and is of external design and consistence with plans of existing residences or other residences conforming to the six plans above noted and as to the location of the structure with respect to topography and finished ground elevation, then the Committee may approve in writing any such plans and specifications. In the event the Committee, or its designated representatives, fails to approve or disapprove in writing within thirty (30) days after receipt of plans and specifications and if no suit to enjoin or prevent the construction has been commenced, then disapproval will be deemed waived and approval will be considered granted 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 "buildings or improvements" shall be deemed to include the erection, placing or alteration of any building, wall or fence to be made on any lot.

The Committee may, by unanimous vote, grant a waiver of the setback lines, side lines, and lot lines; provided, that in the opinion of the Committee, such waiver should be granted because of topography which would make it impossible or impractical to comply with the established requirements and such waiver would cause no substantial injury to any other lot owner. In no event may the Committee approve a violation of the front setback line of more than five (5) feet or of a side lot building line of more than four (4) feet. The Committee may approve a recutting or changing of the lot lines by the developer if they in their sole discretion, determine that it is in the best interest of the subdivision to do so. Any waiver by the Committee as provided in this paragraph shall be done in writing in a manner that can be recorded. In the event of the failure

0509

4328 RV-2