

ARTICLE III.

RECREATIONAL FACILITIES

1. Declarant is constructing at its expense, a swimming pool, bathhouse and tennis courts on the Recreation Association property and reserves the right to complete said construction.

2. Said recreational facilities shall be for the benefit and use of the condominium unit owners and patio home lot owners.

3. Membership in Sugar Creek Villas Recreation Association, Inc. shall consist of the unit owners and patio home lot owners.

Any person becoming an owner of a unit in Sugar Creek Villas Horizontal Property Regime and/or an owner of a patio home lot shall automatically become a member of Sugar Creek Villas Recreation Association, Inc., and be subject to the by-laws and restrictions for said association. Such membership shall terminate without formal action of said Sugar Creek Villas Recreation Association, Inc. whenever such person ceases to be an owner, but such termination shall not relieve any such former owner from any liability or obligations incurred under or in any way connected with, said Sugar Creek Villas Recreation Association, Inc., during such period of ownership and membership, or impair any effective remedies of said Sugar Creek Villas Recreation Association, Inc.

When more than one person holds title to a unit or patio home lot, the vote on all matters upon which the members of said Sugar Creek Villas Recreation Association, Inc. are entitled to vote shall be limited to one (1) vote per unit and/or patio home lot to be exercised as such owners determine among themselves.

4. An assessment shall be levied by the Recreation Association against each condominium unit and patio home within the Property. Said assessment shall apply equally to each completed condominium unit and patio home. Said assessment shall be due and payable to the Recreation Association on the first day of each month, unless otherwise decided by the Recreation Association.

5. Declarant shall have and exercise all rights, powers, remedies, duties and privileges of the Recreation Association until control of the Recreation Association becomes vested in the purchasers of condominium units and patio homes. Declarant shall have

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