

design (including colors to be used) and location of such residence have been approved in writing as to conformity and harmony of external design and consistence with the plans of existing residences or other buildings and as to the location of the structure with respect to topography and finished ground elevation, by the Committee.

Section 3. In order to prevent duplication of buildings or improvements to be constructed in this section or any adjacent section, the Committee is vested with full authority to approve or disapprove plans for the construction of any building or improvement with its major features so similar to an existing building or improvement as to be construed as a practical duplication thereof in the discretion of the Committee.

Section 4. In the event said Committee fails to approve or disapprove such designs and plans within thirty (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 covenants 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 and improvement" shall be deemed to include the erection, placement, or alteration of any outbuilding, wall or fence to be made on any lot.

Section 5. The Committee is authorized by a majority 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 Article VI, "Building Setbacks," Article VII, "Residential Lots, Location of Improvements," and Article VIII, "Minimum Floor Area," if in the opinion of a majority of members of the Committee the same shall be necessary to prevent undue hardships because of topography, the shape of any platted lot or the setback lines as shown on the recorded plat, and if in the opinion of a majority of members of the Committee such violation will cause no substantial injury to any other owner. In no event may the Committee approve or ratify a violation of the front setback line of more than five (5) feet or of the main building side line restriction of more than four (4) feet. The approval or ratification by the Committee in accordance with this paragraph shall be binding on all persons.

Section 6. The powers and duties of the Committee, and of its designated representative, shall cease on and after January 1, 1993. Thereafter, the approval described in these covenants shall not be required, unless prior to said date and effective thereon a written instrument shall be executed by the

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