

ARTICLE XII

EASEMENTS AND UTILITIES

Section 1. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat for Phase X. No buildings, trees, monolithic slabs, or other improvements shall be constructed or placed upon, over or across such easement areas. Fences may be constructed or placed upon, over or across such easement areas; provided, however, that such placements shall be at the owner's risk and any fences so placed shall be subject to removal by any public utility, as hereinafter provided. Said easements are hereby set apart for and reserved to the mutual use and accommodation of public utilities desiring to use same or for drainage-ways as may be necessary. Any public utility company utilizing any easement shall have the right to permanently remove all or part of any buildings, fences, trees, shrubs or other improvements placed in an easement which may in any way endanger or interfere with the construction, maintenance or efficiency of its facilities lying in an easement area. Any public utility company shall have the right of ingress and egress to and from and upon said easement area for the purpose of constructions, reconstruction, inspection, surveillance, maintenance, addition to, to removal of all or part of its facilities. Any utility company exercising this right of access shall replace or repair damage caused only to the extent that such replacement or repair would normally be repaired in an open or unobstructed area.

Section 2. All utility systems (water, sewer, electrical power, telephone and cable television) shall be placed underground within Phase X, Section I. Above ground, surface-placed transformers, terminals, or other equipment necessary to the operation of said underground systems and in public view shall be screened in a manner as may be required by the Committee.

Section 3. A forty (40)-foot beautification and drainage easement is located along and adjacent to Stallings Road as shown on the recorded plat. The purpose of this strip is to provide a buffer zone between the subdivision and Stallings Road. No trees shall be cut within this area without the prior express written approval of the Committee.

Section 4. The right is further reserved within the easements for grade changes and tree removal, if necessary, for the purpose of proper landscaping and drainage, all subject to the approval of the Committee.

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