

after sale under foreclosure of such mortgage or acquisition of title by deed in lieu of foreclosure.

B. Notice of any charge due and payable shall be given by filing notice of pendency of action in the Lis Pendens Book in the Office of the Clerk of Court for Greenville County. As to subsequent bonafide purchasers for value the lien herein reserved for charges due and payable shall be effective only from the time of the filing of said Lis Pendens; provided, however, that nothing herein contained shall affect the right of the Association to enforce the collection of any charges that shall become payable after the acquisition of title by such subsequent bonafide purchaser for value.

C. The lien herein created shall be subordinated to the lien of laborers, contractors, or materialmen furnishing labor or services in connection with the construction or alteration of any improvement located on any lot, except that nothing herein contained shall be held to affect the rights herein given to enforce the collection of such charges accruing after foreclosure of any such lien.

#### ARTICLE XVIII

##### VALIDITY

Violation of or failure to comply with these restrictions shall not affect the validity of any mortgage, bonafide lien or similar security instrument which may be then existing on any lot in Section III. Invalidation of any one of these restrictions, or any portion thereof, by a judgment or court order shall not affect any of the other provisions or restrictions herein contained, which shall remain in full force and effect. Any deed or legal instrument (except deeds of trust, mortgages or similar security agreements) purporting to convey, transfer or assign any interest in land within Phase X, Section I shall contain appropriate language expressly subjecting the land within such conveyance, transfer, or assignment to all the restrictions set forth herein. Words of any gender used herein shall be held and construed to include any other gender, and words in the singular number shall be held to include the plural, and vice versa, unless the context requires otherwise. The captions of Articles and Sections hereof are for convenience only and shall not be deemed to construe or limit the meaning of the language therein.

#### ARTICLE IXI

##### AMENDMENT

Section 1. So long as Developer shall own one (1) or more lot or lots

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