

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. The Approval or Ratification by the Committee shall not be taken as an indication of the Structural Soundness of the House nor of Compliance with any Governmental Regulations.

Section 6. The powers and duties of the Committee, and of its designated representative, shall cease on and after June 1, 2001. 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 then record owners of a majority of the lots in this subdivision and duly recorded appointing a representative or representatives, who shall thereafter exercise the same powers previously exercised by said Committee.

#### ARTICLE IV.

#### PUBLIC COMPLIANCE

The improvements or use of a Lot either now or in the future within Phase IX, Section II A shall comply in all respect with regulations, ordinances or other public controls on such improvement or use which have been officially established, or may in the future be officially established, by the appropriate governmental authority, if any. In the event a disparity exists, either now or in the future, between a restriction established under this restrictions and a similar restriction established by such governmental authority, the more limiting restrictions shall govern. No initial construction, additional improvement or modification of an existing improvement shall be made on any Lot until

0372

74328 RV.21