

Except as specifically approved by the Architectural Committee, all party walls constructed pursuant to this easement must have a minimum width of eight inches, including furring strips and gypsum board, together with the necessary footings to support same. The owners of the two lots affected by a party wall shall share equally in the responsibility for maintenance and replacement thereof, in the event of destruction or damage; provided that if such destruction or damage shall be caused by the acts or omissions of one of said lot owners, or any person coming upon the Property through permission of one of said lot owners, then that lot owner shall be entirely responsible for the cost of maintenance or rebuilding of the common wall. In the event it becomes necessary to rebuild the common wall, it shall be erected within one year after the damage occurs, in the same location and of comparable size, materials and quality as the initial wall.

Section 8. Children. Since the primary purpose for the creation and development of Swansgate is to provide a preretirement and retirement community consisting of adults who are 50 years old or older, no owners of any Residential Unit shall be allowed to have any individual live in such Residential Unit on a permanent basis who is under the age of 21, except for unusual and extraordinary cases specifically approved by the Board of the Association. No individual between the ages of 21 and 49 shall be allowed to live in any Residential Unit on a permanent basis other than a member of the immediate family (wife, husband, son, daughter, brother, sister, mother, or father) of the owner.

Section 9. Maintenance of Streets, Lawns and Buildings. All streets, roads and roadways within the Property, as designated by the Initial Plat and subsequent plats described herein, shall be owned by the Swansgate Homeowners Association, subject to the easements created herein. The streets, roads and roadways shall be maintained by the Association from funds generated by the dues payable to the Association by all owners of Residential Units, as hereinafter provided.

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