

The Swansgate Homeowners Association will be responsible for maintenance of all lawns on all of the numbered lots within the Subdivision, including the entire area of all vacant lots, as well as any other portion of the Property which shall not be designated as a Future Development Site or street.

The Association shall provide exterior maintenance upon each residence in the Subdivision as follows: repair, replace, paint or stain, and care for roofs, exterior building surfaces, decks, fencing, stoops, patios and outside steps. This does not include replacement of glass surfaces, decks, fencing or patios. In the event the Association shall determine that the need for maintenance or repairs by the Association as provided for in this paragraph is caused through the willful or negligent act of a residence owner, his lessee or their family, guests or invitees and not covered or paid for by insurance, the cost of such maintenance or repairs shall be added to and become a part of the assessment to which such residence owner is subject.

The Association shall also be responsible for repair and maintenance of fencing and other improvements constructed or placed in the Subdivision in areas other than numbered lots.

Except as specifically provided above in this Section 9, each owner of a residence within the Subdivision shall maintain and repair such residence, at his own expense, in such a manner as to assure that the exterior appearance of the residence is consistent with the standards of appearance and quality established by these Protective Covenants and the Architectural Committee.

Section 10. Homeowners Association. An organization to be known as the "Swansgate Homeowners Association" (herein referred to as the "Association") will be formed by the Developer within six months after the filing of this instrument. The Developer or the Association itself shall have the right to cause the Association to be incorporated as a non-profit corporation under the laws of the State of South Carolina. The Association shall be organized and shall operate in accordance with Bylaws to be