

Together with all improvements to the premises constructed or to be constructed such as utilities, walkways, privacy fence and parking areas located on said parcel of land and in general all other devices or installations existing for common use.

Section 4. "Unit" shall mean and refer to any numbered plot of land shown upon any recorded subdivision map of the Properties with the exception of the Common Area. Decks, patios and driveways appurtenant to each unit as shown on individual closing plats or site plans are deemed to be Common Area.

Section 5. "Declarant" shall mean and refer to Heritage Park Developers, its successors and assigns if such successors or assigns should acquire more than one undeveloped lot from the Declarant for the purpose of development.

ARTICLE II PROPERTY RIGHTS

Section 1. Owners' Easements of Enjoyment. Every owner shall have a right and easement of enjoyment in and to the Common Area which shall be appurtenant to and shall pass with the title to every lot, to specifically include the right of ingress and egress to such owners, unit, subject to the following provision;

Each living unit is assigned one permanent parking space. The space numbered to correspond with the number of the unit as indicated on the attached plat. These assignments may be changed from time to time by the Association.

Section 2. Delegation of Use. Any Owner may delegate, in accordance with the By-laws, his right of enjoyment to the Common Area and facilities to the members of his family, his tenants, or contract purchasers who reside on the property.

Section 3. Co-owners Easements. A valid easement does and shall continue to exist as to, upon and in favor of each lot for the purpose of installation, maintenance, repair and replacement of sewer, water, power, TV cable and telephone lines, pipes, mains, conduits, wires, poles, transformers and any and all other equipment or machinery necessary or incidental to the proper functioning of any utilities. A valid easement does and shall continue to exist over and across the respective lots composing the tract, for ingress and egress along walkways shown on individual, recorded plats of the lots.

ARTICLE III MEMBERSHIP AND VOTING RIGHTS

Section 1. Every owner of a unit which is subject to assessment shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of any unit which is subject to assessment.

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