

be assessed as one Tract for Assessment purposes. Developer shall not be liable for any fees associated with Tract consolidation.

3.18 Setback Lines. Except for fencing, light posts, driveways, walkways and landscaping, no improvements shall be located nearer than fifty (50') feet from the property line of any Tract that abuts a road or ten (10') feet on the sides and rear of the property, except for the lots that are located on the perimeter of the subdivision will have a fifteen (15') foot wide utility and building easement along the rear easement of the property. Any exterior lighting, including but not limited to light post, must be approved by the Architectural Control Committee or Developer (prior to the transfer control date). The Architectural Control Committee or Developer (prior to the transfer control date) has the sole discretion to reject any exterior lighting, as it is the intent of these restrictions that exterior lighting be installed so that there is down lighting. If Owner fences more than one acre surrounding its main dwelling site, then in order to maintain a uniform appearance of fences along the roads, all fencing along the road must be located at the interior edge of the twenty five foot (25') utility, road and drainage easement. The Architectural Control Committee or Developer (prior to the transfer control date) may waive or alter any setback line, if in the Architectural Control Committee's or Developer's (prior to the transfer control date) sole discretion, such waiver or alteration is necessary to permit effective utilization of a Tract due solely to drainage or land contour related concerns.

3.19 Maintenance. The Owner shall keep its Improvements in good condition and repair at all times and ensure that all Improvements are adequately painted and otherwise maintained by the Owner.

3.20 Alteration or Removal of Improvements. No exterior Improvements shall be altered, modified, or removed without the prior written approval of the Architectural Control Committee or Developer (prior to the transfer control date). Improvements may be repainted the same color without approval of the Architectural Control Committee or Developer (prior to the transfer control date).

3.21 Walls and Fences. Walls, fences and light posts, if any, must be approved prior to Construction by the Architectural Control Committee or Developer (prior to the transfer control date) and must be constructed of new material, and unless otherwise permitted by the Architectural Control Committee or Developer (prior to the transfer control date), constructed of masonry, wrought iron, wood, metal or pipe. Wood fences must be constructed in a low profile, open view, style with horizontal rails. Fence heights shall not exceed five feet (5'). Chain link fencing is prohibited, except if used as a dog run and only if such fencing is not visible from any road in the Subdivision. If pipe fencing is used, such fences must have a minimum of one (1) horizontal pipe along the front of the lot and otherwise conform with the Architectural Control Committee's or Developer's (prior to the transfer control date) specifications. The Subdivision's perimeter fencing is an individual lot owner's responsibility. Any modifications or replacements must be approved by the Developer or, after the Control Transfer Date, the ACC. The perimeter fencing cannot be removed.

3.22 Driveways. The first twenty feet (20') of any driveway which is connected to any road in the subdivision shall be constructed of hard surface. All driveways shall begin where the