

shall not defeat or adversely affect the lien of any Mortgagee made in good faith and for value upon any Lot, but, except as herein expressly provided, each and all of such covenants, conditions, restrictions, reservations and servitudes shall be binding upon and effective against any Owner whose title is acquired by foreclosure, trustee's sale, sale, deed in lieu of foreclosure or otherwise.

15. Nature of Declaration. The covenants, conditions, restrictions, reservations and servitudes contained herein shall run with the land and shall be binding on all persons owning or acquiring any interest in or occupying any portion of the Property after the date on which this Declaration is recorded. The breach of any of said covenants, conditions, restrictions, reservations or servitudes may be enjoined, abated or remedied by appropriate proceedings by the Association or by any Person owning any interest or estate in any Lot; and after the date hereof, any Person who acquires any interest or estate in all or any part of the Property agrees and shall agree by virtue of and upon the acquisition of such interest or estate that said Person shall look only to the Association or other Owners or other Persons hereafter acquiring an interest or estate in said Property for any performance or enforcement of or relief from any violation of any of the covenants, conditions and restrictions contained herein, including the Declarant, if the Declarant is violating any of the covenants, conditions and restrictions contained herein.

16. Amendment. The provisions of this Declaration may be changed, modified or rescinded by an instrument in writing setting forth such change, modification or rescission, signed by at least seventy-five (75%) of the Members and acknowledged, provided, however, that no such amendment shall be effective to limit or restrict any right, power, exemption, privilege or easement provided to the Declarant herein or to increase any obligation or liability of the Declarant unless such Amendment is also approved by the Declarant.

Notwithstanding any other provision of this Section 16, until December 31, 1995, the Declarant reserves the right to amend this Declaration without the approval of the Owners, provided; however, that no such amendment shall have the effect of changing the plat of any Owner's Lot without the consent of such Owner.

Any change, modification or rescission accomplished under any of the provisions of this paragraph shall be effective upon recording of the instrument providing therefor signed and acknowledged by all Persons whose signatures, approval or consent is required by this paragraph.

17. Notices. Notices provided for in this Declaration, the Articles of Incorporation or the By-Laws shall be in writing and shall be mailed postage prepaid, if to the Association, addressed to the address to which payments of assessments are then sent and, if to an Owner to his address as shown in the records of the Association. The Association may designate a different address or addresses for notice to it from time to time by giving written notice of such change of address to all Owners. Any Owner may also designate a different address or addresses for notices to him by giving written notice of his change of address to the Association. Notices addressed as above provided shall be deemed delivered when deposited properly addressed in the United States mail, postage prepaid. Upon written request to the Association, any Mortgagee shall be given a copy of all notices permitted or required by this Declaration to be given to the Owner of any Lot of which such person is a Mortgagee. Such copy shall be deemed given when mailed by regular mail to the address indicated in such request.

18. Severability. If any provision of this Declaration, the Articles or the By-Laws or the rules or regulations, or any section, clause, sentence, phrase or word, or the application thereof in any circumstance is held invalid by a court of competent jurisdiction, the validity of the remainder of this Declaration, the Articles, the By-Laws or the rules and regulations and the application of any such provision, section, sentence,