

family residential building site. Any such modification of the setback restrictions by the Declarant for any Lot shall be by written instrument in a form suitable for recordation in the Clerk's Office, but shall not be effective unless and until the City of Virginia Beach, Virginia shall also agree to a variance in the setback requirements for any such Lot.

5. The shape, size or configuration of any Lot abutting a canal or any body of water may not be changed or altered in any manner by the dredging, filling in and/or bulk heading of any portion of any such canal or body of water without the prior written consent of the Declarant. The elevation or contours of any Lot or portion thereof may not be materially changed or altered without the prior written consent of the Declarant. The grading and/or landscaping of any Lot may not be carried out in such a manner so as to alter or change materially the flow of surface waters across a Lot onto the adjoining Lots or to cause any portion of the drainage system for the Lots to overflow. The excavation of rock, gravel, sand and clay from any Lot shall be permitted only if such excavation is performed in the course of the grading of a Lot for the construction of a Dwelling on the Lot and/or in the course of the subsequent landscaping of a Lot after the construction of a Dwelling on the Lot and if the Declarant, in its sole discretion, has consented in writing to such excavation.

6. No sign of any kind shall be displayed to the public view on any Lot other than one (1) sign of not more than six (6) square feet advertising the Lot and any Dwelling constructed on the Lot for sale or rent.

7. No Lot or any Dwelling or Improvement erected on any Lot shall be used for any illegal or immoral purposes. No act, failure to act or state of facts constituting a nuisance shall take place or exist on any Lot or in any Dwelling or Improvement on any Lot. No trash, rubbish, refuse, garbage, leaves or other waste material shall be kept or stored on any Lot except in covered sanitary containers hidden from the view of owners of adjoining Lots and the public. Such Lot shall be kept and maintained free of underbrush, overgrown weeds and grasses, trash, rubbish, refuse, garbage or other waste material (hereinafter collectively referred to as "Refuse") and any fire hazard. Refuse or other materials may not be burned or incinerated on any Lot. No horses, cattle, swine, goats, poultry or fowl, or other animals not customarily kept as household pets shall be raised, bred or kept on any Lot or in any Dwelling or Improvement on any Lot, and no