

The Declarant reserves unto itself and its successors and assigns the absolute right to waive, amend, modify, release, extinguish or terminate any or all of the Covenants set forth in this Declaration. The Declarant's rights under this paragraph shall expire and terminate on the earlier of June 1, 1996 or the date on which the Declarant shall cease to own any of the Lots.

The Declarant, whether or not the Declarant is then the owner of any of the Lots, or any owner of any of the Lots may enforce the Covenants set forth in this Declaration against any person or entity violating, attempting to violate or threatening to violate any one or more of the Covenants set forth in this Declaration by bringing an action at law for damages resulting from any actual violation of any one or more of the Covenants or by bringing a suit in equity to enjoin any actual, threatened or attempted violation of any one or more of the Covenants and to obtain such other relief as the court in equity may deem appropriate.

If any court of competent jurisdiction shall determine that any provision of this Declaration is invalid, illegal or unenforceable under any present or future laws, then any such provision shall be severed from this Declaration, this Declaration shall be construed and enforced as if any such illegal, invalid or unenforceable provision had never been a part of this Declaration, and the remaining provisions of this Declaration shall continue in full force and effect.

Regardless of whether any contract, deed or other instrument made by the Declarant or any subsequent owner of a Lot conveying any legal or beneficial interest in such Lot shall refer to this Declaration or incorporate by reference this Declaration or shall contain any provision making such conveyance subject to this Declaration, this Declaration shall be binding on and enforceable against each and every subsequent owner of each Lot.

The Declarant shall have the right and power to assign and transfer all or any of its duties, rights and powers under this Declaration unto any homeowners association, homeowners committee or civic league in which some or all of the owners of the Lots may be members or unto any other person or entity, and any such assignee and transferee shall have the same power and authority reserved unto the Declarant for the