

**Annapolis Cove Homeowners Association
Architectural Control Standards & Guidelines**

**Approved and Adopted
By the
Board of Directors**

**Effective
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These Standards and Guidelines supersede any previous versions.

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INTRODUCTION

The Architectural Control Committee (ACC) is a voluntary group appointed by the Annapolis Cove Homeowners Association Board of Directors. The purpose of the ACC is to help members of the community deal with the matters relating to architectural changes and the condition of their property and to assure that the changes are in accordance with the Architectural Control Standards & Guidelines.

The best way to preserve our community as a pleasant place to live is to have published guidelines that describe the architectural requirements of Articles V, VII, IX, and X of the community covenants. The Architectural Control Standards & Guidelines are approved by the Board of Directors and are enforceable under Maryland civil law. The Architectural Control Committee generally meets once a month as necessary. Meetings with individual property owners may be scheduled at any time.

IMPORTANT NOTE

It is the homeowner's responsibility to obtain the proper government permits and to comply with government codes. Approval by the ACC should not be construed to mean that respective permits are not required.

RECOMMENDED PROCEDURES FOR SUBMISSION OF APPLICATIONS TO THE ARCHITECTURAL CONTROL COMMITTEE

The ACC is empowered by the Board of Directors to act directly or via a management agent in all areas of architectural control contained within the Declaration of Covenants from which these architectural control guideline standards stem.

Application Procedures

1. Community homeowners are solely responsible for being aware of the Covenant restrictions, existing ACC guideline standards, and application procedures. Applications may be mailed or submitted in person to any member of the Architectural Control Committee.
2. All applications must be submitted in duplicate and shall consist of:
 - a. A letter detailing the description of the work to be done.
 - b. Blueprints if work is extensive or sketch of work illustrating the shape, form, construction detail, etc. of the work to be done.
 - c. A plat of the property or sketch of house and lot showing the proposed location of the added work.
3. If duplicate copies of the submission are not received, it will not be accepted by the ACC and shall be returned with no action taken by the ACC.
4. Application and ACC approval has to be granted prior to the start of any construction.
5. ACC approval must be in writing before commencement of construction. Initiating construction without written approval is a violation of the Covenants and could result in legal action to stop and remove the construction at the homeowner's expense.
6. The Covenants grant the ACC 30 days in which to take action on any submitted application. While it is rare for the committee to require the full 30 days, homeowners should plan on the full 30 day approval period.
7. If the ACC does not take action on the submitted application within the 30 day allocated period, the Covenants declare that the submitted application is automatically approved.
8. Approval of an application requires a majority of the ACC members.
9. Any changes made to the original plans require approval by the ACC.

10. Approvals remain in effect for the period stipulated in the approving letter. However, in no event will an approval exceed a 12 month duration. After that period a new application must be submitted.

Exceptions

Homeowners wishing to initiate architectural projects that fall outside of guideline standards may ask for an exception to the existing standards. The application must state the specific exception and provide the reason the exception is being sought. The ACC's decision will hinge strongly on the cited basis for the exception.

Appeal Process

Every homeowner receiving unfavorable ACC action is entitled to appeal the decision. In such cases the following process will apply:

All correspondence between homeowners and the ACC relating to this process shall be conducted via registered or certified mail return receipt requested. The dates reflected on the postmark and receipt shall serve as the time dates for the actions described below.

1. The homeowner shall make a written request of the ACC chairperson for an appeal board within 15 days of unfavorable notification from the ACC on the homeowner's application. The homeowner shall cite the basis for the appeal.
2. The ACC shall schedule an appeal hearing within 20 days of receipt of the homeowners' request.
3. The ACC shall notify the homeowner of the ACC's decision on the appeal no later than 10 days after the hearing.
4. Homeowners may request a further appeal with the Board of Directors. This appeal must be made no later than 15 days following notification from the ACC.
5. The Board of Directors will schedule the hearing within 20 days of the homeowners' request.
6. The Board of Directors shall notify the homeowner of its decision no later than 10 days after the hearing.

STANDARDS & GUIDELINES

1. ANTENNAE

Cable TV is available in Annapolis Cove and its use is encouraged. "Dish" antennae one meter (39.37") or less in diameter designed to receive direct broadcast satellite service and other antennae one meter or less in diameter or diagonal measurement designed to receive video programming service via wireless cable may be approved by the Architectural Control Committee. Applications for approval should include a plat with precise location, including height off the ground, of the antenna. Installation of 'old style' antennae which may be desired for reception of local stations that do not meet the one meter criteria above will be limited to attics.

2. ATTIC VENTILATORS

Roof location of attic ventilators shall be on the least visible side.

3. CHIMNEYS AND METAL FLUES (Application Required)

Chimneys must be brick or enclosed in material which conforms to the exterior of the building. Metal flues protruding from the roof are generally not allowed, but will be considered on an individual basis.

Application Requirements

Applications for chimneys must include the following information:

- a. Site plan showing the relation of chimney to the house, property line, and adjacent neighbors.
- b. Picture and/or detailed drawing of chimney to include dimensions.
- c. Color and style of house.
- d. Description of materials being used to construct chimney. If brick is being used and there is brick already on the house, then the brick colors must match.
- e. Estimated start and completion dates.

4. CLOTHESLINES

Clotheslines are not permitted.

5. COMPOST PILES

Compost piles are not permitted.

6. DECKS & PATIOS (Application Required)

Location

Decks and patios will generally be located in back yards. Requests for side yard locations will be evaluated on their individual merits.

Changes

Changes to fencing, lights, plantings, etc. caused by the erection of decks and patios will be restricted by the other appropriate sections of these ACC Standards & Guidelines.

Screening

Lattice and/or landscape screening will be required when the ACC deems it necessary to hide unsightly views created by these structures. Raised decks with large under deck areas and spindly supports will usually require such treatment.

Materials and Color

Materials must have natural weathering qualities as do brick, wood, and stone. Painted or color stained wooden decks must match the general color scheme of the applicant's house. All wooden decks must be constructed from pressure treated lumber or other woods suitable for long term exposure to the elements.

Drainage

Changes to drainage caused by the erection of decks or patios will not be allowed if these changes create areas of water collecting in the applicant's or applicant's neighbor's yard.

Application Requirements

Applications for decks and patios must include the following information:

- a. Drawings showing the exact size and style of the deck or patio with locations and dimensions of railings, stairs, benches, footers, and screening treatment for raised decks.
- b. Site plan showing the relationship of the deck or patio to the house, lot, and adjacent properties. Include height of the deck off the ground and the level where it meets the house.
- c. A full description of all materials being used

d. Color and shade

7. EXTERIOR CHANGES (Application Required)

Types

Major alterations are generally considered to be those which substantially alter the existing structure either by subtraction and/or addition.

Major building alterations include, but are not limited to, construction of sidewalks, driveways, garages, porches, greenhouses, rooms, fireplaces, chimneys, and other additions to a home.

General

The design of major alterations should be compatible in scale, materials, and color with the applicant's house and adjacent houses. Additions should look like natural extensions of the existing house. The location of major alterations should not impair the views or amount of sunlight and natural ventilation on adjacent properties.

Pitched roofs must match the slope of the roof on the applicant's house.

New windows and doors should match the look of those used in the applicant's house and should be located in a manner which will relate well to the location of exterior openings in the existing house.

If changes in grade or other conditions which will affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in drainage.

Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material should be immediately removed after completion of construction.

Construction dumpsters, whether for interior or exterior changes, may be placed on the homeowner's property or in the street along the curb line of the affected property. Specific location within the homeowner's property must be indicated in the application and approved by the ACC prior to the placement of the dumpster. Dumpster size, delivery date and pickup date for the dumpster(s) must be included in the application. Homeowner's are responsible for insuring that their contractors comply with ACC guidelines regarding placement of dumpsters and disposal of debris.

No debris may be allowed to accumulate during construction.

Any variations to the approved application must be approved by the ACC.

Application Requirements

Applications for major exterior changes must include the following information:

- a. Site plan showing location of proposed structure, and relationship to property lines and adjacent houses. Plan should also include proposed location of construction dumpster if applicable.
- b. Detailed drawings and plans including exterior elevations and dimensions.
- c. Description of materials including type of siding on dwelling and proposed structure, color of proposed structure and trim, exterior lighting arrangements, etc.
- d. It is suggested that the final application be a duplicate of those documents which are to be submitted to Anne Arundel County for a building permit, and should also include colors, materials, and drawings or photographs as required illustrating the relation of the alteration to the applicant's house and adjacent houses where necessary.
- e. Landscape plans.
- f. Estimated start and completion dates including arrival and departure dates for construction dumpster if applicable.

8. EXTERIOR DECORATIVE OBJECTS (Application Required)

Exterior decorative objects include such representative items as wagon wheels, sculptures, fountains, pools, stumps, driftwood piles, free-standing poles of all types, decorative fencing sections, and items attached to approved structures.

Application Requirements

Applications for major exterior decorative objects must include the following information:

- a. Site plan showing the relation of object to house, property line, and adjacent neighbors.
- b. Picture and/or detailed drawing of object to include dimensions.
- c. Color and material of object.
- d. Estimated start and completion dates.

9. EXTERIOR PAINTING (Application Required)

Repainting or staining a specific object to match its original color does not require approval. Color changes apply not only to the house siding, but also to the doors, shutters, trim, roofing, and other appurtenant structures. Change of exterior color for single family houses should relate to the colors of the houses in the immediate area.

Application Requirements

Applications for exterior painting changes must include the following information:

- a. List of all exterior colors on the house and appurtenant structures.
- b. A color sample of the new color to be used.
- c. Estimated start and completion dates.

10. FENCES (Application Required)

General

Fencing is used to separate property, provide security and visual privacy, or architecturally define space. In achieving any one of these goals, a barrier is created which has both visual and physical impact on the boundaries of common land and properties of adjacent homeowners. Careful consideration should be given to the basic fencing concept and the manner in which the concept is executed. There are alternatives to fencing that may achieve the desired objectives, For example, short segments of privacy fence may be combined with landscaping to achieve the desired screening without a severe impact on others. Use of plant material alone can be an alternative.

Location

- a. Fences are restricted to rear yards and must not extend forward of rear corner of house.
- b. Front yard property line fences are not allowed.

Types and Materials

- a. Property line fencing must be an open wooden type such as split rail, picket, or board-on-board, and cannot exceed 4'0" in height excepted as indicated specifically for swimming pools.
- b. Planting schemes should be integrated with all fencing to soften the visual impact.
- c. Gates should be compatible to fencing in design, material, height and color.
- d. Fencing should be compatible with the materials and colors in the applicant's house.
- e. Chain link or other metal fences are not permitted.
- f. Fencing which is finished on one side only must be constructed with the finished side facing out and structural members facing the interior.

Swimming Pools

Six (6) foot high board-on-board fences shall be used to enclose swimming pools. Landscape plantings are required of three (3) feet minimum height and on eight (8) foot centers (initially) along the street side of the fence and may be required on other borders.

Perimeter Lots

Annapolis Cove perimeter lots are given special consideration for property line fence height on perimeter lot line only. Fence height on perimeter lot line may not exceed a height of six (6) feet. (Perimeter lots are defined as lots adjoining other communities and/or wooded areas.) This exception has been granted since the ACC has no control over appearances, safety, and privacy of properties in other communities.

Application Requirements

Applications for fences must include the following information:

- a. Fence style and material.
- b. Color of fence.
- c. Dimensions.
- d. Site plan which shows the relationship of the fence to adjacent houses and open spaces and to property lines. Most fencing involves boundary line considerations to some degree. Therefore, applications must show exact relationship with property lines.
- e. Certification from the homeowner that a survey will be completed by a licensed surveyor, prior to construction of the fence.
- f. Landscaping plans to complement and/or screen the fence.

11. FIREWOOD

Firewood shall be kept neatly stacked in the rear yard and shall be located in such a manner as to minimize visual impact. In certain cases, screening may be required. A maximum of three (3) cords may be stored. Wood must be stacked as one contiguous form not to exceed twenty (20) feet long, eight (8) feet wide and four (4) feet high.

12. LANDSCAPING

Location

Care should be exercised in the planting and maintenance of trees and shrubs to prevent obstruction of sight lines required for vehicular traffic. The view from neighboring homes and shade patterns of larger trees should always be considered.

Scale

Care should be exercised in selecting plant materials which upon maturity will be of an appropriate size in height and breadth for its intended use and location. Mature size, both in height and diameter, should always be considered, especially when planting close to walkways and houses. Consideration should be given to the effect that planting will have on views from neighboring houses and property. Massing, or the three-dimensional

appearance of planting, may be improved by augmenting trees and taller shrubs with low spreading shrubs and/or ground cover.

All gardens must be neatly maintained throughout the growing season. This includes removal of all unused stakes, trellises, and dead growth.

Landscaping Materials

An application is required for the use of railroad ties, garden timbers, or other materials that form a wall over eighteen (18) inches high or fifteen (15) feet long.

Application Requirements

Applications for the use of landscaping materials must include the following information:

- a. A site plan indicating with the location of ties or timbers.
- b. Type of material to be used.
- c. Indicate any changes to grading.
- d. A brief description of the work to be done.

13. RECREATION AND PLAY EQUIPMENT (Application Required)

A. Permanent installation of recreational and play equipment

Location and Size

Such equipment must always be placed in rear yards. Consideration will be given to lot size, equipment size and design, amount of visual screening, etc.

Materials and Color

Playhouses cannot be used for storage in, or under, if elevated. Roof must be gable or hip. Maximum height of roof ridge is 67" above platform. Platform height cannot exceed five (5) feet above grade. Platform cannot exceed thirty (30) square feet and walls must be 50% open.

Sports Equipment

Permanent basketball hoop backboards must be installed in the rear yard and may not be attached to the house and/or garage.

Application Requirements

Applications for recreation and play equipment must include the following information:

- a. A site plan indicating the location of the equipment.
- b. Type of material to be used.
- c. Indicate any changes to grading.
- d. A brief description of the work to be done.

B. PORTABLE SPORTS EQUIPMENT (Application Required)

- a. The use of portable sports equipment is encouraged in back yards.
- b. Portable sports equipment may be approved in side or front yards on a non-permanent basis only.
- c. Portable sports equipment must not be mounted on houses or garages.
- d. Portable sports equipment in the front yards may be placed no further from the house than half the length of the driveway.
- e. Portable sports equipment must be placed so that missed shots will fall in the owner's own yard. It is the portable sports equipments owner's responsibility to be a good neighbor and minimize incursions of balls into other yards. The ACC will approve the specific placement of portable sports equipment in side or front yards with such a concern in mind.
- f. Portable sports equipment must be erected on the homeowner's property. This does not include in streets, on common areas, sidewalks, or pipe stem driveways.
- g. Portable sports equipment must be removed from front and side yards when not being used for a week or more. Failure to comply with this requirement will result in revocation of the permit.
- h. Portable sports equipment may be used between 8 AM and one hour after sunset.
- i. Portable sports equipment must be kept in good working order and not in need of repair. This includes replacing rusty parts, bent rims or frames, and torn nets.
- j. The preferred type of portable basketball hoop is one that stands on a pole that is perpendicular to the ground.

14. STORAGE of RECREATIONAL VEHICLES AND MOTOR VEHICLES

No recreational vehicle may be parked in open view for longer than three days. As Annapolis Cove is an active boating community, the purpose of this three day period is to allow a transient period in conjunction with permanent storage in the fall or to prepare for launching after removal from storage in the spring.

"Recreational vehicle" is defined as:

- a. Any boat or boat trailer.
- b. Any motor home or other self-contained camper
- c. Any camper slip-on where the camper backs are higher than the roof line of the cab of the truck.
- d. Any mobile home, trailer, or fifth wheel trailer.
- e. Any pop-up camp/tent trailer or other similar recreation-oriented portable or transportable facility or conveyance.
- f. Any other vehicle not defined above which could not normally or regularly be used for daily transportation including dune buggies or non-operative

automobile collection, or automotive equipment not bearing a current license plate.

Covenants require that any recreational vehicle of this nature permitted to remain upon any lot beyond three (3) days within the properties must be suitably screened by plantings or placed/maintained within an enclosed garage or carport. Such plantings must completely block the stored vehicle from view in all directions.

Sanding, painting, repainting, or engine run-up/cleaning of **ANY** vehicle is not permitted upon any lot within the properties. Mechanical work, other than emergency or minor maintenance requiring no more than 2-3 hours, e.g., flat tires, is not permitted to be performed on any vehicle upon any exterior space within the properties. Motor vehicles or recreational vehicles undergoing major or complex repairs are not permitted to be stored upon any exterior space within the properties. In addition to recreational vehicles as noted above, vehicles of any type (including motor vehicles) may not be parked/stored on lawns unless they are suitably screened by plantings. Such plantings must completely block the parked/stored vehicle from view in all directions.

15. STORAGE SHEDS

Free standing storage sheds are prohibited.

16. SWIMMING POOLS (Application Required) Types and Fencing

Only in-ground swimming pools are permitted. The pool and related equipment must be enclosed by a six (6) foot board on board fence. The fence must meet the criteria expressed in these Guidelines under Fences.

Application Requirements

Applications for Swimming pools must include the following information:

- a. Site plan shown- location and dimensions of the pool, other related equipment, fences, etc. in relation to the applicant's house, property lines and adjacent dwellings.
- b. Detailed drawings and plans of pool, deck area, lighting, fences, etc.
- c. Planting plans for fence exterior.
- d. Estimated start and completion dates.
- e. Drainage plan.

17. TRASH CANS

Trash cans should be stored out of sight. This can be accomplished by storing them in garages, basements, etc.

18. VEGETABLE GARDENS

Vegetable Gardens must meet all of the following conditions:

- a. It is located between the rear line of the house and the rear property line.
- b. Its size does not exceed 1/4 of the area described in (a).
- c. It does not damage property adjacent to it at lower levels through the flow of water onto this property.

19. MAINTENANCE GUIDELINES

Property ownership includes the responsibility for maintenance of all structures and grounds which are a part of the property. This includes, but is not limited to items such as mowing grass, removal of trash, and structural maintenance. Maintenance affects the visual character and economic values of the property and neighborhood, and in some cases, safety. Violations of maintenance standards are violations of the Covenants.

Exterior Appearance

Residents are responsible for maintaining the exterior of their dwellings and any other structures on their lots, such as decks, fences, and playground type of equipment. While difficult to provide precise criteria for what is deemed as unacceptable condition, the following cases represent some of the conditions which would be considered a violation of the Covenants:

- a. Peeling paint on exterior trim.
- b. Dented mailboxes, or mailboxes and/or stands in need of repainting.
- c. Playground equipment which is either broken or in need of repainting.
- d. Fences with either broken or missing parts.
- e. Decks with missing or broken railings or parts, or parts in need of restaining.
- f. Concrete or masonry block foundations in need of repainting.

Most residents, undoubtedly, would not allow any of the above conditions to exist, as they seek to preserve and protect their investment in their homes and to limit their personal liability by keeping all improvements on their lots in good condition.

Mowing

Turf areas need to be mowed at regular intervals, maintaining a maximum height of 8 inches.

Trash Removal

Each resident is responsible for picking up litter on his property and preventing wind-blown debris from originating on his land.

20. NEW HOME CONSTRUCTION

General

New homes to be constructed on any vacant lot must be comparable in style, size, materials, lot development, overall quality, and price to existing homes in the community. In general this is viewed as meaning that homes have a minimum of 2500 square feet of finished space plus a basement and two car garage.

Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material should be immediately removed after completion of construction.

No debris may be allowed to accumulate during construction.

Application Requirements

Applications for new home construction must include the following information:

- a. Site plan showing location of proposed structure, and relationship to property lines and adjacent houses.
- b. Detailed drawings and plans including exterior elevations and dimensions.
- c. Description of materials including type of siding on dwelling and proposed structure, color of proposed structure and trim, exterior lighting arrangements, etc.
- d. It is suggested that the final application be a duplicate of those documents which are to be submitted to Anne Arundel County for a building permit, and should also include colors, materials, and drawings or photographs as required, to illustrate the relation of the construction to adjacent houses (where necessary).
- e. Landscape plans.
- f. Estimated start and completion dates
- g. Selling price.

APPLICABLE SECTIONS of the COVENANTS

The following are some excerpts from the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS which the Architectural Control Committee feel are particularly pertinent to Architectural Control and have been inserted for reference and convenience only. Refer to the complete DECLARATION OF COVENANTS for additional information.

ARTICLE V

ARCHITECTURAL CONTROL

No building, addition to a building, or structure of any nature whatsoever including fences, shall be commenced, erected or altered until the complete building plans and specifications for the same, including its proposed location upon its lot, have been

submitted to the DECLARANT in duplicate and approved by the DECLARANT in writing. If the DECLARANT shall not approve or disapprove such plans and specifications in writing within thirty (30) days from their date of submission, it shall be conclusively presumed that the DECLARANT has approved the plans and specifications as submitted. No additional buildings, fence, walls or other structure, shall be commenced, erected, or maintained upon the properties, nor shall any changes thereto affecting shape, height, and location of the same be made until the plans and specifications shall have been submitted to and approved in writing by an Architectural Control Committee to be appointed by the Board of Directors of the Association. In the event the Committee fails to approve or disapprove such design and location within thirty (30) days after such plans and specifications have been submitted to it, approval will not be required and this article will be deemed to have been fully complied with.

ARTICLE VII

USE RESTRICTIONS

In addition to all other restrictions and covenants contained herein, use of the properties and each lot therein is subject to the following:

Section 1. None of the lots shall be used except for residential purposes. Nor more than one (1) dwelling house and appurtenant private structures shall be erected on each lot, and such dwellings shall be for single family use only.

Section 2. No structure of a temporary character, trailer, tent, garage, barn, or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently. No trailer, camper, boat or similar equipment shall be permitted to remain upon any lot within the properties unless suitably screened by plantings or placed or maintained within an enclosed garage or carport.

Section 4. All rubbish, trash and garbage shall be regularly removed from the lots, and shall not be allowed to accumulate thereon. Each lot owner shall keep grass and other foliage neatly trimmed. All clotheslines, refuse containers, wood piles, storage areas, machinery and equipment shall not be permitted on any lot unless appropriately screened from view from adjoining lots.

Section 7. All owners and occupants of lots shall abide by the By-Laws and any rules and regulations adopted by the Association.

ARTICLE IX

EXTERIOR MAINTENANCE

Section 1. Exterior Maintenance. In addition to maintenance on the Common Properties and after thirty (30) days written notice to any Owner which shall specify the required maintenance, the Association shall have the right but not the obligation to provide (a) maintenance upon vacant lots and (b) maintenance upon every improved lot.

Such maintenance may include paint, repair, replace and care of roofs, gutters, down spouts and exterior improvements. Such maintenance as to a vacant lot may include the mowing of grass and weeds, and the trimming of shrubs, or the removal of trash and litter.

Section 2. Assessment of Cost. The cost of any such maintenance shall be assessed against the lot upon which such maintenance is done and shall be added to and become part of the annual maintenance assessment or charge to which such lot is subject, and, as part of such annual assessment or charge, it shall be a lien against any such lot, or lots, as heretofore defined and limited, and a personal obligation of the owner, and shall become due and payable in all respects as provided herein.

ARTICLE X GENERAL PROVISIONS

Section 1. The Association, or any owner, shall have the right to enforce by any proceedings at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this declaration. Failure by the Association or any owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

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