

## **ARTICLE 2 SCOPE OF GOVERNING DOCUMENTS**

The Governing Documents are intended to regulate and control the use of the Lots and the Common Areas for the benefit of all Owners, tenants, guests and invitees.

## **ARTICLE 3 COMMON AREAS**

### **Section 3.1 Ownership Vested in Association**

Ownership of the Common Areas is vested in the Association, subject to the easements created by the Association, in the plat or as set forth in the Declaration, for purposes deemed necessary for the full use of the Properties. Common Areas are intended for use as public utility easements, drainage-ways, streets, and open areas. Every Owner has the right to use and enjoy the Common Areas. This right is appurtenant to and passes with the title to every Lot. Such right does not include use resulting in damage to, or making changes of any kind to the common areas. Also see sections 10.5 and 10.6 regarding damage to common areas.

### **Section 3.2 Conveyance of Owner's Rights**

Any sale or transfer of title to any Lot transfers all rights to use the Common Areas.

### **Section 3.3 Conveyance of Easements and Rights-of-Way**

The Association has the right to grant to any Person easements or rights-of-way, in, on, over, or under any Common Areas for the purpose of constructing, erecting, operating or maintaining roads, streets, walks, pathways, driveways, temporary overhead or permanent underground lines for utilities or other facilities such as sewers and storm drains.

## **ARTICLE 4 EASEMENTS AND ENCROACHMENTS**

### **Section 4.1 Easements for Encroachments**

Each Lot and the Common Areas are subject to the easements shown on the Plat and to a general easement for encroachments. This general easement for encroachments includes, but is not limited to, a four-foot easement, where necessary, in favor of adjacent Lot Owners for the repair and maintenance of their Lot.

### **Section 4.2 Drainage Easements**

**There is a drainage easement upon, across, over and under each Lot for the benefit of all other Lots.**

#### **Section 4.3 Utility Easements**

**There is an easement for installation, replacement, operation, repair and maintenance of all utilities, including, but not limited to underground cables, sewers, and storm drains.**

#### **Section 4.4 Golf Course Easement**

**An easement is granted across any roadways adjacent to the nearby golf course. This easement is limited to reasonable and necessary access for the play of golf, and is solely for the benefit of users of the golf course.**