

(h) Maintenance of Lawns and Plantings.

(1) By Owner. Each Owner of a lot shall keep all shrubs, trees, grass and plantings of every kind on his property neatly trimmed and maintained and free from trash, weeds and other unsightly material; provided, however, that such Owner shall not be responsible for maintenance of any other area as to which the Association has assumed the responsibility. The Association or its authorized agents shall have the right at any reasonable time to enter upon any lot of Owner to plant, replace, maintain and cultivate shrubs, trees, grass or other plantings located thereon.

(2) By the Association. The Association shall have the right, at any time, to plant, replace, maintain and cultivate shrubs, trees, grass and plantings on any property other than on a lot, and on such easements over an Owner's lot as may have been granted to the Association, regardless of whether any Owner or the Association is responsible hereunder for maintenance of such areas.

**Notwithstanding anything contained herein to the contrary, the Association shall maintain that portion of any lot abutting the common area which extends from the patio wall surrounding the improvements on such lot to the boundary of the common area.** No Owner shall erect any fence, wall or barrier of any kind or nature whatsoever within such area and no Owner shall install any Plants, trees, grass, gravel, cinders or other landscaping materials or construct any improvements of any kind or nature within such area. No owner shall remove, alter, injure or interfere in any way with any shrubs, trees, grass or plantings placed upon any such property by Declarant or the Association without the written consent of the Architectural Committee having first been obtained. The Association or its authorized agents shall have the right to enter upon any property within such other areas, at any reasonable time, for the purpose of planting, replacing, maintaining or cultivating such shrubs, trees, grass or plantings, and shall not be liable for trespass for so doing.

Right of Way.

During reasonable hours and after notice, except in the event of an emergency, any member of the Architectural Committee, any member of the Board, or any authorized representative of any of them, shall have the right to enter upon and inspect any property within the subdivision, and the improvements thereon, for the purpose of ascertaining whether or not the provisions of this Declaration have been or are being complied with, and such persons shall not be deemed guilty of trespass by reason of such entry.