

## **ARTICLE XI. – EASEMENTS AND SETBACKS**

***Note: This is meant to be a word-for-word transcription in order to make the document easier to read.***

***In case of an error the original documents prevail.***

**Original Governing Documents can be found at OHENC.com.**

### **Section 1.**

Easements for the installation and maintenance of driveway, walkway, parking area, water line, gas line, telephone, cable television, electric power line, sanitary and/or storm sewer drainage facilities, surface water drainage, and for other utility installations are reserved as outlined on the recorded plat and/or may be granted by the Declarant, its successors and assigns over any property owned by either of them, and the Association may reserve and grant additional easements for the installation and maintenance of the aforementioned utilities, or other necessary purposes, over and across any Common Area.

Within any such easements above provided for, no structure, planting, or other material shall be placed or permitted to remain which may interfere with the installation of said utilities or which may change the direction of flow or drainage channels in the easements or which may obstruct or retard the flow of water through drainage channels in the easements.

In addition, the Association shall have the continuing right (but not obligation) and easement to maintain all sewer and water lines located on any Lot as well as to direct the flow of surface water drainage along easement areas.

### **Section 2.**

Declarant further reserves unto itself, the Association, their respective successors and assigns, a perpetual, alienable and releasable easement and right on, over, and under the ground upon any Lot to erect and/or maintain, in any manner, all items as outlined by section 1 above.

Said easements shall be ten (10) feet along either side of all Lot lines. Any entry upon a Lot or use of these easement areas, within these granted easement areas, by the Declarant or the Association, their successors, duly appointed representatives, and/or assigns, shall not be deemed a trespass.

### **Section 3.**

**Building Setbacks.** Building Setback areas, over which no residence or other building or above-ground structure may be erected, shall be established by the

Declarant for each Lot.

Such setbacks shall be evidenced on a plat which is duly recorded in the appropriate governmental office in Brunswick County, North Carolina.

Until such time as the first Lot within a phase or section is sold the Declarant shall have the right and privilege to modify any and/or all of the building setbacks on any and/or all of the lots within that phase or section subject to the jurisdiction of the appropriate governmental authorities.

Each Residence or other structure which shall be erected on any Lot shall be situated on such Lot in accordance with the building and setback requirements of any applicable zoning ordinances.