

EASEMENTS

11.01 Utility Easements. Easements for installation, maintenance, repair and removal of utilities and drainage facilities over, under and across the Property are reserved as set forth in Section 9.08 above. Full rights of ingress and egress shall be had by Declarant and any bona fide utility company at all times over the easement areas for the installation, operation, maintenance, repair or removal of any utility together with the right to remove any obstruction that may be placed in such easement that would constitute interference with the use of such easement, or with the use, maintenance, operation or installation of such utility.

11.02 Ingress, Egress and Maintenance by the Association. Full rights of ingress and egress shall be had by the Association at all times over and upon the landscape easements and Common Properties for the purpose of maintaining the Common Properties as set forth herein. The Association shall also have the right on ingress and egress and at all times over and upon the Property to maintain any landscaping easements located on Lots, including but not limited to, Lots at the entryways or perimeter areas of the Property. All homeowners, in particular those whose lots have maintenance easements on them, agree not to remove, alter, change, add to, take from or vary any landscaping, fencing, brick work, sprinkling system, monuments, fountain or electrical systems within the landscaping easement, open space or perimeter areas without prior consent of the Committee. In the event they do any of the above stated items, they will be liable for the replacement and/or repair costs in rectifying the problem. Said costs may become a lien against their property in the event of non-payment.

11.03 Police Power Easement. With respect to the Common Properties and streets, easements and rights-of-way within the Property, the City of Keller and all other governmental agencies and authorities shall have full rights of ingress, egress, regress and access for personnel and emergency vehicles for maintenance, police and fire protection, drainage and other lawful police powers designed to promote the health, safety and general welfare of the residents within the Property.

