

against each property owner. It further reserves the right, in its sole discretion, to establish the private street maintenance fee. In setting the private street and amenity fees, however, no consideration shall be taken into account by DCS, Ltd. for the recoupment of the original construction costs but shall be based entirely on maintenance and up-keep of the street and amenities. The annual private street maintenance fee is hereby established at \$60.00 for each parcel. The private amenity fee shall be set and charged once the amenities are constructed and available for use. Neither the private amenity fees (as to a particular amenity), once set, or the private street maintenance fee shall be raised by DCS, Ltd. by more than the increase in the Consumer Price Index using January 1984 as the base. (This limit regarding raising fees shall not apply to the association once formed) DCS, Ltd. shall have no accounting responsibility during its management and control of the subdivision since it will be responsible for maintenance without regard to any short fall in collection of fees from property owners. Once DCS, Ltd. deems it expedient, in its sole discretion, to create the Owners' Association, it shall immediately transfer title to the private streets and private amenities to the Association, free and clear of any debts or liens. During the period of time that DCS, Ltd, is the owner of the private streets and private recreational amenities it shall have the absolute right to promulgate rules and regulations concerning the use thereof.

ARTICLE TEN

PAYMENT OF FEES, FINES AND CHARGES AND PROOF OF PAYMENT:

Every property owner by acceptance of a deed of conveyance, which is subject to this Master Declaration and Development. Plan, hereby agrees and obligates himself his heirs, successors or assigns, as a continuing personal obligation to the payment of required fees, Mines and charges to DCS, Ltd. or the Association, as the case may be, and further that all such fees, fines and charges including the costs and attorney's fees,