

jurisdiction of the Master Association in furtherance of a conveyance of such portion of the Master Association Property pursuant to Section 2 of Article III of this Master Declaration.

ARTICLE XVII

ENFORCEMENT OF BONDED OBLIGATIONS

Section 1. Enforcement of Bonded Obligations. In the event that the Improvements to the Master Association Property have not been completed prior to the issuance of a Final Subdivision Public Report by the DRE for a Phase of the Community, and the Master Association is obligee under a bond or other arrangement (hereinafter referred to as the "Bond") to secure the performance of a commitment by Declarant or a Merchant Builder to complete such Improvements, the following provisions shall apply:

(a) Board Action. The Board shall consider and vote on the question of action by the Master Association to enforce the obligations under the Bond with respect to any Improvements for which a Notice of Completion has not been filed within sixty (60) days after the completion date specified for such Improvements in the Planned Construction Statement appended to the Bond. If the Master Association has given an extension in writing for the completion of any Master Association Property, the Board shall consider and vote on the aforesaid question if a Notice of Completion has not been filed within thirty (30) days after the expiration of such extension.

(b) Meeting of the Delegates. In the event that the Board determines not to initiate action to enforce the obligations under the Bond, or in the event the Board fails to consider and vote on such question as provided above, the Board shall call a special meeting of the Delegates for the purpose of voting to override such decision or such failure to act by the Board. Such meeting shall be called according to

the provisions of the Bylaws dealing with meetings of the Delegates, but in any event, such meeting shall be held not less than thirty-five (35) days nor more than forty-five (45) days after receipt by the Board of a petition for such meeting signed by Delegates representing five percent (5%) of the total voting power of the Master Association.

(c) Vote by Delegates. The only Delegates entitled to vote at such meeting shall be Delegates representing Members, other than Declarant and the Merchant Builders. A vote at such meeting of Delegates representing a majority of the voting power of the Master Association to take action to enforce the obligations under the Bond shall be deemed to be the decision of the Master Association, and the Board shall thereafter implement such decision by initiating and pursuing appropriate action in the name of the Master Association.

ARTICLE XVIII

GENERAL PROVISIONS

Section 1. General Rights of Enforcement.

(a) Enforcement of Protective Covenants. The Declarant, each Merchant Builder, the Master Association, each Sub-Association and/or any Owner of a Lot or Condominium in the Community shall have the right to enforce, by proceedings at law or in equity, all of the Protective Covenants now or hereafter imposed by this Master Declaration and the provisions of the other Master Association Documents, including, without limitation, the right to prosecute a proceeding, at law or in equity, against the person or persons who have violated, or are attempting to violate, any of said Protective Covenants and/or provisions, to enjoin or prevent them from doing so, to cause said violation to be remedied and/or to recover damages for said violation.