

## **Covenant Amendment for EGCBHOA January 2013**

### I. Membership in the Estate Great Cruz Bay Association , Inc.

Every residential parcel owner, as a condition to ownership of the Property located within Great Cruz Bay, the Property consisting of all of the parcels as set forth on P.W,D No. A9-91-T68 and P.W.D. No F9-2126-T68, numbers 300-1 through and including 300-69 C, is required to join and maintain membership in the Estate Great Cruz Bay Association, Inc., (the Association”) a Virgin Islands not-for profit corporation, incorporated March 20, 1975, and its successors and assigns. Each such owner shall pay an annual membership fee commencing on the first day of January of each year in such amount as may be established from time to time by a majority vote of the members in good standing of the Association. Failure of any residential parcel owner to pay any assessment imposed by the Association shall cause such owner to lose his vote in the Association while he is in arrears and the Association shall have the right to collect such assessment, and interest, by legal action if deemed necessary. Any legal fees, court costs or other collection costs shall also be charged to such owner and be collected with the assessment. The Association may also, from time to time, establish by a majority vote of the members in good standing of the Association, special assessments for capital improvements and the failure of any residential parcel owner to pay any special assessment imposed by the Association shall cause such owner to lose his vote in the Association while he is in arrears and the Association shall have the right to collect such special assessment and interest by legal action if deemed necessary. Any legal fees, court costs or other collection costs shall also be charged to such owner and be collected with the special assessment.

### II. Enforcement Rights

To prevent the breach of, or to enforce any of the declarations, covenants and restrictions applicable to the Property, the Association and any owner of a residential parcel of the Property shall have the right, jointly and severally, to sue for and obtain an injunction, prohibitive or mandatory, to enforce the observance of said declarations, covenants and restrictions or any of them, in addition to an ordinary legal action for damages and the failure of the Association to enforce any of the declarations, covenants and restrictions herein set forth, at the time of it's violation, shall in no event be deemed to be a waiver of the right to bring an action for any subsequent violations.