

9. Invalidation or any of these covenants by judgement or Court Order shall, in no way affect any of the other provisions, which shall remain in force and effect and the undersigned Owner hereby dedicates for the public use the streets and easements as shown and designated on accompanying plat for the several purposes of constructing, maintaining, operating, repairing, removing, and replacing any and all public utilities including storm and sanitary sewers, communication lines, electric power lines and transformers, gas lines and water lines, together with all fittings and equipment for each such facility, including poles, wires, conduits, pipes, valves, meters and any other appurtenances hereto with the right of ingress and egress into and upon easements for the uses and purposes aforesaid: Provided, however, that the undersigned owners hereby reserve the right to construct, maintain, operate, lay and relay water and sewer lines together with the right of ingress and egress into and upon said easements for such construction, maintenance, operating, laying and relaying over, across and along all strips of land included with the easement shown thereon, both for the purpose of furnishing water and/or sewer service to the area included in said plat, and to other areas.

A. Overhead pole lines for the supply of electric and/or communication services may be located along the perimeter easements and other easements as necessary, street light poles or standards may be served by underground cable and elsewhere throughout said Addition all cables or lines shall be located underground, in the easement-ways reserved for general utility services and streets, shown on the attached plat. Service pedestals and transformers, as sources of supply at secondary voltages, may be located in said easement-ways.

B. Except to buildings on lots described in paragraph (A) above, which may be serviced from overhead electric and/or communication service lines, underground service cables to all buildings which may be located on all lots in said Addition may be run from the nearest service pedestal or transformer to the point of usage determined by the location and construction of such building as may be located upon each said lot; provided that upon the installation of such a service cable to a particular building, the supplier of electric service shall thereafter be deemed to have a definitive, permanent, effective and exclusive right-of-way easement on said lot, covering a five-foot strip extending 2.5 feet on each side of such service cable, extending from the service pedestal or transformer to the service entrance on said house.

C. The supplier of electric communication, and/or gas services, through its proper agents and employees shall at all times have right of access to all such easement-right-of-ways shown on said plat, or provided for in this Deed of Dedication for the purpose of installing, maintaining, removing or replacing any portion of said underground facilities so installed by it.

D. The owner of each lot shall be responsible for the protection of the underground facilities located on his property and shall prevent the alteration of grade or any construction activity, which may interfere with, said facilities. The suppliers of electric, communication, gas or other such utilities will be responsible for ordinary maintenance of underground facilities, but the owner will pay for damage or relocation of such facilities caused or necessitated by acts of the owner or his agents or contractors.

E. The foregoing covenants concerning underground facilities shall be enforceable by the supplier of electric, communication gas or other such utility services, and the owner of each lot agrees to be bound hereby.