

5. No subplot of the property hereby conveyed shall be occupied, leased, rented, conveyed or otherwise alienated, nor shall the title or possession thereof pass to another, without the written consent of The Van Sweringen Company, except that said The Van Sweringen Company may not withhold such consent, if and after a written request has been made to The Van Sweringen Company to permit such occupation, leasing, renting, conveying, or alienation, by a majority of the owners of the sublots, which are subject to the same restrictions as are in this section No. 5 set forth, and which adjoin or face the subplot concerning which consent is requested, upon both sides of the street, or streets, such subplot fronts or abuts and within a distance of five (5) sublots from the respective sidelines thereof, except transfer of title by way of devise or inheritance, in which case the devisee or heir shall take such property subject to the restrictions herein imposed, and except that said property may be mortgaged or subjected to judicial sale, provided in any such case that no purchaser of said premises at judicial sale shall have the right to occupy, lease, rent, convey or otherwise alienate said premises, without the written consent of The Van Sweringen Company first had and obtained in the manner above stated.

It being understood, however, that the rights hereby reserved to The Van Sweringen Company shall apply with equal force and effect to its successors and assigns, but in the event the ownership and control of the rights hereby reserved pass from the hands of the Van Sweringen interests, either, by reason of the appointment of a Receiver, assignment for the benefit of creditors, bankruptcy, by sale under legal process of any kind, by the transfer of the ownership of a majority stock to other interests, or otherwise, the provision for consents by The Van Sweringen Company in this section provided for shall be deemed to be sufficiently obtained if obtained from a majority of the owners of the said adjoining and facing sublots, which are subject to the same restrictions as are in this section No. 5 set forth and thenceforth the right to enforce the restrictions in this section of this deed contained shall immediately pass to the owners of the said adjoining and facing sublots which are subject to the same restrictions as are in this section No. 5 set forth, and be exercised by the written consent of the majority of the owners holding title to such adjoining and facing sublots.