

28. **Collection and Lien:**

The amount of the access fee levied by declarant shall be paid to it on or before June 1 of each year. If not so paid, the amount of such access fee plus interest at the highest legal rate from the date of delinquency thereon and costs of collection thereof, including attorney fees, if any, shall constitute and become a lien on the lot so assessed when declarant causes to be recorded in the Office of the Register of Deeds of Wayne County, Tennessee, a notice of access fees, which shall state the amount of such access fee and such other charges and a description of the lot, which has been assessed. Such notice shall be signed by an officer of declarant. Upon payment of said access fee and charges or other satisfaction thereof, declarant shall, within a reasonable time, cause to be recorded, a further notice acknowledging the satisfaction and release of said lien. Each access fee, together with such interest thereon, and cost of collection thereof, including attorney fees, shall also be a personal obligation of the person who was the owner of the lot at the time when the access fee fell due.

29. **Priority of Lien:**

Conveyance of any lot shall not affect any lien for access fee provided herein. Such lien shall be prior to all other liens recorded subsequent to said notice of assessment.

30. **Enforcement:**

The lien provided for herein may be foreclosed by suit by declarant in like manner as a mortgage and, in such event, declarant may be a bidder at the foreclosure sale. Declarant may also pursue any other remedy against owner owing money to it which is available by law or equity for the collection of debt.

31. **Proof of Payment:**

Upon request, declarant shall furnish a statement that all access fees then due have been paid or indicating the amount then due.

X. **SEVERABILITY**

32. Invalidation of any one of these covenants or restrictions by judgment or court order shall in no wise affect any other provisions, which shall remain in full force and effect.

XI. **MISCELLANEOUS PROVISIONS**

34. In the event declarant has to enforce any provision herein set out, the person or persons who have allegedly violated said provision shall be liable for all damages and court costs and attorney fees and any expert witness fees, if required, in order to maintain enforcements of the provisions herein.

XII. **DEFINITIONS:**

The following terms as used in this declaration are defined as follows: