

to Single Family Use, Single Family Residential Use, Cluster Residential Use or Residential Condominium Development Use shall pay to the Association immediately upon becoming the Owner of the Lot a sum equal to the greater of one-fourth (1/4th) of the then Annual Assessment for the Lot, or the amount of the Vistancia Contribution (as defined below), and each Person who becomes an Owner of a Lot or Parcel restricted by this Declaration to a use other than Single Family Residential Use, Cluster Residential Use or Residential Condominium Development Use shall pay to the Association at the time the Lot or Parcel no longer qualifies for a Reduced Assessment pursuant to Article VII Section 7.3 of this Declaration a sum equal to the greater of one-fourth (1/4th) of the then Annual Assessment for such Lot or Parcel or the amount of the Vistancia Contribution, in either case, a "Working Capital Fund Payment"). Funds paid to the Association pursuant to this Section may be used by the Association for payment of capital or operating expenses related to the Common Area including, but not limited to, the establishment of reserves, and shall be used by the Association to pay the Vistancia Maintenance Corporation the sum of Seventy-Five and No/100 Dollars (\$75.00) (the "Vistancia Contribution") out of each Working Capital Fund Payment, in accordance with the Vistancia Declaration, to ensure that Vistancia Maintenance Corporation shall have adequate funds to meet its expenses or to purchase necessary equipment or materials. Working Capital Fund Payments made pursuant to this Section shall be non-refundable and shall not be offset or credited against or considered as an advance payment of Assessments levied by the Association pursuant to this Declaration or any other obligations arising under this Declaration or the Vistancia Declaration.

No Working Capital Fund Payment shall be payable with respect to: (i) the transfer or conveyance of a Lot by devise or intestate succession; (ii) a transfer or conveyance of a Lot for estate planning purposes; or (iii) a transfer or conveyance to a corporation, partnership or other entity in which the grantor owns a majority interest unless the grantor determines, in its sole discretion, that a material purpose of the transfer or conveyance was to avoid payment of the Working Capital Fund Payment in which event a Working Capital Fund Payment shall be payable with respect to such transfer or conveyance.

Section 7.15. Transfer Fee. Each Person other than a Developer who purchases a Lot or Parcel shall pay to the Association immediately upon becoming the Owner of the Lot or Parcel a transfer fee in such amount as is established from time to time by the Board.

ARTICLE VIII ENFORCEMENT OF PAYMENT OF ASSESSMENTS AND OF ASSESSMENT LIABILITIES

Section 8.1. Association as Enforcing Body. The Association, as the authorized representative of the Members, shall have the exclusive right to enforce the provisions of this Declaration regarding payment of Assessments, Default Interest, Costs and Charges and other charges which may become due and payable to the Association by an Owner except as otherwise provided with respect to any provisions relating in any way to the Vistancia Declaration, in