

AMENDMENT TO THE PROTECTIVE COVENANTS / BYLAWS
OF
IVY PLACE HOMEOWNERS ASSOCIATION

This AMENDMENT TO THE PROTECTIVE COVENANTS / BYLAWS OF IVY PLACE HOMEOWNERS ASSOCIATION (the "Amendment") is made as of this Twentieth day of January, 2013, the Ivy Place Homeowners Association (the "Association")

RECITALS

WHEREAS, on January 12, 2004, that certain Protective Covenants / Bylaws of Ivy Place Homeowners Association (the "Protective Covenants/Bylaws") was adopted; and

Whereas, this Amendment was approved at a regular or special meeting of the Members of the Board, by a vote of majority of a quorum of Members present in person or by proxy and with the written consent of the Board Members: and

1. Article III, Section 3.05(g), of the Protective Covenants/ Bylaws is hereby deleted and replaced with the following

Swimming pools outdoor hot tubs reflecting ponds, saunas whirlpools, lap pools, tennis courts, basketball courts and other such facilities may be constructed, installed and maintained within applicable setbacks on any Lot provided that the same does not result in a violation of any other restriction contained herein, and approval therefore is first obtained from the Board/Committee. ANY and ALL above ground pools will be allowed as long as they are not a permanent structure. ANY and ALL above ground pools must be within applicable setbacks on any Lot provided that the same does not result in violation of any other restriction contained herein, and approval therefore is first obtained from the Board/Committee. The pool must be well maintained and at no time remain stagnant for health and other various reasons. All above ground pools must be covered and drained by October 1st of each calendar year. All lighting for such facilities and the hours during which such lighting may be used must be approved by the Board/Committee

NOW, THEREFORE, the Protective Covenants / Bylaws are amended as follows:

Amendment:

1. Article III, Section 3.05 (g) Above or partially above ground pools will be permissible only when all of the following guidelines are adhered to:

- (1.) Pool must be at least 25 feet from ALL property lines at any point on the pool.
- (2.) The pool must be well maintained and at no time remain stagnant for health and other various reasons.
- (3.) All pools above ground and in ground must have be properly closed for the winter season by October 1 of any given year and not be opened prior to April 1 the following year. The water level must be lowered to a maximum of 18 inches deep and winterization chemicals must be added to the remaining water along with the proper winter cover for the specific pool applied.
- (4.) All pools above ground and in ground MUST have drawings of the lot submitted for approval of the Architectural Review Committee. WRITTEN approval must be received by property owner prior to start of installation of the pool.
- (5.) All pools above ground and in ground must have a locked fence around the pool and MUST be locked at all times.
- (6.) Decks around above ground pools must be treated as a separate request to ARC with written approval prior to construction.
- (7.) All pools above ground and in ground must be closed and lights must be turned off by 10:00 PM each and every night.
- (8.) Failure to comply to any of the above guidelines above the pool must be removed within thirty days of notification.

IN WITNESS WHEREOF, Ivy Place Homeowners Association has executed this Amendment to the Protective Covenants/Bylaws as of the day and year first above written.

IVY PLACE HOMEOWNERS ASSOCIATION

By:

John Jacobs
President

SECRETARY TREASURER

I, Diane Clifton, being duly elected Secretary Treasurer of the Ivy Place Homeowners Association; hereby attest that the foregoing Amendment was approved at a regular or special meeting of the Board Members, by a vote of majority of a quorum of Members present in person or by proxy.

By: Diane Clifton
Secretary Treasurer, Ivy Place Homeowners Association

Board Member

Richard R. Baur

Board Member

[Signature]

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MISCELLANEOUS Book & Page

01-23-2013 11:54:30 AM

Mike Bowling - Judge of Probate
St. Clair County, Alabama

Book/Pg: 2013/184

Term/Cashier: N RECORD9 / SHERRYH

Tran: 7066.194996.285928

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CER Certification Fee

3.00

PJF Special Index Fee

5.50

REC Recording Fee

6.00

Total Fees: \$ 14.50