**CC&Rs and BYLAWS CHANGES BALLOT**

**Kennedy Park’s, Foley, Alabama**

 July 19th, 2025 Meeting

**BYLAWS**

**Current - Article II - The Association 2.08**

Notice of Meeting. Notice of any regular or special meeting shall be given to the voting members, and said notice shall be in writing and state the place, day, hour, and purpose of the meeting. Said notice shall be delivered, either personally or by mail, to each voting Member entitled to vote at such meeting, not less than ten (10) days or more than fifty (50) days before the date of such meeting, by or at the direction of the President or the Secretary. If mailed, said notice shall be deemed to be delivered when deposited in the United States mail addressed to the Voting Members at his address as it appears on the records of the Association, with postage thereon prepaid.

**Revised - Article II - The Association 2.08**

Notice of Meeting. Notice of any regular or special meeting shall be given to the voting members, and said notice shall be in writing and state the place, day, hour, and purpose of the meeting. delivered personally, sent by email to the email address which the Member has provided or, if sent by mail, to the address which the Member has designated in writing and filed with the Secretary or, if no such address has been designated, at the address of the Lot owned by such owner, to each voting Member entitled to vote at such meeting, not less than ten (10) days or more than fifty (50) days before the date of such meeting, by or at the direction of the President or the Secretary. If mailed, said notice shall be deemed to be delivered when deposited in the United States mail addressed to the Voting Members at his address as it appears on the records of the Association, with postage thereon prepaid.

CAST VOTE for BYLAW Article II 2.08 CHECK ONE ☐ YES ☐NO

**Current - Article III - Board of Directors 3.01**

Generally. The affairs of the Association shall be governed by a Board of Directors, referred to previously and hereafter referred to as the "BOARD," consisting of at least three (3) persons, but not more than Five (5) persons, and each such Director shall have one (1) vote.

**Revised - Article III - Board of Directors 3.01**

Generally. The affairs of the Association shall be governed by a Board of Directors, referred to previously and hereafter referred to as the "BOARD," consisting of at least three (3) persons, but not more than Seven (7) persons, and each such Director shall have one (1) vote.

CAST VOTE for BYLAW Article III 3.01 CHECK ONE ☐ YES ☐NO

**Current - Article III - Board of Directors 3.14**

Notice of Meetings. Notice of the date, time and place of any meeting of the Board, regular or special, shall be given to Directors not less than four (4) days prior to any such meeting, and such notice shall specify the date, time and place of the meeting and the nature of any special business to be considered and shall be given to each Director by one of the following methods, to wit: (i) by personal delivery; or (ii) by written notice by first class mail, postage prepaid; or (iii) by telephone communication directly to the Director; or (iv) by facsimile; or (v) by telegram, charges prepaid. All notices shall be sent to the Director's address, telephone, and facsimile number as submitted to the Secretary of the Association and shown on the Association's records.

**Revised - Article III - Board of Directors 3.14**

Notice of Meetings. Notice of the date, time and place of any meeting of the Board, regular or special, shall be given to Directors not less than four (4) days prior to any such meeting, and such notice shall specify the date, time and place of the meeting and the nature of any special business to be considered and shall be given to each Director by one of the following methods, to wit: delivered personally, sent by email to the email address which the Member has provided or, if sent by mail, to the address which the Member has designated in writing and filed with the Secretary or, if no such address has been designated, at the address of the Lot owned by such owner. All notices shall be sent to the Director's address, telephone, and facsimile number as submitted to the Secretary of the Association and shown on the Association's records.

CAST VOTE for BYLAW Article III 3.14 CHECK ONE ☐ YES ☐NO

**Current - Article IV - Miscellaneous 6.08**

Notice to Members. Unless otherwise provided elsewhere in these By-Laws, the Declaration, or the Articles, all notices, demands, and other communications to Members required herein shall be in writing and shall be deemed to have been duly given if delivered personally or if sent by registered or certified mail, return receipt requested, first class postage prepaid, to the address which the Member has designated in writing and filed with the Secretary or, if no such address has been designated, at the address of the Lot owned by such owner.

**Revised - Article IV - Miscellaneous 6.08**

Notice to Members. Unless otherwise provided elsewhere in these By-Laws, the Declaration, or the Articles, all notices, demands, and other communications to Members required herein shall be in writing and shall be deemed to have been duly given if delivered personally, sent by email to the email address which the Member has provided or, if sent by mail, to the address which the Member has designated in writing and filed with the Secretary or, if no such address has been designated, at the address of the Lot owned by such owner.

CAST VOTE for BYLAW Article IV 6.08 CHECK ONE ☐ YES ☐NO

**Covenants, Conditions and Restrictions (CC&Rs)**

**Current - Land Use and Building Type - Section 2-3**

All lots in the Subdivision must be kept in a clean and tidy manner, and no lot owner shall neglect or maintain his or her lot in a manner which creates a nuisance to any other lot owner.

**Revised - Land Use and Building Type - Section 2-3**

All lots in the Subdivision must be kept in a clean and tidy manner, and no lot owner shall neglect or maintain his or her lot in a manner which creates a nuisance to any other lot owner. All lots shall be kept mowed and properly maintained. This includes keeping the Lot free of weeds, trash, rubbish, garbage, unwanted items, or any other waste and removal of dead or broken shrubs and trees, including dead tree limbs and fallen palm fronds. If in the sole discretion of the Board a Lot is not properly mowed and maintained or kept in a clean and tidy manner, the Board may take such action as necessary to maintain the Owner’s Lot and assess the Owner for the same.

CAST VOTE for CC&Rs Land Use and Building Type Section 2-3 CHECK ONE ☐ YES ☐NO

**Current - Land Use and Building Type - Section 2-9**

No camper, mobile home, house trailer, recreational vehicle, tent, or other similar item shall be placed, erected, or parked, on any lot within the Subdivision for more than seven (7) consecutive days. The intent of the Developer and this paragraph is to prevent the long term or permanent parking of such items.

**Revised - Land Use and Building Type - Section 2-9**

No camper, bus, mobile home, house trailer, recreational vehicle, tent, boat or other similar item shall be placed, erected, or parked, on any lot including lawn, within the Subdivision for more than five (5) consecutive days with no repeat offenders. No structure of a temporary character, RV, trailer, tent, garage, barn or other outbuilding shall be used on any Lot at any time as a residence either temporarily, or permanently. No parking of any vehicles shall be on lawns. The intent of the Developer and this paragraph is to prevent the long term or permanent parking of such items.

CAST VOTE for CC&Rs Land Use and Building Type Section 2-9 CHECK ONE ☐ YES ☐NO

**Current - Land Use and Building Type - Section 2-10**

All fences shall be wooden and constructed of pressure treated lumber or cedar and shall be in a shadow box style. All fences shall be of a natural color, but may be waterproofed or clear coated. No fence shall exceed six (6) feet in height, and no barbed wire, chain link or other similar fences will be permitted, unless otherwise approved by the Board.

**Revised - Land Use and Building Type - Section 2-10**

All fences must be wooden and constructed of pressure treated lumber and will be installed in a “Dog Ear” style and must be (6) feet in height. All fences will be of a natural color, clear coats are allowed on any part of the fence that are in public view. All wooden fences shall have their “back” sides, with their posts and stringers, facing the homeowner’s property. Lots backing up to the pond, which are 49, 50, 55, 58, 59, 60, 61, 62, 63, their rear fence shall be constructed of aluminum, and shall be black and in flat top style that is (4) feet in height. Owners of black aluminum rear fences may also choose to have (1) one matching black aluminum rear gate if desired, but it must match flat top style and height. Only the fences that separate the neighbor’s property that will connect to the (4) foot aluminum fence must step down from (6) feet in height that steps down to (4) feet over a (5) foot span with each board cut (2) inches shorter until meeting the black aluminum fence at the rear of the property. No barbed wire, chain link or any other type of fence will be permitted. All fencing must be approved by the Board.

CAST VOTE for CC&Rs Land Use and Building Type Section 2-10 CHECK ONE ☐ YES ☐NO

**Current - Land Use and Building Type - Section 2-17**

All mailboxes in the Subdivision shall be of a color, material, style, and location approved by and in accordance with the specifications and as approved by the Board.

**Revised - Land Use and Building Type - Section 2-17**

All Lot owner’s mailboxes shall be uniform, with a black box, and white post and include 3 inch black street address number. All mailboxes in the Subdivision shall be of a color, material, style, and location approved by and in accordance with the specifications and as approved by the Board.

CAST VOTE for CC&Rs Land Use and Building Type Section 2-17 CHECK ONE ☐ YES ☐NO

**Current - Use Restrictions Section - Section 3-11**

No boat, jet ski, camper, motorcycle, RV, or trailer of any kind, character or nature shall be stored on or placed on or at any lot, unless the same shall be housed in an enclosed garage and not visible from the road or by any lot owner. A contractor may be permitted to place a temporary tool trailer during the construction of a residential structure on a lot, subject to approval by the Board.

**Revised - Use Restrictions Section - Section 3-11**

No boat, jet ski, camper, motorcycle, RV, or trailer of any kind, character or nature shall be stored on or placed on or parked in the driveway or roadway at any lot, unless the same shall be housed in an enclosed garage and not visible from the road or by any lot owner. A contractor may be permitted to place a temporary tool trailer during the construction of a residential structure on a lot, subject to written approval by the Board.

CAST VOTE for CC&Rs Use Restrictions Section 3-11 CHECK ONE ☐ YES ☐NO

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Street Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Foley, AL 36535

Signature:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_