

STATE OF ALABAMA)
)
COUNTY OF BALDWIN)

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BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
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**AMENDMENT TO THE FIRST SUPPLEMENTAL DECLARATION OF RIGHTS,
COVENANTS, RESTRICTIONS, AFFIRMATIVE OBLIGATIONS AND CONDITIONS
APPLICABLE TO ONO NORTH, PHASE TWO**

WHEREAS, The First Supplemental Declaration of Rights, Covenants, Restrictions Affirmative Obligations and Conditions Applicable to Ono North, Phase Two, dated May 22, 1995 was recorded at Misc. Book 83, Page 0706, in the records of the Office of the Judge of Probate of Baldwin County, Alabama ("Declaration"); and

WHEREAS, the Members of The Property Owners Association of Ono North, Inc., do wish to amend and revise the Declaration of Ono North, Phase Two, according to Section 13.03 of said Declaration; and

WHEREAS, notice of the subject matter of this proposed revision was included in a proper notice of a meeting, given to all Members, or duly waived; and

WHEREAS, said proposed revision was approved by more than two-thirds (2/3rds) of the total number of votes present or represented by proxy at a meeting called for such purpose.

THEREFORE, THE DECLARATION OF ONO NORTH, PHASE TWO, SHALL BE AMENDED AS FOLLOWS:

1.) Section 10.05(a) of the Declaration shall read as follows:

The Board of Directors shall cause an asset reserve study to be prepared by a licensed architect or engineer at intervals not to exceed four (4) years and made available to all Members at the office of the Association at all reasonable times. The study shall include (a) a listing of the asset components for which the Association has responsibility, (b) an assessment of the condition of the components, (c) their expected useful life, remaining useful life, and current replacement cost, and (d) the minimal annual reserve contribution necessary to maintain a positive fund balance over the remaining estimated useful lives of all listed components. The annual contribution may include estimated earnings from investment of principal.

2.) Section 10.05(b) of the Declaration shall read as follows:

Contributions and disbursements to/from the asset reserve fund shall be used only for the repair or replacement of existing physical assets included in the Reserve Study. The fund shall not be used for the purchase of additional physical assets or any other purpose. Fund balances shall be

held in a separate account from other Association accounts. Payments for services shall be made directly from the asset reserve account to the providers thereof.

3.) Section 4.07 of the Declaration shall read as follows:

(a) No mobile home, recreational vehicle, tent, or other similar vehicle or out-building or structure shall be placed on any Residential Lot, or any other portion of the Property at any time, either temporarily or permanently without prior approval from the Ono North Board of Directors.

(b) Vehicles and trailers may not be stored on unimproved lots. A limit of one boat trailer (configured to transport watercraft) or utility trailer (other trailers designed to be drawn by a passenger vehicle or pickup truck) may be stored on improved lots. Watercraft may be stored on boat trailers. Boats and trailers stored on Lots must be privately owned and not operated for hire, lease, or rental.

(c) Utility trailers may not be used for storage. Transitory trailers, such as used for moving households, may be stored for up to three days with a permit from the Association. Vehicles and trailers must be parked on driveways or other hard-surface areas such as crushed stone, pavers, or concrete, free of vegetation, and may not be parked in front yards.

4.) Section 3.03 of the Declaration shall read as follows:

(f) Design Elements Which Are Required

(1) Complete clearing of a Lot should be limited to the "footprint" of the Dwelling Unit, driveway and parking areas, and as needed for construction.

5.) Section 3.03(f)(3) is repealed.

Except as specifically modified herein, all of the other terms, covenants and conditions contained in the Declaration shall remain in full force and effect.

THE UNDERSIGNED President and Secretary of The Property Owners Association of Ono North, Inc., hereby certify that the above amendments have been duly adopted and that the foregoing is a true record of the amendments duly adopted at a meeting of the Members and that said meeting was held in accordance with state law and the Bylaws of the above named corporation on the 9th day of March, 2024, and that said amendments are now in full force and effect without modification or rescission.

DULY ADOPTED AND APPROVED by The Property Owners Association of Ono North, Inc. this 22 day of MARCH, 2024.

**THE PROPERTY OWNERS ASSOCIATION
OF ONO NORTH, INC.**

By:

Thomas Turkula

THOMAS TURKULA

Its: President

Attested by:

Susan Oda

SUSAN ODA

Its: Secretary

**STATE OF ALABAMA)
COUNTY OF BALDWIN)**

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **THOMAS TURKULA**, whose name as President of The Property Owners Association of Ono North, Inc., is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, executed the same voluntarily and with full authority as such officer, on the date the same bears date.

Given under my hand and official seal this 22nd day of March, 2024.

Tonia M. King
NOTARY PUBLIC
Print Name: Tonia M. King
My Commission Expires: 6-20-24

THIS INSTRUMENT WAS PREPARED BY:

SHAWN T. ALVES of

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