

2183904

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
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STATE OF ALABAMA)
)
COUNTY OF BALDWIN)

**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 3.03(e) of the Declaration shall read as follows:
 - (e) [Intentionally Omitted].
- 2.) Section 3.03(f), Sub Article (10) of the Declaration is hereby amended to add the following provisions:
 - (10) Required Fence Design Elements:
 - (i) Limited to back yards. Back yards are defined as the area beginning at the non-street facing rear corners of the dwelling and extending outward to the farthestmost rear and side property lines in all directions (see figure 1 below).
 - (ii) In the case of a dwelling located on a corner lot, back yards are defined as the area directly behind the front door facing side of the house (see figures 2a & 2b below). Fences can extend in a perpendicular line from back corners of the house to the relevant line to what would be considered the side or rear lot line but in no case extended in the direction of either street (see figure 3 below). Corner houses set at a diagonal angle on the lot may extend the

fence from the back corners of the house in a line perpendicular to the side lot lines (see figure 4 below).

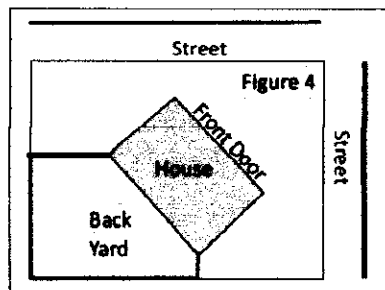
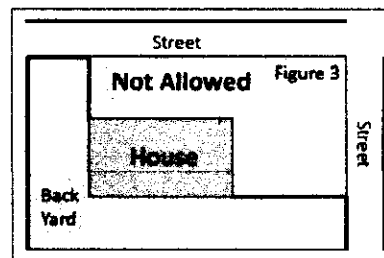
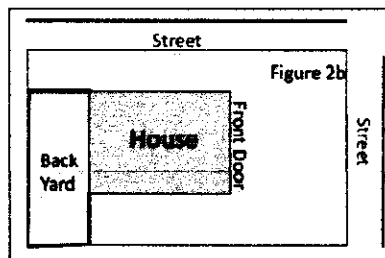
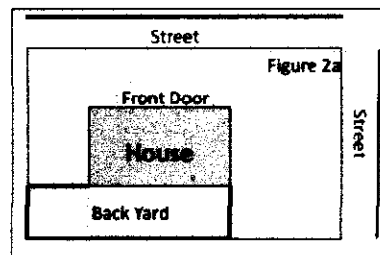
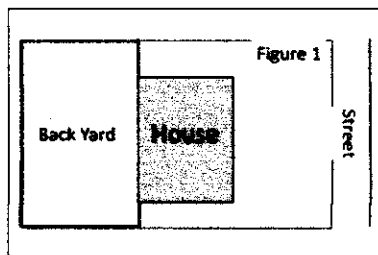
(iii) Fences and gates shall be constructed of black aluminum or non-corrosive black metal in a picket and/or open design.

(iv) Not to exceed a height of six (6) feet.

(v) Exception: Small privacy fences around utility walls and mechanical platforms (generators, HVAC, well pumps, garbage can storage, etc.) are allowed.

(vi) Any variation to these specifications requires prior Ono North ACC and Board approval.

Additional Info



3.) Section 3.05 of the Declaration shall read as follows:

Section 3.05 [Intentionally Omitted].

4.) Section 4.06 of the Declaration shall be deleted in its entirety, and the following shall be inserted in lieu thereof:

Section 4.06 Trailers and Recreational Vehicles. Up to TWO Trailers may be permanently stored (permanently defined as left in one place for longer than the permitted 3 days and only used on infrequent occasions) on an improved Residential Lot, contingent on the following:

A. Trailer types allowed.

(1) Boat and Personal Water Craft (PWC) configured with bunks, rollers or brackets for a power, sail or human powered water vessel.

(2) Personal utility trailer without motive power designed to be drawn by a passenger vehicle or pick-up truck. Maximum permitted Utility trailer size is 7' feet wide x 14' feet long. No advertising, including company name/logo/phone, etc., is permitted on the utility trailer exterior.

B. Only ONE of the TWO allowed trailers may be of a type used for transporting a powered or sailboat (PWCs and human powered watercraft are excluded from this restriction).

C. Open trailers may not be used for permanent storage of any items, including building materials, landscaping materials or tools. Trailers containing materials and equipment for an active project may be stored on the property for up to 3 days in conjunction with permitted permits.

D. Watercraft of all types may be stored on a trailer up to the trailer's designed capacity.

E. All vehicles including trailers must be parked on non-vegetative hard surface areas equal to or exceeding the entire footprint of the trailer, such as crushed stone, pavers or concrete. Parking area must remain free of vegetation.

F. Exceptions to these rules: Utility trailers may be stored on the property during new home construction or major re-construction due to catastrophic damage or remodel. In those cases, utility trailers may be stored for the duration of the permitted project.

5.) Section 13.03 of the Declaration shall be deleted in its entirety, and the following shall be inserted in lieu thereof:

Section 13.03 Amendment by Association.

A. Amendments to this Declaration may be proposed by either the Board of Directors of the Association acting upon a vote of the majority of the Directors, or by the affirmative vote of a majority of the members of the Association entitled to vote.

B. Notification of proposed amendments must be sent per the notice requirements outlined in the Association By-laws.

C. Voting for proposed amendments may occur as a part of the Member's annual meeting or in a special member meeting called for the explicit purpose of voting on such an amendment.

D. Quorums for conducting member votes are as defined in the By-laws of the Association. Quorum requirements for special meetings to amend these Declarations will follow the regulations in the Alabama State Code for Non-Profit Corporations.

E. Failure to achieve a quorum for a vote for an amendment and subsequent re-votes are regulated by and subject to Alabama State Code for Non-Profit Corporations and the Association By-laws.

F. Each lot is entitled to one vote.

G. Amendments to this Declaration, when duly approved by membership vote are to be certified by the Association Secretary and filed/recorded in the Office of the Judge of Probate of Baldwin County, Alabama, within thirty (30) days from the date on which the same became effective.

H. Amendments are effective immediately upon passage by Member vote.

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 12th day of April, 2025, 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 25 day of April, 2025.

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

By: [Signature]
THOMAS TURKULA
Its: President

Attested by:

[Signature]
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 25 day of April, 2025.

[Signature]
NOTARY PUBLIC
Print Name: Wendy James
My Commission Expires: January 7, 2029

THIS INSTRUMENT WAS PREPARED BY:

SHAWN T. ALVES of
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