

STATE OF ALABAMA)
COUNTY OF BALDWIN)

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 9/30/2020 2:28 PM
TOTAL \$ 25.00
5 Pages

1860537

SECOND AMENDMENT
TO EXHIBIT "A"
OF THE
DECLARATION OF PROTECTIVE COVENANTS FOR
COTTAGES ON THE GREENE,
A PLANNED UNIT DEVELOPMENT



This Second Amendment to Exhibit "A" of the Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development (this "Second Amendment") is made and entered into by the undersigned pursuant to the Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development (the "Declaration").

RECITALS:

A. Cottages on the Greene, a Planned Unit Development (the "Subdivision") was formed October 21, 2005, by the Declarant recording a plat for Phase I of the Subdivision in the records of the Office of the Judge of Probate of Baldwin County, Alabama on Slide 2237-E and as Instrument 931163.

B. On October 21, 2005, the Declarant recorded the Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development, in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument 931273 in order to govern and regulate the use and occupancy of the lots in all phases of the Subdivision and the common areas of all phases of the development.

C. The Plat for Phase II of Cottages on the Greene, a Planned Unit Development, was recorded on March 15, 2006, in the Office of the Judge of Probate of Baldwin County, Alabama on Slide 2257-E and as Instrument 962225, incorporating Phase II into the Subdivision, and the Declaration was amended by the Addendum to Add Phase II Amendment to the Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development, dated March 28, 2006, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama on March 31, 2006, as Instrument 965325, in order to subject Phase II of the Subdivision to the Declaration.

D. The Plat for Phase III of Cottages on the Greene, a Planned Unit Development, was recorded on August 28, 2006, in the Office of the Judge of Probate of Baldwin County, Alabama on Slide 2289-E and as Instrument 997563, incorporating Phase III into the Subdivision, and the Declaration was amended by the Addendum to Add Phase III Amendment to the Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development, dated October 12, 2006, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama on October 16, 2006, as Instrument 1007780, in order to subject Phase

III of the Subdivision to the Declaration.

E. The Declaration was amended by the Amendment to Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development, dated July 15, 2009, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama on July 16, 2009 as Instrument 1188123.

F. The Declarant transferred control of the Association to the Lot Owners by an Action by the Declarant of Cottages on the Greene, a Planned Unit Development for Cottages on the Greene Property Owners Association, Inc., dated December 31, 2009, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama on January 6, 2010, as Instrument 1214660.

G. Exhibit "A" to the Declaration was amended by the First Amendment to Exhibit "A" of the Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development, dated January 26, 2011, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama on January 31, 2011, as Instrument 1271385 ("First Amendment").

H. The Declaration was amended by the Second Amendment to Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development, dated February 20, 2020, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama on April 6, 2020 as Instrument 1821521.

I. The Architectural Review Board ("A.R.B.") desires to amend Exhibit "A" to the Declaration and the First Amendment, in accordance with Article V, Section 4, of the Declaration.

NOW, THEREFORE, premises considered, this instrument is made to amend the Declaration and all amendments thereto and is hereby made a part of said Declaration:

1. Amendment of Article V, Section 9. Article V, Section 9, of Exhibit "A" of the Declaration and First Amendment is hereby amended as follows:

9. EXTERIOR COLOR SCHEMES. Exterior color schemes shall be submitted to the A.R.B. for approval. This requirement shall also include all exterior maintenance painting, unless the original color scheme is retained.

2. Amendment of Article V, Section 21. Article V, Section 21, of Exhibit "A" of the Declaration and First Amendment is hereby amended as follows:

21. SCREENS. All screened porches, patios, or balconies must be approved by the A.R.B., and any such screened porch, patio or balcony must meet or exceed the quality and framing standards established by the A.R.B.

3. Manner of Adoption. This Second Amendment is made in accordance with Article V, Section 4, of the Declaration. An A.R.B. meeting was held on the 24th day of AUGUST, 2020. Consideration of the adoption of the amendments to Exhibit "A" to the Declaration and First Amendment described in Paragraphs 1 and 2 above (the "Amendments") were on the agenda delivered to the A.R.B. members prior to the meeting. All of the members of the A.R.B. were

present at the meeting. At the meeting the Amendments was presented to the members of the A.R.B. for a vote. A simple majority of the members of the A.R.B. (ONE HUNDRED percent (100%)) of the total number of members of the A.R.B. voted in favor of the Amendments, which meets the voting required by Article V, Section 4, of the Declaration. Thus, the Amendments were properly approved. By executing below, the members of the A.R.B. hereby attest that the foregoing information is true and correct in all respects.

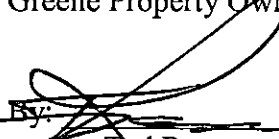
3. Capitalized Terms. Capitalized terms used herein unless otherwise defined herein have the meaning ascribed to such terms in the Declaration.

4. Continued Effectiveness. All of the applicable terms, conditions and provisions of the Declaration, as hereby supplemented and amended, are in all respects hereby ratified and reaffirmed, and the Declaration and this Second Amendment shall be read, taken and construed as one and the same instrument. References in the Declaration and all exhibits thereto shall be deemed to be references to the Declaration as amended by this Second Amendment.

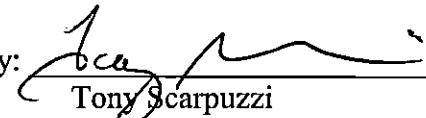
5. Effective Date. This Second Amendment shall be effective upon being recorded in the records of the Office of the Judge of Probate of Baldwin County, Alabama.

IN WITNESS WHEREOF, the Architectural Review Board of Cottages on the Greene, has caused this instrument to be properly executed by the undersigned on this the 24th day of AUGUST, 2020.

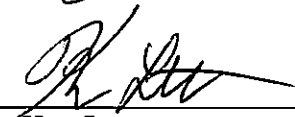
Architectural Review Board for Cottages on the
Greene Property Owners Association, Inc.

By: 

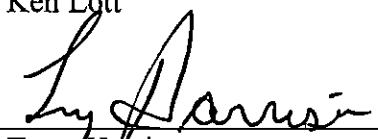
Ted Romano

By: 

Tony Scarpuzzi

By: 

Ken Lott

By: 

Terry Harrison

[Notary acknowledgements begin on the following page.]

STATE OF ALABAMA)

COUNTY OF BALDWIN)

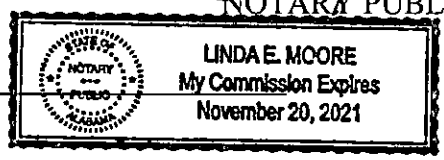
I, Linda E Moore, the undersigned Notary Public in for said County in said State, hereby certify that **Ted Romano**, whose name as member of the Architectural Review Board for Cottages on the Greene, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, _____, as such member and with full authority, executed the same voluntarily for and as the act of said Architectural Review Board on the day the same bears date.



My hand and seal this the 24th day of August, 2020.

Linda E Moore
NOTARY PUBLIC

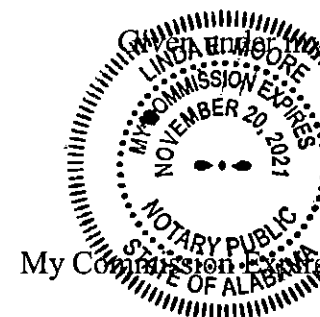
My Commission Expires: _____



STATE OF ALABAMA)

COUNTY OF BALDWIN)

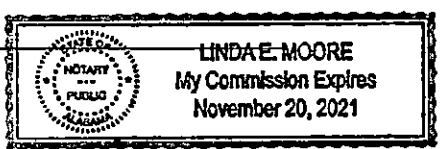
I, Linda E Moore, the undersigned Notary Public in for said County in said State, hereby certify that **Tony Scarpuzzi**, whose name as member of the Architectural Review Board for Cottages on the Greene, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, _____, as such member and with full authority, executed the same voluntarily for and as the act of said Architectural Review Board on the day the same bears date.



My hand and seal this the 24th day of August, 2020.

Linda E Moore
NOTARY PUBLIC

My Commission Expires: _____



STATE OF ALABAMA)

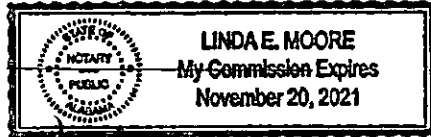
COUNTY OF BALDWIN)

I, Linda E. Moore, the undersigned Notary Public in for said County in said State, hereby certify that **Ken Lott**, whose name as member of the Architectural Review Board for Cottages on the Greene, 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 the instrument, _____, as such member and with full authority, executed the same voluntarily for and as the act of said Architectural Review Board on the day the same bears date.

Given under my hand and seal this the 24th day of August, 2020.

Linda E Moore
NOTARY PUBLIC

My Commission Expires:



STATE OF ALABAMA)

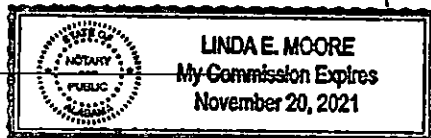
COUNTY OF BALDWIN)

I, Linda E Moore, the undersigned Notary Public in for said County in said State, hereby certify that **Terry Harrison**, whose name as member of the Architectural Review Board for Cottages on the Greene, 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 the instrument, _____, as such member and with full authority, executed the same voluntarily for and as the act of said Architectural Review Board on the day the same bears date.

Given under my hand and seal this the 24th day of August, 2020.

Linda E Moore
NOTARY PUBLIC

My Commission Expires:



THIS INSTRUMENT PREPARED BY:

C. Andrew Harrell, Jr., Esq.
Olmstead, Harrell & Garner LLC
234 Office Park Dr.
Gulf Shores, AL 36542
(251) 968-1555