

STATE OF ALABAMA)
COUNTY OF BALDWIN)

2135656

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
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TOTAL \$28.00 6 Pages



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

This Fourth Amendment to Exhibit "A" of the Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development (this "Fourth 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. Exhibit "A" to the Declaration was amended by the Second Amendment to Exhibit "A" of the Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development, dated August 24, 2020, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama on September 30, 2020, as Instrument 18605637 ("Second Amendment").

J. The Declaration was amended by the Third Amendment to Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development, dated September 16, 2021, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama on September 17, 2021, as Instrument 1944657.

K. Exhibit "A" to the Declaration was amended by the Third Amendment to Exhibit "A" of the Declaration of Protective Covenants for Cottages on the Greene, a Planned Unit Development, dated June 9, 2021, and recorded in the Office of the Judge of Probate of Baldwin County, Alabama on July 29, 2021, as Instrument 1932389 (the "Third Amendment").

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

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

1. Amendment of Section 8. Section 8 of Exhibit "A" of the Declaration, as amended by the First Amendment, is hereby amended as follows:

8. FENCES. All proposed fences constructed on a Lot, including the location of such fence, must be submitted to the A.R.B. for approval. Any fence constructed in the front or rear of a Lot shall be a maximum of three (3) feet in height. Any fence constructed on the side of a Lot, running from the front of the Dwelling foundation to the rear Dwelling foundation, excluding any front or back porch, shall be a maximum of six (6) feet in height. The face or finished side of all constructed fencing shall face away from the Dwelling.

2. Amendment of Section 9. Section 9 of Exhibit "A" of the Declaration, as amended by the First Amendment and the Second 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. The A.R.B. shall maintain a list of approved colors from which to choose to paint the exterior of a Dwelling. Dwelling accent lights must be white; provided, however, the A.R.B. may prescribe a list of colors specific for certain holidays that may be used by a Lot Owner for a period of time beginning thirty (30) days before the applicable holiday and ending ten (10) days after the applicable holiday. All Dwelling accent lights must be turned off no later than 10:00 PM CT. All dwelling flood and decorative lights must be turned off no later than 10:00 PM CT, with the exception of ground level landscape lights.

3. Amendment of Section 17. Section 17 of Exhibit "A" of the Declaration, as amended by the First Amendment, is hereby amended as follows:

17. HEATING, VENTILATION AND AIR CONDITIONING. All heating, ventilation and air conditioning equipment located outside a Dwelling must be placed on the side of the Dwelling. Window air conditioning units are prohibited.

4. Amendment of Section 20. Section 20 of Exhibit "A" of the Declaration, as amended by the First Amendment, is hereby amended as follows:

20. TRASH CONTAINERS. All trash and other debris must be placed in an appropriate trash container or receptacle. All trash containers or receptacles must be kept in an enclosure on the Lot hidden from plain view. All enclosures for trash receptacles shall be constructed so that the enclosure is connected to the Dwelling, is constructed in such a manner that it conforms to the construction of the Dwelling and the base of the receptacle shall not extend beyond the foundation of the Dwelling.

5. Manner of Adoption. This Fourth Amendment is made in accordance with Article V, Section 4, of the Declaration. An A.R.B. meeting was held on the 11th day of July, 2024. Consideration of the adoption of the amendments to Exhibit "A" to the Declaration described in Paragraphs 1, 2, 3 and 4 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 were presented to the members of the A.R.B. for a vote. A majority of the members of the A.R.B. (July 11th 2024 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.

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

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

8. Effective Date. This Fourth 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 11th day of July, 2024.

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

By: Deborah McNulty
Deborah McNulty

By: Tony Scarpuzzi
Tony Scarpuzzi

By: Ken Lott
Ken Lott

By: Mitzi Davis
Mitzi Davis

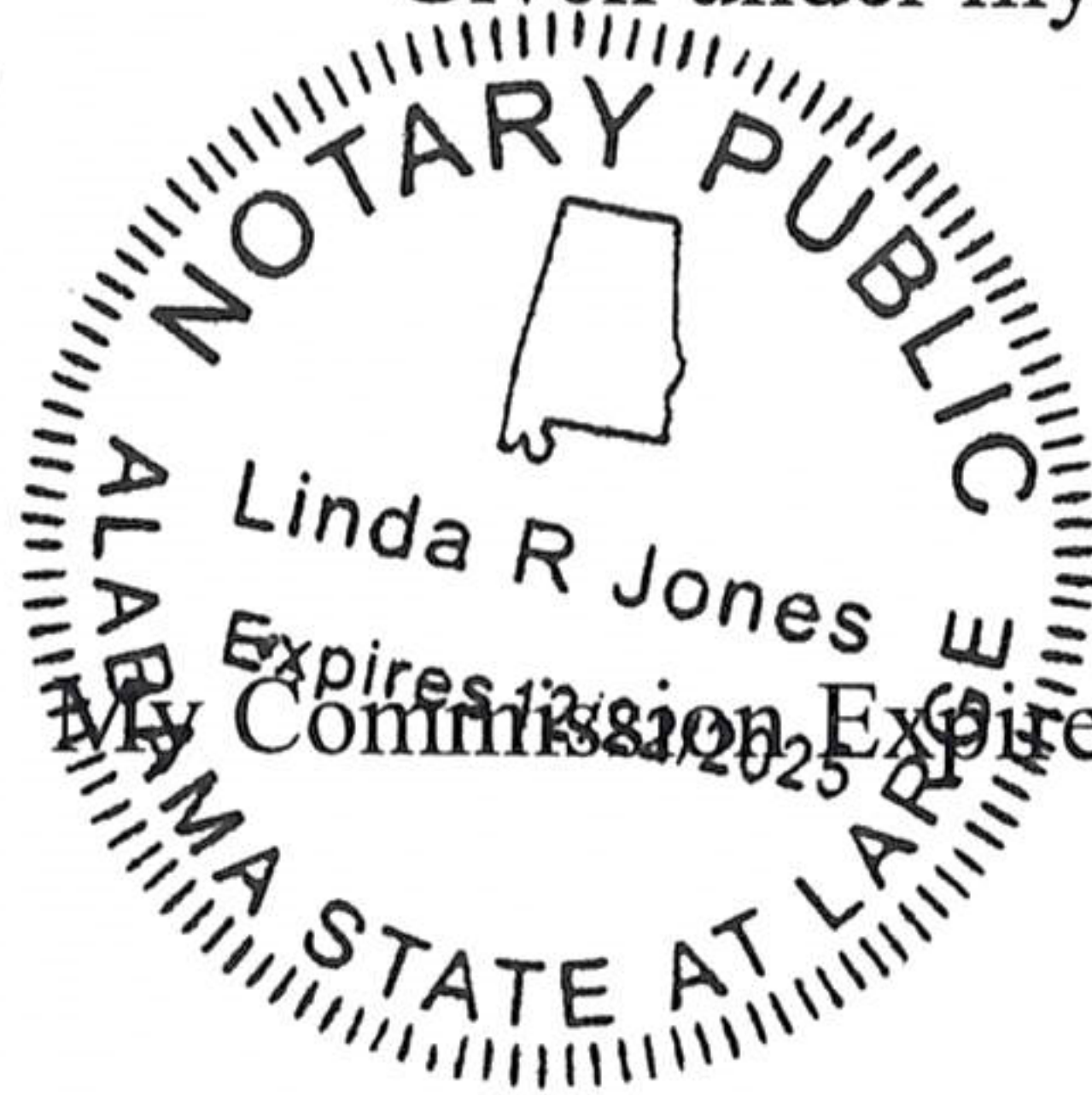
[Notary acknowledgements begin on the following page.]

STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, Linda R Jones, the undersigned Notary Public in for said County in said State, hereby certify that **Deborah McNulty**, 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, she, 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 14th day of July, 2024.



Linda R Jones
NOTARY PUBLIC

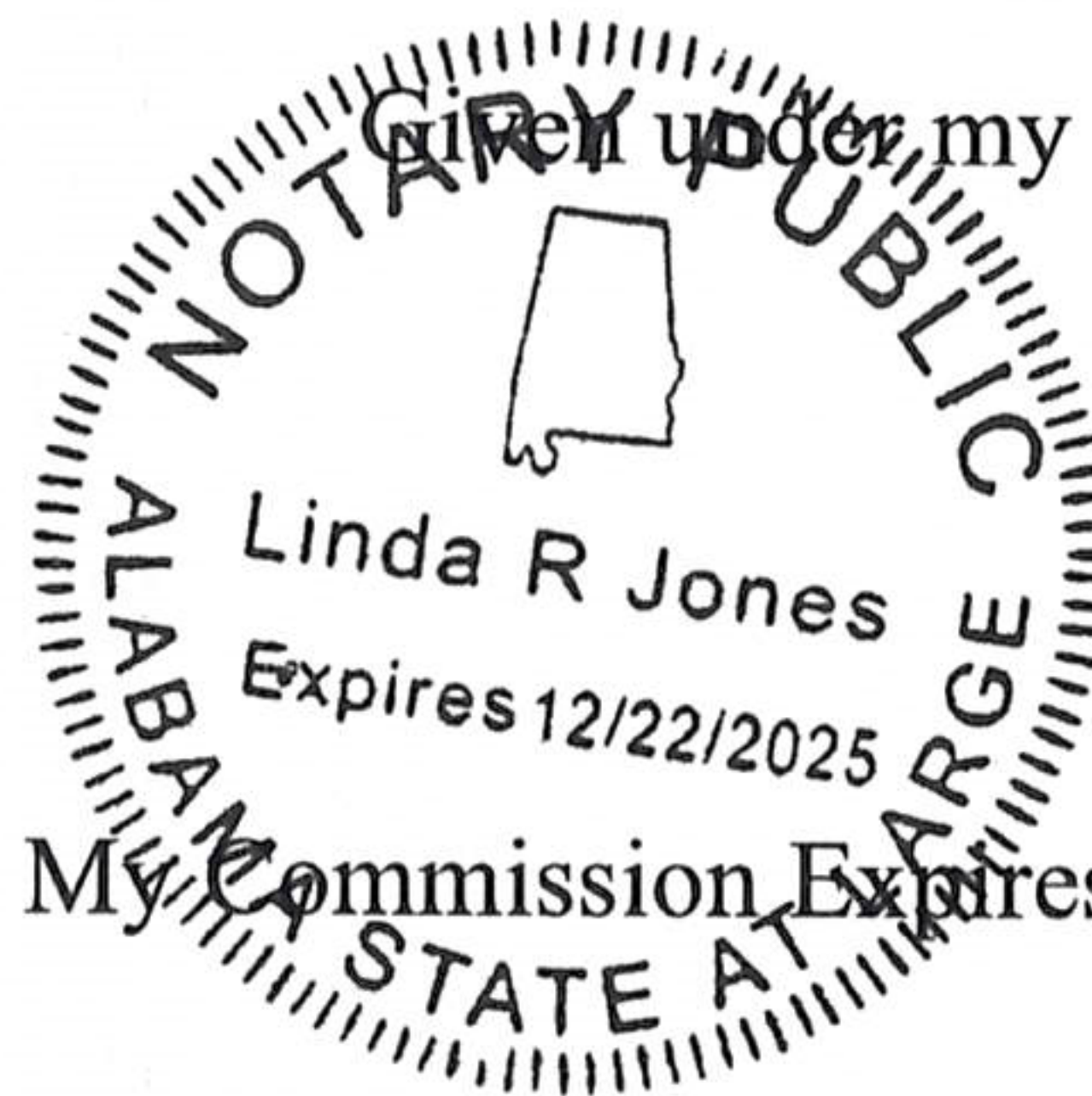
12/22/2025

STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, Linda R Jones, 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, he, 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 11th day of July, 2024.



Linda R Jones
NOTARY PUBLIC

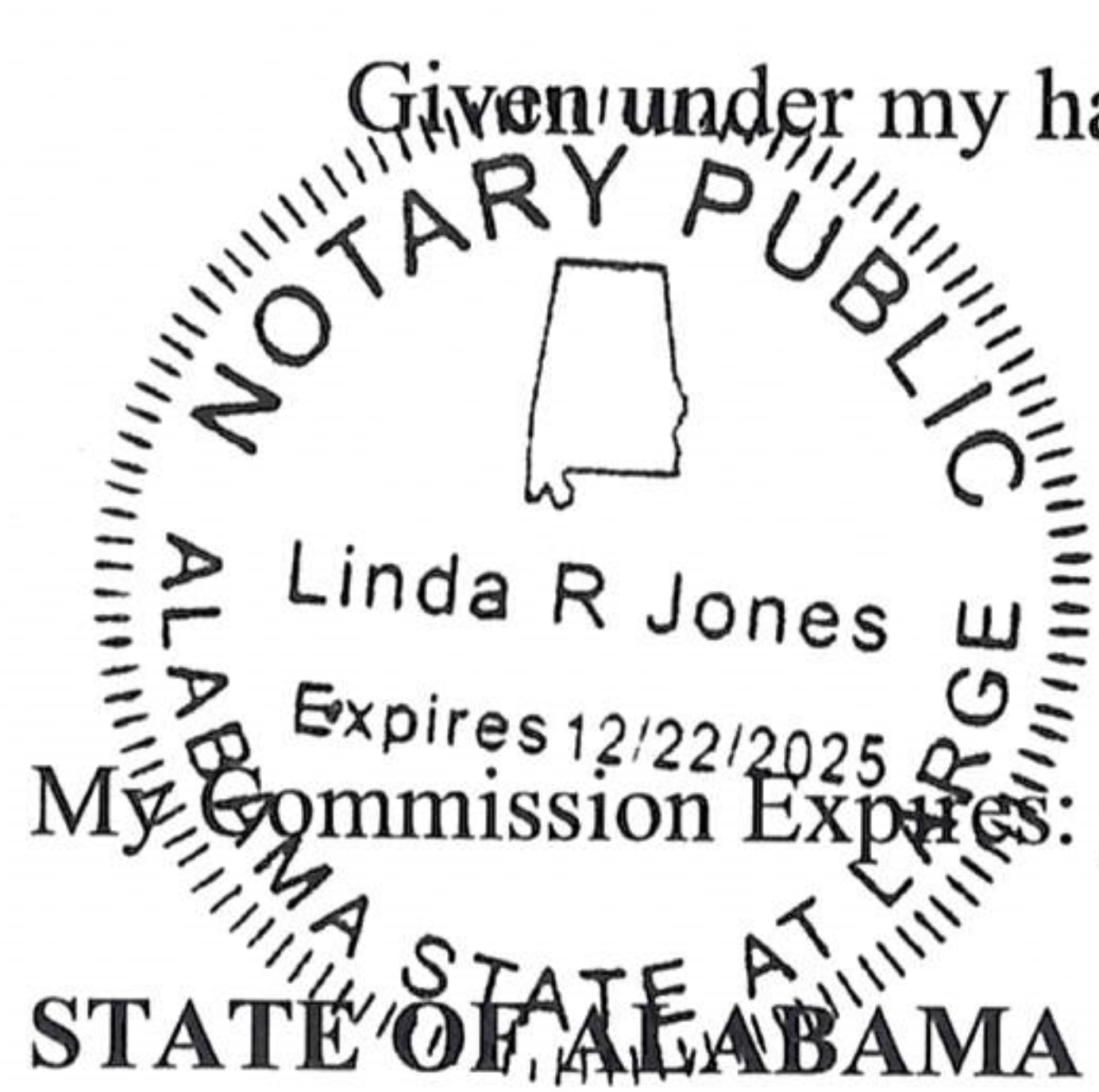
12/22/2025

STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, Linda R Jones, 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, he, 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 11th day of July, 2024.



Linda R Jones
NOTARY PUBLIC

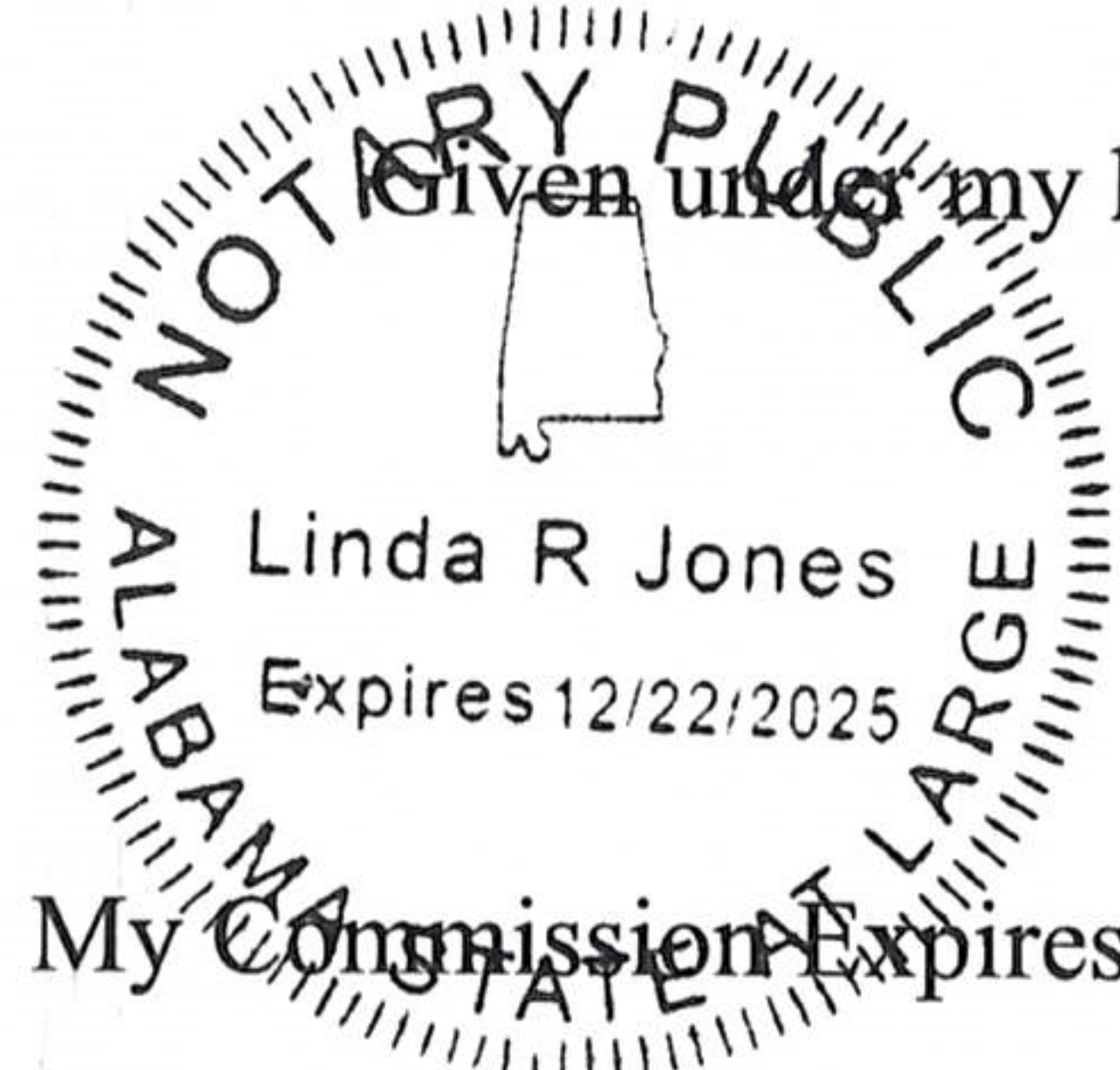
My Commission Expires: 12/22/2025

STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, Linda R Jones, the undersigned Notary Public in for said County in said State, hereby certify that **Mitzi Davis**, 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, she, 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 11th day of July, 2024.



Linda R Jones
NOTARY PUBLIC

My Commission Expires: 12/22/2025

THIS INSTRUMENT PREPARED BY:

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