

STATE OF ALABAMA

DOMESTIC NONPROFIT CORPORATION
AMENDMENT TO FORMATION/ARTICLES

PURPOSE: In order to amend a Nonprofit Corporation's Certificate of Formation/Articles of Incorporation under Section 10A-3-4.02 and 10A-1-3.13 of the Code of Alabama 1975 this Amendment and the appropriate filing fees must be filed with the Office of the Judge of Probate in the county where the corporation was initially formed/incorporated.

INSTRUCTIONS: Mail one (1) signed original and two (2) copies of this completed form and the appropriate filing fees to the Office of the Judge of Probate in the county where the corporation's Certificate of Formation was recorded. Contact the Judge of Probate's Office to determine the county filing fees. Make a separate check or money order payable to the **Secretary of State for the state filing fee of \$50.00 for standard processing or \$150.00 if expedited processing within 3 business days of receipt by the Office of the Secretary of State is requested (10A-1-4.31)** and the Judge of Probate's Office will transmit the fee along with a certified copy of the Amendment to the Office of the Secretary of State within 10 days after the filing is recorded. Once the Secretary of State's Office has indexed the filing, the information will appear at www.sos.alabama.gov under the Government Records tab and the Business Entity Records link – you may search by entity name or number. You may pay the Secretary of State fees by credit card if the county you are filing in will accept that method of payment (see attached). Your Amendment will not be indexed if the credit card does not authorize and will be removed from the index if the check is dishonored.



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Shelby Cnty Judge of Probate, AL
12/04/2015 11:16:59 AM FILED/CERT

(For County Probate Office Use Only)

This form must be typed or laser printed.

1. The name of the corporation from the Certificate of Formation/Articles of Incorporation:

Oak Mountain Preserve Homeowners Association

2. The date the Certificate of Formation was filed in the county: 06 / 16 / 2009 (format MM/DD/YYYY)

3. Alabama Entity ID Number (Format: 000-000): 569 - 921 **INSTRUCTION TO OBTAIN ID NUMBER TO COMPLETE FORM:** If you do not have this number immediately available, you may obtain it on our website at www.sos.alabama.gov under the Government Records tab. Click on Business Entity Records, click on Entity Name, enter the registered name of the entity in the appropriate box, and enter. The six (6) digit number containing a dash to the left of the name is the entity ID number. If you click on that number, you can check the details page to make certain that you have the correct entity – this verification step is strongly recommended.

(For SOS Use Only)

This form was prepared by: (type name and full address)

Doreen Bussey
317 Oak Mountain Crest Way
Pelham, Alabama 35124

DOMESTIC NONPROFIT CORPORATION AMENDMENT

4. The county in which the Certificate of Formation was filed: Shelby County
5. The titles, dates, and places of filing of any previous Amendments: None

Attach a listing if necessary.

[Instruction on Amendment completion: Be very specific about what must be changed if you are amending existing information. If the amendment includes a name change, a copy of the Name Reservation form issued by the Office of Secretary of State **must** be attached.]

Registered agents and registered agent addresses are changed by filing a Change Of Registered Agent Or Registered Office By Entity form directly with the Office of the Secretary of State (the new agent's signature is required agreeing to accept responsibility). You may file the information as an Amendment also, but the change form must be on file with the Secretary of State per 10A-1-3.12(a) (2) to effect the change in the public records database.]

6. The following amendment was adopted on 12 / 01 / 2015 (format MM/DD/YYYY):

See attached 3 page document.

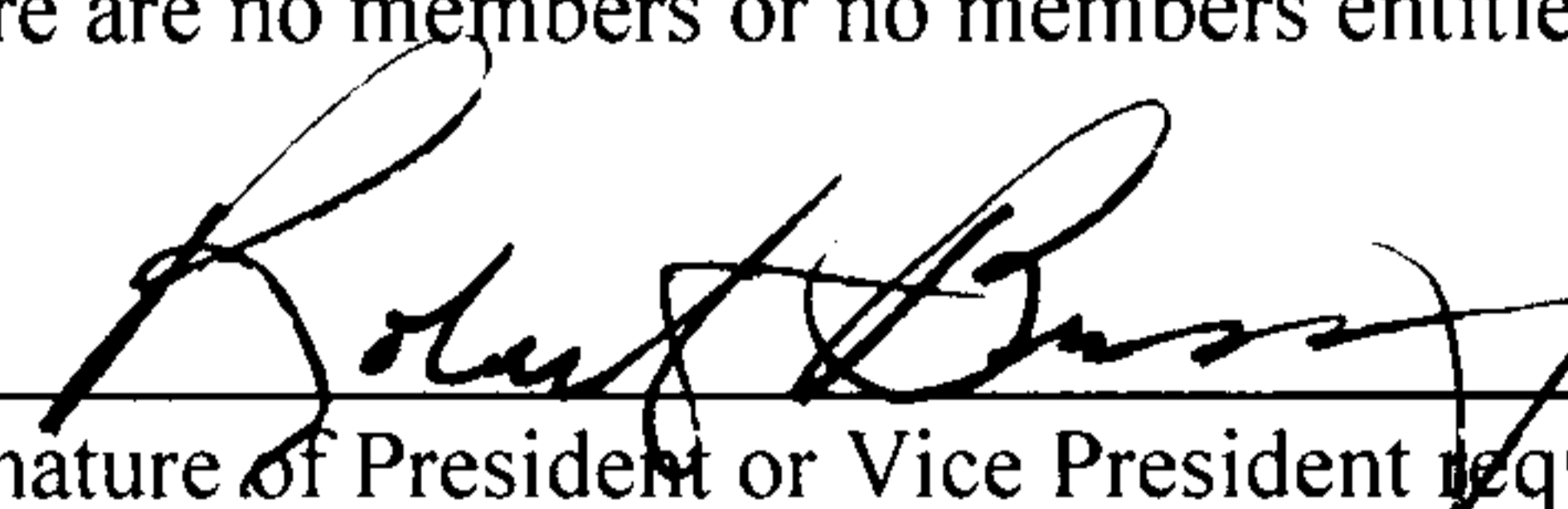
☒ Additional Amendments and the dates on which they were adopted are attached.

7. The Amendment or Amendments have been approved in the manner required by Title 10A of the Code of Alabama 1975 and the governing documents of the entity.

Item 8, 9, or 10 MUST be checked.

8. ☐ The members met on / / (MM/DD/YYYY) and adopted the Amendment by at least two-thirds of the votes entitled to be cast by members present or represented by proxy – a quorum was present.
9. ☐ The Amendment was adopted by a consent in writing signed by all members entitled to vote.
10. ☒ The board of directors met on 12 / 01 / 2015 (MM/DD/YYYY) and adopted the Amendment by majority vote of the directors in office – there are no members or no members entitled to vote.

12 13 2015
Date (MM/DD/YYYY)


Signature of President or Vice President required by 10A-3-4.02

Robert Bussey, President
Typed Name and Title of Above Signature



DOMESTIC NONPROFIT CORPORATION AMENDMENT

12/03/2015

Date (MM/DD/YYYY)

Gregg V. Mai

Signature of Secretary or Assistant Secretary required by 10A-3-4.02

Gregg Vinson, Secretary

Typed Name and Title of Above Signature

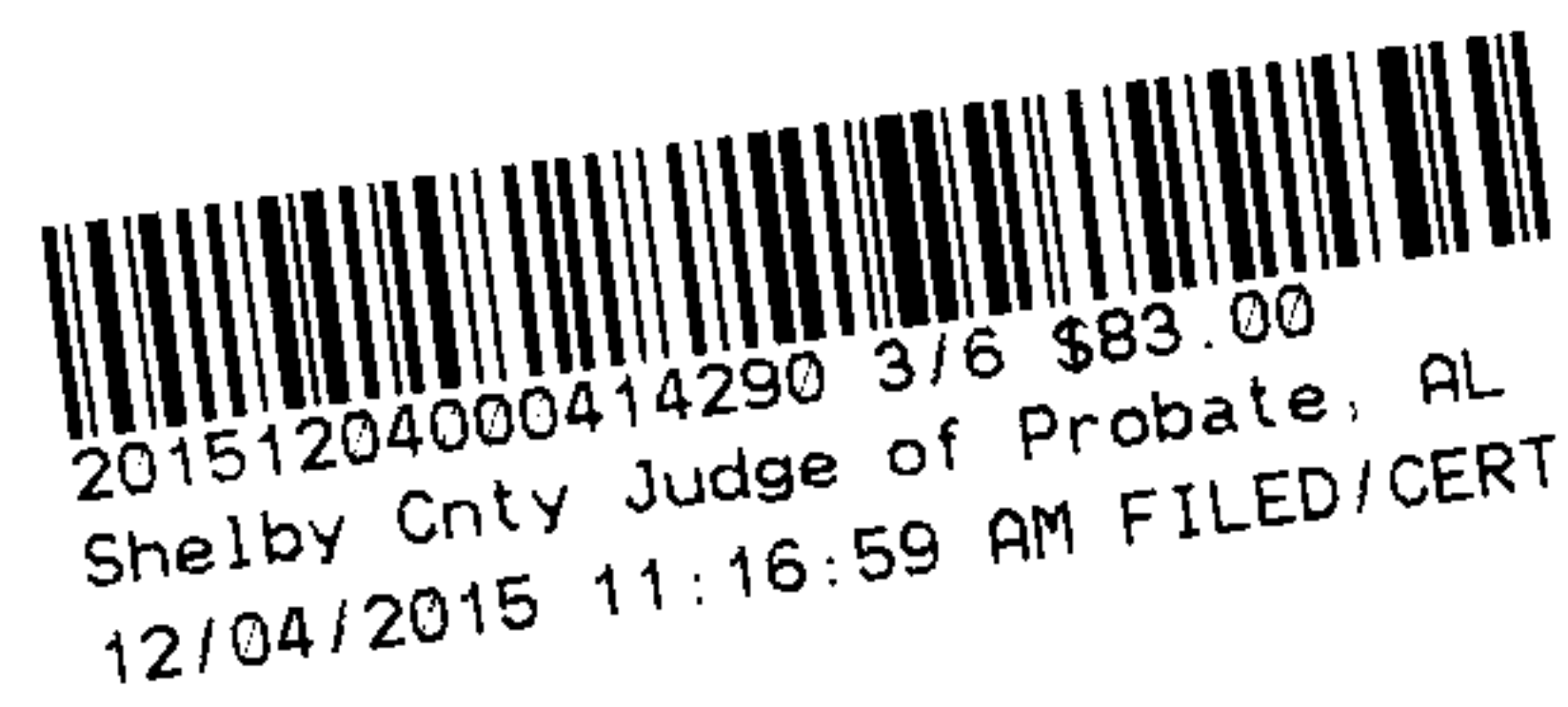
/ /

Date (MM/DD/YYYY)

Witness Signature of Officer Signing Original Formation/Articles
required by 10A-3-4.02

Randall H. Goggans, Registered Agent (foreclosed 11/28/2011)

Typed Name and Title of Above Signature



**STATE OF ALABAMA)
COUNTY OF SHELBY)**

**AMENDMENTS TO THE DECLARATION OF RESTRICTIVE COVENANTS FOR
Oak Mountain Preserve**

KNOW ALL MEN BY THESE PRESENTS: That:

WHEREAS, Oak Mountain Preserve Homeowner's Association, its officers and members desires to subject each tract owner and home owner to the amended covenants, conditions, restrictions, uses, limitations and affirmative obligations set forth in this Amendment.

ARTICLE III

BUILDING REQUIREMENTS

(a) MINIMUM STRUCTURE SIZE OF PRIMARY DWELLING.

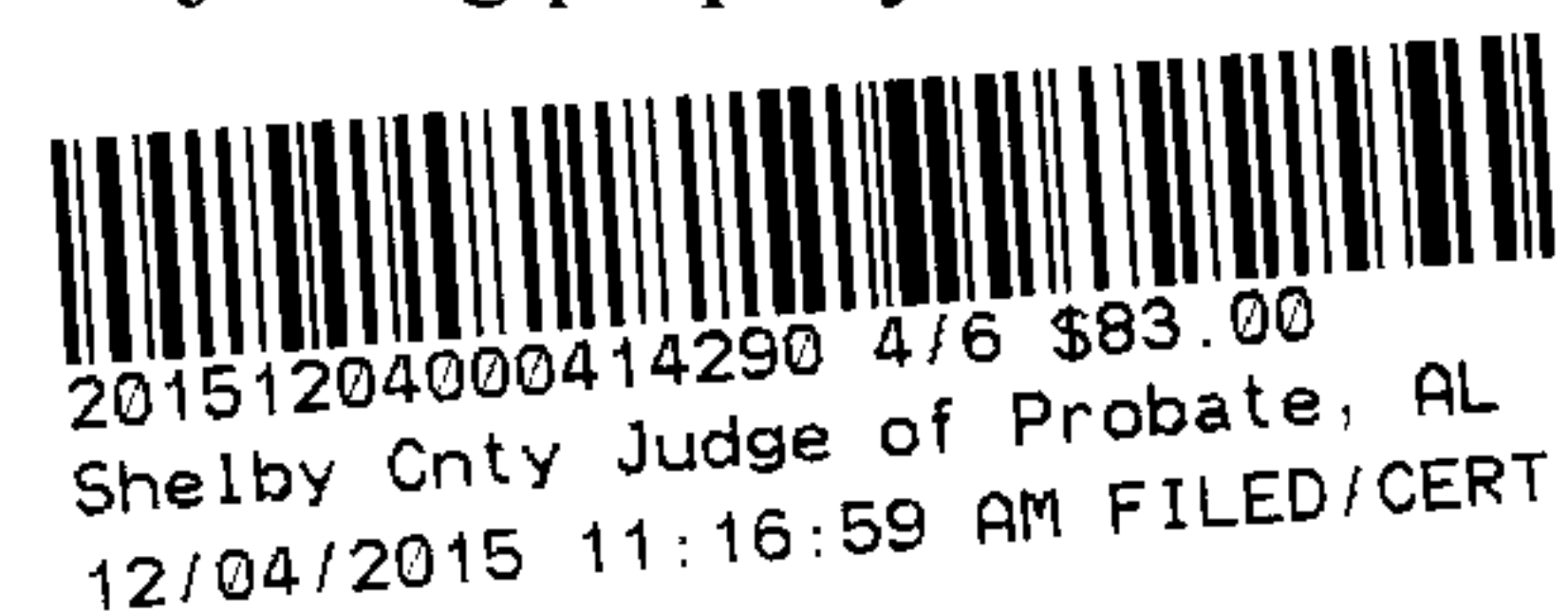
No tract shall contain more than one Primary Dwelling and No Primary Dwelling shall be erected on any Tract if such dwelling contains less than 3250 square feet of living space. Living space is defined as heated and finished areas and does not include porches, garages, basements, carports or attics.

(c) DRIVEWAYS. All driveways servicing any Tract shall be concrete with stained and stamped concrete of minimum of 6' at the entrance as approved by the ARC. Other surfacing request must be submitted to the ARC for approval.

(f) TEMPORARY STRUCTURES AND OUTBUILDINGS. Guest houses or other outbuildings may not be used for permanent residence. Guest houses and other buildings shall, subject to the approval of the Architectural Review Committee be allowed. The ARC shall require, as a minimum standard, that all proposed outbuildings be of a similar or matching quality as the dwelling (e.g., matching brick, trim colors, window colors, guttering and doors.) In addition, No structure or a temporary character, trailer, basement, tent or shack shall be used at any time as a residence either temporarily or permanently. There shall be no occupancy of any dwelling until the interior, exterior and landscaping of the dwelling is completed and a certificate, or other satisfactory evidence, of completion is received and approved by the ARC.

(r) ELECTRICAL TRANSFORMERS. All electrical transformers must be positioned no closer than 75' from the roadway.

(s) LIGHTING. Approval of the ARC must be obtained prior to the installation of exterior lighting. Lighting may be used along concrete sidewalks. Fixtures should be no taller than 16" in height, be eight feet or more apart, must be kept straight, in good repair and be of the tiered or mushroom design with deflectors so the bulb cannot be seen and eleven watts (11W) or less. The color of the fixtures should blend with the surrounding area, i.e. black, bronze, copper or brown. The color of bulbs must be white or clear and my produce only white light. All exterior lighting of dwelling shall be in character and keeping with the general neighborhood of Oak Mountain Preserve. Also, any other lighting, such as up-lighting, house or landscape lighting must be approved by the ARC. Exterior lighting shall be such that it does not shine toward and/or disturb adjoining property owners.



(t) MAILBOXES. Each Tract shall have a mailbox which shall be of a design as shall be proscribed by the ARC. Lettering or numbers on the mailboxes shall also be consistent with the design proscribed by the ARC. Or mailbox may be installed into one of matching columns at the driveway entry of tract. These columns must be approved by the ARC prior to construction. Each owner shall be required to keep such mailbox or column in working order and repair.

(u) SWIMMING POOLS. No swimming pool shall be constructed, placed, altered or maintained upon any Tract without the prior written approval of the ARC of the type, design and location thereof. Any such swimming pool must also be constructed equipped and maintained in accordance with the county and state authorities. All swimming pools must be properly screened for safety and privacy from adjoining dwellings. Above ground swimming pools shall not be allowed.

(v) HOSES. Hoses should be of a subdued color and stored neatly on a hose reel or similar container. Hose reels should be stored only on the side or rear of a structure or brought inside garages or basements when not in use.

(w) SCREEN DOORS AND WINDOW TREATMENTS. Screen doors shall be authorized only on the rear of a dwelling. Appropriate window treatments shall be used on all windows, preferably of white or cream colors; no bright colors will be permitted and must be approved by the ARC. Sheets, bed linens, blankets, posters, paper, foil, or plastic bags are not appropriate window treatments.

(x) PLANTERS. Decorative flower containers of subtle and subdued colors are permitted. Flower containers should be of healthy flowers (no artificial flowers or plants are permitted) and be free of weeds or other plant material. Containers should be generally located on front porches, steps, columns or retaining walls. Planters are limited to four (4) that are visible from the street. The ARC may in its sole discretion limit the appearance of planters and containers permitted on a Tract.

(y) LANDSCAPING. All owners are responsible for properly maintain a neat appearance of all landscaping visible to the public. Regular maintenance includes:

1. Regular mowing of grass and removal of grass clippings.
2. Treatment to control weeds.
3. Pruning of trees and shrubbery.
4. Edging grass along drives, walks or natural areas.
5. Regular removal of leaves from the front lawn.
6. Regular refreshing of mulch or pine straw in front of natural areas.

No refuse pile or unsightly objects shall be allowed to be placed or suffered to remain on any part of a Tract, including vacant parcels.

(z) GARBAGE AND RECYCLING RECEPTACLE. No trash, garbage or other refuse shall be dumped, stored or accumulated on any Tract. Garbage containers, if any, must be uniform and of the type and size supplied by entity that has the responsibility of collecting garbage as appointed by the City of Pelham, shall be kept in a clean and sanitary condition, and shall be so placed or screen by shrubbery or other appropriate material approved by the ARC as not to be visible from any road within sight distance of the Tract at any time except during refuse collection. After trash collection emptied containers must be removed from road side to their storage area.

(AA) SEASONAL OR HOLIDAY DECORATIONS. Seasonal or holiday decorations (such as but not limited to Christmas trees and lights, pumpkins, Thanksgiving decorations) shall be promptly removed from any Dwelling or Tract, or exterior of any dwelling, within fifteen (15) days following




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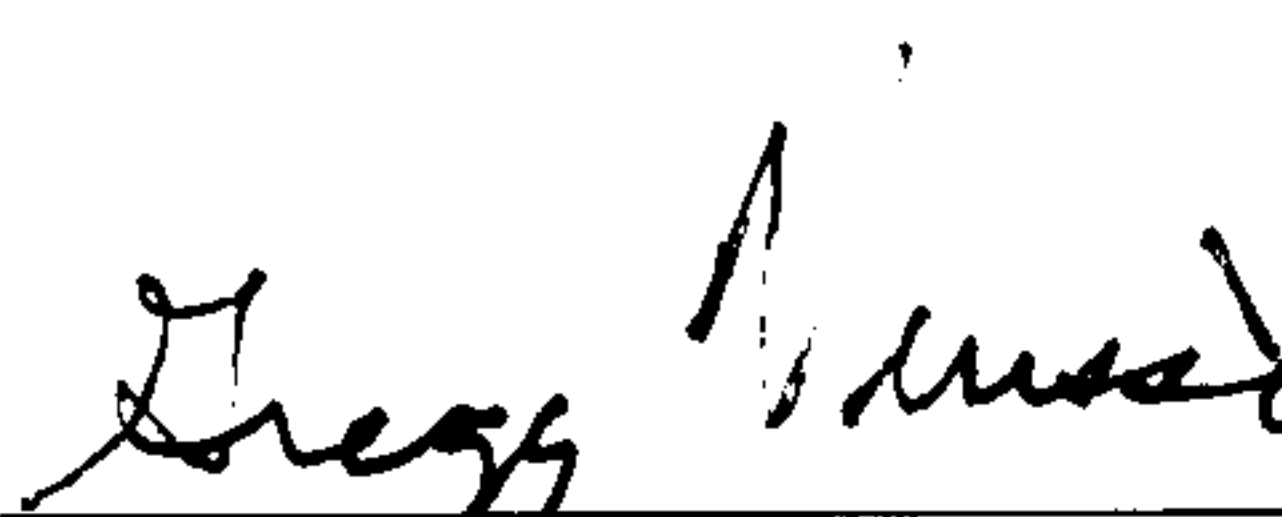
such holiday, and shall not be installed or put up more than thirty (30) days in advance of the holiday.


(AB) PETS. All homeowners are responsible for their pets. Should your pet defecate on another home or land owner's property it is the pet owner's responsibility to remove and dispose of the fecal matter. We strive to keep a neat and sanitary community.

IN WITNESSES WHEREOF, the undersigned, as President of the Oak Mountain Preserve Homeowner's Association, has caused this Amendment to the Declaration to be executed as of the 3rd Day of December, 2015.

Oak Mountain Preserve
Homeowner's Association

By: 
Robert Bussey, President

By: 
Gregg Vinson, Secretary

By: 
Chris Campisi, Treasurer

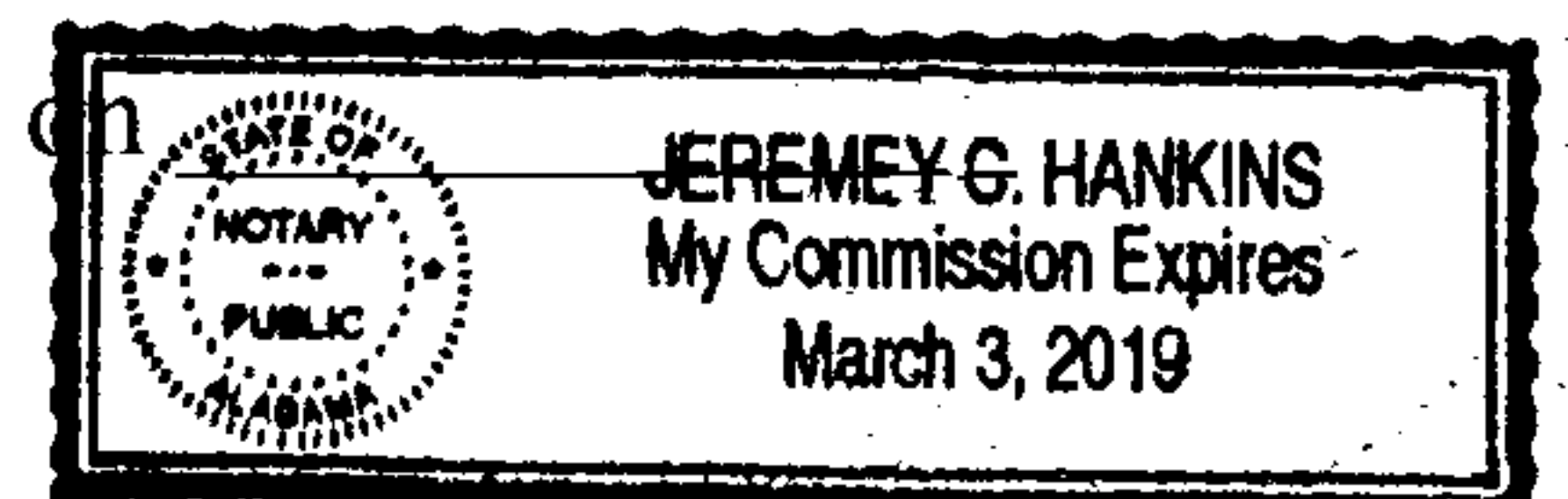
Notary Public:

By JEREMEY C. HANKINS


Notary Public in and for the County of

SHELBY

My commission expires on






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