

07.18.23 Agenda BOT open Meeting Schedule "B"

Proposed Amendment to Deeded Restrictions of Whiting Station at Crestwood Homeowners Association:

Title: Flexibility in Trash Placement and Retrieval

Section 1: Purpose

The purpose of this proposed amendment is to modify the existing deeded restriction that specifies the timing for trash placement at the curb and retrieval. The amendment aims to grant the Board of Trustees discretionary authority to determine the appropriate timing for trash to be put at the curb and brought in.

Section 2: Amendment

2.1 Deeded Restriction Modification:

The existing deeded restriction regarding the timing for trash placement and retrieval, as outlined in Covenants sec 5. (o), is hereby amended as follows:

"The time for trash to be put at the curb and brought in shall be solely at the discretion of the Board of Trustees."

2.2 Board of Trustees' Authority:

The Board of Trustees shall have the authority to establish reasonable guidelines, policies, and timeframes for trash placement and retrieval, taking into consideration the local regulations, sanitation services, and the best interests of the community.

Section 3: Voting Requirement

In order for this proposed amendment to become the new amended restriction, it shall require a 2/3 majority affirmative vote of all Whiting Station at Crestwood Homeowners Association members. The vote shall be conducted in accordance with the established procedures of the HOA and the governing documents.

Section 4: Effective Date

Upon the successful passing of the vote, this amendment shall take effect immediately and become a part of the deeded restrictions governing the properties within Whiting Station at Crestwood Homeowners Association.

Section 5: Severability

If any provision or part of this amendment is determined to be invalid or unenforceable, it shall not affect the validity or enforceability of any other provision or part thereof.

Section 6: Incorporation

This amendment shall be incorporated into the existing deeded restrictions, and all homeowners and residents shall be notified of its adoption and implementation within a reasonable timeframe.

Section 7: Future Amendments

This amendment shall not preclude the HOA members from making further amendments to the deeded restrictions in accordance with the governing documents and applicable laws and regulations.

Section 8: Conflict

In the event of any conflict between the provisions of this amendment and any other provision of the deeded restrictions, this amendment shall prevail.

Signed and Proposed by:

Date: