

## 07.18.2023 Agenda BOT Open Meeting Schedule "C"

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

Title: Allowance of Fabricated Fences and Hedges Around Patios

### Section 1: Purpose

The purpose of this proposed amendment is to modify the existing deeded restriction that prohibits the use of fabricated fences or hedges on properties within Whiting Station at Crestwood. The amendment aims to permit the installation of fabricated fences and hedges specifically around patios, while maintaining the prohibition in other areas of the properties.

### Section 2: Amendment

#### 2.1 Deeded Restriction Modification:

The existing deeded restriction regarding fabricated fences or hedges, as outlined in Covenants sec 5. (o) , is hereby amended as follows:

"No fabricated fences or hedges shall be allowed on properties, except for around patios and or decks."

#### 2.2 Definition:

For the purpose of this amendment, a patio is defined as an outdoor space or area adjoining a dwelling unit, typically concrete, stone, wood or composite materials and used for recreational or dining purposes.

### 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: