

1566007

STATE OF ALABAMA  
COUNTY OF BALDWIN



**SUPPLEMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR  
STONE CREEK, A PLANNED UNIT DEVELOPMENT  
TO ADD PHASE 3**

STONE CREEK, LLC, as the Developer under that certain Declaration of Covenants, Conditions and Restrictions, recorded at Instrument #985725 in the Office of the Judge of Probate of Baldwin County, Alabama, and as owner of Lot 34 in STONE CREEK, PHASE 1, A PLANNED UNIT DEVELOPMENT (the "Development") as shown on the plat recorded at Slide 2270-A, B, and C and rerecorded at Slide 2291-C, D and E, hereby, pursuant to Section 13.01 of said Declaration, as previously amended, subjects to the Declaration, and adds to the Development, those certain Lots 92-134, Phase 3, as shown on the plat recorded at Slide 2556-C, such that all references to Lots and Common Areas in the Declaration, as heretofore amended, shall include the Lots and Common Area in Phase 3, and the following shall apply to said newly added Lots:

- Section 3.29. ELEVATION OF DWELLING. The front elevation of all Dwelling Units shall have a minimum finished floor elevation of 16 inches above the finished grade.
- Section 4.01. SPECIFIC COVENANTS AND RESTRICTIONS
  - (a) Minimum enclosed living area (heated and cooled) shall not be less than 2,400 square feet of which a minimum of 1,400 square feet shall be located on the ground floor.
  - (b) Minimum roof pitch shall not be less than a 9/12 pitch on the primary roof system, however, the Developer shall have the right to approve a lesser roof pitch on any roof area which is not a part of the primary roof system.
  - (c) Maximum Dwelling height shall not exceed the maximum height allowed by the City of Fairhope.
  - (d) Exterior finish must be stone, brick, authentic stucco, wood or hardiplank siding. A sample of all stone and brick shall be submitted to the Developer for approval prior to beginning construction. Facia and soffit areas may be finished in wood or vinyl trim. Porch ceilings must be finished in wood. All windows must be of vinyl or wood construction and no aluminum constructed windows of any type shall be allowed. Wood windows may have a vinyl or aluminum clad exterior finish. No vinyl shutters shall be allowed. The exterior finish of any modification, addition or alteration after the construction of the initial Dwelling Unit shall be approved by the Developer or the Association and must be constructed of the same or similar material as the original construction.
  - (e) Roof material shall be a 30 year dimensional architectural grade shingle or metal roof, the style and color of which shall be approved by the Developer prior to beginning construction. Standard three tab shingles are specifically prohibited. Roof jacks shall be painted to match the color of the roof. Cooper accents are allowed. Exposed metal valleys are specifically prohibited.

- (f) Driveway surfaces shall be constructed of concrete, brick, brick pavers or other hard surface materials approved by the Developer, its successors and assigns. No asphalt, rock, gravel, shell or other similar materials shall be used for driveway surfaces.
  - (g) Chimneys shall be constructed of approved brick, stone, stucco, wood or hardiplank. Location of all chimneys and site view from the street or streets shall be approved by the Developer prior to beginning construction.
  - (h) Out-buildings shall be approved by the Developer on a case by case basis and shall be constructed of similar materials as the Primary Dwelling. All Out-Buildings shall comply with the subdivision regulations and zoning regulations of the City of Fairhope. Any such Out-Building shall be located in the rear yard of the Dwelling Unit.
  - (i) Developer approval of all building plans, exterior building materials, exterior colors and roofing shall be received from the Developer prior to beginning construction or making any improvements or modifications to any Lot, in accordance with Section 6.02. All landscaping and irrigation plans shall also be submitted to the Developer prior to beginning construction or making any improvements to any Lot in accordance with Section 3.20.
- Section 10.12 shall not apply to the sale of Lots in Phase 3.
  - Transfer Fees pursuant to Section 10.13 will not be due on the sale of any Lot from Developer to any builder.

IN WITNESS WHEREOF, Developer has executed this instrument as of the 15<sup>th</sup> day of April, 2016.

**STONE CREEK, LLC**

By: Rance Reehl  
RANCE REEHL, a Member

By: **THE OXFORD GROUP, LLC, a Member**

By: William Rance Reehl  
WILLIAM RANCE REEHL, as Manager

By: **PROJECT 64, LLC, a Member**

By: William Rance Reehl  
WILLIAM RANCE REEHL, as Manager

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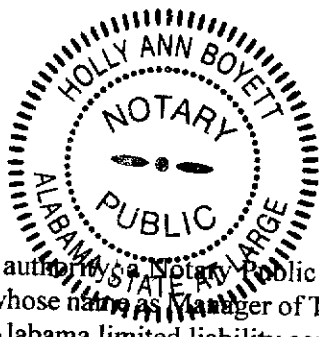
I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that RANCE REEHL, whose name as a Member of STONE CREEK, LLC, an Alabama limited liability company, is

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 said Member and with full authority, executed the same voluntarily on the day the same bears date.

GIVEN under my hand this 15<sup>th</sup> day of April, 2016.

Holly Ann Boyett  
NOTARY PUBLIC  
My Commission Expires: 9-15-18

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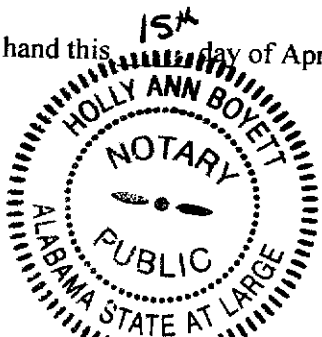


I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that WILLIAM RANCE REEHL, whose name as Manager of THE OXFORD GROUP, LLC, whose name as a Member of STONE CREEK, LLC, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as said Manager and with full authority, executed the same voluntarily on the day the same bears date.

GIVEN under my hand this 15<sup>th</sup> day of April, 2016.

Holly Ann Boyett  
NOTARY PUBLIC  
My Commission Expires: 9-15-18

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COUNTY OF BALDWIN



I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that WILLIAM RANCE REEHL, whose name as Manager of PROJECT 64, LLC, whose name as a Member of STONE CREEK, LLC, an Alabama limited liability company, 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 said Manager and with full authority, executed the same voluntarily on the day the same bears date.

GIVEN under my hand this 15<sup>th</sup> day of April, 2016.

Holly Ann Boyett  
NOTARY PUBLIC  
My Commission Expires: 9-15-18

**THIS INSTRUMENT PREPARED BY:**

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