

STATE OF ALABAMA     )

MONTGOMERY COUNTY )

**THIRD AMENDMENT TO DECLARATION OF  
PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS  
FOR BON TERRE SUBDIVISION**

This **Second Amendment to Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bon Terre Subdivision** (hereinafter "the Amendment") is made this the 5 day of May, 2017, by the Bon Terre Homeowners' Association, Inc.

**RECITALS:**

A. Pursuant to the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bon Terre Subdivision dated December 31, 2007, recorded January 11, 2008, in the Office of the Judge of Probate of Montgomery County, Alabama in Real Property Book 3695 at Page 0697 (the "Declaration"), Lakeside Development & Construction Company, LLC., an Alabama limited liability company imposed certain restrictions on the plat and lots contained therein within Bon Terre. Terms capitalized herein, but not defined herein, shall have the meaning ascribed to them in the Declaration.

B. Section 10.1 of the Declaration provides in part that the Declaration may be amended by an instrument signed by not less than seventy percent (70%) of the Lot Owners.

C. At least 70% of the owners of Lots within the plat(s) desire to amend the Declaration as provided herein and, upon affirmative vote of the same, ratified and confirmed the following which is to remain in full force and effect as if though a part of the Original Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bon Terre Subdivision dated December 31, 2007.

**AGREEMENT:**

**NOW, THEREFORE**, in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, Bon Terre Homeowners' Association, Inc., by and through in excess of 70% of its membership, hereby amends the Declaration as follows:

1. The Recitals set forth above are true and correct, are made a part hereof and incorporated herein by reference.

2. Section 5.19 of the Declaration is hereby Amended as follows:

**“Overnight vehicle parking on the street shall not be permitted under any circumstances. All vehicles, whether belonging to the resident(s), owner(s) or guests, must be parked in the driveway. Storing automobiles, trucks, campers, boats, snowmobiles, motorcycles, motor bikes, off-road or all terrain vehicles (four wheelers) or any other vehicle of any other description in the street, driveway, yards of residences, in front of the principal building setback lines, is specifically prohibited. Such vehicles must be stored in garages or off-site. Vehicle parking in the grass shall not be permitted. Each Owner shall provide Committee approved space for off-street parking of four automobiles (minimum two [200] square feet per space) prior to the occupancy of any Dwelling Unit being constructed on Owner’s Lot.”**

3. The following is inserted immediately after Section 10.7 of the Declaration as follows:

**“The Board shall have the authority to make special assessments against any lot in connection with expenses incurred by it which reasonably relate to the enforcement of this Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bon Terre Subdivision. Any such Special Assessments shall be levied against the property in the form of a lien, and may be enforced in accordance with Article VIII of the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bon Terre Subdivision.**

The Board shall have the power and authority to assess reasonable fines against its members who violate these Plat Restrictions. Any fine imposed shall be levied against the respective lot in the form of a special assessment and the same shall be a lien against the property securing any and all monies due for such fine. The Board has the authority to impose fines for the violation of any of these covenants (but shall not be obligated to do so) and it also has the authority to enforce these covenants by way of an injunction or other relief. In the event an injunction is sought, any action is brought or the services of an attorney are used to bring any Lot Owner into compliance with the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bon Terre Subdivision, the property owner against whom such relief is sought shall be responsible for paying any and all costs, expenses and attorneys fees (including appellate attorney’s fees) in connection with the same (regardless of whether or not an action is formally brought). In the event a Court of competent jurisdiction declines to award attorney’s fees, costs and expenses, the Board shall have the authority to specially assess against the offending lot owner any such expenses incurred by it in connection with pursuing such an injunction notwithstanding the Court’s failure to award the same. Any special assessments hereunder shall be secured by way of a lien and shall be enforced in accordance with Article VIII of the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bon Terre Subdivision. If the Board determines that a violation of the Plat restrictions occurs, it may (in its sole discretion), assess a fine and give the property owner the opportunity to cure the same or the Board may enter the property in accordance with the above and cure any deficiencies at the expense of the owner as provided herein.

There is hereby expressly created a lien on all lots or properties within the applicable plats which secures all costs, fines and charges authorized herein plus attorney's fees, appellate attorney's fees, and other costs associated with enforcing or collecting such amounts.

In the event the Board determines that any lot owner is in violation of any of the Protective Covenants, and it elects to impose a fine for such violation, a fine may be imposed in accordance with the following:

a) **First Offense:** The Board shall send a letter to the property owner at the actual address where the property is located (even though such owner may not necessarily live therein), or renter therein living, notifying such person of the offense. Such notification need not be sent via Certified mail and the same is sufficient if hand delivered or sent first class. The offending party shall have ten days (10) from the date of the initial notification to cure any deficiencies.

If the deficiency is not corrected within ten days, in accordance with the above, the Board shall then send a second letter informing the property owner, or renter therein living, of their failure to comply with the initial request which notifies such offending party that a \$100.00 fine has been assessed against the property and/or the owner along with a statement that unless the fine is paid and said deficiency is cured within five days (5) of the second communication, the matter will be turned over to an attorney the expenses for which shall be the obligation of the offending party.

b) **Second Offense:** Any subsequent offenses for the same violation of any portion of these Plat Restrictions shall result in a fine of \$200.00 and there will not be an initial warning which gives the offending party the opportunity to cure. Once the Board makes a determination that a subsequent offense has occurred, the Board shall send a letter to the property owner at the actual address where the property is located (even though such owner may not necessarily live therein), or renter therein living, notifying such person of the offense and indicating that a fine of \$200.00 has been assessed against the property. Such notification need not be sent via Certified mail and the same is sufficient if hand delivered or sent first class. The offending party shall have ten days (10) from the date of such notification to cure any deficiencies and pay said fine. If said deficiency is not cured within ten days (10), and the fine is not paid, the matter will be turned over to an attorney the expenses for which shall be the obligation of the offending party.

The Board is hereby authorized to imposed fines in accordance with the above in its sole discretion (or at the recommendation of the ARB). Nothing in this paragraph shall be construed as a prerequisite to the enforcement of any of the Plat Restrictions regardless of whether such enforcement is by means of an injunction, authorized right of entry as provided for herein or any other remedy which may be available to either the Board or the ARB in law or equity."

The above Lot Owners consenting to the above Declaration of Protective Covenants, Conditions, Restrictions and Easements for Bon Terre Subdivision represent in excess of 70% of the Lots in the said Plat.

Bon Terre Homeowners' Association, Inc.

By: Jeff Hall

Its: President of the Board.

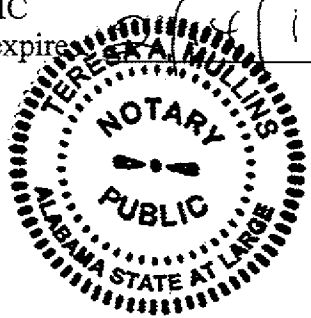
STATE OF ALABAMA )

MONTGOMERY COUNTY )

I, the undersigned authority, a Notary Public in and for said State and County, hereby certify that Jeff Hall, whose name as President of Bon Terre Homeowners' Association, Inc., an Alabama corporation, 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/she, as such officer and with full authority, executed the same voluntarily, for and as the act of said corporation.

Give under my hand and official seal, this 5<sup>th</sup> day of May 2017.

Teresa A. Mullins  
NOTARY PUBLIC  
My commission expires 11/18



This instrument was prepared by:  
Nicholas Cole Hughes  
Argo | Hughes, LLC  
6706 Taylor Circle  
Montgomery, AL 36117  
Tel: 334-279-0088  
Fax: 334-279-8830

Jeff Hall  
Owner Signature  
Owner Printed Name: Jeff Hall

Street Address: 1300 Bon-Terre Blvd.

[Signature]  
Owner Signature

Owner Printed Name: Clay Henley

Street Address: 310 Bon Terre Blvd

[Signature]  
Owner Signature

Owner Printed Name: BRAD HIGHTOWER

Street Address: 1520 BON TERRE BLVD

[Signature]  
Owner Signature

Owner Printed Name: Terrence English

Street Address: 1205 Bon Terre Blvd

[Signature]  
Owner Signature

Owner Printed Name: Linwood A Pride Jr

Street Address: 845 BON TERRE BLVD

[Signature]  
Owner Signature

Owner Printed Name: Cynthia D Russell

Street Address: 540 Bon Terre Blvd

[Signature]  
Owner Signature

Owner Printed Name: JERRY BENNETT

Street Address: 50 Mary Louis Court

[Signature]  
Owner Signature

Owner Printed Name: JON R. CARRIGLITTO

Street Address: 103 CHERENCEY CT.

[Signature]  
Owner Signature

Owner Printed Name: Jeff & Julie Dawes

Street Address: 690 Bon Terre Blvd

Owner Signature: Angela Helmer

Owner Printed Name: Angela Helmer

Street Address: 47 Durette Ct.

Owner Signature: Eth Taylor

Owner Printed Name: Ethan Taylor

Street Address: 34 Durette Ct.

Owner Signature: Tyler Mason

Owner Printed Name: Tyler Mason

Street Address: 38 Catenary Ct.

Owner Signature: Ryan Morrow

Owner Printed Name: Ryan Morrow

Street Address: 1190 Bon Terre Blvd

Owner Signature: Brian Key

Owner Printed Name: BRIAN KEY

Street Address: 49 La Torre Ct.

Owner Signature: Chris McDonald

Owner Printed Name: Chris McDonald

Street Address: 68 Bellan Ct

Owner Signature: Hunter Brendle

Owner Printed Name: HUNTER BRENDLE

Street Address: 1085 BON TERRE BLVD

Matt Chambliss  
Owner Signature

Owner Printed Name: Matt Chambliss

Street Address: 405 BonTerre Blvd

Brooks Boyd  
Owner Signature

Owner Printed Name: Brooks Boyd

Street Address: 675 Bon Terre Blvd

Brian Butler  
Owner Signature

Owner Printed Name: Brian Butler

Street Address: 1595 Bon Terre Blvd

Nathan Dickson  
Owner Signature

Owner Printed Name: Nathan Dickson

Street Address: 990 Bon Terre Blvd

Marc Han  
Owner Signature

Owner Printed Name: Marc Han

Street Address: 1045 Bon Terre

Todd Lucas  
Owner Signature

Owner Printed Name: Todd Lucas

Street Address: 70 LaTerre Ct.

MEL Nysberg  
Owner Signature

Owner Printed Name: MEL Nysberg

Street Address: 4 Durette Court

MEL Nysberg  
Owner Signature

Owner Printed Name: MEL Nysberg

Street Address: \_\_\_\_\_

Nicholas Mask  
Owner Signature

Owner Printed Name: Nicholas Mask

Street Address: 75 Mon Louis Ct

Suzanne Williams  
Owner Signature

Owner Printed Name: Suzanne Williams

Street Address: 1030 Bon Terre Blvd.

Tim Becker  
Owner Signature

Owner Printed Name: Tim Becker

Street Address: 45 Catenary Ct

Russ Hendrick  
Owner Signature

Owner Printed Name: Russ Hendrick

Street Address: 40 Catenary Ct

Owner Signature

Owner Printed Name: James V. Eiland, Jr

Street Address: 115 Mon Louis Ct.

James V. Eiland, Jr.  
Owner Signature

Owner Printed Name: Shawn S. Merithew

Street Address: 290 Bon Terre Blvd

Shawn S. Merithew  
Owner Signature

Owner Printed Name: Jennifer Brewer

Street Address: 85 Cheneery Ct

Opal Brewer  
Owner Signature



Owner Printed Name: Krissi Kerr

Street Address: 20 LaTerre Ct

Owner Signature AK 3A

Owner Printed Name: Jessie Lee

Street Address: \_\_\_\_\_

Owner Signature \_\_\_\_\_

Owner Printed Name: Eona Clifford

Street Address: 975 Bon Terre Blvd

Pike Rd, GA 36064

Owner Signature \_\_\_\_\_

Owner Printed Name: Lynne Clifford

Street Address: 805 Bon Terre Blvd

WALTON

Owner Signature \_\_\_\_\_

Owner Printed Name: William Carter

Street Address: 485 Bon Terre Blvd

the

Owner Signature \_\_\_\_\_

Owner Printed Name: Fernando Murgan

Street Address: 170 Mon Louis Ct

Owner Signature Grant Wallace

Owner Printed Name: Grant Wallace

Street Address: 1295 Bon Terre Blvd.

Andra Needham

Owner Signature \_\_\_\_\_

Owner Printed Name: Andra Needham

Street Address: 1245 Bon Terre Blvd

[Signature]  
Owner Signature  
Owner Printed Name: DAVID CAMERO

Street Address: 1155 BON TERRE BLVD

[Signature]  
Owner Signature  
Owner Printed Name: DOUGLAS B. FISHER

Street Address: 1240 Bon Terre Blvd

[Signature]  
Owner Signature  
Owner Printed Name: Tena Jenkins

Street Address: 1340 Bon Terre Blvd

[Signature]  
Owner Signature  
Owner Printed Name: Philip T. Bradford

Street Address: 1370 Bon Terre Blvd

[Signature]  
Owner Signature  
Owner Printed Name: Kirk Harbiv

Street Address: \_\_\_\_\_

Owner Signature  
Owner Printed Name: Donna Felley

Street Address: 445 Bon Terre Blvd

[Signature]  
Owner Signature  
Owner Printed Name: Willie Jay Brown

Street Address: 130 Cherencey CT

[Signature]  
Owner Signature  
Owner Printed Name: \_\_\_\_\_

Street Address: 220 Bon Terre Blvd

Pike Road AL 36064

Owner Signature  
Owner Printed Name: Youngae Lee

Street Address: 265 Bon Terre Blvd

Pike Road AL 36064

Owner Signature  
Owner Printed Name: Anthony Richardson

Street Address: 385 BON TERRE BLVD.

PIKE Rd. AL 36064

Owner Signature  
Owner Printed Name: Kenneth Baker

Street Address: 330 Bon Terre Blvd

Owner Signature  
Owner Printed Name: Brandon Barker

Street Address: 1175 Bon Terre

Sung Moon Park

Owner Signature  
Owner Printed Name: Sung Moon Park

Street Address: 1663 Bon Terre Blvd

[Signature]

Owner Signature  
Owner Printed Name: ALAIN BOUDA

Street Address: 360 Bon Terre Rd

Louis Rubeau

Owner Signature  
Owner Printed Name: Louis RIBRANE

Street Address: 545 Bon Terre Blvd

[Signature]

Owner Signature

Owner Printed Name: Lauren Russell

Street Address: \_\_\_\_\_

Owner Signature

Owner Printed Name: Hyun T Park

Street Address: 135 Mon Louis Ct

Owner Signature

Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Owner Signature

Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Owner Signature

Owner Printed Name: \_\_\_\_\_

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Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Owner Signature

Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Street Address: 1270 Bon Terre Blvd

Owner Signature Kelli Carr

Owner Printed Name: Kelli Carr

Street Address: 1135 Bon Terre Blvd

Owner Signature Chris W.

Owner Printed Name: Christopher W. McNew

Street Address: 225 Bon Terre Blvd

Owner Signature Jeffery Thompson

Owner Printed Name: Jeffery Thompson

Street Address: 260 Bon Terre Blvd

Owner Signature Greg Pinkham

Owner Printed Name: Greg Pinkham

Street Address: 505 Bon Terre Blvd

Owner Signature Eric Bixby

Owner Printed Name: Eric Bixby

Street Address: 490 Bon Terre BLVD.

Owner Signature Jiyoon Park

Owner Printed Name: Jiyoon Park

Street Address: 1520 Bon Terre BLVD.


Owner Signature Hyunjin Choi

Owner Printed Name: Hyunjin Choi

Street Address: 1500 Bon Terre BLVD

Owner Signature Mon

Owner Signature

 pingin007@nate.com

Owner Printed Name: Seohan Kang

Street Address: 1480 Ben Terre Blvd

Seohan Kang  
Owner Signature

Owner Printed Name: ROLAND BECKHAM

Street Address: 95 Mon Louis Ct

Roland Beckham  
Owner Signature

Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Owner Signature

Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Owner Signature

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Owner Signature

Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Aimee Vinson

Owner Signature

Owner Printed Name: Aimee Vinson

Street Address:

~~1625 Bon Terre Blvd~~ JM

Owner Signature

Owner Printed Name: Jany Moody

Street Address:

71 La Terre Court  
Pike Road, AL 36064

Owner Signature

Owner Printed Name: Kacey Gill

Street Address:

85 La Terre Ct 36064

Owner Signature

Owner Printed Name: Dustin Wilson Dustin Wilson DW

Street Address:

50 La Terre Ct

Pike Road AL 36064

Owner Signature

Owner Printed Name: NESTOR LEBRON

Street Address:

30 LA TERRE CT

PIKE ROAD AL 36064

*Handwritten signature*

Owner Signature

Owner Printed Name: Emily Oden

Street Address:

950 Bon Terre Blvd

Emily P. Oden

Owner Signature

Owner Printed Name: Velinda Herbert

Street Address:

970 Bon Terre Blvd

Velinda Herbert

Owner Signature

Samuel E. Cowart 930 Bon Terre Blvd  
Samuel E. Cowart

Owner Printed Name: Anita H. Casby

Street Address: 1525 Bon Terre Blvd

Anita H. Casby  
Owner Signature

Owner Printed Name: ~~Anita H. Casby~~ Ed Cleveland

Street Address: 1275 Bon Terre Blvd

Ed Cleveland  
Owner Signature

Owner Printed Name: Chuck Pickett

Street Address: 1475 Bon Terre Blvd

Chuck Pickett  
Owner Signature

Owner Printed Name: Jesse Kunkin

Street Address: 55 Mon Louis Court

Jesse Kunkin  
Owner Signature

Owner Printed Name: Hitesh Patel

Street Address: 31. LA TERRE CT

Hitesh Patel  
Owner Signature

Owner Printed Name: Tony Bernardi

Street Address: 29 BELAN COURT

Tony Bernardi  
Owner Signature

Owner Printed Name: CRASSANDRA HARRIS

Street Address: 120 Mon Louis CT

Crassandra Harris  
Owner Signature

Owner Printed Name: Ashley C. Harper

Street Address: 165 Mon Louis Ct.

Ashley C. Harper  
Owner Signature



Owner Printed Name: Christen Niel

Street Address: 150 Mon Louis Ct.

Pike Rd., AL. 36004

Owner Signature

Owner Printed Name: Christen Niel

Street Address: Craig Blvd

1545 Bon Terre Blvd  
Pike Rd 36004

Owner Signature

Owner Printed Name: Jon Dunham

Street Address: 645 Bon Terre Blvd

[Signature]

Owner Signature

Owner Printed Name: Kristie Buckner

Street Address: 45 Catenary Ct

[Signature]

Owner Signature

Owner Printed Name: Jim LaChapelle

Street Address: 555 Bon Terre Blvd

[Signature]

Owner Signature

Owner Printed Name: MARCUS SILVIA

Street Address: 990 Bon Terre Blvd

[Signature]

Owner Signature

Owner Printed Name: Dianne Starr

Street Address: 620 Bon Terre Blvd,

Pike Rd.

Owner Signature

Owner Printed Name: Dianne Starr

Street Address: \_\_\_\_\_

Owner Printed Name: Joshua Waldrop

Street Address: 1785 Bon Terre Blvd

Owner Signature [Signature]

Owner Printed Name: Seony Lee

Street Address: 1400 Bon Terre Blvd

Owner Signature [Signature]

Owner Printed Name: Samantha Stephenson

Street Address: 1460 Bon Terre Blvd

Owner Signature [Signature]

Owner Printed Name: Sanghee Kim

Street Address: 1455 Bon Terre Blvd

Owner Signature [Signature]

Owner Printed Name: Rich Rogers

Street Address: 27 Cherency Court

Owner Signature [Signature]

Owner Printed Name: Jessha Daudette

Street Address: 61 Cherency Ct.

Owner Signature [Signature]

Owner Printed Name: Donna Key

Street Address: 49 La Terre Ct.

Owner Signature [Signature]

Owner Printed Name: Krissi Kerr

Street Address: 80 La Terre Ct.

Pike Road, AL 36064

Owner Printed Name: MARCUS REECK

Street Address: 1560 BON TERRE BLVD

PIKE ROAD, AL 36064

Owner Signature  
Owner Printed Name: Marcus Reeck

Street Address: 65 Bellan Ct

Anthony Korb

Owner Signature  
Owner Printed Name: Anthony Korb

Street Address: \_\_\_\_\_

Owner Signature  
Owner Printed Name: Cosay Earnest

Street Address: 190 Bon Terre Blvd

Cosay Earnest

Owner Signature  
Owner Printed Name: Kenneth W. Horne

Street Address: 120 Chereincey Ct.

Kenneth W. Horne

Owner Signature  
Owner Printed Name: Michael Hollas

Street Address: 1320 Bon Terre Blvd

Michael Foster

Owner Signature  
Owner Printed Name: Michael Foster

Street Address: 170 Bon Terre Blvd.

Michael Foster

Owner Signature  
Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Owner Signature  
Owner Printed Name: MINDY KIM MCK.

Street Address: 295 Bon Terre Blvd.  
MCK

Owner Signature  
Owner Printed Name: B. Reed Williams

Street Address: 315 Bon Terre Blvd.  
B. Reed Williams

Owner Signature  
Owner Printed Name: Lillian Williams

Street Address: 26 Durette Ct  
Lillian Williams

Owner Signature  
Owner Printed Name: Charles James II

Street Address: 465 Bon Terre Blvd  
CJ

Owner Signature  
Owner Printed Name: Michael & Shona Johnson

Street Address: 575 Bon Terre Blvd.  
M. Michael Johnson

Owner Signature  
Owner Printed Name: KAREN CLARK

Street Address: 93 BLEN CT  
K. Clark

Owner Signature  
Owner Printed Name: Sharon Casby

Street Address: 315 Bon Terre Blvd

Owner Signature  
Owner Printed Name: Mindy

Street Address: 2495 Bon Tene Blvd

Pike Road, AL36064-2651

Owner Signature \_\_\_\_\_

Owner Printed Name: HONG SA MOON

Street Address: MONTGOMERY 3

Owner Signature \_\_\_\_\_

Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Owner Signature \_\_\_\_\_

Owner Printed Name: \_\_\_\_\_

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Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Owner Signature \_\_\_\_\_

Owner Printed Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

Owner Signature \_\_\_\_\_

STATE OF ALA. MONTGOMERY CO.  
I CERTIFY THIS INSTRUMENT WAS FILED ON  
RLPY 04964 PG 0543-0563 2017 May 05 12:09PM  
STEVEN L. REED  
JUDGE OF PROBATE  
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INDEX \$5.00  
REC FEE \$52.50  
CERT \$1.00  
ACH TOTAL \$58.50  
E-RECORDED 289815Clerk: #102 12:12PM