

Hidden Oaks Subdivision Covenant Amendment Ballot

Issue #1: Should ARTICLE V (Board Of Directors), Subsection 1, be amended as follows?

(For convenience, the current version of Article V, Subsection 1, is enclosed.)

PROPOSED AMENDMENT: “1. Number and Term for Board of Directors.

(a) The Board of Directors of the Association shall, except as otherwise provided herein, consist of three (3) persons, with each person elected by a majority vote of a quorum of Owners. Except for the Directors elected pursuant to Subsection (b) below or as otherwise provided herein, each Director shall hold office for the term of two (2) years and until their respective successor shall be elected and qualified.

(b) At the annual meeting in 2016, one (1) Director shall be elected for a period of one (1) year and two (2) Directors shall be elected for a period of two (2) years by a majority vote of a quorum of Owners.

(c) In 2017, one (1) Director shall be elected for a period of two (2) years by a majority vote of a quorum of Owners. In 2018, two (2) Directors shall be elected for a period of two (2) years by a majority vote of a quorum of Owner. For all odd years following one (1) Director shall be elected for a period of two (2) years by a majority vote of a quorum of Owners. For all even years following, two (2) Directors shall be elected for a period of two (2) years by a majority vote of a quorum of Owner.

(d) There shall be no limit on the number of terms an Owner may be elected, successive or otherwise, provided that the Owner is otherwise qualified to serve.”

Please indicate your vote by checking the appropriate box:

☐ **YES** to Proposed Amendment of Article V, Subsection 1

☐ **NO** to Proposed Amendment of Article V, Subsection 1

Issue #2: Should ARTICLE VII (General Covenants and Restrictions), Subsection (1)(o), be amended by adding the following sentence at the end of the Subsection?

(For convenience, the current version of Article VII, Subsection 1 (o), is enclosed.)

PROPOSED AMENDMENT: Adding the following sentence to the end of Subsection 1(o):

“Anything to the contrary herein notwithstanding, fences may be constructed of materials other than wood provided that the fence is approved by the Board and otherwise meets the qualifications of this subsection.”

Please indicate your vote by checking the appropriate box:

☐ **YES** to Proposed Amendment of Article VII, Subsection 1(o)

☐ **NO** to Proposed Amendment of Article VII, Subsection 1(o)

Signature of Owner

Date

Street Address

Reference to Current Covenant Provisions

CURRENT VERSION of Article V, Subsection 1: “1. Number and Term. The Board of Directors of the Association shall, except as otherwise provided herein, consist of three (3) persons, with each person elected by a majority vote of a quorum of Owners. Except as otherwise provided herein, each Director shall hold office for the term of one year and until his successor shall be elected and qualified. The first Board of Directors shall consist of Robert N. Whittaker, Sr., Robert N. Whittaker, Jr. and Gregory G. Whittaker and, so long as the Developer owns any Lots in the Subdivision, the Developer shall have the sole authority to remove and replace each of the Directors and appoint successor Directors. Within sixty (60) days after the closing of the sale of the last Lot to be sold by the Developer, or at such earlier time as Developer may elect, Developer shall cause the Directors to call a meeting of the Association for the purposes of electing new Directors.”

CURRENT VERSION of Article VII, Subsection (1)(o): (o) Partition fences may be erected only with the prior written approval of the Directors. Solid fences built of new material and of a decorative character may be erected to a height of six (6) feet for the purpose of screening a patio or pool, provided the plans and specifications for said patio fence and sketch showing the proposed locations of the fence have been approved by the Directors as to the quality of materials, harmony of external design with existing buildings and as to location with respect to the patio to be screened and the homes in close proximity to the proposed fence. Under no circumstances shall chain link fences be allowed in the Subdivision; all fences must be constructed of wood material. No fence, wall, hedge or shrub planting higher than three (3) feet above the roadways shall be placed or permitted to remain on any corner Lot within the triangular area formed by the street property lines and a line connecting them at points thirty (30) feet from the intersection of the street property lines extended. The same sight line limitations shall apply on any Lot within ten (10) feet from the intersection of a street property line with the edge of a driveway or ally pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines. Notwithstanding any other provision of this Declaration, no fence, hedge, plantings or trees of any kind, shall be erected or placed or planted on any Lot which abuts or adjoins any part of the Common Areas without the express written consent of the Directors.