JUDGE ADRIAN T. JOHNS



### TWELFTH AMENDED DECLARATION OF CONDOMINIUM

**OF** 

### THE RIDGE, LLC, A CONDOMINIUM

THIS TWELFTH AMENDED DECLARATION is made on this the 11th day of March, 2008, by THE RIDGE, LLC, an Alabama Limited Liability Company, hereinafter called the "Developer", for itself, its successors, grantees and assigns.

### RECITALS

WHEREAS, the Developer has established a condominium pursuant to the provisions of the Alabama Uniform Condominium Act of 1991, § 35-8A-101, et seq., Code of Alabama, 1975, as amended. The Condominium is known as The Ridge, a Condominium, and the Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 648393, pages 1-127; and the First Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 688263, pages 1-9; and the Second Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 706704, pages 1-11; and the Third Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 786101, pages 1-13; and the Fourth Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 853908, pages 1-16; and the Fifth Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 864275, pages

1-13; and the Sixth Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 901097, pages 1-13; and the Seventh Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 911422, pages 1-13; and the Eighth Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 922995, pages 1-12; and the Ninth Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 930675, pages 1-14; and the Tenth Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 934634, pages 1-18; and the Eleventh Amended Declaration of Condominium is recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 941200, pages 1-14;

AND WHEREAS, the Developer proposes to develop the Condominium in multiple phases;

AND WHEREAS, the Developer has previously reserved the right to amend the Declaration pursuant to the express reservations of certain Declarant Rights relative to the addition of additional Units to the Condominium, among others;

AND WHEREAS, the Declaration of Condominium shall be effectively amended as of the date of the recording of this Twelfth Amended Declaration;

WHEREFORE, the Developer hereby makes the following Twelfth Amended Declaration, to-wit:

1. By amending Section 3.01 of the Declaration to include the following paragraph:

"The Declarant, upon recording this Declaration, does submit the portion of the Property as identified on the attached amended Exhibit B-12, and comprised of Building 1700, together with the Common Elements and related improvements thereon, owned by the Declarant in fee simple absolute, consisting of Units 1701, 1702, 1703, 1704 and 1705, to the provisions of the Alabama Uniform Condominium Act of 1991, Ala. Code §§ 35-8-A-101 to 417 (1975), to be held, conveyed, hypothecated, encumbered, leased, rented, used, occupied, improved and in any other manner utilized subject to the provisions of the Act and subject to the covenants, conditions, restrictions, uses, limitations and affirmative obligations and Declarant's development rights as set forth in this Declaration and any amendments hereto, all of which are declared and agreed to be in furtherance of a plan for the improvement of the Property and the division thereof into condominium ownership and all of which shall run with the land and shall be binding on all parties (including Owners as hereinafter defined) having or acquiring any right, title or interest in the Property or any part thereof, and shall be for the benefit of each Owner of any portion of said Property or any interest therein, and shall inure to the benefit of and be binding upon each successor-in-interest to the Owners thereof."

2. By amending Section 5.08 of the Declaration to include the following paragraphs:

"The Condominium Property in this phase consists of twenty (20) Buildings, together with automobile parking areas, outdoor pool, a wetland observation boardwalk, sidewalks and a nature trail for common use by the Owners, as more

particularly set forth in the Plans and Plat attached hereto as Exhibit "B-12." The Condominium may contain seven (7) different Building types. Type "I" Buildings which shall be four (4) Unit Buildings which shall contain four (4) Type "A" Units; Type "II" Buildings which shall be four (4) Unit Buildings which shall contain two (2) Type "A" Units and two (2) Type "B" Units; Type "III" Buildings which shall be four (4) Unit Buildings which shall contain one (1) Type "A" Unit, one (1) Type "B" Unit, one (1) Type "C" Unit and one (1) Type "D" Unit; Type "IV" Buildings which shall be three (3) Unit Buildings which shall contain three (3) Type "A" Units; Type "V" Buildings which shall be five (5) Unit Buildings which shall contain five (5) Type "A" Units; Type "VI" Buildings which shall be two (2) Unit Buildings which shall contain two (2) Type "B" Units; and Type "VII" Buildings which shall be two (2) Unit Buildings which shall contain one Type "B" Unit and one Type "D" Unit.

Building 1700 is a Type "V" Building, one and a half (1 ½) story structure containing five (5) Units which are identified as Units 1701, 1702, 1703, 1704 and 1705. The Declarant has reserved the right to construct a total of one hundred forty-four (144) Units on the Condominium Property."

3. By amending and substituting Section 5.12 of the Declaration to include the following paragraphs:

"50. There is one (1) type of Unit in Building 1700. These five (5) Type "A" Units have three (3) bedrooms, two and one-half (2½) baths, and contain kitchen, dining and living areas totaling approximately one thousand three hundred eighty-three (1,383) square feet, a garage containing approximately two hundred sixty-six (266) square feet, a front porch containing approximately twenty-three (23) square feet, a rear

porch containing approximately one hundred twenty-five (125) square feet, and a patio containing approximately one hundred (100) square feet, the porches and patio serving the Unit as Limited Common Elements.

- 4. By amending Exhibit "A" by adding a Legal Description to include Phase III, attached hereto as Exhibit "A-12."
- 5. By amending Exhibit "B" by adding a revised Plat of the Condominium and drawings depicting the vertical Unit boundaries and horizontal Unit boundaries for the Units contained in Phase III, attached hereto as Exhibit "B-12".
- 6. By amending Exhibit "E" with the attached Exhibit "E-12" entitled First Amended Rules and Regulations of The Ridge, A Condominium, which includes an addendum to the Rules and Regulations of Ridge, adopted by The Ridge Condominium Owners Association on June 7, 2006.
- 7. By amending Exhibit "F" of the Declaration with the attached Exhibit "F12" entitled Twelfth Amended Unit Owner's Association Interests.
- 8. By amending Exhibit "H" to include a Certificate of Substantial Completion for the Units contained in Phase III, Building 1700, attached hereto Exhibit "H-12".

Other than as stated herein, the Declaration previously filed shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer, THE RIDGE, LLC, by and through its duly authorized manager, has caused this instrument to be executed under seal on this the Ith day of March, 2008.

> THE RIDGE, LLC An Alabama Limited Liability Company

BARTON E. KAISER

Its Manager

STATE OF ALABAMA COUNTY OF BALDWIN

I, the undersigned authority, in and for said county, in said State, hereby certify that on this the day of March, 2008, before me appeared Barton E. Kaiser, Manger of THE RIDGE, LLC, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed same in his authorized capacity, and that by his signatures on the instrument, the entity upon behalf of which the person acted, executed the instrument. WITNESS my hand and official seal.

Barbara L. Warther Notary Public

My commission expires on: 01-09-10

This instrument was prepared by:

C. Britton Bonner, Esq. Bonner Landreau Kingrea LLC 350 N. Alston Street Foley, Alabama 36535 (251) 943-5727

### EXHIBIT "A-12"

TO

### TWELFTH AMENDED DECLARATION OF CONDOMINIUM

 $\mathbf{OF}$ 

THE RIDGE, A CONDOMINIUM

REAL PROPERTY DESCRIPTION

### REAL PROPERTY DESCRIPTION

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 32, UNIT 3 OF GULF SHORES, AS RECORDED IN MAP BOOK 3, PAGE 9 IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA, SAID POINT SHOWN ON MAP BY CLAUDE W. ARNOLD, ALA. REG. NO. 1276, DATED NOVEMBER 2. 1983 AND SAID POINT BEING ON THE NORTH RIGHT-OF-WAY OF ALABAMA HIGHWAY NO. 180, AKA DIXIE GRAVES PARKWAY: THENCE RUN NORTH 00 DEGREES 13 MINUTES 30 SECONDS EAST A DISTANCE OF 1,922.60 FEET TO THE NORTHWEST CORNER OF BLOCK 24 OF SAID UNIT 3 OF GULF SHORES AS PER SAID MAP BY CLAUDE W. ARNOLD, ALA. REG. NO. 1276, DATED NOVEMBER 2, 1983; THENCE RUN NORTH 89 DEGREES 46 MINUTES 01 SECOND EAST A DISTANCE OF 624.45 FEET TO THE NORTHEAST CORNER OF BLOCK 23 AS PER SAID MAP BY CLAUDE W. ARNOLD, ALA. REG. NO. 1276, DATED NOVEMBER 2, 1983: THENCE RUN SOUTH 00 DEGREES 28 MINUTES 22 SECONDS WEST A DISTANCE OF 833.00 FEET; THENCE RUN NORTH 89 DEGREES 31 MINUTES 57 SECONDS WEST A DISTANCE OF 173.41 FEET; THENCE RUN NORTH 89 DEGREES 44 MINUTES 28 SECONDS WEST A DISTANCE OF 40.02 FEET: THENCE RUN NORTH 89 DEGREES 30 MINUTES 17 SECONDS WEST A DISTANCE OF 140.02 FEET TO THE NORTHWEST CORNER OF KNOB HILL SUBDIVISION (SAID SUBDIVISION BEING AN UNRECORDED SUBDIVISION), SAID POINT SHOWN ON SAID MAP BY CLAUDE W. ARNOLD, ALA. REG. NO. 1276, DATED NOVEMBER 2, 1983; THENCE RUN SOUTH 00 DEGREES 27 MINUTES 02 SECONDS WEST A DISTANCE OF 100.13 FEET; THENCE RUN SOUTH 00 DEGREES 26 MINUTES 02 SECONDS WEST A DISTANCE OF 99.94 FEET; THENCE RUN SOUTH 00 DEGREES 38 MINUTES 29 SECONDS WEST A DISTANCE OF 99.69 FEET; THENCE RUN SOUTH 00 DEGREES 29 MINUTES 40 SECONDS WEST A DISTANCE OF 100.21 FEET: THENCE RUN SOUTH 00 DEGREES 38 MINUTES 33 SECONDS WEST A DISTANCE OF 99.86 FEET; THENCE RUN SOUTH 00 DEGREES 32 MINUTES 14 SECONDS WEST A DISTANCE OF 328.61 FEET TO THE SOUTHWEST CORNER OF SAID KNOB HILL SUBDIVISION (SAID SUBDIVISION BEING AN UNRECORDED SUBDIVISION), SAID POINT BEING ON THE NORTH RIGHT-OF-WAY OF ALABAMA HIGHWAY NO. 180; THENCE RUN IN A SOUTHWESTERLY DIRECTION ALONG SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 2,074.86 FEET FOR AN ARC DISTANCE OF 190.02 FEET; THENCE RUN SOUTH 43 DEGREES 23 MINUTES 31 SECONDS WEST ALONG THE NORTH RIGHT-OF-WAY OF SAID ALABAMA HIGHWAY NO. 180 A DISTANCE OF 185.30 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 32, UNIT 3 OF GULF SHORES AND THE POINT OF BEGINNING. SAID REALTY BEING A PORTION OF BLOCKS 23, 24 AND 32, UNIT 3 OF GULF SHORES AS RECORDED IN MAP BOOK 3, PAGE 9, IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

### EXHIBIT "B-12"

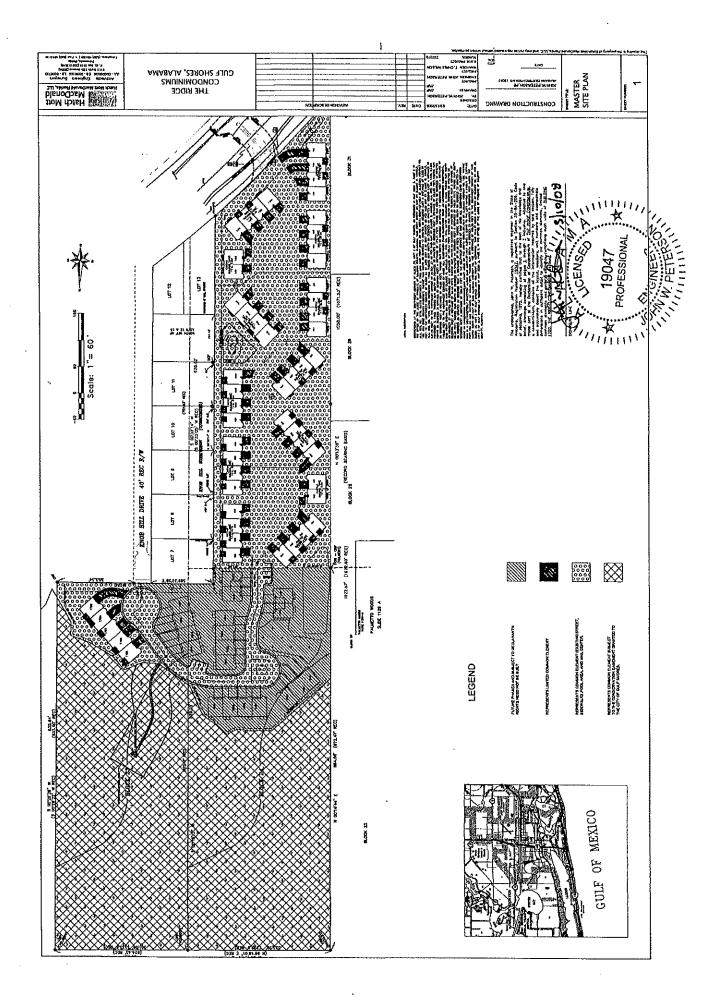
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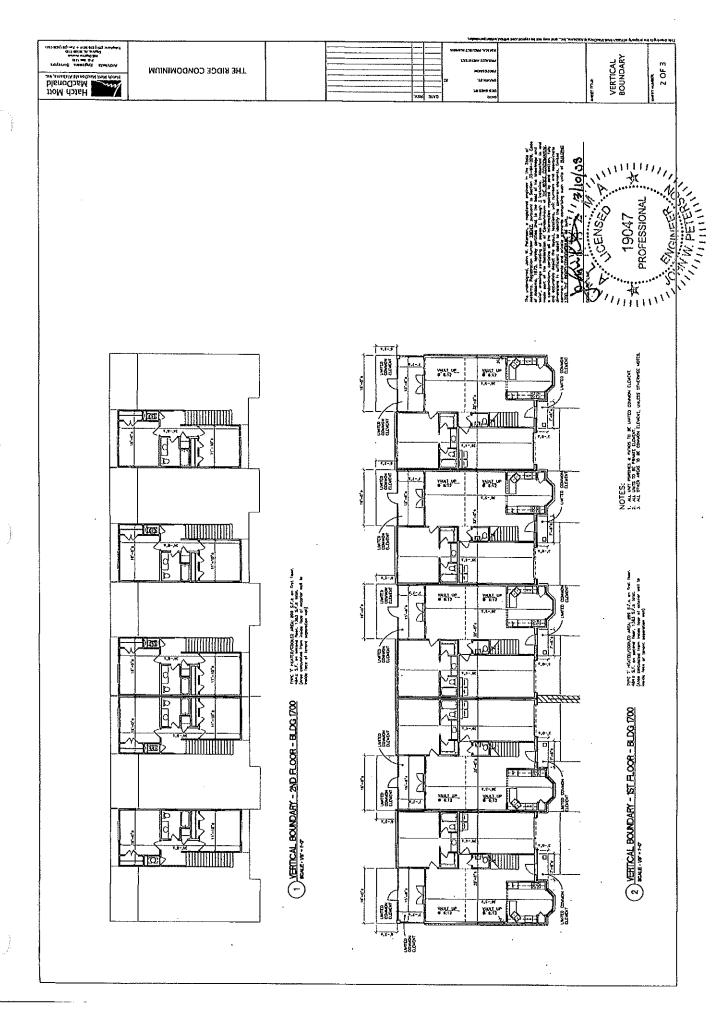
### TWELFTH AMENDED DECLARATION OF CONDOMINIUM

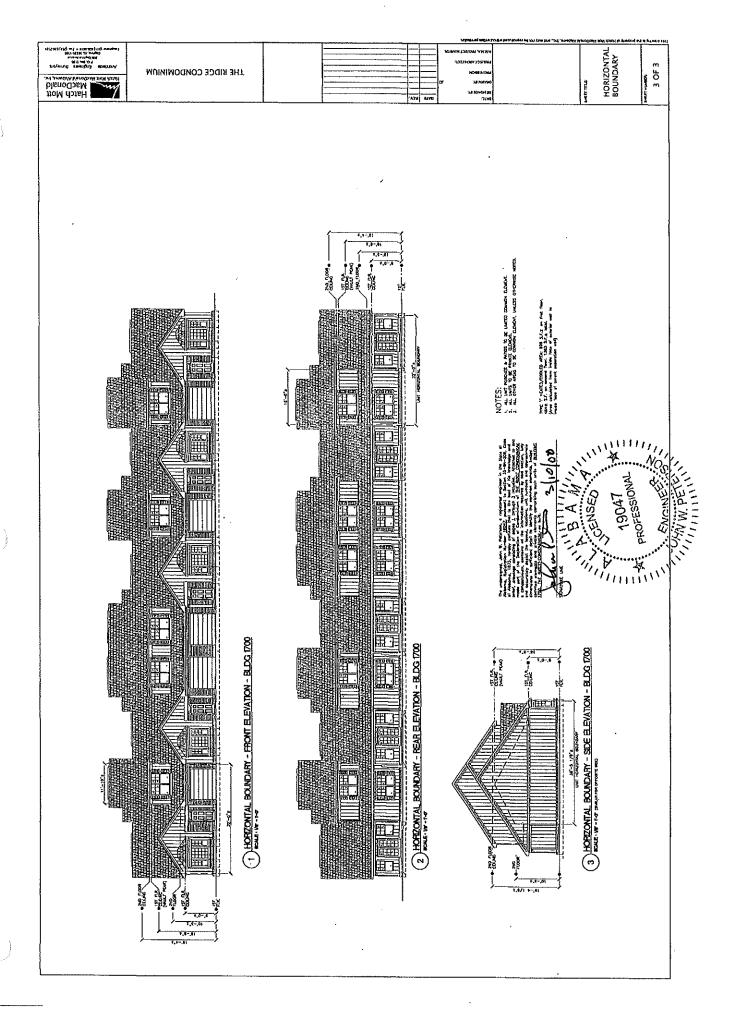
OF

THE RIDGE, A CONDOMINIUM

PLANS AND PLAT







### EXHIBIT "E-12"

TO

### TWELFTH AMENDED DECLARATION OF CONDOMINIUM

OF

THE RIDGE, A CONDOMINIUM

FIRST AMENDED RULES AND REGULATIONS OF THE RIDGE, A CONDOMINIUM

## FIRST AMENDED RULES AND REGULATIONS CONCERNING USE OF THE RIDGE CONDOMINIUMS

In addition to those restrictions, rules and regulations contained in the Declaration and the Amended Declarations of Condominium of The Ridge Condominiums (the "Declaration") and the existing Rules and Regulations of same, recorded in the Office of the Judge of Probate of Baldwin County, Alabama as Instrument Number 648393, pages 112-122, the following "Rules and Regulations" ("Addendum"), were adopted by The Ridge Condominium Owners' Association, Inc., an Alabama non-profit corporation (the "Association"), on June 7, 2006, as a supplement to the existing recorded Rules and Regulations Capitalized terms used herein and not otherwise defined herein shall have the meaning ascribed to such terms in the Declaration.

### I. AMENDMENT AND ENFORCEMENT

- 1. These First Amended Rules and Regulations are subject to further amendment by the Board of Directors and to the promulgation of further rules by the Board of Directors and/or by the Association.
- 2. These First Amended Rules and Regulations shall not apply to the Developer, its successors or assigns, until it has surrendered control of the Association or its control of the Association has been terminated in the manner set forth in the Declaration and the Articles.
- 3. By implementation of the First Amended Rules and Regulations the Board of Directors hereby acknowledges and adopts all prior rules and regulations previously implemented by the Board of Directors and not otherwise inconsistent with the First Amended Rules and Regulations adopted herein.

Dated this 11th day of March, 2008.



### **RULES and REGULATIONS**

In addition to the Rules and Regulations in The Ridge Condominium documents, the following are provided for quick reference.

### **PARKING**

- 1. ONLY two vehicles are allowed for two bedroom condominium units. Three vehicles are allowed for condominium units with a garage. One of the vehicles must be parked in the garage.
- 2. NO resident shall park overnight in guest spaces.
- 3. NO vehicle maintenance other than washing shall be permitted on the property.
- 4. Vehicles are only allowed to be parked in designated spaces or areas. No vehicles are allowed to be parked on a curb or sidewalk at any time.
- 5. Small boats or small utility trailers must be parked within an assigned unit space only and shall count as one vehicle for that unit.
- 6. No other trailers are permitted.
- Any vehicles without tags or any vehicles improperly parked will be towed at the vehicle owner's
  expense.

### OCCUPANCY

- 1. Units shall be occupied by no more than two (2) people per bedroom. (i.e. four persons in a two bedroom unit, six persons in a three bedroom unit, eight persons in a four bedroom unit.) Subject to Rule 2 below.
- 2. Each unit may be occupied by one or more persons related by blood, marriage, adoption or guardianship, plus only one (1) unrelated person, occupying a dwelling unit and living as a single housekeeping unit.
- 3. If owners or tenants create a disturbance that causes concern among other residents whereby the police department or the security company is called, the owner of the unit may be fined as allowed in the Rules and Regulations. This shall be determined at the sole discretion of the Board of Directors.

### PETS

- 1. Pets shall be limited to two (2) per unit.
- 2. Pets shall be walked and exercised in the restricted areas only and shall be managed on a leash at all times when outside of the units.
- 3. Pet owners are responsible for cleaning up after their pets. Violations shall be reported and pet owners may be fined.

### POOL

In addition to the Pool Rules posted at the Pool area, the following shall apply:

- 1. Proper swimming attire is to be worn by all occupants of the pool at all times.
- 2. All guests must be accompanied by the Unit resident of record while at the pool.
- 3 All children under the age of 12 are required to be under adult supervision in the pool area at all times.
- 4. Swimming is at your own risk.

The Board of Directors may impose a fine between \$25.00 and \$500.00, payable by the Unit Owner of record, for any violation of the Rules and Regulations of The Ridge made by their occupants, tenants or guests. These fines shall be collected as an additional assessment to the Unit and Unit Owner.

The Ridge Condominium Owners Association, Inc. June 7, 2006

### EXHIBIT "F-12"

TO

### TWELFTH AMENDED DECLARATION OF CONDOMINIUM

OF

### THE RIDGE, A CONDOMINIUM

UNIT OWNER'S ASSOCIATION INTERESTS

The Ridge
Ownership Calculations
53 Units

	Unit	Bldg	HC	%
Unit	<u>Type</u>	Туре	<u>Sqft.</u>	Own.
1101	В	III	1,160	0.0160747
1102	С	Ш	1,711	0.0237102
1103	Α	III	1,573	0.0217978
1104	D	III	1,389	0.0192480
1201	В	VII	1,098	0.0152155
1202	D	VII	1,389	0.0192480
1301	В	Ш	1,098	0.0152155
1302	С	III	1,722	0.0238626
1303	Α	Ш	1,458	0.0202042
1304	D	Ш	1,389	0.0192480
201	В	Ш	1,098	0.0152155
202	. C	III	1,722	0.0238626
203	Α	III	1,458	0.0202042
204	D	Ш	1,389	0.0192480
301	В	II	1,098	0.0152155
302	Α	II	1,458	0.0202042
303	Α	II	1,458	0.0202042
304	В	II	1,098	0.0152155
401	В	11	1,098	0.0152155
402	Α	II	1,458	0.0202042
403	Α	II	1,458	0.0202042
404	В	II	1,098	0.0152155
501	Α	1	1,458	0.0202042
502	Α	I	1,458	0.0202042
503	Α	1	1,458	0.0202042
504	Α	1	1,458	0.0202042
1001	Α	I	1,458	0.0202042
1002	Α	1	1,458	0.0202042
1003	Α	I	1,458	0.0202042
1004	Α	1	1,458	0.0202042
901	A	Ī	1,458	0.0202042
902	A	I	1,458	0.0202042
903	A	l	1,458	0.0202042
904	A	I	1,458	0.0202042
801	A	Ī	1,458	0.0202042
802	A	Ī	1,458	0.0202042
803	A	1	1,458	0.0202042
804	A	Î	1,458	0.0202042
701	A	ï	1,458	0.0202042
702	A	Î	1,458	0.0202042
703	A	1	1,458	0.0202042
704	A	Ĵ	1,458	0.0202042
7 0 1	4.5	•	-, 150	0.02020 IA

601	В	VI	1,098	0.0152166
602	В	VI	1,098	0.0152155
101	В	$\mathbf{n}$	1,098	0.0152155
102	Α	II	1,458	0.0202042
103	Α	II	1,458	0.0202042
104	В	II	1,098	0.0152155
1701	Α	V	1,383	0.0191649
1702	Α	V	1,383	0.0191649
1703	Α	V	1,383	0.0191649
1704	Α	v	1,383	0.0191649
1705	Α	V	1,383	0.0191649
			72,163	1.0000000

### Unit Type

Type A (3BR w/ garage)

Type B (2BR w/ garage)

Type C (4BR; no garage)

Type D (3BR; no garage)

### **Building Type**

Type I 4 - (4)3BR

Type II 4 - (2)3BR;(2)2BR

Type III 4 - (1)4BR;(2)3BR;(1)2BR

Type IV 3 - (3)3BR Type V 5 - (5)3BR Type VI 2 - (2)2BR

Type VI 2 - (1)2BR;(1)3BR

### EXHIBIT "H-12"

TO

### TWELFTH AMENDED DECLARATION OF CONDOMINIUM

OF .

THE RIDGE, A CONDOMINIUM

CERTIFICATES OF OCCUPANCY

# CERTIFICATE OF OCCUPANCY

## Department of Building Inspections City of Gulf Shores, AL

that at the time of issuance this structure was in compliance with the various ordinances of the Jurisdiction regulating building construction or use. For the following: This Certificate issued pursuant to the requirements of the Standard Building Code certifying

Builder Name & Address Kand Owner of Building Type Construction Multitamily Group K Fire District 6, 5. Legal Desc. Parcel No. Lot No. Bldg 1700 Building Location 430 St 1 Building Permit No. 060171 Date:

**Building Official** 

POST IN A CONSPICUOUS PLACE