

**Cedar Point, A Condominium**  
**EXHIBIT "D"**  
**OF**  
**DECLARATION**  
**RULES AND REGULATIONS**

1. "RESTRICTIONS" This Condominium is restricted solely for single family dwellings to include mobile homes, recreational vehicles, campers and acceptable type dwellings approved by the Board of Directors and built in accordance with State building codes. Due to the limited size of the units and roadways into the park, all entries must be approved by the Board of Directors prior to locating in the Cedar Point Landowners Association. Sewer and water hookups are available to unit members meeting the guidelines of the Association, when approved by the Board of Directors for entry.
  
2. "ENFORCEMENT" of these rules and regulations shall be by the Board of Directors of Cedar Point Landowners Association, or if there be no managing agent, then as such Board of Directors may direct. The Managing Agent or other Agent elected by the Board of Directors is herein referred to as Manager. In the event of an infraction of a rule or regulation, the manager shall give the unit owners committing the infraction ten (10) days notice of same. Said unit owner must eliminate the infraction within said ten (10) day period or appeal in writing or meet with the Board of Directors within the specified time. A ruling of the Board of Directors acting in accordance with these By-Laws will be final.  
Should the unit owner not remove the infraction within the ten (10) day notice by the said agent or action by the Board of Directors whichever occurs later, the offending unit owner shall pay a fine ~~not less than \$250.00~~ for each month the violation exists. If the violation was of such a nature that warranted a fine or suspension without a correction phase, the Board of

Directors can impose a fine and/or suspension after duly notifying unit owner of the violation and allowing unit owner the ten (10) day period to appeal. Collection of fines will be enforced in the same manner as collection of Landowners assessments, or the Association may at its option bring suit for the enforcement of said Rules and Regulations.

3. "EXEMPTION" No unit owner of a condominium unit may exempt himself from the liability for his contribution towards the common expenses by waiver of the use and enjoyment of any of the common elements of by the abandonment of his condominium unit.
4. "APPEARANCE COMMITTEE" There shall be an Appearance Committee Composed of five (5) members of the Landowners Association appointed yearly by the elected Board of Directors. Said Appearance Committee shall serve for the same term of office as the elected Officials.

The Duties of the Appearance Committee shall be to examine each unit for appearance, quality, and attachments. The Committee shall also, from time to time, inspect units for neatness, cleanliness, orderliness, so as to preserve a good overall appearance, as designated by the Appearance Committee and approved by the Board of Directors. The Appearance Committee may delegate to the managing Agent such of its duties and powers from time to time as necessary, but such delegation shall be in writing from the Committee.

- (A) In no event shall the area occupied by dwelling, boat sheds, storage sheds or other structures located on any lot(s) exceed fifty (50) percent of the total land area of the lot(s). Mobile homes or recreational vehicles forty (40) feet in length or more must be parked on two or more lots. All units are subject to inspection and recommendations by the Appearance Committee. Boat sheds, storage buildings, fences, pens, and similar structures on each parcel are subject to inspection and recommendation by the Appearance Committee. Fences may not be placed in such a manner as to block the exit, entrance, or reasonable view of another member's lot. Fences will be placed three (3) feet from the road right of

way. Prior to erection of any type fencing, approval must be obtained from the Board of Directors.

- (B) All lots must be kept neat and clean at all times and grass must be cut as required. Board of Directors may do or have done, any required maintenance to any lot and bill the owner for same, with these fees subject to the same policies as assessments, after a ten (10) day notice of such violation as recommend by the Appearance Committee.
- (C) No outside toilets shall be installed or allowed on any unit.
- (D) All exterior garbage cans must be kept secured in an upright position and lids tightly closed.
- (E) Unit owners will not park excessive vehicles on their property that present a junk yard appearance.
- (F) Unit owners will ensure that all leaves and pine straw is raked or either burned or bagged and disposed of. It will not be left sitting on the lot(S) or along the street.
- (G) All firewood must be stacked neatly on the back of the property, away from the road and street.
- (H) All fences and objects located closer than three (3) feet from the road right of way will be moved to comply with established easement.

##### 5. "LIMITATIONS"

- (A). All inoperable or unlicensed motorized vehicles and watercraft, except acceptable dwellings, will be removed from Cedar Point at the owner's expense, upon notification by the Board of Directors and a 30 day period has expired. Failure to remove vehicles could result in a fine and/or other action as deemed appropriate by the Board of Directors.
- (B). The use of Cedar Point Landowners Association Common Areas are limited to lot owners, their immediate families, and special guest, with the guest being under certain restrictions and limitations as deemed necessary.
- (C). No unit(s)/lot(s) are to be sold unless transferred and recorded with the Judge of Probate, Montgomery, Alabama. All units transferred to another must be recorded by the Secretary of the Association. Until the recorded documents are recorded by the Secretary, it is not considered transferred, bought or sold.

(D). The Condominium property, including Common Area and private property, is subject to occasional flooding of the Alabama River. All unit owners have purchased units with same notice and shall not hold the Association liable for consequences thereof. All personal property shall be kept portable should the occasion arise and be removed at the owner's expense by the owner.

(E). Persons, Members, and guest, using the recreational facilities and waterfront do so at their own risk.

(F). Vehicles, watercraft and trailers, must be parked on the owner's unit(s). All unauthorized vehicles and trailers left parked within Cedar Point, and/or blocking the boat ramps may be removed without notice, at owner's expense.

(G). Dangerous Instruments. Discharge of fireworks, firearms, missiles, air rifles and similar weapons is not allowed. Activities that endanger other persons or property of unit owners or their invitees or licensees are prohibited.

(H). Go-carts, motorcycles, motorbikes and all terrain vehicles may not be used on the Condominium property. Street legal motorcycles may be used only for transportation to and from work.

(I). There are not accommodations for large animals within the Condominium property and all small animals shall be the responsibility of their owner. As of 6 June 1993. Landowners are restricted to two (2) animals per family. All animals must be kept on a leash or kept in a fenced in yard. Animal food and excrement will be cleaned up daily. It is the responsibility of the pet owner to ensure that all pets have current shots in accordance with Alabama State Law.

(J). The owner of each Condominium unit shall not be deemed to own pipes, wires, conduits roads, sewage connections or other public utilities within or above any unit which are utilized by or serve more than one Condominium unit, which are part of the Common elements. The Landowner Association reserves the right to install certain utilities services underground or over and

across any unit to serve areas within the Condominium property and includes maintenance of the same.

(K). The unit owners are responsible for sewer stop-ups from their sewer riser to the sewer main. The Landowners Association is responsible for the sewer mains.

(L). Unit owners are responsible for winterizing utilities within their property and are responsible for any damage incurred by failure to do so.

(M). The Landowners Association reserves the right to enter upon lots and easement is hereby granted for the purpose of inspecting, maintaining, and repairing utilities as needed.

(N). Parking is not allowed on the streets, roads or Common area.

(O). The speed limit is ten (10) miles per hour in the Cedar Point Landowners Condominium. The Board of Directors will impose punishment on violators.

(P). Noise Control. The Board of Directors will impose punishment for noise violators. Excessive loud music and other loud activities will be kept to an acceptable level. Acceptable level is defined as "noise shall not be of a level to transmit into another members property and cause disturbance and/or loss of sleep". Excessive dog barking and loud muffler noises will be controlled by unit owners.

(Q). Trespassing on others member's property without permission is prohibited. Cedar Point Landowners Association appointed representative(s) has the right to exercise the rights of entry for the purposes outlined in the Declaration of By-Laws (Exhibit "C").

(R). No Member shall operate, or cause to be operated, any business, or any part of a business, licensed or unlicensed, which purpose is for financial gain for the member or other parties, within the properties of the Cedar Point Landowners Association. A business is defined as " the buying and selling of commodities and/or services with a profit motive, other than properties as defined in the Declaration".

6." ALLEGATION OF INFRACTION". Any member/unit owner has the right to submit to the President or Board of Directors a written document outlining

any allegation of infraction of Cedar Point Landowners Association Rules and Regulations. The written report will contain Name, location, lot, time, date, vehicle tag/description (if applicable) with a brief outline of the nature of the offense. The Board of Directors will ascertain the appropriate action to take in resolving the matter.

7. "ACTION PROCESS BY BOARD OF DIRECTORS". The following is the process in resolving reported incidents and/or allegations of infractions:

(A) Written report is received by Board of Directors.

(B) Report is evaluated by Board of Directors and determination is made to take action.

(C) Unit owner accused of infraction is sent a written letter outlining the rule and regulation violation and has ten (10) days to appeal in writing to the Board of Directors.

(D) Appeal is received and reviewed by Board of Directors. Determination is made to drop action based on appeal or impose punishment because of lack of justification from the accused or failure to submit an appeal.

(E) Board of Directors determines the amount of fine, suspension and/or action. The violator is mailed results of the Board of Directors, which are final.

(F) Severity of punishment is based on the severity of the violation and violators past history of rules and regulations violation. Samples of action that can be taken are as follows:

(1) Warning letter of violation

(2) Legal letter from Cedar Point Landowners Association Lawyer.

(3) Personal visit to violator by Association representative.

(4) Proceed with legal action by Association.

(5) Fine as determined by the Board of Directors.

(6) Sever utilities to violator.

8. The Landowners Association shall not be liable for debt or damage claimed for injury to persons, including members and their guest or invitees or licensees, or for property damage from any cause, including those arising out of damage of loss incurring in areas adjacent to the private areas, or for loss of personal property, vehicle or equipment whether on private or common areas.

9. To further insure that this Condominium remains of the highest quality possible, these Rules may be added to, altered, changed or deleted in part or whole at any time by a simple majority vote of the Members of the Landowners Association. Any changes must be recorded at the Judge of Probate Office, Montgomery, Alabama.

10. Invalidation of any one of these Rules by judgement or Court Order shall in no way affect any other provision, which shall remain in full force and effect.

11. Purchase of any Cedar Point Condominium unit, or occupancy of a unit as, Licensee or Invitee shall make such Purchaser, Licensee, or Invitee subject to these Rules and Regulations and unit owners herein shall include Licensees, and Invitees.

The foregoing Rules and Regulations were adopted the 9<sup>th</sup> day of April 1995, by the undersigned being the legal representatives of the Cedar Point Landowners Association.

<u><i>Don Wait</i></u>	President
<u><i>James R. Selbeck</i></u>	Vice President
<u><i>Quentin H. Low</i></u>	Board of Director
<u><i>Benjamin H. Lortz</i></u>	Board of Director
<u><i>Mary Mulder</i></u>	Board of Director
<u><i>Billy R. G.</i></u>	Board of Director
<u><i>Harold E. Scott</i></u>	Board of Director
<u><i>James S. Hirsch</i></u>	Board of Director
<u><i>W. J. ...</i></u>	Board of Director

## PARENTS RESPONSIBILITY FOR CHILDREN

Cedar Point Board of Directors realize that you cannot accompany your children outside every time. Please be aware that your children's actions are your responsibility. The Board of Directors has received numerous complaints about children violating the Rules and Regulations of the Cedar Point Landowners Condominium. Please inform your children of the Rules and Regulations of Cedar Point.

These Rules and Regulations of the Cedar Point Landowners Association were amended in accordance with the By-Laws on April 21<sup>st</sup> 2013 by a majority vote of the Landowners of Cedar Point:

1. All fines doubled after First infraction.
2. No warning notices for speeding.
3. Fine imposed on any damage to Cedar Point Property.
4. Fine imposed for driving a motorized vehicle without valid license under the age of 16.
5. No authorized outside use of the burn area.
6. Fine imposed and report to Attorney's office for threats or harassment of any Officer or Board member.
7. Fine imposed for cursing of Officer or Board member.
8. No Alcohol consumption before or during meetings.
9. Fine imposed for removing items from dumpsters.
10. Landowners must sign for copy of By-Laws.
11. Only two (2) pets are allowed per household.
12. Pet owners are responsible for damages to person or property.
13. Landowners are Responsible for Guest on any violation and/or fine imposed.



These Rules and Regulations of the Cedar Point Landowners Association were amended in accordance with the By-Laws on April 20th, 2024, by a majority vote of the Landowners of Cedar Point:

1. No farm animals allowed.
2. No dogs over 30 lbs. allowed.
3. No 10-day notice on grass cutting.

Respectfully Submitted this 24<sup>th</sup> day of MAY 2024.

William R. Blackmon (President)

CEDAR POINT LANDOWNERS ASSN.

### CERTIFICATION

Before me, the undersigned authority, personally appeared William R. Blackmon, whose name is signed to the forgoing affidavit and who being first duly sworn deposes and says that the facts stated therein are true and correct to the best of my knowledge.

SWORN and SUBSCRIBED before me on this the 21<sup>st</sup> day of May 2024.

Sarah Elizabeth Ellis

NOTARY PUBLIC

My commission expires 08/30/25

This instrument was prepared by  
William R. Blackmon (President)  
1480 Birch Trace  
Montgomery AL. 36108

