

BEAVER CREEK PROPERTY OWNERS ASSOCIATION
RULES and REGULATIONS volume 1 (1-24)

1. This is a residential subdivision. Owners/ Tenants are not permitted to operate a business, commercial business or trade on any lot. Nor become an annoyance or nuisance to the neighborhood or violate the laws and regulations of the U.S.A., the State of Alabama, Baldwin county and the City of Orange Beach.

2. Only 1 dwelling shall be permitted on each lot. Only 1 accessory building, no larger than 10 feet by 12 feet shall be permitted on each lot. The accessory building must be shielded from public view, enclosed behind a fence. All fence construction must be completed within 2 weeks.

3. The Architectural Review Committee and the City of Orange Beach must approve all architectural changes/additions to the outside of the original structure on each lot. Owners must submit plans to the committee. After approval, the plans may be submitted to the City for their approval. If the City also approves, then the changes/ additions may be built.

4. All roof shingles must be dimensional and black in color.

5. No cyclone, chain link or wire fencing will be allowed. All fences can not exceed 7 feet in height, must be made of new wood or new vinyl. All fences must be in the back yard, between the front most plane of the house and the rear lot line.

6. No window air condition units will be allowed.

7. Garbage containers must be located to the rear most plane of the house and visually screened from the street and adjoining lots. All outside garbage disposal equipment and containers shall be kept in a clean and sanitary condition. No trash or other refuse shall be kept, stored or allowed to accumulate, except between scheduled pickups and in accordance with the provisions hereof. No unsightly trash, building materials, etc. shall be visible from the street. Any special pick-up may be placed at the street one day prior to pick-up.

8. No lighting shall be located so as to interfere with vehicular traffic or become a nuisance to neighbors by affecting the nighttime environment of adjacent properties.

9. No outside clothes lines shall be permitted.

10. No "For Rent" signs shall be posted while the property is occupied. No more than 2 signs will be allowed on a property at a time.

11. All pets shall be fenced in such a manner that they can not run loose in the Subdivision and become an annoyance or nuisance to the neighborhood. Dogs are limited to 70 pounds, max weight, and no property owner/tenant shall be allowed to have Pit Bulls or Dobermans in the subdivision at anytime. Only 2 dogs and/or 2 cats are allowed, per household.

12. THE ORDINANCE REGULATING AND CONTROLLING ANIMALS IN ORANGE BEACH SHALL BE STRICTLY ADHERED TO.

The following references are from the ORANGE BEACH CITY ORDINANCE #2003-739 and hereby adopted by Beaver Creek Subdivision.

1. Animals can not leave the Owner's property unless attached by a leash and under the control of the Owner.

2. It is the duty of the Owner to remove dispose of any feces deposited by their animal.

3. It is the duty of the Owner to pick up and remove any garbage their animal caused to be scattered upon any residential lot.

4. It shall be unlawful for any person to permit any animal to run or be upon any street, alley, sidewalk, thorough fare, public place or without permission on property other than that of the Owner, unless such animal is under the control and supervision of the Owner by physical presence, leash, cord, chain or other means.

5. Any animal biting, threatening or intimidating any person or by chasing vehicles is prohibited.

13. Mobile homes, house trailers and trucks (other than a pick-up truck) are not allowed within Beaver Creek. Boats, trailers, utility trailers, jet skis, above ground pools, jungle gyms, play sets, etc., shall be behind a privacy fence, shielded from view. Owners/Renters must place these items off site of Beaver Creek, if they choose not to erect a fence. The use of a camper trailer, recreational vehicle, or other vehicle, or boat used as a dwelling shall be prohibited.

The operation of unregistered dirt bikes, go carts, 4-wheelers and scooters are prohibited from operation on public streets within Beaver Creek. These vehicles are illegal to operate on public property or common areas within Beaver Creek. Inoperable automobiles can not be stored on property. Normal vehicle maintenance shall be completed within 8 hours. All other repairs should be done off site of Beaver Creek. Any vehicle parked on any part of the Lot, other than the driveway, for more than any single 24 hour period of time shall be in violation of the Rules.

14. No basketball backboards/ goals and other fixed play structures shall be located on any Lot, except on the side or rear of the house. Portable basketball backboards can not block sidewalks or streets. They can be located on the driveway while in use and moved to the rear of the house after each use. Trampolines must be in the back yard, not visible from the street. All of these items must be shielded from public view by a fence.

15. No obnoxious, offensive or illegal activity, or language shall be permitted in the Subdivision.

16. Parking on the grass or common areas is forbidden. Temporary overflow parking is available at the pool house.

17. All buildings, fences, and other structures and improvements shall be kept in a good and proper state of repair.

18. All Owners are required to purchase standardized mailboxes.

19. Parents/Guardians will be held legally and financially responsible for illegal and nuisance actions of minors in their care. There is no trespassing on other homeowner's property. Cutting through other homeowner's property is prohibited, this includes the drainage ditches. Do not walk, ride or drive through any yard or drainage ditch. Use public sidewalks as designed.

20. Landscaping shall be kept in proper order. All properties shall be mowed, trimmed, and free of trash, dead trees, plants and debris at all times. Drainage ditches must be cut or trimmed and kept clear of debris, in order for the water to drain properly. Fences should not hamper the out flow of water. All grass/weeds should be trimmed along the perimeter (outside) of the fence. After 10 days notice, Owners shall be responsible to pay the Association a reasonable fee, plus 12% interest, for above maintenance. Entering a property to perform such maintenance shall not constitute an act of trespassing.

21. No junk or inoperable automobiles, or unsightly personal property shall be kept or maintained on any Lot or elsewhere in the subdivision.

22. The Board of Directors shall upon written request by any Owner, or upon its own initiative, if it so elects, to investigate suspected violations of the provisions of this Declaration (the Covenants and Restrictions and the Rules and Regulations of Beaver Creek Subdivision), and determine whether a violation exists. If the Board determines that no such violation exists, it shall give written notice of its determination to the complainant Owner(s), in person or addressed to the Owner(s) at his last known address. Should the Board determine that a violation does exist, it shall give written notice of their determination in person, or by registered, or certified mail to the complainant Owner(s), if any, and the Owner(s) of the Lot to which such violation exists, addressed to each at his last known address. The Owner(s) of the Lot on which, or as to which, such violation exists, shall be allowed 30 days (24 hours in the case of a violation of sections 4.11 through 4.18 of Article IV inclusive) after the giving of notice, or longer period as the Board be deemed appropriate, in which to correct such violation. Should the violation not be corrected within such period, the Board and any Owner(s), shall each have the right, but not the obligation, to prosecute any proceedings at law or in equity against the Person(s) found by the Board to be violating any of these rights, covenants, restrictions, affirmative obligations and conditions and prevent him/them from so doing, recover damages for such violations and obtain any other legal or equitable relief to which it, he, or they may be entitled under the circumstances.

23. Home Owners shall have 30 days/24 hours after the receipt of the registered letter stating the violation(s) and to fix the problem(s), with the exception of #20 above. First time violations shall be assessed \$50.00 per day/ per violation, until the violation is corrected. Second time violations shall be assessed \$100.00 per day/per violation until the violation is corrected. Assessments will be limited to a maximum of \$1,000.00 per violation. Any such assessment shall be due the Association and if not timely paid, will result in a lien on the Lot and collectable as any other assessment.

24. The Associations' Board of Directors shall have the right to fine any Lot Owner for any violation of this Declaration or the Rules and Regulations of the Association. Said fine, including but not limited to interest at 12%, if unpaid within 30 days, will become a lien upon the property in favor of the Association, as provided in Section 6.10 of the Declarations.

THE BOARD OF DIRECTORS