

REVIEWED

SCANNED



*John D. ...* 1st Judicial District  
Instrument 2018 5797 D - J1  
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**INSTRUMENT PREPARED BY  
AND RETURN TO:**

**MARK E. BOND**  
**MS STATE BAR #103992**  
**BALCH & BINGHAM LLP**  
**1310 25<sup>th</sup> Avenue**  
**Gulfport, MS 39501**  
**(228) 864-9900**

**GRANTOR: STABLEWOOD PROPERTY  
OWNERS ASSOCIATION**  
**8733 Siegen Ln. Suite 338**  
**Baton Rouge, LA 70810**  
**(225) 300-8689**

**INDEXING INSTRUCTIONS:**

**LOTS 1-40, STABLEWOOD SUBDIVISION, ACCORDING TO PLAT BK 46, PG 20**  
**LOTS 1-30, STABLEWOOD SUBDIVISION, PHASE 2, ACCORDING TO PLAT BK 48, PG 1**  
**The SE ¼ of Sec. 36, T7S, R13W, and the**  
**SW ¼ and the W ½ of the SE ¼ of Sec. 31,**  
**T7S, R12W, FJD of Harrison Co., MS**

**Marginal Notations: Instrument # 2005 18465D-J1 and Instrument # 2006 5588D-J1**

**STATE OF MISSISSIPPI )**  
**COUNTY OF HARRISION )**  
**FIRST JUDICIAL DISTRICT )**

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS FOR  
STABLEWOOD SUBDIVISION, A PRIVATE SUBDIVISION**

The First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Stablewood Subdivision, a private subdivision (the "**First Amendment**"), is made and entered into on the Effective Date upon the vote of the Members of the Stablewood Property Owners Association, Inc. (the "**Community Association**" or "**Association**") in accordance with the provisions of Section 11.2 of the Declaration (as defined below) for such amendments, and as expressly set forth herein, to wit:

## RECITALS:

WHEREAS, the Declaration of Covenants, Conditions, Restrictions and Easements for Stablewood Subdivision, a Private Subdivision, was dated August 2, 2005 and recorded as Instrument # 2005 18465D-J1 in the Office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, together with the Declaration of Covenants, Conditions, Restrictions and Easements for Stablewood Subdivision, Phase 2, a Private Subdivision, dated June 23, 2006 and recorded as Instrument #2006 5588D-J1 in the aforementioned land records office (collectively, the "Declaration");

WHEREAS, pursuant to the terms and provisions of Section 11.2 of Article XI of the Declaration titled "General Provision", any amendment not initiated by the Declarant may be made only with the consent of the Declarant and the affirmative vote or written consent, or any combination thereof, of at least 67% of the Members; provided, however, that the percentage of votes necessary to amend a specific clause of this Declaration shall not be less than the prescribed percentage of affirmative votes required for action to be taken under that clause;

WHEREAS, at a meeting of the Members of the Association held on December 8, 2016, the Board of Trustees communicated the need to make certain amendments to Sections 9.19, 9.22, and 9.39 of Article IX of the Declaration as described hereinbelow;

WHEREAS, at a meeting of the Members of the Association held on 10-23-2017, the Board of Trustees took up for consideration the adoption of certain amendments to the Declaration as described hereinbelow and thereafter tallied the total combination of affirmative votes and/or written consents of the Members, which exceeded the requisite amount at least 67% of the Members as required by Section 11.2 of Article XI and the following provisions of the Declaration were effectively amended, as follows:

1. Section 9.19 of Article IX of the Declaration shall be amended as follows:

Section 9.19. Antennas. Except as otherwise required by applicable law or ordinance or as stipulated in the Design Guidelines, no exterior radio, television, aerial tower, microwave, other antenna or signal capture device shall be permitted.

2. Section 9.22 of Article IX of the Declaration shall be amended as follows:

Section 9.22. Garage. All dwellings on any lot type are required to have an enclosed garage (attached or detached) for a minimum of two cars with an opening on the side or rear of the structure (i.e. 90° from road), unless approved otherwise in writing by the Architectural Review Committee. All garages shall be constructed in substantial architectural conformity with the construction of the dwelling.

3. Section 9.39 of Article IX of the Declaration shall be amended as follows:

Section 9.39. Driveways and Walkways. Driveways shall be constructed of concrete and in accordance with those requirements stipulated in the Design Guidelines unless specifically approved otherwise by the Architectural Review Committee.

WHEREAS, All other terms and conditions in the Declaration, including any and exhibits thereto, which have not otherwise been amended herein remain unchanged and shall remain in full force and effect, except to the extent that any such terms, covenants or conditions have been nullified hereby or conflict or are inconsistent with the terms of this First Amendment, in which event the terms of this First Amendment shall, in all respects, govern and prevail.

SO RESOLVED, the Board and Members of the Association hereby set forth the amendments to the Declaration adopted at the 6/23/17 meeting of the Association in a manner set forth above and to the adoption of this Amendment as set forth herein and direct that they shall, in all respects, be deemed valid actions.

SO RESOLVED, effective as of the 31<sup>st</sup> day of August, 2018.

STABLEWOOD PROPERTY OWNERS  
ASSOCIATION, INC.,  
a Mississippi non-profit corporation

Date of Execution: Aug. 31, 2018

By: Rod Jenkins

[Signature]  
Its: President

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31<sup>st</sup> day of August, 2018, within my jurisdiction, the within named ROD JENKINS, who acknowledged that (he)(she) is President of Stablewood Property Owners Association, Inc., a Mississippi non-profit corporation, and that for and on behalf of the said corporation, and as its act and deed (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

My commission expires:

8/13/2021



[Signature]  
NOTARY PUBLIC



**CERTIFICATION BY BOARD OF TRUSTEES**

The undersigned, constituting all of the members of the Board of Trustees of Stablewood Property Owners Association, Inc., an Mississippi nonprofit corporation (the "Association"), hereby certify that at a duly constituted meeting of the Members of the Association held on 10/23/17 after providing notice of same, the First Amendment to the Declaration was adopted by at least two-thirds (2/3) of the Members of the Association in accordance with Section 14.1 of Article of the Declaration.

IN WITNESS WHEREOF, the undersigned have executed this Certificate as of the 31<sup>st</sup> day of August, 2018.

**BOARD MEMBERS:**

[Signature]  
Mark Jenner

[Signature]  
Terry Johnson

[Signature]  
Glenn Needham

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31<sup>st</sup> day of August, 2018, within my jurisdiction, the within named MARK JENNER, who acknowledged that (he)(she) is a Member of the Board of Trustees of Stablewood Property Owners Association, Inc., a Mississippi non-profit corporation, and that for and on behalf of the said corporation, and as its act and deed (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

[Signature]  
NOTARY PUBLIC

My commission expires:  
8/13/2021



STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31<sup>st</sup> day of August, 2018, within my jurisdiction, the within named Telley Johnson, who acknowledged that (he)(she) is a Member of the Board of Trustees of Stablewood Property Owners Association, Inc., a Mississippi non-profit corporation, and that for and on behalf of the said corporation, and as its act and deed (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

My commission expires:

8/13/2021



[Signature]  
NOTARY PUBLIC

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Personally appeared before me, the undersigned authority in and for the said county and state, on this 31<sup>st</sup> day of August, 2018, within my jurisdiction, the within named Glen Henshaw, who acknowledged that (he)(she) is a Member of the Board of Trustees of Stablewood Property Owners Association, Inc., a Mississippi non-profit corporation, and that for and on behalf of the said corporation, and as its act and deed (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

My commission expires:

8/13/2021



[Signature]  
NOTARY PUBLIC

**EXHIBIT "A"**

LOTS 1 THROUGH 40, STABLEWOOD SUBDIVISION, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF CHANCERY CLERK OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, IN PLAT BOOK 46 AT PAGE 20.

AND

LOTS 1 THROUGH 30, STABLEWOOD SUBDIVISION, PHASE 2, ACCORDING TO THE OFFICIAL MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF CHANCERY CLERK OF THE FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, IN PLAT BOOK 48 AT PAGE 1.

## LEGAL DESCRIPTION

### (PARCEL "A")

A parcel of land located in Section 36, Township 7 South, Range 13 West, and Section 31, Township 7 South, Range 12 West, Harrison County, Mississippi; more particularly described as follows to wit:

COMMENCING at a point where the North line of Phillip Saucier Claim, Township 7 South, Range 13 West, Harrison County, Mississippi, intersects the East margin of Pass Christian-Poplarville Road (Menge Avenue), which point is South 89°49'00" West a distance of 1350.65 feet from the line between Range 12 and 13; thence run North 33°11'16" West and along said East margin a distance of 195.23 feet to the POINT OF BEGINNING; thence run North 29°27'03" West and along said East margin a distance of 102.33 feet to a point; thence run North 21°45'57" West and along said East margin a distance of 277.31 feet to a point on the South margin of Stablewood Drive; thence run North 70°09'56" East and along the Southern margin of Stablewood Drive a distance of 171.63 feet to a point; thence run North 61°51'46" East and along said Southern margin a distance of 69.25 feet to a point; thence run North 70°09'56" East and along said Southern margin a distance of 166.77 feet to a point on curve having a radius of 643.40, a chord direction of North 54°33'07" East, and a chord distance of 346.34 feet; thence run Northeastly along said curve and said Southern margin a distance of 350.66 feet to a point on a curve having a radius of 412.42 feet, a chord direction of North 33°55'25" East, and a chord distance of 72.10 feet; thence run in a Northeastly direction along said curve and said Southern margin a distance of 72.20 feet to a point on a curve having a radius of 1152.99 feet, a chord direction of North 22°16'38" East, and a chord distance of 266.34 feet; thence run in a Northeastly direction along said curve and said Southern margin a distance of 266.94 feet to a point on a curve having a radius of 2039.40 feet, a chord direction of North 17°47'41" East, and a chord distance of 153.05 feet; thence run in a Northeastly direction along said curve and said Southern margin a distance of 153.08 feet to a point; thence run North 19°56'50" East and along said Southern margin a distance of 162.48 feet to a point on a curve having a radius of 256.11 feet, a chord direction of North 42°17'10" East, and a chord distance of 194.69 feet; thence run in a Northeastly direction along said curve and said Southern margin a distance of 199.71 feet to a point on a curve having a radius of 40.00 feet, a chord direction of South 60°35'51" East, and a chord distance of 65.35 feet; thence run in a Southeastly direction along said curve and said Southern margin a distance of 76.48 feet to a point; thence run North 77°15'47" East a distance of 60.44 feet to a point on a curve having a radius of 40.00 feet, a chord direction of North 41°43'55" East, and a chord distance of 59.03 feet; thence run in a Northeastly direction along said curve and said Southern margin a distance of 66.39 feet to a point; thence run North 89°17'02" East a distance of 379.29 feet to a point; thence run South 58°45'02" East a distance of 85.00 feet to a point on the West boundary of Stablewood Subdivision, Phase 1, as recorded in the Office of the Chancery Clerk, First Judicial District, Harrison County, Mississippi; thence run South 03°42'00" East and along said Western Boundary a distance of 1055.99 feet to a point and the Southeast corner of said Stablewood Subdivision, Phase 1; thence run South 76°26'07" West a distance of 1602.75 feet to the POINT OF BEGINNING; containing 1,369,276 square feet or approximately 31.43 acres.

### (PARCEL "B")

A parcel of land located in Section 36, Township 7 South, Range 13 West, and Section 31, Township 7 South, Range 12 West, Harrison County, Mississippi; more particularly described as follows to wit:

COMMENCING at a point where the North line of Phillip Saucier Claim, Township 7 South, Range 13 West, Harrison County, Mississippi, intersects the East margin of Pass Christian-Poplarville Road (Menge Avenue), which point is South 89°49'00" West a distance of 1350.65 feet from the line between Range 12 and 13; thence run North 33°11'16" West and along said East margin a distance of 195.23 feet to a point; thence run North 29°27'03" West and along said East margin a distance of 102.33 feet to a point; thence run North 21°45'57" West and along said East margin a distance of 357.36 feet to the POINT OF BEGINNING; thence run North 22°00'05" West and along said East margin a distance of 332.28 feet to a point on said East margin; thence run North 20°27'41" West and along said East margin a distance of 60.00 feet to a point; thence run North 69°30'12" East a distance of 293.27 feet to a point; thence run North 52°25'09" East a distance of 325.07 feet to a point; thence run North 49°17'47" East a distance of 120.22 feet to a point on a curve having a radius of 450.00 feet, a chord direction of North 24°25'58" East, and a chord distance of 375.43 feet; thence run in a Northeastly direction along said curve a distance of 387.27 feet to a point; thence run North 00°26'20" West a distance of 601.95 feet to a point; thence run North 00°29'09" East a distance of 269.93 feet to a point; thence run South 86°47'30" East 990.12 feet to a point on the West boundary of Stablewood Subdivision, Phase 1, Harrison County, Mississippi, as recorded in the Office of the Chancery Clerk, First Judicial District, Harrison County, Mississippi; thence run South 03°42'00" East and along said West Boundary a distance of 744.85 feet to a point on the Northern margin of Stablewood Drive; thence run South 57°19'05" West and along said Northern margin a distance of 85.00 feet to a point; thence run South 89°17'02" West and along said Northern margin a distance of 402.04 feet to a point on a curve having a radius of 40.00 feet, a chord direction of North 57°10'21" West, and a chord distance of 44.21 feet; thence run in a Northwesterly direction along said curve and said Northern margin a distance of 46.84 feet to a point; thence run North 23°37'45" West and along said Northern margin a distance of 34.80 feet to a point; thence run South 66°22'15" West a distance of 60.00 feet to a point on a curve having a radius of 40.00 feet, a chord direction of South 22°36'02" East, and a chord distance of 57.77 feet; thence run Southwesterly direction along said curve and said Northern margin a distance of 64.55 feet to a point on a curve having a radius of 315.11 feet, a chord direction of South 44°23'19" West, and a chord distance of 261.59 feet; thence run in a Southwesterly direction along said curve and along said Northern margin a distance of 269.69 feet to a point; thence run South 19°56'50" West and along said Northern margin a distance of 162.48 feet to a point on a curve having a radius of 2099.40 feet, a chord direction of North 17°47'41" East, and a chord distance of 157.55 feet; thence run in a Southwesterly direction along said curve and said Northern margin a distance of 157.59 feet to a point on a curve having a radius of 1092.99 feet, a chord direction of South 22°16'38" West, and a chord distance of 252.48 feet; thence run in a Southwesterly direction along said curve and said Northern margin a distance of 253.05 feet to a point on a curve having a radius of 352.43 feet, a chord direction of South 33°55'25" West, and a chord distance of 61.61 feet; thence run in a Southwesterly direction along said curve and said Northern margin a distance of 61.69 feet to a point on a curve having a radius of 583.40 feet, a chord direction of South 54°33'07" West, and a chord distance of 314.04 feet; thence run in a Southwesterly direction along said curve and said Northern margin a distance of 317.96 feet to a point; thence run South 70°09'56" West and along said Northern margin a distance of 166.77 feet to a point; thence run South 78°28'06" West and along said Northern margin a distance of 69.25 feet to a point; thence run South 70°09'56" West and along said Northern margin a distance of 174.32 feet to the POINT OF BEGINNING; containing 1,329,577 square feet or approximately 30.52 acres.