



202400020115
Filed for Record in Clermont County, Ohio
Deborah Hall Clepper, Recorder
10/17/2024 02:28 PM Recording Fees: \$46.00
DECLAR OR 2979 / p490 - p492

SECOND AMENDMENT TO THE DECLARATION OF COVENANTS
AND RESTRICTIONS FOR MT. HOLLY PRESERVE
(TO LIMIT THE NUMBER OF RENTAL HOMES IN THE SUBDIVISION)

WHEREAS, Nathaniel Development Co, Inc. has previously promulgated a Declaration of Covenants and Restrictions for Mt. Holly Preserve as recorded in Official Record Book 1248, Page 911 of the Clermont County, Ohio Records for Phase I.

WHEREAS, Nathaniel Development Co, Inc. has previously promulgated a First Amendment to the Declaration of Covenants and Restrictions for Mt. Holly Preserve as recorded in Official Record Book 1309, Page 671 of the Clermont County, Ohio Records for Phase I.

WHEREAS, US Bronco Services, Inc. has previously promulgated a Declaration of Covenants and Restrictions for Mt. Holly Preserve as recorded in Official Record Book 1769, Page 1169 of the Clermont County, Ohio Records for Phase II.

WHEREAS, US Bronco Services, Inc. has previously promulgated a Ratification of Dedication and Declaration for Mt. Holly Preserve, Phase II, by Separate Instrument as recorded in Official Record Book 1893, Page 2435 of the Clermont County, Ohio Records for Phase II. ;

WHEREAS, US Bronco Services, Inc. has previously promulgated a Declaration of Covenants and Restrictions for Mt. Holly Preserve as recorded in Official Record Plat Book 13, Page 114 of the Clermont County, Ohio Records for Phase III.

WHEREAS, the Declaration of Covenants and Restrictions for Mt. Holly Preserve as described above are identical for all 3-Phases and are therefore unified for the subdivision. ;

WHEREAS, as set forth in said Declarations the owners of 75% of the lots in the Subdivision have the right to amend any of the covenants, conditions, or restrictions set forth in the Declaration.

WHEREAS, the owners of Mt. Holly Preserve have voted in excess of the 75% of the lots required to make this amendment to the current Declaration as provided herein.

NOW THEREFORE, the owners of the Subdivision hereby amended the Declaration as follows:

Replace the Current Paragraph 1 with the Amended Paragraph 1 below.

Current

1. SINGLE FAMILY RESIDENCES. No lot shall be used except for single family residence purposes.

Amendment

1. USAGE OF LAND AND RESIDENCES.

- 1.1 No lot shall be used except for single family residence purposes.
- 1.2 In the interest of maintaining property values, promoting community development, and encouraging community stability, the rental of a home to a non-owner as a business is prohibited. At the time of signing this document, there are only four (4) homes being rented to non-owners as a business in the Subdivision. These 4 homes shall be grandfathered into the prior Covenant until sold.

Any owner that is currently renting their home shall not sell the home to another party with the intent of renting the home as a business. The home must return to an owner occupied status.

In rare exceptions, renting one's property, for a short term, in lieu of selling, is the only feasible option available without causing extreme financial or personal hardships. Such cases may involve a military call-up or temporary job transfer/relocation. In these cases, the overriding consideration is that the homeowner wants to keep and return to their property in less than eighteen (18) months. Renting becomes the only reasonable alternative. In hardship cases such as these, the homeowner shall notify the HOA of the intent to rent for some specified term. Additionally, any rental agreement must be with a single renter for the full specified rental term.

All owners renting their property are required to enforce all terms within these Declaration of Covenants and Restrictions for Mt Holly Preserve and its amendments. Additionally, such owners must ensure that its tenants abide by these terms by providing a copy of these documents to the tenant upon the signing of the lease.

Non-compliance shall be handled in accordance with the guidelines set forth in the Mt. Holly Preserve's Bylaws.

WE CERTIFY that the membership adopted this Amendment through mail-in ballots in which we independently counted with the following results:

1. A total of 80 ballots issued, 1 for each lot owner in the Mt Holly Preserve Subdivision.
2. Ballots counted in favor of the Amendment: 61.5 or 76.9 % of the total ballots, which meets the 75% minimum required for approval in accordance with the Declaration of Covenants and Restrictions.

