

# Sims Creek Homeowners Association

220 Sims Creek Drive  
Jupiter, FL 33458  
(561) 746-9222 · Fax (561) 746-9290

## DISCLOSURE SUMMARY FOR SIMS CREEK HOMEOWNERS' ASSOCIATION, INC.

1. AS A PURCHASER OF PROPERTY IN THIS COMMUNITY, YOU WILL BE OBLIGATED TO BE A MEMBER OF A HOMEOWNERS' ASSOCIATION.
2. THERE HAVE BEEN OR WILL BE RECORDED RESTRICTIVE COVENANTS GOVERNING THE USE AND OCCUPANCY OF PROPERTIES IN THIS COMMUNITY.
3. YOU WILL BE OBLIGATED TO PAY ASSESSMENTS TO THE ASSOCIATION, WHICH ASSESSMENTS ARE SUBJECT TO PERIODIC CHANGE.
4. YOUR FAILURE TO PAY THESE ASSESSMENTS COULD RESULT IN A LIEN ON YOUR PROPERTY.
5. THERE IS NOT AN OBLIGATION TO PAY RENT OR LAND USE FEES FOR RECREATIONAL OR OTHER COMMONLY USED FACILITIES AS AN OBLIGATION OF MEMBERSHIP IN THE HOMEOWNERS' ASSOCIATION.
6. THE RESTRICTIVE COVENANTS CANNOT BE AMENDED WITHOUT THE APPROVAL OF THE ASSOCIATION MEMBERSHIP.
7. THE STATEMENTS CONTAINED IN THIS DISCLOSURE FORM ARE ONLY SUMMARY IN NATURE, AND, AS A PROSPECTIVE PURCHASER, YOU SHOULD REFER TO THE COVENANTS AND THE ASSOCIATION GOVERNING DOCUMENTS.

DATE:

PURCHASER: \_\_\_\_\_

PURCHASER: \_\_\_\_\_

This form is intended to provide compliance with 689.26, F.S.  
as enumerated in 617.312 F.S.

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### **TO PROSPECTIVE OWNERS/LESSEES**

#### **ORIENTATION MEETINGS ARE HELD BY APPOINTMENT AND ARE REQUIREMENT OF THE ASSOCIATION PRIOR TO TAKING RESIDENCE AT SIMS CREEK.**

Before making an application to reside at Sims Creek the applicants should seriously consider whether they want to live in a quiet conservative community where it is strictly governed by the owners. Written rules govern the do's and don'ts and cause unhappiness to all when violations occur.

Attached is a copy of the Rules and Regulations taken from the Declaration of Covenants and Restrictions for Sims Creek. Please read this carefully and initial each page and sign the final page as your agreement to abide by our Rules.

The Application Form must be filled out *completely* and the *whole package*, including a copy of the first page of the Sale & Purchase Contract or the Lease, must be submitted to the office together with an Application Fee of \$100.00 one week prior to the meeting.

At the closing of your purchase or lease please ensure that you receive:-

- 1) The Declaration of Covenants and Restrictions. (Purchasers.)
- 2) Keys to the unit.
- 3) Mail Box keys, if applicable.
- 4) Medico key to the recreation area.

The Board of Directors.

Fee: \$100 \_\_\_\_\_

APPLICATION TO LEASE OR PURCHASE

NAME \_\_\_\_\_ AGE \_\_\_\_\_

SPOUSE \_\_\_\_\_ AGE \_\_\_\_\_

OTHER OCCUPANTS \_\_\_\_\_ AGE \_\_\_\_\_

\_\_\_\_\_ AGE \_\_\_\_\_

\_\_\_\_\_ AGE \_\_\_\_\_

UNIT ADDRESS \_\_\_\_\_

TERM OF LEASE \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_

DATE OF CLOSING & AGENT \_\_\_\_\_

PRESENT ADDRESS \_\_\_\_\_

OWN \_\_\_\_\_ LEASE \_\_\_\_\_

CURRENT PHONE # - HOME: \_\_\_\_\_ CELL: \_\_\_\_\_

OCCUPATION \_\_\_\_\_ EMPLOYER \_\_\_\_\_

EMPLOYER ADDRESS & PHONE \_\_\_\_\_

BANK REFERENCE \_\_\_\_\_

PERSONAL REFERENCE (1) \_\_\_\_\_ PHONE \_\_\_\_\_

(2) \_\_\_\_\_ PHONE \_\_\_\_\_

IN THE EVENT OF EMERGENCY NOTIFY \_\_\_\_\_

RELATIONSHIP \_\_\_\_\_ PHONE \_\_\_\_\_

**VEHICLES REGISTERED**

MAKE OF CAR \_\_\_\_\_ YEAR \_\_\_\_\_

MODEL \_\_\_\_\_ TAG # \_\_\_\_\_

2<sup>ND</sup> CAR \_\_\_\_\_ YEAR \_\_\_\_\_

MODEL \_\_\_\_\_ TAG # \_\_\_\_\_

DRIVER'S LICENSE #1 \_\_\_\_\_

DRIVER'S LICENSE #2 \_\_\_\_\_

REAL ESTATE AGENT'S NAME \_\_\_\_\_

AGENT'S COMPANY & PHONE \_\_\_\_\_

I ATTEST TO THE TRUTH AND ACCURACY OF THE STATEMENTS CONTAINED  
HEREIN AND AGREE TO THE PROVISIONS STATED AND AUTHORIZE SIMS CREEK  
HOME OWNERS ASSOCIATION TO CONDUCT THE NECESSARY INQUIRIES OF  
INVESTIGATION.

LESEE / BUYER \_\_\_\_\_

LESEE / BUYER \_\_\_\_\_

LESSOR / SELLER \_\_\_\_\_

LESSOR / SELLER \_\_\_\_\_

INTERVIEW HELD ON \_\_\_\_\_ INTERVIEWER \_\_\_\_\_

## PET APPLICATION

Pet Breed \_\_\_\_\_ Pet Breed \_\_\_\_\_

Pet Name \_\_\_\_\_ Pet Name \_\_\_\_\_

Pet Color \_\_\_\_\_ Pet Color \_\_\_\_\_

Current Pet Weight \_\_\_\_\_ Current Pet Weight \_\_\_\_\_

I certify that the pet (shown in the attached photo) and described above belongs to me and resides at my address.

I further understand that *if I change or add pets*, I must notify the office immediately and re-apply. I am aware that the Sims Creek documents prohibit pets larger than 40 pounds. By signing this document I am acknowledging that I understand and agree to abide by all pet requirements as set forth in the governing documents. Any pets deemed to be a nuisance and / or that threaten the safety of residents and visitors may be asked to be removed from the property pursuant to Article 8 of the Sims Creek Second Amended & Restated Declaration of Covenants and Restrictions.

***A current photo of the pet(s), taken by the owner of the pet(s), must be attached to this form.***

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Print Name -

Date: \_\_\_\_\_

***Documentation of all pets must be on file with the office in order to ensure that all residents are in compliance with all pet rules and regulations. It is the responsibility of all pet owners to notify the office of any changes to the above listed information. Any new pets must be registered and approved by the office PRIOR to bringing them into your home.***

## **SIMS CREEK HOMEOWNERS ASSOCIATION**

### **RULES & REGULATIONS**

#### **VEHICLES AND PARKING**

THE FOLLOWING VEHICLES MAY NOT BE PARKED WITHIN SIMS CREEK.

Pick up trucks with a gross carrying weight in excess of half a ton.

Any commercial vehicle, or vehicle with commercial writing on it.

Recreation type vehicles, motor homes or mobile homes, campers, trailers, boats, buses or limousines. All terrain and off road vehicles. Motor cycles, mopeds or dirt bikes.

No vehicle is allowed to be parked on the grass or to block a sidewalk.

All vehicles must be able to operate under it's own power.

All vehicles must have a current Registration Tag.

All vehicles must be maintained as to not create an eyesore.

No repairs are to be made in Sims Creek.

#### **PETS**

Pets are restricted to no more than 2 dogs or cats, the total weight may not exceed 40 lbs.

Dogs and cats must be kept on a leash when outside the units.

The pet owner must be responsible for cleaning up after their pet.

The pet owner shall be required to immediately remove the animal if it emits excessive noise or becomes a nuisance.

The pet owner shall be strictly liable for any damage caused by the pet to common areas.

#### **LAKE**

The lakes between Phases 2 and 3 and the rear of the Clubhouse may not be used for fishing, boating, swimming or dumping.

#### **PROPERTY**

The Owners shall maintain and repair their property in a safe, neat, attractive and quality condition at all times.

Signs, antennae, solar panels, articles or clothing or similar articles may not be placed or fixed on the exterior portions of the fences or buildings

#### **SALE OR LEASE**

Owners must provide written notice to the Association of transfers of the units by Sale or Lease.

A copy of the Lease or Deed is also a requirement of the Association. Failure to provide these Documents will result in court proceedings to remove the occupants from the unit.

No Lease may be made more often than twice in any calendar year.

#### **GARAGE USE**

Garage use is limited to storage and parking of vehicles, trailers or boats.

Garage doors must be kept closed at all times except when necessary for ingress and egress.

## BARBECUE COOKING

Barbecue cooking is prohibited within the units and on the common areas. Phase 1 may cook out inside the front courtyard. Phase 2 may cook out inside the patio. Phases 3 & 4 may cook out in the rear yard.

## TRASH & GARBAGE

Household trash must be placed in plastic bags and tied securely, then placed in a trash bin with a tight fitting lid. Household trash, recycle bins and vegetation may only be placed in the designated areas and *not put out before sundown on the evening prior to pick-up days.*

TUESDAY - HOUSEHOLD TRASH, VEGETATION  
AND LARGE ITEMS. (Call Nichols Sanitation for  
for information regarding Large Items.) 772.546.7700.  
FRIDAY - HOUSEHOLD TRASH and RECYCLING

## SALE OR LEASE

Owners must provide written notice to the Association of transfers of the units by Sale of Lease. A copy of the Sale & Purchase Contract and the Deed or a copy of the Lease is also a requirement of the Association. Failure to do this will result in Court proceedings to remove the occupants from the unit.

No Lease may be made more often than twice in any calendar year.

A FINE MAY BE LEVIED UPON ANYONE IN VIOLATION OF THE RESTRICTIONS CONTAINED WITHIN THE SIMS CREEK HOMEOWNER'S ASSOCIATION DECLARATION OF COVENANTS AND RESTRICTIONS.

The owner or violator in question shall be given the opportunity to be heard before a Hearings Committee at the time and place specified in the Notice of Fine.

Each day that a violation occurs could constitute a separate violation resulting in a "running fine per day." Fining is permitted by the Florida Statute and Article 9.4 of the Declaration of Covenants and Restrictions, Bylaws.

I HAVE READ THE RULES AND REGULATIONS OF SIMS CREEK HOMEOWNER'S ASSOCIATION AND AGREE TO ABIDE BY THEM WITHOUT RESERVATION.

\_\_\_\_\_  
OWNER/LESSEE

\_\_\_\_\_  
OWNER/LESSEE

INTERVIEWER Member of  
Sims Creek Orientation Committee.

## SIMS CREEK

### COMMUNITY RULES & REGULATIONS

*Established pursuant to Article 8, Section 8.19 of the Sims Creek Second Amended and Restated Declaration of Covenants and Restrictions*

1. No dumping of any kind is allowed on common area property. This includes dumping in or around the lake.
2. Work or repairs to property stored in the RV storage area is *not* permitted in the RV storage area.
3. All vehicles must have a license plate displayed on the vehicle
4. No feeding of the resident duck or any wildlife is allowed
5. Basketball hoops are not allowed unless they are portable and are removed from view by sunset daily. Portable basketball hoops are not allowed to be kept out overnight
6. Use of hurricane shutters must conform to the ACC designated time frames
7. Nothing is to be stored and installed that is higher than the fence height. This includes storage sheds, and other such items.
8. The clubhouse hose or waste receptacles are not allowed to be used by Boaters.
9. Access to the dock area is only permitted for Sims Creek residents.
10. Moving trucks are not allowed to be parked on Sims Creek property overnight. Moving trucks leased by the property owner from a national leasing company may be parked in a designated parking area overnight for a maximum of 2 days, with notice to the office.



## POOL & CLUBHOUSE KEY

One numbered key is issued, recorded and signed for by the owners of each unit, free of charge. If this key is lost the cost of a replacement key is **\$50.00**. It is not possible to reproduce this key.

The key will open the gates to the pool from the inside and outside and will also open the clubhouse main door and the rear door to the toilets. If you are in the pool area please do not open the gates for people who have "left their key at home". This will defeat the locking system. Anyone doing so may be fined and or may lose their club privileges. **CLUBHOUSE GATES ARE NOT ALLOWED TO BE PROPPED OPEN AT ANY TIME FOR ANY REASON.** Doing so damages the hinges. Violators will be charged for the replacement of the hinges and may be fined

**Pool hours are from 8.00am until dusk.**

*Pool use is not permitted after dusk as our permit does not allow pool use after dark*

The pool rules posted on the pool house must be observed by members and their guests

Guests must be accompanied by a resident and children under the age of 14 are not allowed anywhere in the recreation area unless accompanied by a resident adult.

## CLUBHOUSE RESERVATIONS

Reservations for use of the Clubhouse should be given to Audrey Roberts at the office 746.9222 so that there will be no conflict of dates

**Reservation of the Clubhouse does not include the use of the pool .**

A deposit is required when reserving the Clubhouse. This deposit is held against the Clubhouse being left in a clean and tidy manner. If the resident does not clean up after a party or if damage has occurred, the deposit will be used to pay for cleaning and or damages.

Alcoholic beverages may not be stored at the Clubhouse. Members may bring their own beverages to a party, but it is a violation of the State law to leave alcohol in an unlicensed establishment.

The resident reserving the Clubhouse will be responsible for locking the Clubhouse and pool gates.

Initial\_\_\_\_\_

TRASH PICK-UP

TUESDAY      HOUSEHOLD TRASH  
VEGETATION      Cut into 4' lengths.

FRIDAY      HOUSEHOLD TRASH AND  
RECYCLING

Blue Bins

Aluminum Cans  
Pie Plates & Foil  
Glass & Plastic  
Containers #1 thru 7  
(remove all caps)  
Milk & Juice Casrtons  
(no straws)  
Steel Cans

Yellow Bins

Newspapers & Inserts  
Brown Grocery Bags  
Corrugated Cardboard  
(Boxes Flattened)  
Magazines  
Catalogues  
Dry Goods Boxes  
(No waxed paper)  
(No plastic inserts)

LARGE ITEMS -Such as furniture, appliances and carpet.  
You must call Waste Management at 772.546.7700 and request pick-up.  
They will tell you when they will pick-up the items. You may put that  
item out on the night before pick-up and at no other time, no matter  
what the circumstances.

HOUSEHOLD TRASH must be put into a plastic bags, tied, then put  
into a bin with a tight fitting lid.

Trash bins must be taken in the day they are emptied.

Failure to abide by these trash regulations may result in a FINE.

The Board of Directors.  
SIMS CREEK HOMEOWNERS ASSN.

# Sims Creek Homeowners Association

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WE \_\_\_\_\_ AND \_\_\_\_\_

HAVE READ THE RULES AND REGULATIONS OF SIMS CREEK HOMEOWNERS' ASSOCIATION AND AGREE TO ABIDE BY THEM WITHOUT RESERVATION.

WE ALSO UNDERSTAND A FINE OF UP TO \$100 MAY BE LEVIED UPON ANYONE IN VIOLATION OF THE RESTRICTIONS CONTAINED WITHIN THE SIMS CREEK HOMEOWNERS' ASSN.. DECLARATION OF COVENANTS AND RESTRICTIONS.

EACH DAY THAT A VIOLATION OCCURS COULD CONSTITUTE A SEPARATE VIOLATION RESULTING IN A 'RUNNING FINE PER DAY', Article 9.4 of the Declaration of Covenants and Restrictions, Bylaws.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

\_\_\_\_\_

## **SIMS CREEK**

### **Hurricane Guidelines for Phase 1**

#### **Approved Colors for Permanently Mounted Hurricane Shutters**

Cream or Brown

#### **Hurricane Shutter Mounting**

Shutters may be mounted at the time a storm becomes a *Hurricane Watch* (36 hours before landfall)

#### **Hurricane Shutter Removal**

Hurricane shutters must be removed within one week from the Hurricane's departure.

#### **Multiple Hurricane Warnings**

Should the situation arise where multiple Hurricanes are suspected or multiple warnings have been issued, the current hurricane mounting and removal guidelines will be adjusted to accommodate these developments on an individual basis.

#### **Required Homeowner Hurricane Preparation**

All homeowners are to survey their properties prior to Hurricane season and trim vegetation and landscaping to diminish debris caused by wind, heavy rain and tornadoes.

Any objects which may become projectiles (In winds caused by tropical storms or hurricanes) are required to be removed from the exterior of your property.