

Frenchmen's Landing POA

Quick Reference to Covenants, Rules & Regulations By-Laws, Articles of Incorporation

The legal documents for Frenchmen's Landing were recorded, after being revised and updated, on 2/20/03 and are part of the public records for Palm Beach County, FL. This is not intended to be a substitute for the actual documents as recorded for Frenchmen's Landing POA. In addition, the Board of Directors has adopted additional rules and regulations, which will be noted below.

SELLER'S DISCLOSURE REQUIREMENT: FL Statutes, Chapter 720, (formerly 289.26, revised and moved to Chapter 720), requires a Seller to provide to a Buyer, prior to execution of a contract for sale and purchase, a Disclosure Summary outlining the provisions of mandatory Homeowners Association membership.

POWERS ENTRUSTED TO THE BOARD OF DIRECTORS:

Under the Articles of Incorporation, Article V (Powers), Section 2, A-I, the Board of Directors is granted the powers necessary to enforce by legal means the provisions of the Articles, By-Laws and Rules & Regulations for the use of the Property. In addition, the powers entrusted to the Board of Directors are explained in more detail in the By-Laws, Article IV, Sections 9,11,14. The powers and limitations of such are further detailed in the Covenants, Articles III, IV, V, VII, and VIII.

PROHIBITION ON TRUCKS & BOATS: Article X. Sections 16,22.25: No trucks, trailers, campers, motor homes, commercial vehicles of any kind or boats of any type whatsoever shall be kept or stored on any Lot except within a closed garage.

PARKING ON STREETS: Article X. Section 22, No cars or trucks or other vehicles shall be parked overnight being defined as the period from Midnight to 6 A.M. on any streets or swales. Parking on both sides of the street (opposite another vehicle) is prohibited and can be a liability for emergency vehicles to pass.

In addition to the foregoing, all Lot Owners and Lessees of Dwelling Units shall abide by the Declaration, the Articles of Incorporation, the By-Laws and the Rules and Regulations.

PETS: Lot Owners may keep as pets, birds, cats, tropical fish and dogs. Cats and dogs must be carried or on a leash at all times when on Common Property. For the safety and protection of our children, pets are NOT allowed in the playground. It shall be the obligation of the Lot Owner (or Lessee, if applicable) to dispose of waste materials from pets. Failure to pick up after the animals can result in corrective action. The Board of Directors shall have the right to order the removal of any pet that is considered a nuisance, in the sole discretion of the Directors.

STOP SIGNS: All intersections entering Frenchman's Passage have 4-way stop signs. The Board, in the interest of safety, installed these signs for the residents. All motorists are encouraged to respect the intent of the stop signs to provide for the safety of the children and other non-motorists who use the streets for recreational purposes, such as bicycling, running etc. The Board has the authority to place, maintain and enforce the stop signs as a rule of the Association. (See **LEGAL EXPENSES**)

USE OF STREETS: Only licensed motorized vehicles are permitted on the streets. No golf carts or other non-licensed recreational devices are permitted.

SPEED LIMITS: The speed limit, which may be enforced by radar, is 25 MPH. The Board requests that all residents and guests adhere to the traffic control signs placed at strategic positions in the development. All motorized vehicles must be properly licensed and insured. The Board reserves the right to limit driving privileges by due process on the Associations' roadways and sidewalks.

USE OF LAKE: No boats of any kind or floating devices are permitted on the lake. No swimming is allowed.

LAKE GAZEBO & RECREATION AREA: These are for the use of the residents of the community and their guests. The Gazebo closes at 10 P.M. and the recreational area closes at sundown.

TENNIS COURTS: The tennis courts are for use by Lot Owners/Lessees and their guests for tennis only. No roller blades, skateboards, bicycles, etc are allowed on the courts to prevent damage to the surfaces.

NOISE RESTRICTIONS: No power tools, lawn mowers or other powered equipment should be operated prior to 7 A.M. on weekdays and 8 A.M on Saturday and 12 noon on Sundays. Use of all such equipment should cease operation at 7 P.M.

Playing of musical instruments; electronic equipment such as radios, TV, stereos, VCR/DVD/CDs; or amplification of any device from any lot or dwelling unit must not be so loud as to be a nuisance. A violation occurs when a nuisance is created as a result of such noise after 11 P.M. Sunday through Thursday and 12-midnight Friday and Saturday. In addition, Palm Beach County Code has specific regulations regarding excessive noise levels, which must be obeyed.

LEGAL EXPENSES: Article XVI, Section 1: (in part) "Where the Association incurs expenses, including attorney's fees, to enforce the governing documents, rules and regulations without having to resort to litigation against the member in violation; these expenses shall be borne by the members in violation. All enforcement expenses to be paid by a Lot Owner in violation shall be an individual "Special Assessment." Failure to pay will result in legal action by the Association

VANDALISM: will not be tolerated. Perpetrators will be remanded to the authorities when caught and the Association may prosecute to the fullest extent of the law. Costs to repair or replace damaged common area property will be recovered from those responsible. **Property owners are responsible for the actions of their tenants or guests.**

ENTRANCE GATES: Lot Owners and Lessees should have an electronic gate opener to gain access through the entrance after the gates are secured for the night. Gate openers are available for purchase from FirstService Residential. The hours of operation for the front gate are set by the Board of Directors. Currently the gates close at 7:00 P.M. and open at 7 A.M. (See also **GATE SECURITY**)

VISITORS ENTRY: After the entrance gates are secured for the night, visitors to the community can dial the resident they intend to visit to request access. Residents who have registered with FirstService Residential are listed in the gate call box directory with a corresponding 3-digit number. When that number is properly dialed from the call box phone, the owner's telephone will ring. After you answer and agree to allow entrance, press and HOLD THE NUMBER 9 FOR THREE SECONDS. The gate will be opened for your visitor(s).

GATE SECURITY: All areas of the entrance are protected by video surveillance. When the gates are closed, the security camera is operational and will record any vehicle or person attempting to force open the gates or damage the gate operating equipment. That video recording will be used to assist in the recovery of gate repair or replacement expenses and in the pursuit of legal action, if necessary. Restitution for damage to the gates, whether accidental or as a result of forced entry, shall be the responsibility of the perpetrator. Forcing open a gate may subject a non-resident to charges of trespassing.

PROPERTY OWNER MEETINGS: There is an annual meeting of the Property Owners Association. The time and location are properly noticed for all property owners. In addition, the Board conducts other meetings throughout the year in accordance with State Statutes and Robert's Rules of Order. All Board Meetings are posted and open to property owners to attend.

SALE TRANSFER OF PROPERTY: As previously noted, the Florida Statutes require sellers and their agent to provide any prospective buyer with a Disclosure Summary outlining the requirements of mandatory membership in the POA. In addition, the Association requires buyers to complete an application that must be notarized and accompanied by an application fee in the amount of \$150.00, made payable to Frenchmen's Landing POA. The Association will issue no letter of Estoppel or Certificate of Approval until the notarized application and fee have been received. Allow up to seven (7) days for processing of this application. An Estoppel fee of \$50.00 is due at time of closing.

REAL ESTATE SIGNS: The Covenants limit the size, color and content of all real estate signs. The signs are available for rental from FirstService Residential. A refundable deposit of \$50.00 is required at time the sign is made available. When the sign is returned (undamaged), the deposit will be returned. The signs can be purchased for \$50.00.

OPEN HOUSE SIGNS may be placed no earlier than one hour before the scheduled Open House and must be taken down within one hour after its conclusion. Signs left out will be confiscated.

RENTALS: Article XIV, Sections B, F. Any owner intending to lease his property and dwelling unit must provide to the Association notice of such intention in writing and provide a refundable security deposit in the amount of \$2,500.00 to be held by the Association for any damages to common area property, buildings and equipment. In addition, an application must be completed by the tenants and submitted to the Association with the processing fee of \$150.00. The Association has the right to require an interview with the prospective tenants.

ARCHITECTURAL AND LANDSCAPE REVIEW COMMITTEE ("ALRC"): This committee is appointed by the Board. **ANY AND ALL changes to the EXTERIOR of the dwelling and property MUST BE APPROVED BY THE ALRC PRIOR TO COMMENCEMENT OF THE WORK.** This includes any exterior painting of walls, doors, shutters, and trim (regardless of whether repainting in the same or new color), major changes to landscape (excluding seasonal accent plants), removal of trees, and installation of fences, roofing, satellite dishes, and pools. Exterior changes subject to ALRC approval include changes to driveways and outside lighting fixtures and post lights. (Refer Covenants Articles IX, X, and XI.)

WELLS for irrigation purposes must have advance approval from the ALRC and must not have a sulfur odor. Staining of driveways and walkways caused by the well are the responsibility of the individual homeowner to clean.

IN BRIEF:

MAILBOXES must conform to The Beautiful Mailbox Co. model installed by the POA. Information regarding these mailboxes (including touch-up paint) can be obtained from FirstService Residential.

POST LAMPS are required on each lot containing a dwelling. These lights must contain a photocell to control the on and off functions from dark to daylight.

POOLS can only be drained into the street or street drain. Allowing chemically treated pool water to drain onto planted areas can damage swales and landscaping.

TRASH & GARBAGE REMOVAL: This service is provided through Palm Beach County Solid Waste Authority. All garbage and debris must be placed at the end of the driveway or (landscape materials) on the adjacent swale area. Currently the schedule is as follows:

- Garbage is picked up on MONDAY & THURSDAY
- Landscape materials on THURSDAY ONLY
- Recycling on MONDAY ONLY
- Appliances and furniture on THURSDAY or call Solid Waste Authority to schedule pick up.

NOTE: All items for pick up should be placed out no earlier than the night before collection. This includes lawn and landscape materials. Trash cans and recycling containers must be stored out of sight from the street when not set out for the scheduled pick up day. Your cooperation will be appreciated.

BICYCLES, PLAY/RECREATION EQUIPMENT & TOYS should be stored out of sight from the street when not being used. The exception is a basketball hoop. When a bicycle is abandoned on common property, it can be impounded by the Association and placed in storage. There can be an administration fee to recover the item.

BUSINESS OPERATIONS: Palm Beach County has strict codes regarding any business activity in a residential area. Business that would require employees to report to the property or activity that would generate automotive traffic to the property is restricted. Also refer to the Covenants & Restrictions, Article X, Section 15.

LOT MAINTENANCE: The Association is responsible for maintenance of the common areas. Each property owner is responsible for the maintenance of his/her individual dwelling and landscape materials.