

Magnolia Point Community Association



Handbook of Covenants & Guidelines

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MAGNOLIA POINT COMMUNITY ASSOCIATION, INC.

Community Handbook of Covenants and Guidelines

Updated June 26, 2023

Introduction

THIS HANDBOOK CLARIFIES AND SUMMARIZES portions of the Magnolia Point Community's extensive Declarations of Covenants, Conditions, Easements, and Restrictions and its Architectural Guidelines in one document for ease of homeowner reference. Each rule and regulation cited in this handbook includes, in parentheses, a reference to the applicable paragraphs of the Declaration of Covenants (3.15) or sections of the Architectural Guidelines (AG-2), or both.

Disclaimer

THIS HANDBOOK DOES NOT represent the Association's Declaration of Covenants in their entirety, nor does it represent the Association's Architectural Guidelines in their entirety. The Association's Governing Documents always take precedence over this Handbook.

Background

MAGNOLIA POINT GOLF AND COUNTRY CLUB is a Planned Unit Development (PUD) under the provisions of the Florida Land Sales Act. A PUD has three essential parts:

- The individually-owned lots and houses,
- A Declaration of Covenants that governs the use and appearance of lots, houses, grounds, and the activities on them, and
- A mandatory Homeowners' Association that administers, operates, regulates, and manages the community and enforces its Declaration of Covenants and Architectural Guidelines.

THIS DECLARATION OF COVENANTS is a legal contract between the Developer and the Buyer of platted land that is conveyed to the original owners and all subsequent owners at closing. The Declaration specifies certain rights, liabilities, and commitments governing the use and occupancy of the platted property. The Declaration of Covenants runs with the land, and Florida law presumes that all the original and subsequent property owners in the community have full knowledge of the Declaration's provisions. The Declaration of Covenants for Magnolia Point is filed with the Clay County Court. Copies may be obtained from the Homeowners' Association at cost or may be downloaded from the Magnolia Point website (magpt.com).

MAGNOLIA POINT'S MANDATORY HOMEOWNERS' ASSOCIATION is the Magnolia Point

Community Association, Inc. (MPCA), incorporated in 1987. The Association's Board of Directors operates, administers, and manages the Association and has the statutory authority to enforce the Declaration of Covenants. Enforcement may include warnings and fines.

MANDATORY HOMEOWNERS' ASSOCIATIONS provide these benefits to homeowners:

- Promote and provide continuity for the planned community concept,
- Provide architectural harmony and integrity for the community's platted property,

- Maintain and preserve the common areas, including roadways and drainage,
- Prevent unsightly appearances and nuisances,
- Promote the health, safety, and welfare of homeowners and residents who live in the community,
- Provide community services such as controlled access and Maintain and improve the community's property values.

THESE ARE VALUABLE BENEFITS. Most of our homeowners readily abide by the covenants and want them strictly enforced to provide those benefits and specially to preserve their property values. Florida laws governing homeowners' associations require that they be enforced by the Board of Directors.

Authority

THE FOLLOWING FLORIDA STATUTES (FS) PROVIDE the operational authority for the Magnolia Point Golf and Country Club Planned Unit Development (PUD) and the Magnolia Point Community Association, Inc.:

- FS, Chapter 498: Land Sales Practices
- FS, Chapter 689: Conveyances of Land
- FS, Chapter 720: Homeowners' Associations
- FS. Chapter 617: Florida Corporations Not For Profit

FLORIDA STATUTE 720, "HOMEOWNERS' ASSOCIATIONS", authorizes the following Governing Documents for the operations of the Magnolia Point Community Association, Inc.:

- Articles of Incorporation (Dated June 5, 1987)
Establishes the Magnolia Point Community Association, Inc. as a Florida Corporation Not for Profit, and defines the Association's business form, membership, and responsibilities.
- Bylaws of the Magnolia Point Community Association, Inc. (Updated December 10, 2012)
Governs the Association's operations: Defines the Association's organizational structure, areas of responsibility. Procedures for carrying out its responsibilities, and the powers and duties of the Board of Directors and Officers.
- Declaration of Covenants, Conditions, Easements And Restrictions; Various Phases The Declaration is a legal contract between the Developer and the buyer that specifies certain rights, liabilities, and commitments governing the use, appearance. occupancy, and activities of the platted property governed by the Magnolia Point Community Association.
- Community Rules and Regulations
Supplemental restrictions and architectural guidelines and requirements duly adopted and promulgated by the Board of Directors. These are like the recorded Declaration of Covenants and considered part of the Association's official records.

Organization and Functions

THE ORGANIZATION AND FUNCTIONS of the Magnolia Point Community Association appear in Appendix A of this Handbook.

MAGNOLIA POINT GOLF & COUNTRY CLUB
COMMUNITY HANDBOOK OF COVENANTS AND GUIDELINES

Numbers in parentheses (e.g., 2.3) refer to the applicable paragraph of the Declaration of Covenants. Letters in parentheses (e.g. AG-2) refer to the section of the Architectural Guidelines.

1. RESIDENTIAL PURPOSES

Single-family Residences. Lots shall be used exclusively for single-family residential purposes. No business, commercial, religious, charitable or other enterprise of any kind shall be maintained upon or relating to the use of any lot. (2.1)

Rentals. No part of a dwelling unit shall be rented separately from the rental of the entire dwelling unit.
(2.1)

Subdividing. Lots may not be subdivided or replotted without the prior written approval of the Community Association Board. (3.16)

2. RESIDENT ACTIVITIES

Nuisances. No noxious or offensive activity shall be carried on or upon any portion of the community; nor shall anything be done thereon which is or may become a nuisance or annoyance to any resident. (3.1)

Solicitation. Solicitation of any kind is not allowed within the community. Report violations to the Gate security office. (3.1; 3.17)

Firearms. The discharge of firearms, including BB guns and pellet guns, within the community is prohibited unless it is warranted for personal safety. (3.1; 3.17)

3. HOUSE AND GROUNDS

Maintenance. Owners shall maintain their house and grounds in good condition at all times.
(3.13)

Garage Doors. Garage doors must be kept closed except when in active use. (3.9)

Window Air Conditioners. Window air conditioner units are not permitted. (3.6)

Trees. No resident shall cut any living tree having a trunk diameter greater than six inches without the prior approval of the Association. Apply to the Community Association Manager before cutting. (2.2; 3.13)

Mailboxes. There shall be no mail boxes or newspaper boxes or receptacles without approval of the Association as to the location, size and design. Mailbox standards have been approved and are required for new home construction and mailbox replacement. The standards have been published and include both metal and wood versions which are included as Appendix C.

Homeowners may contact the Community Association Manager, for the latest approved mailbox parts, installation and suppliers for replacement of old or worn out boxes. (3.10)

Antennas. The installation of all aerials and antennae is prohibited except satellite dishes (maximum 24" in diameter) that meet State guidelines, applicable Federal Communications Commission rules and regulations or other governmental authorities having jurisdiction. The installation of such satellite dishes shall be subject to the approval of the Architectural Committee in accordance with published architectural criteria. (3.1; 3.8; AG-7)

Signs. Owners may display a sign denoting street address and name if it complies with approved community standards regarding size, shape, color, and location. No other signs of any kind shall be displayed to the public view on any Lot, Dwelling Unit, or any vehicle parked on any part of the Property (3.11). The following modification of these rules have been allowed.

- Residents may display a sign of reasonable size (maximum of 11" x 14") that has been provided by a contractor of security services within ten feet of the entrance to the home. Signs supplied by a pest control service (maximum of 1 day) or a government agency may also be displayed as required.
- One real estate sign may be displayed but must comply with community standards. Community standards are specified as a maximum of 11" x 14". This maximum size means that all appendages, hangers and flyer holders must be inside this maximum envelope. Approved suppliers of approved signs are published and are available from the Community Association Manager.

- A revised Flag Policy was approved by the Board of Directors on May 10, 2021, and is included at the end of this document.

- Garage sales are allowed twice a year on the last Saturday in April and the first Saturday in October of each year. Those residents choosing to participate may display a balloon on their mailbox and the merchandise for sale is to be displayed in the driveways close to the garage as possible. The approved Garage Sale Policy is included as Appendix B.
- Open Houses and estate sale signs are permitted. Open Houses are allowed only on Saturday/Sunday between the hours of 9 and 5. One sign (maximum of 11" x 14") may be displayed on the property that indicates an open house is in progress. The sign must conform to the same community standards as real estate signs. Additionally, directional signage can be displayed anywhere within the community to advertise the open house or give directions to its location provided all signage is removed after the open house. The approved Open House and Estate Sale Policy is included as part of Appendix B. The appendix also provides the detailed requirements which must be met to participate and hold either event. A formal signed agreement between the Association and the Estate sale agent is also required. A copy of the required Estate Sale agreement form is also found in this appendix.

Ground Roadway Obstructions. The Association has the right to remove or require the removal of any fence, wall, hedge, shrub, hush, tree, or any other thing, natural or artificial, placed or located

on any Lot or Commercial Parcel, if its location will obstruct the vision of a motorist upon any of the Roadways. (3.17)

Pets. A resident may keep customary pets such as birds, fish, and up to two domesticated dogs or cats for the pleasure of their owners but not for any commercial purpose. Residents must not allow their pets to cause a nuisance, disturbance, or annoyance to other residents. (3.1; 3.15)

Therefor the following rules should be followed:

- The following are the preferred dog walking areas – owner’s own property, ~~the Red Nine~~, and the City park across from the front entrance. (approved by the Board of Directors on Nov 08, 2021)
- Pets are not permitted to run free. Dogs must be kept on a leash when outdoors.
- Dog owners should be aware that residents own and are required to maintain their yards to the street – and dog owners are trespassing while letting their dogs use another person’s property as a bathroom.
- As you are walking your pet – pet owners are responsible for the immediate clean-up, removal, and disposal of animal wastes.

If the Association determines that a pet is dangerous, destructive, or an annoyance to other residents the owner will be notified and if the situation persists the offending pet may be removed from the premises.

Other Animals. Other than the customary house pets cited above, no animals, livestock, or poultry of any kind shall be kept on any lot or other portion of the platted property. (3.15)

Fences, Hedges and Walls:

General information: The location, composition and height of any fence, hedge or wall shall be subject to the approval of the Architectural Committee (ARC) which may grant or withhold such approval at its discretion. (2.2; 3.7)

- a. All fences must be approved by the ARC, and then be properly permitted by the City of Green Cove Springs before installation.
- b. All fences will be required to be installed with the "good" or "finished side" facing away from the residence installing the fence, so the neighbors are looking at the good or finished side. This meets the City code requirements of Green Cove Springs.
- c. Fence plans must be submitted to the Architectural Committee for approval. Two copies of the site plan showing the location of the fence must be included with the submission. The manufacturer, style, and color of the fence must be indicated on the submittal form. Wooden shadow box fence applications must include the dimensions of the components. Pictures of the fence are helpful and avoid misunderstandings.
- d. All solid walls shall be constructed with brick, stucco, or natural stone on all exposed surfaces. Walls must be capped with brick, stone or precast concrete.
- e. No hedge or wall is permitted along any part of a lot line along the Golf Course.
- f. No fence, hedge or wall shall be installed higher than six feet from the normal surface of the ground.
- g. Only one style fence will be permitted on a single lot.
- h. No back to back fences. If a fence is in place, another fence may be connected to it, but no fence may be installed to run parallel to it.
- i. Chain link fences are prohibited.
- j. All fences must be maintained in good condition always.

- k. If a fence cannot be maintained to community standards (as determined by the REC), it must be removed. If a fence is to be replaced, a new application must be submitted to the ARC for approval. The replacement fence must be one of our current styles before it will be considered for approval by the ARC.

Fence Styles: Only the following styles of fences are to be installed in Magnolia Point community.

- a. Black Aluminum:
 - Open style 4 foot or 4 ½ foot height.
 - Top of fence must be a horizontal rail with no spikes above the rail.
- b. All Wood Shadowbox Design:
 - 6-foot height.
 - All wood shadowbox fencing will have a natural finish and will be constructed with vertical slats measuring a minimum of 3/4-inch-thick x 5 1/2 inches wide x maximum 72 inches tall. The horizontal members shall be a minimum of 3 1/2 inches x 1 1/2 inches. The post shall be a minimum of 3 1/2 inches x 3 1/2 inches x 96 inches in length. All wood fence components must be fastened with galvanized nails (not staples).
 - Upon installation – the fence must be stained with a natural wood color and sealed.
- c. Vinyl Shadowbox Design:
 - 6-foot height.
 - Color choice of tan, beige or khaki.

Location of fences:

- a. Hedges, fences or walls may not be built or maintained except within the rear interior side lot lines and no closer to the front of the lot than the rear line of the main residence nor, when the residence is situated on a corner lot, closer to a side street than the line of the main residence abutting such side street. (3.7; 2.2).
- b. An open style black aluminum fence is allowed on any lot in the community. If a pool is involved, the fence may be a 4 foot or 4-1/2 foot open style black aluminum (pursuant to Green Cove Springs regulations). (AG-I)
- c. Open style black aluminum is the only fence style allowed on the golf course, lakes or ponds, or other bodies of water. (Reaffirmed by the Board of Directors on Nov 08, 2021)
- d. Open style black aluminum or shadowbox style fences (wood or vinyl) are allowed where the rear view is preserve or another home.

~~Driveways. All driveways must be constructed of concrete or asphalt material. Improvements or alterations to driveways must be approved by the Architectural Committee. (3.12)~~

~~Wash. Outdoor drying of wash is not permitted. (3.14)~~

~~Easements. The Developer, for itself and its future assigns, reserves perpetual easements on a strip of land 10 feet in width along the front line, rear line, and side lines of each lot for access, drainage purposes, and the use of utilities as well as strip 15 feet in width, around the perimeter of all lakes and waterways. No structure or landscaping shall be permitted in the easement areas which may damage or interfere with utilities and drainage features. All~~

Driveways. All driveways must be constructed of concrete or asphalt material. Improvements or alterations to driveways must be approved by the Architectural Review Committee (ARC). (3.12)

In order to prevent any future driveway work from impacting SJRWMD approved drainage permits, all such ARC applications shall include:

(1) a topographic survey of proposed driveway modifications and adjacent infrastructure (includes swales, pipes, drain boxes, etc.);

(2) detailed plans that reflect the topography and elevations of driveway aprons and adjacent drainage components; and

(3) formal review by the Association's Civil Engineer prior to ARC approval.

Simple repairs are exempt from this requirement. (Approved by the Board of Directors on November 08, 2021)

Wash. Outdoor drying of wash is not permitted. (3.14)

Easements. The Developer, for itself and its future assigns, reserves perpetual easements on a strip of land 10 feet in width along the front line, rear line, and side lines of each lot for access, drainage purposes, and the use of utilities as well as strip 15 feet in width, around the perimeter of all lakes and waterways. No structure or landscaping shall be permitted in the easement areas which may damage or interfere with utilities and drainage features. All easement areas, areas within any setback line, and all improvements therein, must be maintained continuously by the Owner. (4.4)

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4. TRASH AND DEBRIS

Courtesy. As a courtesy to your neighbors and to all those who drive and walk by your property, please refrain from displaying trash cans, trash bags, and yard debris except on the day before and the day of the scheduled collection. When displaying trash cans, trash bags and yard debris, it must be placed on your property - NOT in the street. (3.1; 3.5; 3.13)

Collection. Trash is collected on Monday and Thursday. Recyclables are collected on Thursday. Yard debris is collected on Tuesday but may be displayed on Saturday or Sunday prior to the collection day. Homeowners must pay the city's collection fees. (3.5; 3.13; 4.2)

Storage. All garbage and trash must be stored in closed containers and in a location, that is hidden from view from adjacent property or roadway. (3.5; 3.13)

Burning. The burning of trash, rubbish, garbage, leaves or other materials in the open, by an incinerator or otherwise, is prohibited. (3.5)

Debris. No homeowner or resident shall have any right to place rocks, stones, trash, garbage, sewage, storm or other waste water, rubbish, debris, ashes or other refuse in any portion of the Magnolia Point Property. (3.18)

5. IMPROVEMENTS TO HOUSES AND GROUNDS

Improvements. To maintain a community of the highest quality in which all improvements are harmonious in architectural design and aesthetic appearance, the Community Association has the exclusive power and discretion to control and approve all improvements placed on any lot. (2.2; AG)

Plans and Specifications. No paved area, fence, wall, shrubbery, building, or any other structure or thing shall be placed or maintained upon any lot, nor shall any exterior addition, change, including change in exterior colors, or alteration be made to existing improvements thereon until detailed plans and specifications of the same, prepared by a duly licensed architect, engineer, landscape architect, or other similarly qualified professional, are submitted to and approved in writing by the Community Association as to the harmony of the external design, compliance with the terms of the Governing Documents, and location in relation to surrounding structure and topography. Plans for improvements should be submitted to the Community Association Manager. (2.2; AG-1)

Approval. The Association shall have the absolute right to approve or to refuse approval of any plans which, in its opinion, are not suitable, desirable, or compliant. (2.2)

Approval Process. Applications for improvements must include two complete sets of plans, furnished by the contractor. One set will be retained in the files and the other will be returned. Plans should include all elevations and materials to be used. (AG)

Improvement Completion. All projects (except the construction of a residence) must be completed within 6 months of application date. After 6 months, the Application is void and must be

resubmitted for approval. Construction of a residence must be completed (Certificate of Occupancy received) within one year from the clearing the lot. Violation of this restriction may result in the maximum daily fine of \$100. (2.5)

6. STRUCTURES

Type. No structure shall be erected on any lot other than one single-family residence and appurtenant buildings. (2.1)

Detached Structures. None of the following buildings, structures or objects shall be placed on any Lot or Commercial Parcel unless obscured from view from any Roadway, the Golf Course, any adjacent parcel, or any other Dwelling Unit. (3.2)

- Garbage and trash cans and receptacles,
- Above ground exterior air conditioning, heating and other mechanical equipment,
- Any other structures or objects determined by the Association to be of an unsightly nature or appearance.

Detached Structures. None of the following buildings, structures or objects shall be placed on any Lot or Commercial Parcel. (3.2)

- Yards and houses for pets,
- Hothouses and greenhouses,
- Above-ground storage of construction materials, wood, coal, oil and other fuels,
- Clothes racks and clothes lines,
- Clothes washing and drying equipment,
- Laundry rooms,
- Tool shops and workshops,
- Servants quarters, Guest houses,
- Any other structures or objects determined by the Association to be of an unsightly nature or appearance.

Pools and Screen Enclosures. All pools shall be in-ground and composed of materials thoroughly tested and accepted by the industry for such construction. The outside edges of the pool shall be a minimum distance of 4' from all sidewalls of the residence and meet all pool setback requirements imposed by the City of Green Cove Springs. All pools and screen enclosures require approval by the Architectural Committee prior to construction. Two complete sets of plans, furnished by the contractor, must be submitted. One set will be retained in the files and one returned. The enclosure frame must be white, black or bronze. Screens must be charcoal colored. Pool equipment must be screened from view with landscaping. If the pool is not screened, then the yard must be fenced in compliance with Architectural Committee Guidelines on fencing. (3.24; AG-6.) (The color white was approved by the Board of Directors on November 08, 2021)

Screen Enclosures. Drop screen plans must be submitted to the Architectural Committee. The plans must show the elevations and the materials to be used. White, black or bronze framing is required, with a charcoal screen. (AG-6.) (The color white was approved by the Board of Directors on November 08, 2021)

Temporary Movable Structures. Other than temporary construction sheds and sanitary toilet facilities used during the actual construction of permitted permanent improvements, no

- Shed,

- Shack,
- Trailer,
- Tent,
- Any other temporary or movable building or structure of any kind shall be erected or permitted to remain on any lot. (3.3)

Play Sets. Two copies of a site plan that shows the location of the play set and how the homeowner plans to landscape it to screen it from view must be submitted to the Architectural Committee. Play sets must be wooden in construction, preferably with dark colored (blue/green) accessories and located in the rear yard or side yard and screened with landscaping from neighboring homes and views across lakes. Also, a picture or brochure must be included with the submission that shows the design, size and colors. (AG-9.)

Basketball Goals: Portable and Permanent.

- Residents may erect one portable basketball goal in a driveway provided that it does not create an unreasonable annoyance or unsafe condition and is maintained in good condition at all times; that is, it is free of a torn net, damaged backboard, bent rim, etc. (3.1; 3.2; AG-8.)
- Permanent backboards must be approved by the Association. The application form submitted to the Architectural Committee must include a copy of the site plan showing the location of the backboard.
- Permanent basketball poles must be black or dark brown, and the backboard must be clear or white. Portable poles must be stored next to the house when not in use. (AG-8.)

7. COMMON AREAS

Ownership. The Community Association owns, maintains, and repairs the common areas of the community, including the roads. (3.20)

Use. Property owners shall have the non-exclusive right in common with the owner of the Golf Course to use the Common Areas subject to reasonable rules and regulations for such use as enacted by the Association. (3.20)

8. ACCESS CONTROL

Access Control. The Association has the unrestricted and absolute right to control access and deny ingress to the community to any person who, in its opinion, may create or participate in a disturbance or nuisance in the community. The Association has the right to restrict or in any manner limit the ingress of any party using controlled or guarded entrances to the Magnolia Point Property. (3.17)

The Association has developed a set of policies and procedures which control access to the community and are implemented by the guards at the gate house. The gate staff do not allow entry to the property by anyone not authorized. All visitors must seek and gain access through the front ~~or back gate (limited hours)~~ and be authorized by a resident, builder, or have a scheduled tee time. There are several methods for guests and vendors to be allowed access to Magnolia Point. These apply to all property owners including the Golf Club. A summary of the key methods for granting entry are provided below.

Consistent with the transition to Securitas for access control, visitor access via the Medinah Gate was terminated in February 2020.

- Permanent List. Each family can provide a list of people who are to be allowed access on a 24-hour basis and a list of people who are allowed access only during business hours (7:00am to 6:00pm), Monday through Friday, and 8:00 to 3:00 pm on Saturday.
- Call-In. The gate may be notified in advance to authorize entry for expected visitors or contractors. When a resident notifies the gate to request access for a guest or vendor, the name of the resident and the name of the guest/vendor is recorded at the front gate office. The visitor will be granted access when he arrives. Advance authorization may be made up to a week in advance.
- Non-authorized visitors. If visitors show up at the front gate that are not included on the prior notification list or the permanent list, the resident is called to approve entry. The visitor is not allowed entry if the homeowner does not answer the phone and authorize entry.

Garage Sales. Garage sales are allowed twice a year. The dates for the garage sales shall be the last Sat. in April and the first Sat. in October of each year. Nonresidents are allowed access to the community for these events. The complete garage sale policy is provided in Appendix B. (3.17)

Open House. Open Houses are permitted on Saturday/Sunday between the hours of 9 and 5 only. It will be the responsibility of the real estate agent holding the open house to provide the guard gate with dated passes that shows the listing, location and directions to the open house that shall be displayed in visitor's automobile window. Additionally, the real estate agent shall remain on site at the residence always during the open house. The complete open house policy is provided in Appendix B. (3.17)

Estate Sales. The owner or agent conducting the estate sale shall insure that the guard gate is provided dated passes that identify the location and provide directions to the estate sale residence. The guard gate will also be notified of or provided with the list of individuals working at the sale. The owner or agent shall insure that sale is conducted inside the residence and not outside or in the driveway. The owner or agent shall insure that parking is handled so as not to create a traffic flow problem within the community. The complete estate sale policy, requirements and agreement form is provided in Appendix B. (3.17)

9. ROADWAYS AND TRAFFIC CONTROL

Private Roads. All the community's roadways are privately owned and maintained by the Community Association. (3.17)

Licensed Drivers. Only licensed drivers may operate vehicles, including golf carts, on community streets. (3.1; 3.17)

Traffic Control and Parking. The Association has the right to control and regulate all types of vehicular traffic and parking on all or any part of the roadways. (3.17)

Traffic Patrols and Violations. The Association has entered into an agreement with the City of Green Cove Springs Police Department that permits the police to patrol our private roadways, issue warnings and traffic tickets for traffic violations, and investigate traffic accidents. (3.17)

Mopeds, Go-carts, and All-Terrain Vehicles. Mopeds, go-carts, and all-terrain vehicles may not be operated on any roads or other common areas of the community. (3.1; 3.17)

Golf Cart Registration. All golf carts must be registered by either the Golf Club or the Association to operate on Magnolia Point roads. The registration process, requirements and forms for registration of golf carts with the Association are provided as part of the Golf Cart Policy included in Appendix D. Carts that will be operated on the golf course must be registered through the Golf Club and forms may be obtained at the Golf Club house. (3.17)

Damage to Roads or Gate Systems. The Association has the right to enforce claims for damage against any owner or resident who damages any roadway or access gate systems. (3.17)

~~Parking, storage, repairs, driveways. No RV's, boats, Trailers, or similar vehicles may be stored on any portion of the platted property except for the garage. RV and boat owners, will be provided with a 48-hour access window to pack, clean, and unpack. (3.1; 3.12)~~

- ~~• Vehicles with commercial signs may be temporarily parked in the driveway for delivery or pickup services and shall not remain there for any extended period. Under no circumstances or conditions shall an automobile or other vehicle be parked on a non-paved portion of a lot.~~
- ~~• Vehicles that are not drivable, or that lack license plates, or are in a visible state of disrepair, or are not used on a regular basis may not be parked in the street or driveway and must be stored in the garage.~~
- ~~• Overnight parking on any community street is prohibited.~~
- ~~• Any car parking on any street within Magnolia Point between the hours of 1 AM to daylight is defined as overnight parking and is not allowed. Cars parked overnight are subject to community violation notices or towing in accordance with community rules.~~
- ~~• The approved car towing policy is included in Appendix E.~~
- ~~• Residents' or guests' cars shall not be parked in the street other than when a resident has more guests than spaces in driveways while a special occasion is in progress. **AT NO TIME** are cars allowed to be parked in the street between 1am and daylight.~~
- ~~• No repairing or overhauling of any vehicle will be permitted on any part of the dwelling, lot, or roadway.~~

~~10. DRAINAGE~~

~~Surface Water and Storm Water. The Association is responsible for the maintenance, operation and repair of the surface and storm water management system as permitted by the St. Johns River Water Management District. (3.22)~~

~~Grading. Without the prior written consent of the Community Association, no lot or any other portion of the Platted Property shall be graded, and no changes in the elevation of any portion of the Platted Property shall be made which would adversely affect any adjacent property. (3.4; 3.21; AG-3)~~

~~Elevation Changes. No changes in elevation of property shall be made which will cause undue hardship to any adjoining property with respect to natural run-off of storm water or which shall result in any alteration of the drainage system for the Platted Property and the lands adjacent to or near the Platted Property, or which shall in any way affect the drainage system for the benefit of the Platted Property and lands adjacent to the Platted Property without the prior written consent of the Association. The Association reserves for itself an easement in and over all lakes, streams and waterways in the Magnolia Point Property for drainage of any and all portions thereof. (3.4; 3.21; AG-3))~~

This section of CH 9 was revised and approved by the Board of Directors on September 13, 2021 and amended on October 11, 2021.

Parking, storage, repairs, driveways.

No vehicles, RVs, boats, or trailers or any similar property shall be kept on any part of the Platted Property except such areas as may be specifically reserved and designated for such use, or stored on any Lot except within a garage or an enclosed screened area and except that private passenger automobiles of the occupant of a Dwelling Unit and guests, having no commercial signs, may be temporarily parked in the driveway or parking area of the Dwelling Unit and except that other vehicles may be parked in such driveway or parking area during the time necessary for delivery and pickup service and solely for the purpose of such service. No repairing or overhauling of any vehicle is allowed on any part of a Dwelling Unit, a Lot, or any Roadway. (Covenant Section 3.12)

(1) RVs, boats, trailers, or similar vehicles may NOT be stored on any portion of the platted property except in the garage.

(2) RV, boat and/or trailer owners are authorized to obtain a 48hr pass from the gate house to allow for packing, unpacking and cleaning units. **Owners MUST enter at the front gate in order to obtain a 48hr pass to bring their RV, boat or trailer into the community. The gate house will not issue any passes without visually sighting the RV/boat/trailer and owners who require an extension must reenter the front gate with their RV, boat or trailer. (Approved by the Board of Directors on October 11, 2021)**

(a) Passes must be conspicuously displayed and visible from the street. Failure to visibly display a pass will result in an automatic fine of \$100 per day for a maximum of 10 days.

(b) Owners who exceed the expiration date/time of the 48 hr pass are subject to immediate fines of \$100 per day for a maximum of 10 days.

(c) Multiple violations - Any owner who is fined for the above violations two or more times in any 12 month period shall be banned from bringing the offending RV, boat or trailer into Magnolia Point for one year from the date of the second violation and the Association will seek court ordered injunctive relief.

(3) Vehicles with commercial signs may be temporarily parked in the driveway for delivery or pickup services and shall not remain there for any extended period. Under no circumstances or conditions shall an automobile or other vehicle be parked on a non-paved portion of a lot. No vehicle with commercial markings shall be parked in residential driveways overnight unless the markings are covered so as not to be visible from the street.

(a) Owners violating this rule are subject to immediate fines of \$100 per day for a maximum of 10 days.

(b) Multiple violations - Any owner who is fined for the above violations two or more times in any 12 month period shall be banned from bringing the offending vehicle into Magnolia Point for one year from the date of the second violation and the Association will seek court ordered injunctive relief.

(4) Vehicles that are not drivable, or that lack license plates, or are in a visible state of disrepair, or are not used on a regular basis may not be parked in the street or driveway and must be stored in the garage.

(5) Overnight parking on any community street is prohibited.

(6) Any vehicle parking on any street within Magnolia Point between the hours of 1:00am and sunrise is defined as overnight parking and is not allowed. Owners of vehicles parked overnight are subject to immediate fines of \$100 per day and may be towed in accordance with the MPCA Towing Policy (Appendix E).

(7) Residents' or guests' vehicles shall not be parked in the street other than when a resident has more guests than spaces in driveways while a special occasion is in progress. AT NO TIME are cars allowed to be parked in the street between 1:00 am and sunrise.

(8) No repairing or overhauling of any vehicle is permitted on any part of the dwelling, lot, or roadway, this includes RVs and boats.

(9) Owners may appeal fines at a hearing scheduled by the Rules Enforcement Committee.

~~Golf Cart Registration. All golf carts must be registered by either the Golf Club or the Association to operate on Magnolia Point roads. The registration process, requirements and forms for registration of golf carts with the Association are provided as part of the Golf Cart Policy included in Appendix D. Carts that will be operated on the golf course must be registered through the Golf Club and forms may be obtained at the Golf Club house. (3.17)~~

~~Damage to Roads or Gate Systems. The Association has the right to enforce claims for damage against any owner or resident who damages any roadway or access gate systems. (3.17)~~

~~Parking, storage, repairs, driveways. No RV's, boats, Trailers, or similar vehicles may be stored on any portion of the platted property except for the garage. RV and boat owners, will be provided with a 48-hour access window to pack, clean, and unpack. (3.1; 3.12)~~

- ~~• Vehicles with commercial signs may be temporarily parked in the driveway for delivery or pickup services and shall not remain there for any extended period. Under no circumstances or conditions shall an automobile or other vehicle be parked on a non-paved portion of a lot.~~
- ~~• Vehicles that are not drivable, or that lack license plates, or are in a visible state of disrepair, or are not used on a regular basis may not be parked in the street or driveway and must be stored in the garage.~~
- ~~• Overnight parking on any community street is prohibited.~~
- ~~• Any car parking on any street within Magnolia Point between the hours of 1 AM to daylight is defined as overnight parking and is not allowed. Cars parked overnight are subject to community violation notices or towing in accordance with community rules.~~
- ~~• The approved car towing policy is included in Appendix E.~~
- ~~• Residents' or guests' cars shall not be parked in the street other than when a resident has more guests than spaces in driveways while a special occasion is in progress. **AT NO TIME** are cars allowed to be parked in the street between 1am and daylight.~~
- ~~• No repairing or overhauling of any vehicle will be permitted on any part of the dwelling, lot, or roadway.~~

10. DRAINAGE

Surface Water and Storm Water. The Association is responsible for the maintenance, operation and repair of the surface and storm water management system as permitted by the St. Johns River Water Management District. (3.22)

Grading. Without the prior written consent of the Community Association, no lot or any other portion of the Platted Property shall be graded, and no changes in the elevation of any portion of the Platted Property shall be made which would adversely affect any adjacent property. (3.4; 3.21; AG-3)

Elevation Changes. No changes in elevation of property shall be made which will cause undue hardship to any adjoining property with respect to natural run-off of storm water or which shall result in any alteration of the drainage system for the Platted Property and the lands adjacent to or near the Platted Property, or which shall in any way affect the drainage system for the benefit of the Platted Property and lands adjacent to the Platted Property without the prior written consent of the Association. The Association reserves for itself an easement in and over all lakes, streams and waterways in the Magnolia Point Property for drainage of any and all portions thereof. (3.4; 3.21; AG-3))

10. WATERWAYS

Waterways. All lakes, ponds, creeks and streams (hereinafter "waterways") within the Magnolia Point Community belong to the Association unless specifically conveyed to a homeowner as part of a lot. Even if so conveyed, the Association reserves the right to regulate the flow, level and all use of the waterways. Rocks, stones, trash, garbage, sewage, storm or other waste water, rubbish, debris, ashes or other refuse may not be placed in any waterways or on any other portion of the Magnolia Point Property. (3.18)

Controls and Construction. The Association has the right to control the water level of such waterways, to construct bulkheads, docks, piers or other similar facilities and to control the growth and eradication of insects, plants, fowls, reptiles, animals, fish and fungi in and on such waterways, and to control the height, grade and contour of any embankment. (3.18)

Wetland Areas and Conservation Buffers. Prior to initiating any clearing, construction, dredging or filling within the wetland areas or vegetated buffer limits delineated on the recorded plat, the lot owner shall apply to St. John's River Water Management District for a permit modification for such work. (3.19)

Power Boats. Power boats are not permitted on community waterways. (3.18)

Bulkheads, Docks, Boat houses, or Piers. No Owner shall construct bulkheads, docks, boat houses, piers or other similar facilities on any waterways, nor have any right to pump or otherwise remove any water from waterways for irrigation or any other use. (3.18)

11. VIOLATIONS

Suspensions and Fines. The Community Association may impose reasonable fines not to exceed \$100 per violation per day against any member, tenant or guest violating the Community Association's Governing Documents, not exceeding \$1,000 in the aggregate per violation. All charges against any Lot pursuant to this Declaration, together with such late fee, interest thereon, and cost of collection thereof (including reasonable attorneys' fees), shall become a lien on such Lot. (3.23; 5.1; 5.4; 5.7)

Hearing. Prior to imposing either a fine or suspension, the Rules Enforcement Committee must hold a hearing to afford the alleged violator an opportunity to be heard on the issue. At least 14 days' notice of the hearing must be given to alleged violators. (3.23)

12. ASSESSMENTS

Quarterly Assessments. The Community Association has the authority under Florida law to levy quarterly assessments against all lot owners to pay for all the expenses of operating the Association and doing all things necessary or desirable to keep the community neat and attractive; preserve its value; eliminate fire, health, and safety hazards; and provide other benefits and services which the Board of Directors determines are appropriate. (5.1; 5.2; 5.3; 5.4)

Debts and Liens. Each assessment constitutes an interest-bearing debt from the owner of the property to the Community Association and shall be secured, if necessary, by a lien placed on that property and filed with the Clerk of the Circuit Court of Clay County. (5.7)

Magnolia Point Community Association Community Handbook of Covenants and Guidelines

Document Revision History

Base line Document	Approved — 1/1/2015
Revision 1: Incorporated the following approved Policies.	Updated — 8/9/2017
New ARC requirements	Approved — 10/1/2016 Revised — November 08, 2021
Mailbox policy	Approved — 2007 Revised — 2015 Revised Contact Info' — 2019 Updated — 5/11/22
Garage Sales, Open House and Estate Sales Policy	Approved — July 2008 Revised — 8/9/2017 Revised — 4/12/2021
Golf Cart Policy	Approved — 7/2017 Revise — 06/10/2019
Revision 2: Incorporated the approved Towing Policy.	Updated — 9/18/2017
Towing Policy	Approved — February 10, 2014
Revision 3: Incorporated the approved section 4: word changes.	Updated — 1/6/2018
Updated Section 4 – TRASH AND DEBRIS	Approved — December 19,2017
Revision 4: Incorporated Dog Walking Clarifications	Updated — 1/30/2018 Updated — November 08, 2021
Revision 5: Updated Golf Cart Registration Form	Updated — 7/30/2018 Revised 6/1/2023
Revision 6: Updated Organization Chart,	Approved — April 8, 2019 Updated — May 11, 2022 Updated — March 14, 2023 Updated — June 12, 2023

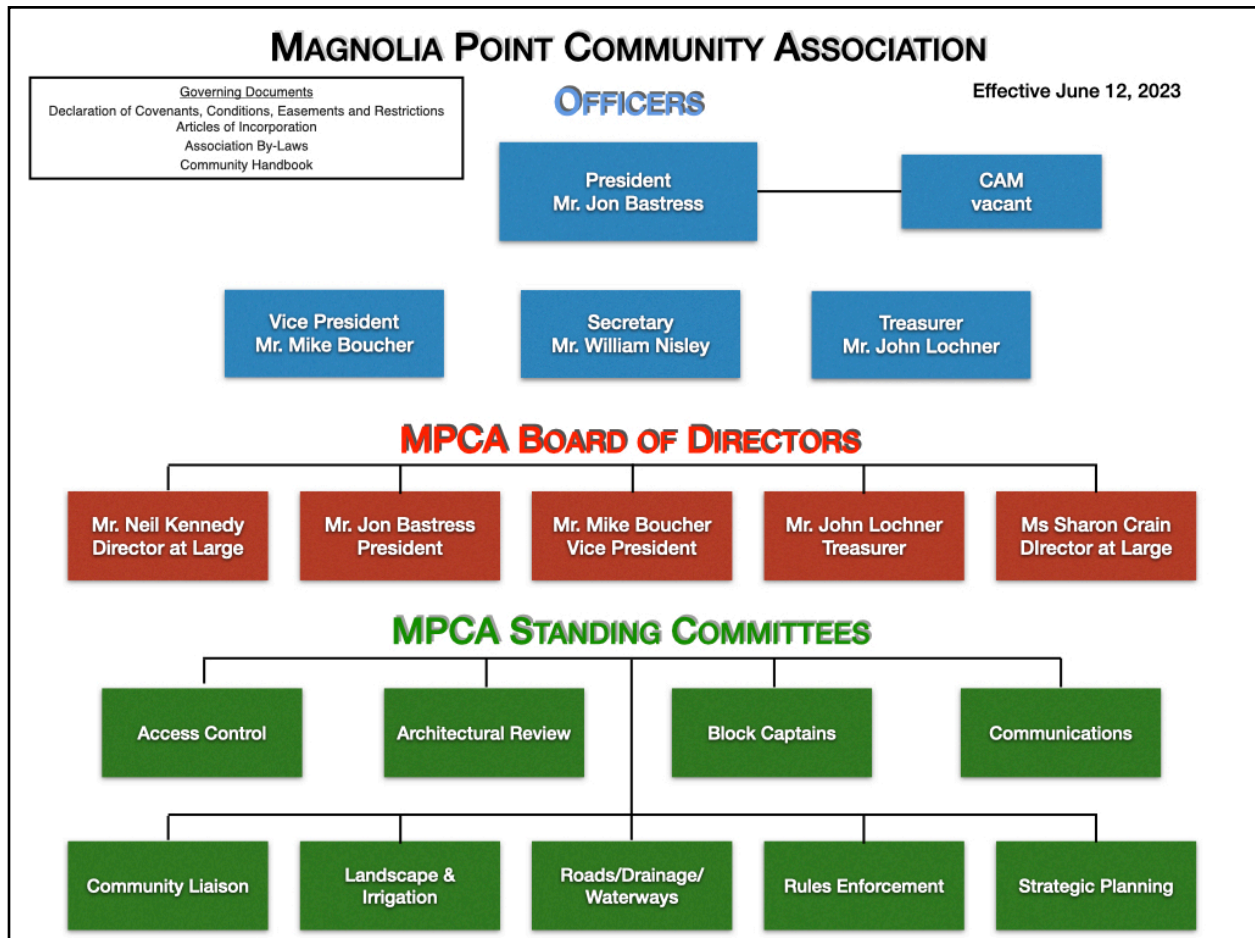
Community Handbook of Covenants and Guidelines
Document Revision History

Revision 7: Adopted Residential Flag Policy	Approved — May 10, 2021
Revision 8: Adopted Purchasing & Expenditures Policy	Approved — May 10, 2021
Revision 9: Revised Chapter 9, Parking, storage, repairs, driveways.	Approved — September 13, 2021 Amended — October 11, 2021
Revision 10: Revised Chapter 5 Driveways	Revised November 08, 2021 inserted in base document January 27, 2023
Revision 11: Incorporated the following approved Policies	Updated — June 26, 2023
Resident Remote Access Policy	Approved — April 08, 2019
Member's Forum Policy	Approved — July 07, 2019 Revised April 11, 2022
Rules Enforcement Policy and Process	Approved — January 13, 2020 Revised September 13, 2021

MAGNOLIA POINT COMMUNITY ASSOCIATION, INC.

A Florida Corporation Not-for-Profit
% May Management Services Inc.
475 West Town Place, Suite #112 • St Augustine, FL. 32092
904.940.1002
<https://www.magpt.com>

Appendix A Magnolia Point Community Association Organization Chart



MAGNOLIA POINT COMMUNITY ASSOCIATION, INC.

A Florida Corporation Not-for-Profit
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Effective April 2021

APPENDIX B GARAGE SALES, OPEN HOUSES AND ESTATE SALES

This policy was approved by the Board at a duly noticed meeting on April 12, 2021

1. Garage Sales

Justification: Article 3.1 of the covenants addresses the fact that any activity that becomes a nuisance or annoyance to any resident is strictly prohibited. In July 2008, the Board determined that due to numerous complaints from residents about the unsightly appearance of driveways, vehicles parking on lawns and cluttering our already narrow streets, and nonresidents entering the gated community to attend them, the vast majority of the residents feel that this is not the image we want to convey of our community and do not want to have to be subject to garage sales on a regular basis. As a result, the following policy was adopted by the Board of Directors:

Policy: Garage sales are allowed twice a year. The dates for the garage sales shall be the last Saturday in April and the first Saturday in October of each year. Those residents choosing to participate may display a balloon on their mailbox and the merchandise for sale is to be displayed in the driveway as close to the garage as possible.

2. Open Houses

Justification: When owners are required to move or are moving for other reasons such as family problems, the community should not impede the sale of the home by limiting access to nonresidents interested in purchasing a home in the community. To meet this objective and limit the nuisance to existing residents' due to excess traffic, the following policy has been adopted by the Board of Directors:

Policy: Open Houses are permitted on Saturdays and Sundays between the hours of 9am and 5pm only. One sign (maximum of 11" x 14") may be displayed on the property that indicates an open house is in progress. The sign must conform to the same community standards as real estate signs. Additionally, directional signage can be displayed anywhere within the community to advertise the open house or give directions to its location, provided all signage is removed at the conclusion of the open house. It is the responsibility of the real estate agent holding the open house to provide the gate house with details of the open house to include: the real estate listing

location and directions to the open house. Additionally, the real estate agent shall remain on site at the residence at all times during the open house.

3. Estate Sales

Justification: Similar to the need to have guidelines for Garage Sales and Open Houses, the recent number of estate sales in the Magnolia Point community necessitates the need for procedures and policy for Estate Sales. As such, the following policy has been adopted by the Board of Directors:

Policy: The owner or agent conducting the estate sale must:

1. Complete and submit the below Estate Sale Vendor Agreement prior to the sale, agreeing to comply with the community's policy.
2. Ensure that the gate house is provided with a copy of the signed / approved agreement.
3. Provide dated flyers that identify the location and provides directions to the estate sale residence.
4. Provide the gate house with a list of individuals working at the sale.
5. The owner or agent shall insure that the sale is conducted inside the residence and not outside or in the driveway.
6. The owner or agent shall insure that parking is handled so as not to create a traffic flow problem within the community.

Estate Sale Vendor Agreement

1. The following requirements for conducting an Estate Sale in Magnolia Point are agreed to be accomplished and followed. If these requirements are not met by the organizer signing below, MPCA will immediately revoke this agreement and close the sale, remove entrance signs and will not admit additional persons for the sale.
 - All signage must conform to the community standards for real estate signs. Signage is only permitted during hours of operation and must be a maximum size of 11" x 14".
 - Hours of operation and days permitted are: Thursday, Friday and Saturday only (no Sundays); all sales are limited to 10am to 3pm.
 - There will be no "pre-look", nor a "pick up later day".
 - Patrons shall not be allowed to park on grass, in front of mailboxes or driveways.
 - All items for sale must be inside the home, in the garage or backyard patios. No items for sale shall be placed in the driveway.
 - Only items originally in the home are available for sale. - NO OUTSIDE ITEMS WILL BE BROUGHT INTO THE COMMUNITY TO BE SOLD.
2. A MPCA representative shall tour the home before permission for the estate sale is granted.

By signing this document, you agree to all conditions contained herein.

Dates of Sale:		
Vendor Name	Vendor Contact Number	Vendor Signature
Client Name	Client Address	Client Signature
Approved by:	Date	Signature

Please forward completed form to cam@magpt.com.

Revised 12 April 2021 / whn2

location and directions to the open house. Additionally, the real estate agent shall remain on site at the residence at all times during the open house.

3. Estate Sales

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2. Ensure that the gate house is provided with a copy of the signed / approved agreement.
3. Provide dated flyers that identify the location and provides directions to the estate sale residence.
4. Provide the gate house with a list of individuals working at the sale.
5. The owner or agent shall insure that the sale is conducted inside the residence and not outside or in the driveway.
6. The owner or agent shall insure that parking is handled so as not to create a traffic flow problem within the community.

Estate Sale Vender Agreement

1. The following requirements for conducting an Estate Sale in Magnolia Point are agreed to be accomplished and followed. If these requirements are not met by the organizer signing below, MPCA will immediately revoke this agreement and close the sale, remove entrance signs and will not admit additional persons for the sale.
 - All signage must conform to the community standards for real estate signs. Signage is only permitted during hours of operation and must be a maximum size of 11" x 14".
 - Hours of operation and days permitted are: Thursday, Friday and Saturday only (no Sundays); all sales are limited to 10am to 3pm.
 - There will be no "pre-look", nor a "pick up later day".
 - Patrons shall not be allowed to park on grass, in front of mailboxes or driveways.
 - All items for sale must be inside the home, in the garage or backyard patios. No items for sale shall be placed in the driveway.
 - Only items originally in the home are available for sale. - NO OUTSIDE ITEMS WILL BE BROUGHT INTO THE COMMUNITY TO BE SOLD.
2. A MPCA representative shall tour the home before permission for the estate sale is granted.

By signing this document, you agree to all conditions contained herein.

Dates of Sale:		
Vendor Name	Vendor Contact Number	Vendor Signature
Client Name	Client Address	Client Signature
Approved by:	Date	Signature

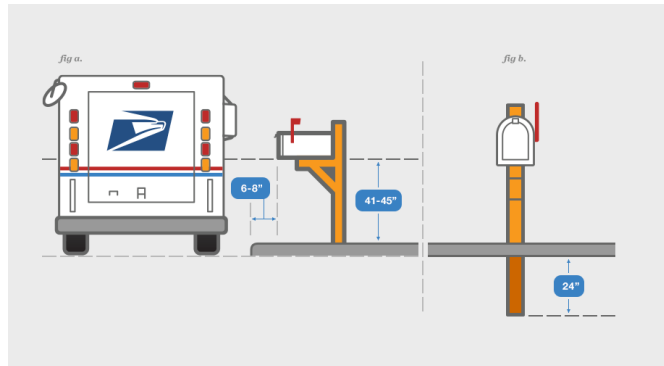
Please forward completed form to cam@magpt.com.

Revised 12 April 2021 / whn2

APPENDIX C MAILBOX STANDARDS

Effective : May 2022

U.S. Postal Service Mailbox Installation guidelines are available at <https://www.usps.com/manage/mailboxes.htm>.



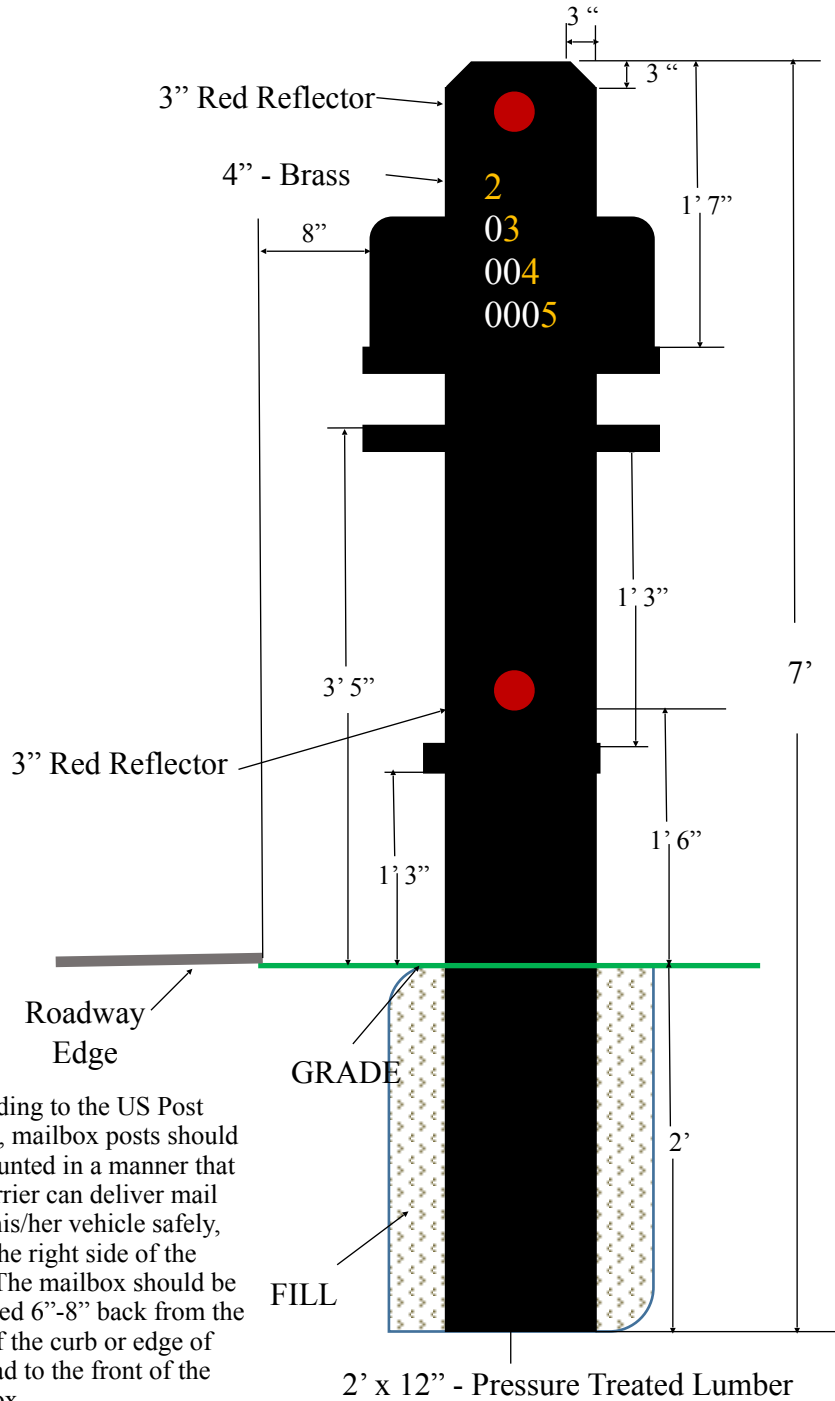
General Guidelines:

- If you have a mailbox with a metal post, all styles are grandfathered.
- If you must replace your mailbox, samples are provided below.
- All new construction must use mailboxes with metal posts, except for homes in Phase VIII-A (Shinnecock Ln only), Phase VIII-B (Oglebay Dr north of Medina Ln), and Phase VIII-C (Grand Victoria Ct) which are required by the U.S. Postal Service to use mail kiosks.
- If you are replacing a wood mailbox, you have an option of installing either a wood or metal post style mailbox.
- If you are replacing a metal post style mailbox, you must replace it with a similar style mailbox.
- All mailboxes must be numbered on both sides with gold numbers.
- All mailboxes must have a red reflector on the side facing on coming traffic.
- Foliage up to bottom of mailbox is allowed but may not interfere with mail delivery.
- All mailboxes must be located/installed in accordance with the USPS standards noted above.

APPENDIX C

MAILBOX STANDARDS

WOOD MAILBOX



Important Information

- Some supplies may be available from MPCA. Please call or email the CAM.
- Most supplies are available from local stores (Home Depot/Ace Hardware/Lowes).
- Mailbox must be metal (no plastic).
- Replacement Mailbox must be made of 2" x 12" - Pressure Treated Wood.
- Mailbox must be plumb (straight up and down).
- Paint is Black Satin Sheen.
- Numbers must be 4" Brass.
- Reflectors are 3" Red and may be located either in the up or down position. Lower position is 18" above grade. Reflectors must be located on the oncoming traffic side of the mailbox.
- Flag Brackets fixed on side of mailbox allowing flag to unfurl at a 45-degree angle towards house.
- Plants must remain below the level of the mailbox.

APPENDIX C
MAILBOX STANDARDS

MAILBOX STYLES WITH ALUMINUM / METAL POSTS

Atlantic Powder Coating

ph 904-724-2422

Mailbox and post only - \$300.00

Total cost with installation: \$450.00



3"- Red Reflector

SEE NEXT PAGE FOR ADDITIONAL STYLES AND VENDORS

APPENDIX C
MAILBOX STANDARDS

Addresses of Distinction

ph 1-800-436-1647

website:

<https://addressesofdistinction.com/product-category/mailbox-with-post-systems/>

Also available at [amazon.com](https://www.amazon.com).



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GOLF CART POLICY

The Board of Directors of Magnolia Point Community Association, Inc. (the “Association”), pursuant to its rule-making authority under the Association’s Declaration, hereby adopts this Golf Cart Policy, to be effective on June 10, 2020. This Policy shall be part of the Association’s rules and regulations. In the event of a conflict between the terms of this Policy and the terms of other Association rules and regulations, the terms of this Policy shall apply.

For the purpose of this policy, golf carts are defined by Florida Statute 320.01¹.

POLICY STATEMENT:

In an effort to allow the use of golf carts within Magnolia Point while attempting to promote safety within the Community, the following policy has been established for all Owners who operate golf carts within the Association’s Community. While the Association does not advocate or endorse the operation of golf carts on its streets, it will, however, regulate the use of golf carts on the private streets owned by the Association in accordance with this Policy. Compliance with this policy does not guarantee compliance with local, state or federal law, and Owners are advised to investigate all other applicable laws or regulations.

In order to assist in providing safety for everyone in the Community, the following registration requirements and rules have been established. Anyone operating a golf cart must be observant of and attentive to, the safety of themselves and others including their passengers, other motorists, bicyclists and pedestrians. Everyone who operates or rides in golf carts on the streets within Magnolia Point does so at their own risk. The Association assumes no liability for the operation of golf carts on the streets of the Community.

Community registered golf carts are not authorized use on the golf course. Permission must be granted by the Club for use on the golf course.

REGISTRATION:

1. A registration form and a release of liability and indemnification agreement (the “Registration Form”) must be completed by each Owner who intends to use a golf cart on the private streets within the Community. Only Owners of record of property within the Community shall be entitled to register a golf cart in accordance with this Policy.

¹ (22) “Golf cart” means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.

GOLF CART POLICY

2. Upon receipt of the completed Registration Form and compliance with the requirements of this Policy, each registered cart will be issued two numbered stickers which must be permanently affixed to the sides of the body of the cart, centered in the general area beneath the driver's seat. These stickers must be prominently displayed on the cart at all times. All requests for the replacement stickers must also adhere to these rules regarding the placement of stickers on the carts.
3. With approval of the Rules Enforcement Committee (REC), alternative registration stickers will be allowed. A single framed license plate with the green numbered sticker may be mounted in a visible location on or near the rear bumper or frame. A fee of \$10.00 will be charged for the frame and waterproof backing. Installation on the cart will be by the owner and is their responsibility to maintain.
4. All specialty numbers and custom stickers which have been substituted since 2017 will require a new plate installed as described above. Dual numbers will be allowed on these custom numbered vehicles and will be recorded as such in the registration record.
5. At the time of registration, the Owner must provide a certificate of insurance establishing that the operation of the golf cart is covered by a liability insurance policy with a combined single limit of at least \$100,000 per occurrence for bodily personal injury, including death and property damage coverage. Additionally, by completing the Registration Form, the Owner covenants and agrees to maintain this coverage as long as the golf cart is operated in Magnolia Point.
6. Registration may be handled by the Association on dates, times, and locations to be determined by the REC. All registrations shall be coordinated and scheduled through the REC.
7. The registered Owner shall be responsible for all loss, damage, injury, claims or other liability resulting from the use of the golf cart within the Community, regardless of who may be operating the golf cart at the time the damage, loss or injury occurs.

RULES:

1. Existing Golf Carts must be registered within 30 days of the date of this Policy. If there is a conflict, a later date may be arranged with the Rules Enforcement Committee. Association's Managing Agent. All other New carts must be registered within 30 days of obtaining the cart.
2. Drivers must a valid State of Florida driver's license or learner's permit accompanied by an adult licensed driver.
3. Golf carts will adhere to the same driving and parking rules and laws as automobiles. Additionally, golf carts may also park in any designated golf cart parking spaces.

GOLF CART POLICY

4. Driving or parking on grassy areas is prohibited.
5. Golf carts may only be driven between dawn and dusk unless equipped with headlights and brake lights in operating condition.
6. All passengers must be properly seated while the cart is in motion and may not be transported in a negligent manner or in a manner inconsistent with the cart manufacturer's recommendations. The number of passengers shall not exceed the seating capacity of the cart, including the driver.

ENFORCEMENT:

1. Any violation of this Policy should be reported to the **Community** Association Manager (CAM) or the REC. Any resident may report a violation to the CAM, the REC or any Association Board Member in writing. The complaint should have as much identifying information as is possible, including but not limited to the identity of the party violating the Policy, the cart registration number, the date, time, and approximate location of the incident, and a detailed description of the alleged violation.
2. Any act constituting a violation of this Policy may result in a fine of \$100.00 in the accordance with the Community Covenants and standard procedures of the REC. Any threat to safety may result in immediate legal action.
3. All reported violations will be reviewed by the **CAM** ~~REC~~ to determine if the report of a violation is valid before any action is taken.
- ~~4. Prior to levying any fines in accordance with this Policy, the affected Owner shall be given notice and an opportunity for a hearing before the REC.~~
- ~~5. **Completed** golf cart registration forms will be maintained by the Association's **Communications Committee**.~~

MAGNOLIA POINT
GOLF CART OWNER REGISTRATION FORM

(Please Print)

Golf Cart Owner Information:

Names(s): _____

Owner's Address: _____

Owner's Phone: _____ Email: _____

Make/Manufacturer of Golf Cart:

Manufacturer _____ Year _____ Color _____

Insurance Company & Policy No.: _____

Acknowledgement:

I have received, read and understand the Magnolia Point Community Association Golf Cart Policy. I acknowledge that I assume all liability related to Golf Cart operation and am fully responsible for the operation of the above-described cart within Magnolia Point. I also acknowledge that Magnolia Point, by providing this privilege, is in no way endorsing the operation of this cart on the streets and does not and will not assume any liability for the operation of the cart. On behalf of myself and anyone who operates the golf cart, I agree to indemnify and hold harmless the Association and its respective directors, officers, managers, members and anyone else acting by or on behalf of the Association from any and all losses, demands, claims or injury arising from the use of the cart within the Association's Community.

I agree that I will obey all applicable Laws, the terms of this Policy, and all other Association requirements concerning the operation of my golf cart within the Association's community.

Owner Signature(s): _____ **Date:** _____

Please drop off this form at the Golf Pro Shop in the clubhouse in the box provided and an MPCA representative will contact you directly, to register your cart.

For HOA Use Only: Assigned number of golf cart: _____

Date sticker issued: _____

APPENDIX E: MAGNOLIA POINT PARKING AND TOWING POLICY

At the MPCA Board of Directors meeting on February 10, 2014, the Board of Directors approved towing of vehicles that are not parked in accordance with the governing documents of the Magnolia Point Community Association. This decision was considered carefully for many months. The board was concerned about compliance with Florida law, our governing documents and a general spirit of “reasonableness”.

The Board considers it reasonable to utilize our privately-owned streets for the purpose for which they were intended. The consensus (which is supported by our governing documents) is that streets are for driving, walking etc. and, except when there is absolutely no alternative, they should not be obstructed.

It was discussed that, in the past, many homeowners or residents have parked in the street as a matter of convenience when, in truth, there would be room in the driveway to park. It was agreed that imposition on one’s neighbor merely for one’s convenience is not in keeping with our documents nor is it the safest practice or in compliance with the spirit of “reasonableness”.

Placement of garbage cans in the streets was also discussed. The board could see no logical reasoning behind a decision to place one’s garbage can in the street when given a choice between a driveway, lawn or street. We contacted the City of Green Cove Springs. The city has agreed to endeavor to place trash receptacles off the street after service.

The Board is also committed to the elimination of parking commercial vehicles within the community. Our governing documents strictly prohibit the parking of commercial vehicles. The Board asked the Rules Enforcement Committee to rigorously pursue the enforcement of this parking restriction. Florida law allows (after prescribed administrative procedure) a fine of \$100 per day up to \$1,000.

Summary: The MPCA Board of Directors has signed a towing contract with a local towing company. Towing information signs will be conspicuously placed at the front and back gates. After the signs are placed, towing can occur. A sticker will be placed on the vehicle that will give reasonable notice before the vehicle is towed. If the same vehicle is parked on the street or common area more than once, it is subject to be towed without notice.

Our hope is that not a single vehicle will be towed. The goal is merely to have owners park vehicles in an area that is designated and considered compliant with our governing documents.

When is it reasonable to park in the street? On some streets, such as Colonial Drive, it is probably never reasonable. Our documents allow for limited parking in the street when a special event is taking place. These events could include birthday parties, book club meetings, funerals or other gatherings. The Board agreed that it is never reasonable to park in the street overnight. The towing policy is not designed to tow your daughter’s college roommate who innocently parked in the street when arriving for a weekend visit at 2am. The Board would hope the owner of the home would inform the visitor of the provision in our documents in advance, however.

As a check to the possible abuse of the towing provision, the Board agreed that, before a vehicle is towed; two members of the board plus the chairman of the rules enforcement committee must agree that the towing is necessary and reasonable. The approved towing form is provided below.

Magnolia Point Towing Form

Date: ____/____/____

Time: _____

Towing policy is to “soft” notice with 24 hours to correct.

Orange Sticker notice within 24-hour date and time.

Orange Sticker notice with red part of sticker filled out and with correct information, including DAY, TIME and DATE vehicle will be towed. Black lettering MESSAGE, DATE, TIME AND SIGNATURE is when notice is posted, must be filled out or the company will not tow.

DO NOT PLACE STICKER ON FRONT WINDSHIELD

Vehicle Make: _____

Vehicle Model: _____

Vehicle Color: _____

Vehicle Tag: _____

Authorization is Two (2) Board Members and Rules Chair by phone or signature. Name of person filling out form must be in place of members is authorization is by phone.

Board Member: _____ () Phone

Board Member: _____ () Phone

Rules Chair: _____ () Phone

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Residential Flag Policy

The purpose of this policy is to specify community standards and identify what is permissible with regard to the public display of flags on individual properties located within Magnolia Point.

This policy was approved by the MPCA Board of Directors on **May 10, 2021** and shall remain in effect until it is revised, replaced or cancelled by future actions of the Board.

References and Authorities:

- a. *MPCA By-Laws dated June 10, 2019 (Article VII)*
- b. *FL 720.304 Right of owners to peaceably assemble; display of flag; SLAPP suits prohibited*
- c. *Title 4 U.S.C. United States Flag Code*

1. References.

A. Reference (a), "Section 1. Powers. The Board of Directors shall have power to: (f) Take such other actions as may be deemed by them to be in the best interests of the Association, having all powers granted as lawful pursuant to applicable Florida law.

B. In accordance with reference (b), paragraph (2)(a): Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one portable, removable official flag, in a respectful manner, not larger than 4 1/2 feet by 6 feet, which represents the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association; (b) Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement or set backs.

C. Reference (c) specifies the manner in which the U.S. flag is to be displayed.

2. Residential Flag Policy is approved and published by the Board, and monitored by the Community Association Manager (CAM). Violations will be issued by the CAM and enforced by the Rules Enforcement Committee.

3. Policy:

A. Flags: Residents may display the United States flag and/or the State of Florida flag, and/or two of the following (not to exceed a total of three flags and not larger than 4 1/2 feet by 6 feet):

- Military Service Flag (Army, Navy, Air Force, Marine Corps, Coast Guard, Space Force)
- POW/MIA Flag
- College Sports Team Flag
- Professional Sports Team Flag
- Holiday / Seasonal Flags

B. In accordance with reference (c), it is the universal custom to display the U.S. flag only from sunrise to sunset on buildings and on stationary flag staffs in the open. However, when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.

C. The use of bunting (flags and other colorful festive decorations) on structures and multiple small U.S. flags along sidewalks and driveways in recognition of national holidays is permitted.

D. Flags representing political parties or other organizational affiliations (excluding those noted in paragraph 3.A. above) are not permitted on any platted property within Magnolia Point.

E. No more than three (3) small garden type flags or banners measuring a maximum of 13 by 18 inches are authorized in keeping with the restrictions noted above.

F. Flag Poles: All freestanding flag poles shall be installed and maintained accordance with reference (b). Mailbox mounted flag poles should be installed perpendicular to the road surface such that the flag points away from the road, so as not to interfere with traffic or mail delivery.

4. Points of Contact:

A. Community Association Manager, cam@magpt.com.

B. Rules Enforcement Committee Chair, rules@magpt.com.

<https://www.legion.org/flag/code>

https://en.wikipedia.org/wiki/Flag_of_the_United_States

MAGNOLIA POINT COMMUNITY ASSOCIATION, INC.

A Florida Corporation Not-for-Profit
% May Management Services Inc.
475 West Town Place, Suite #112 • St Augustine, FL. 32092
904.940.1002
<https://www.magpt.com>

Purchasing and Expenditure Policy

The Board of Directors approved the following policy on **May 10, 2021**.

1. In order to execute the Association's Annual Budget efficiently and effectively, the Board is implementing the following controls to ensure the proper funding of routine expenses and procurement of emergent purchases, services, and/or repairs.
2. The Community Association Manager (CAM) is authorized to initiate in Strongroom, all recurring payments for contracts and budgeted items approved by the board, and signed invoices authorized for all other non-recurring items to be paid. Such non-recurring invoices must originate from the CAM, a Board member, or a Committee Chair person.
3. Purchases or expenditures of \$1,000 and below shall be initiated by the purchaser, and must be approved by the CAM or President prior to the purchase or expenditure of funds. In the event the President is making the expenditure, it shall be approved secondarily by the CAM, Treasurer or another Board member.
4. Purchases or expenditures of \$3,000 and below, but above \$1,000, shall be initiated by the purchaser, and approved by the President prior to the purchase or expenditure of funds. In the event the President is making the expenditure, it shall be approved secondarily by the Treasurer or another Board member. Emergency purchases for such amount can be made by one individual who must seek subsequent approval, after the fact.
5. Purchases or expenditures of above \$3,000 and including up to \$5,000, shall be initiated by the purchaser, and approved by the President or a second Board member, and submitted to the Board of Directors (BOD) and approved prior to the expenditure.
6. Purchases or expenditures of greater than \$5,000 shall be initiated by the purchaser, and approved by the President or a second Board member, and submitted to the BOD for approval prior to the expenditure, after receiving three quotes or justification of why three quotes were not obtained.

7. When included in the Annual Budget, routine recurring payments do not need subsequent BOD approval, regardless of amount.
8. Prior to release for payment, all expenditures must be submitted in Strongroom by the CAM, and then approved for release by the President communicating with the Treasurer, and the Treasurer releasing all for payment, after review and concurrence. Invoices may be solely released for payment by the President or Treasurer being unavailable, in which case, the President or Treasurer should obtain a second verbal approval by the Vice President. This maintains good dual approval internal control.
9. The CAM or any Association Officer is authorized to order emergency repairs of any Association asset, necessary to protect life or property, or to prevent risk of further harm or damage. Such expenses shall be presented to the BOD as soon as practicable thereafter.
10. All invoice document approvals shall include the name, date, title and signature of the approving official.

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Member's Forum Policy

The purpose of this policy is to establish basic rules for engaging in discussions via the electronic Member's Forum page, hosted on the MPCA website (www.magpt.com).

This policy was approved by the MPCA Board of Directors on **April 11, 2022**, and shall remain in effect until it is revised, replaced or canceled by future actions of the Board.

POLICY STATEMENT

In an effort to promote and enhance communications among the members of the MPCA, Board members, and working committees, the Board of Directors has established an electronic forum page (Members Forum) that permits registered members to initiate and contribute to conversations of community interest. Only owners and residents who live in Magnolia Point may access to the Members Forum page. You can register by clicking on this link <https://www.magpt.com/p/How-to-Register-for-an-Account> and following the instructions.

The MPCA Communications Committee is responsible to monitor and maintain the Member's Forum and website in accordance with the rules and policies established by the Board of Directors. The committee is empowered to interrupt MPCA communications policy violators and take appropriate actions (see below). In gray areas not specifically addressed in this policy, the committee may request clarification or direction from the Board of Directors. Members who feel their post should not have been removed or that this policy should be updated, may contact the Board of Directors at board@magpt.com and state their case. The Board is ultimately responsible for the Members Forum content and policy. Posts/content will be automatically removed after 6 months.

By participating in the Member's Forum, you automatically agree to abide by this policy, rules and guidelines. Specific concerns regarding the inappropriate use of the Member's Forum should be referred to the MPCA Webmaster at webmaster@magpt.com.

FORUM GUIDELINES

Below is a list of Do's and Don'ts when communicating on the Member's Forum.

Do's –

- Only discuss pertinent community issues, problems, and solutions.
- Be concise and focus on the topic you're commenting on, not individuals.
- Be respectful and civil to others.
- Treat others as you would want to be treated.
- If you wouldn't say it in public or face to face, don't say it on-line.
- Constructive criticism is permitted, but personal attacks are not.

MEMBER'S FORUM POLICY

Don'ts –

- Don't type in 'ALL CAPS', it will appear that you're yelling.
- No profane, defamatory, offensive, or violent language or content.
- No personal attacks on individuals or specific groups.
- No sarcastic or derogatory content.
- No world, national, state, or local political content.
- No "trolling", or posting deliberately disruptive comments meant to harass, threaten, or abuse an individual or business.
- No spam, link or click baiting, or files containing viruses that could damage the operation of other people's computers or mobile devices.
- No content that promotes, fosters, or perpetuates discrimination based on race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation, or any other form of discrimination.
- No sexual content or links to sexual content.
- No encouragement of illegal, harmful, or offensive activity.
- No content for the purposes of promoting or advertising a person, product, service, or brand.
- No content that relates to confidential or proprietary business information.
- No content that violates a legal ownership interest or proprietary business information of any other party, which includes violation of copyright or intellectual property rights.

VIOLATIONS

1. Members posting inappropriate content will be warned one time and the offending post will be removed.
2. A second violation of the above guidelines will result in a 30 day suspension.
3. A third violation of the above guidelines will result in permanent loss of access to the Forum.

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RULES ENFORCEMENT POLICY & PROCESS

1. **Purpose.** The purpose of this policy is to outline the process for issuing covenant and/or rules infractions, the levying of fines, and Members' right to a hearing.
2. **Approval.** This policy was approved by the MPCA Board of Directors on January 13, 2020, revised and approved by the Board of Directors on September 13, 2021, and shall remain in effect until it is revised, replaced or cancelled by future actions of the Board.
3. **References and Authorities** are outlined in Appendix A. Form letters used to report and/or reconcile violations are presented in Appendix B.
4. **Process.** Our Rules Enforcement policy is to enforce the covenants and community rules as outlined in the Governing Documents and the Magnolia Point Community Association Covenants and Community Handbook. Our procedural guideline is outlined as follows:
 - A. **Violations.** Violations will be generated and recorded, based on neighborhood rides conducted by the Community Association Manager (CAM), and/or, reported by residents and verified by the CAM.
 - (1) **Immediate Fines:** As outlined in Chapter 9 of the Community Handbook, owners of RVs, boats, and/or trailers violating the 48 hour pass rules, owners of vehicles with visible commercial markings parked in driveways overnight, and owners of any vehicle parked on Association streets overnight, will be immediately fined \$100 per day for up to 10 days (an "Immediate Fine" letter will be included in Appendix B). A hearing will be scheduled by the Rules Enforcement Committee a minimum of 14 days after the fine is issued in order for owners to appeal the fine. See paragraph 4.C. below.
 - (2) **1st Notice of Violation:** Excluding the violations cited in 4.A.(1) above, a first notice or courtesy letter will be generated by the CAM, outlining the compliance violation and request the owner to submit a written "Action to Satisfy Form" within seven (7) calendar days of receipt of the notice of violation. The violation should be corrected as soon as possible or within a 30 day period.
 - (3) **2nd Notice of Violation:** A second notice letter will be generated by the CAM based on a lack of response to the first violation letter and will again request the owner to submit a written "Action to Satisfy Form" within seven (7) calendar days of receipt of the second notice of violation. Failure to submit the requested Action to Satisfy

Form will result in a request for the owner to appear at a Hearing, before the Rules Enforcement Committee.

- (4) **NOTE:** It is imperative that the owner submits an Action to Satisfy Form within the required time frame to avoid future adverse actions. The goal is for the owner to correct the violation as soon as possible however, it is understood that not all violations can be corrected immediately. When this is the case, owners are asked to provide a written plan and the time period it will take, to correct the violation.

- B. **Notice of Board of Directors Intent to Fine:** As provided for in the Governing Documents, the Board of Directors has the authority to levy fines for failure to comply with the Association's covenants and rules. If the homeowner fails to respond to a second violation letter(s), the Board will issue an Intent to Fine notice. This is the Board's formal warning that the Board intends to impose a fine of \$100 per day, until either the violation is remedied or the cumulative fine reaches \$1,000.
- C. **Rules Enforcement Committee Hearing Notice:** An owner may inform the Rules Enforcement Committee that they wish to appeal a first or second violation notice at any time however, once the Board has issued an Intent to Fine notice, the owner will be issued a 14 day notice/invitation to attend a scheduled hearing with the Committee to review the violation and hear any appeal. Based on the outcome of the hearing, the Committee will either affirm or reject the fine noticed by the Board of Directors. Failure to appear for a scheduled hearing will result in affirming the intended fine. A basis for reducing any cumulative fine is that the violation was either remedied prior to the scheduled hearing date or an Action to Satisfy plan is accepted by the Committee before the cumulative fine reaches \$1,000.
- D. **Notice of Rules Enforcement Committee Decision:** Immediately following the hearing, the Committee will issue a letter outlining the Committee's decision. The decision of the Committee is final and may not be appealed to the Board of Directors.

5. Points of Contact.

- A. Community Association Manager; cam@magpt.com.
- B. Rules Enforcement Committee Chair; rules@magpt.com

APPENDIX A
REFERENCES AND AUTHORITIES

References:

- a. *MPCA By-Laws dated June 10, 2019 (Article VII)*
- b. *Declaration of Covenants, Conditions, Easements and Restrictions (Sections 1.18, 3.23, 5.7)*
- c. *MPCA Community Handbook of Covenants and Guidelines, dated May 11, 2021*

Authorities:

1. Reference (a) Section 1. Powers states: (a) *“The Board of Directors shall have power to: (a) Adopt and publish rules and regulations governing the use of common areas and facilities including the personal conduct of the members and their guests thereon and to establish penalties for infraction of such rules and regulations;” and (b) Exercise on behalf of the Association all powers, duties, and authority vested in or delegated to the Association and not specifically reserved to the membership by the Declaration, Articles of Incorporation, or by other provisions of these By-Laws.”*
2. Reference (b) states: *“The Association Board of Directors may suspend for a reasonable period of time, the rights of a member or members tenant or guests to use the common area. The Association may also impose reasonable fines not to exceed \$100 per violation against any member, tenant or guest violating the governing documents. Prior to imposing either a fine or suspension, a hearing must be held before the Rules and Enforcement Committee to afford the alleged violator an opportunity to be heard on the issue. At least 14 days notice of the hearing must be given. A majority of the committee must vote affirmatively to impose the fine or suspension and no suspension of the common-area-use rights may impair the right of an owner or tenant to have vehicular or pedestrian ingress and egress to and from the community.*
3. Reference (c) Handbook outlines and highlights relevant portions of the Magnolia Point Community Association’s various Declarations of Covenants, Conditions, Easements, and Restrictions (CCRs), Architectural Guidelines, and other policies approved by the Board of Directors.”

APPENDIX B
SAMPLE RULES ENFORCEMENT FORM LETTERS

1. First Notice of Violation

<p>[<Company.Name>] [<CompanyLocation.Name>] [<CompanyLocation.Address>] [<CompanyLocation.Address 2>] [<CompanyLocation.City State Zip>] Phone: [<CompanyLocation.Telephone>] Fax: [<CompanyLocation.Fax>]</p> <p style="text-align: center;">FIRST NOTICE OF VIOLATION</p> <p>[<TodaysDateMonth>]</p> <p>[<ResidentContact.SP Resident Contact Block>]</p> <p>Property Address: [<Unit.Unit Address>] Re: [<CompanyRule.Chapter Reference>]</p> <p>Dear [<ResidentContact.Salutation>],</p> <p>As Community Manager of the [<Company.Name>] community, my responsibilities include monitoring the aesthetics of the community and enforcing the Covenants and Restrictions and Rules and Regulations.</p> <p>The Board of Directors responsibility is to protect both the homeowners as well as the community in these matters and appreciates your support. Therefore, please be advised the following item(s) need to be corrected as soon as possible.</p> <p>[<Compliance.Violation>]</p> <p>[<CompanyRule.Document Source>] [<CompanyRule.Note>]</p> <p>To better enable us to track progress and resolution of this issue please complete and submit the attached 'Action to Satisfy' form to the address above within seven (7) days. If this matter is not resolved, you could potentially be charged a violation fine of \$100 per day up to \$1,000. Thank you in advance for your cooperation and support of the Association.</p> <p>Sincerely,</p> <p>[<Employee.SP Employee Name Block Manager>] [<CompanyLocation.Name>]</p> <div style="text-align: right; padding-top: 20px;">Page 1</div>
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APPENDIX B
SAMPLE RULES ENFORCEMENT FORM LETTERS

2. Action to Satisfy Letter

<p>[<Company.Name>] [<ManagementCompany.Name>] [<CompanyLocation.Address>] [<CompanyLocation.Address 2>] [<CompanyLocation.City State Zip>] Phone: [<CompanyLocation.Telephone>] Fax: [<CompanyLocation.Fax>]</p> <p>ACTION TO SATISFY</p> <p>[<ResidentContact.SP Resident Contact Block>]</p> <p>Property Address: [<Unit.Unit Address>]</p> <p>[<Compliance.Violation>]</p> <p>Plan for Remedy:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Estimated Date for Completion: _____</p> <p>Other Comments:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <table style="width: 100%; margin-top: 20px;"><tr><td style="width: 50%; vertical-align: bottom;">_____ Signature</td><td style="width: 50%; vertical-align: bottom;">_____ Date</td></tr><tr><td colspan="2" style="margin-top: 20px;">_____ Print Name:</td></tr></table>		_____ Signature	_____ Date	_____ Print Name:	
_____ Signature	_____ Date				
_____ Print Name:					

APPENDIX B
SAMPLE RULES ENFORCEMENT FORM LETTERS

3. Second Notice of Violation

<p>[<Company.Name>] [<ManagementCompany.Name>] [<CompanyLocation.Address>] [<CompanyLocation.Address 2>] [<CompanyLocation.City State Zip>] Phone: [<CompanyLocation.Telephone>] Fax: [<CompanyLocation.Fax>]</p> <p style="text-align: center;">SECOND NOTICE OF VIOLATION</p> <p>[<TodaysDateMonth>]</p> <p>[<ResidentContact.SP Resident Contact Block>]</p> <p>Property Address: [<Unit.Unit Address>]</p> <p>RE: [<CompanyRule.Chapter Reference>]</p> <p>Dear [<ResidentContact.Salutation>],</p> <p>[<Company.Name>] is a beautiful place to call home. Your Association Board of Directors work hard to ensure that the property values and aesthetics of [<Company.Name>] remain high.</p> <p>As your Community Association Manager, I strive to ensure that all the Covenants and Restrictions, along with the Rules and Regulations of the Association are adhered to. Previously we sent you a letter regarding the following:</p> <p>[<Compliance.Violation>]</p> <p>[<CompanyRule.Document Source>] [<CompanyRule.Note>]</p> <p>Please make sure that the issue is resolved immediately. The attached 'Action to Satisfy' form must be completed and returned to us within 7 days to ensure that it will not be necessary for you to appear before the Rules Enforcement Committee. This committee is authorized to fine homeowners up to \$100.00 per day, up to \$1000.00, should the fine be levied against you for the violation.</p> <p>If you believe this information is in error, please email your comments to my assistant, [<Employee.SP Employee Name Assistant>], at [<Employee.SP Employee Email Assistant>] or call me at [<Company.Telephone 1>] [<Employee.SP Employee Telephone Assistant>].</p> <p>Your prompt attention to this matter is greatly appreciated.</p> <p>Sincerely,</p> <p><i>[<Employee.SP Employee Name Manager>]</i></p> <p>[<Employee.SP Employee Name Block Manager>] [<ManagementCompany.Name>]</p> <p>cc: Board of Directors File</p>

APPENDIX B
SAMPLE RULES ENFORCEMENT FORM LETTERS

4. Board of Directors Intent to Fine

<p style="text-align:center">[<Community.Name>] [<ManagementCompany.Name>] [<CompanyLocation.Address>] [<CompanyLocation.Address 2>] [<CompanyLocation.City State Zip>] Phone. [<CompanyLocation.Telephone>] Fax: [<CompanyLocation.Fax>]</p> <p style="text-align:center">NOTICE OF BOARD OF DIRECTORS INTENT TO FINE</p> <p>[<TodaysDateMonth>]</p> <p>[<ResidentContact.SP Resident Contact Block>]</p> <p>Property Address: [<Unit.Unit Address>]</p> <p>RE: [<CompanyRule.Chapter Reference>]</p> <p>Dear [<ResidentContact.Salutation>],</p> <p>Since you have elected not to respond to the Board's initial courtesy letter and formal violation notice of [<Compliance.Created Date>] and _____, the Board will impose a fine of \$100 per day beginning from the date of this letter which is [<TodaysDateShort>] until either the violation is remedied or the cumulative fine reaches \$1,000.</p> <p>Violation: [<Compliance.Violation>]</p> <p>If you remedy the violation before the fine reaches \$1,000, please notify [<ManagementCompany.Name>] right away so the remedy can be verified and the fining stopped as of the date of the remedy.</p> <p>Please be advised that you may appeal this decision to the Rules Enforcement Committee. You must request a hearing within 14 days of the date of this letter. Notice of your request for an appeal must be received by [<ManagementCompany.Name>] within 14 days. Your request for an appeal may be sent by US mail or by email to [<Employee.SP Employee Email Manager>].</p> <p>Again to reiterate, the daily fine begins on [<TodaysDateShort>] and will continue until the violation no longer exists or your fines reaches \$1,000. The Rules Enforcement Committee is not authorized to grant you more time to remedy this issue.</p> <p>Sincerely,</p> <p><i>[<Employee.SP Employee Name Manager>]</i></p> <p>[<Employee.SP Employee Name Block Manager>] As agent for the Board of Directors</p>

APPENDIX B
SAMPLE RULES ENFORCEMENT FORM LETTERS

5. Rules Enforcement Committee Hearing Notice

[<Company.Name>]
[<ManagementCompany.Name>]
[<CompanyLocation.Address>] [<CompanyLocation.Address 2>]
[<CompanyLocation.City State Zip>]
Phone: [<CompanyLocation.Telephone>] Fax: [<CompanyLocation.Fax>]

RULES ENFORCEMENT COMMITTEE MEETING NOTICE

[<TodaysDateMonth>]

[<ResidentContact.SP Resident Contact Block>]

Property Address: [<Unit.Unit Address>]

RE: [<CompanyRule.Chapter Reference>]

Dear [<ResidentContact.Salutation>],

On (Date) you informed the Board of Directors you wish to appeal their decision to impose a fine. This is to inform you that the Rules Enforcement Committee will meet on (Date) at (Time), at (Place), to hear your appeal regarding the below violation.

Violation: [<Compliance.Violation>]

Based on the statute requirements, this committee can either confirm or reject the fine levied by the Board of Directors. A basis for reducing the cumulative fine would be that the violation has been remedied before the cumulative fine reached \$1,000. Also the committee's decision shall be final and cannot be appealed to the Board of Directors.

Please confirm receipt of this notice to [<ManagementCompany.Name>].

Sincerely,

[<Employee.SP Employee Name Manager>]

[<Employee.SP Employee Name Block Manager>]

As agent for the Board of Directors

APPENDIX B
SAMPLE RULES ENFORCEMENT FORM LETTERS

6. Notice of Rules Enforcement Committee Decision

<p style="text-align: center;">[<Company.Name>] [<ManagementCompany.Name>] [<CompanyLocation.Address>] [<CompanyLocation.Address 2>] [<CompanyLocation.City State Zip>] Phone: [<CompanyLocation.Telephone>] Fax: [<CompanyLocation.Fax>]</p> <p style="text-align: center;">NOTICE OF RULES ENFORCEMENT COMMITTEE DECISION</p> <p>[<TodaysDateMonth>]</p> <p>[<ResidentContact.SP Resident Contact Block>]</p> <p>Property Address: [<Unit.Unit Address>] RE: [<CompanyRule.Chapter Reference>]</p> <p>Dear [<ResidentContact.Salutation>],</p> <p>This is to inform you that the Rules Enforcement Committee met on (Date) to review your fine, which was levied on (Date), because you did not remedy the violation detailed in the Board of Director's letter to you for the violation listed below.</p> <p>Violation: [<Compliance.Violation>]</p> <p>The decision of the Rules Enforcement Committee was to (confirm or deny) the fine of (amount \$).</p> <p>The decision of the committee may not be appealed.</p> <p>Sincerely,</p> <p><i>[<Employee.SP Employee Name Manager>]</i></p> <p>[<Employee.SP Employee Name Block Manager>] [<CompanyLocation.Name>]</p> <p>cc: File Board of Directors</p>
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