

PROPOSED CHANGES TO THE DECLARATION OF COVENANTS

- 1) Amendments – Incorporating all previously-enacted amendments into the new finalized Declaration.
- 2) Structures (5.2) – Defining type and parameters of structures allowed on lots.
- 3) Fences (5.3) – Allowing for more types of fencing.
- 4) Landscaping (5.7) – Allowing for more types of landscaping including Florida Friendly Landscaping practices.
- 5) Parking of Wheeled Vehicles, Boats, etc (5.12) –Strengthening this provision to make clear that all campers, RV, mobile homes, boats, trailers, etc, must be concealed from view if stored on property.
- 6) Signs (5.13) – Clarifying that political signs are only allowed within 30 days of an election. Limiting sale/rent signs to no larger than 2’ x 3’ and no large post with hanging sign.
- 7) Rules and Regulations (7.9) – Allowing the Board to enact reasonable Rules and Regulations.
- 8) Late Charges (4.8) – Allowing for imposition of \$25 late charge for unpaid assessments.
- 9) Assessment Due Date (4.6) – Stating that dues are owed in January, even if collections enforcement does not commence until April.
- 10) Lien Subordination (4.9) – Making the Dec comport with Fla. Stat. 720.3085 which makes mortgagees who acquire title via foreclosure responsible for safe harbor (lesser of 12mos of previous dues or 1% of the mortgage)
- 11) “Magic Language” – Adding language that makes your Declaration incorporate future changes to Florida Statute.
- 12) Lien Signature (4.1) – Allowing an attorney or agent to sign a Claim of Lien instead of only a Director of the BOD. This is simply to expedite the process; liens are always authorized by the board only.
- 13) Special Assessments/Covenant Enforcement (4.5) – Allowing costs and legal fees related to enforcement of covenants to become a special assessment against the violating lot.
- 14) Amenity Center (5.29) – Entering reference to the Amenity Center into the Declaration. It is presently enacted via an amendment. This includes reference to the subsequently-added lots.
- 15) Tenancies (5.10) – Providing that the association must be provided a copy of a written lease agreement for any tenancy and reinforcing that the owner is responsible for the actions of their tenants (already codified in statute).

Not Included:

- 1) Fines – Allowing the board to impose fines for violations. Often the quickest path of resolution vs legal action.
- 2) Suspension – Allowing for suspension of Amenity Center access for delinquent owners.
- 3) Solar – Add reference to solar panels allowable? Create restrictions?