

Rules and Regulations Handbook

As of April 2019

Owners who picked up the Island Estates Owners' Manual (dated April 2018) binder, may want to print a copy of this document to update their binder with the most recent set of Rules and Regulations/Exhibits.

Overview

The purpose of this handbook is to combine, in one easy to utilize document, all rules and regulations which apply to all owners within the Island Estates Neighborhood of Hammock Dunes. This Handbook does not replace, but supplements the legal documents governing the neighborhood.

The specific legal documents which form the basis for this Handbook are:

- **Declaration of Protective Covenants, Conditions and Restrictions for Hammock Dunes**

- **Declaration of Protective Covenants, Conditions and Restrictions of Island Estates Neighborhood**

- **Design Review Manual for Island Estates
Dated May 22, 2017
*(replaces all previous versions)***

Copies of these documents were provided to all Owners at closing and can also be found on the SSMGroupInc.com website, utilizing your user name and password.

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Section I: General Information

A. Role of the HOA Entities

Hammock Dunes Owners Association (HDOA) “The Master”

This non-for-profit Florida Corporation is responsible for operating the entire Hammock Dunes community consistent with the overarching covenants, conditions and restrictions. It is governed by a Board comprised of an elected representative from each neighborhood which comprises the Hammock Dunes community. Board meetings are held the third Monday of each month and the schedule is posted at the beginning of each year. In the event that a neighborhood’s HOA fails to enforce the stated covenant, conditions and/or restrictions, the HDOA may step in and take appropriate corrective actions.

Design Review Committee (DRC)

This committee of the HDOA establishes the initial construction, design and landscaping requirements for all properties, as well as any alterations and modifications to existing structures for each neighborhood within Hammock Dunes. These requirements are contained in the individual neighborhood’s Design Review Manual (DRM) which is periodically updated and reissued. Committee meetings are held the second Monday afternoon of each month and the schedule is posted at the beginning of each year. All new construction and modifications from approved property and landscaping plans must be submitted to this Committee for approval. The instructions regarding the appropriate documentation to be submitted to the DRC is contained in the DRM for each community.

Island Estates Neighborhood Association (IENA)

This non-for-profit Florida Corporation is responsible for operating the Island Estates neighborhood consistent with the legal covenants, conditions and restrictions of both Island Estates and Hammock Dunes. It is governed by a five member Board comprised of elected members of the Island Estates community. The Island Estates Neighborhood Association is responsible for

- Maintaining/improving roadways within its defined boundaries
- Maintaining/improving landscaping within its defined boundaries
- Maintaining/improving the Island Estates Gatehouse
- Enforcement of the Access Control rules and procedures for the neighborhood
- Enforcement of the Declaration of Protective Covenants and Restrictions, as well as the Design Review Manual for the Neighborhood
- Fiscal control and compliance with Florida HOA Rules and Regulations
- Whatever other matters may be appropriate to neighborhood residents.

Board meetings are held the second Monday morning of each month and the schedule is posted at the beginning of each year. A monthly reminder plaque is posted at the Main Gate and Mariner Gate locations approximately one week prior to the scheduled meeting.

B. Role of the Community Association Manager

The Community Association Manager is selected by the IENA to professionally and independently manage the day-to-day business for the homeowners association. For IENA, the community association manager is Southern States Management Group, Inc (SSMG). They are the primary contact for all owners with regards to questions regarding the application of the Rules and Regulations outlined in this Handbook.

SSMG is located at Two Camino del Mar, immediately outside the Hammock Dunes Main Gate and can be reached at 386-446-6333. Carsten Georg is IENA's assigned Community Manager, as well as the assigned contact for any DRC submissions. Carsten can also be reached via email at CGeorg@SSMGroupInc.com.

C. Role of Owners and Residents

Each owner of a home or property located within the Island Estates neighborhood of Hammock Dunes is responsible for being aware of the rules and regulations governing their property in this neighborhood, both at time of initial purchase and throughout the period of ownership. Copies of the legal documents are provided at the time of closing and govern the manner in which the properties within Island Estates are to be developed and maintained. The purpose of these rules and regulations are to ensure that initial construction, design and ongoing maintenance standards are maintained.

The goal of this Handbook is to facilitate access to the rules and regulations governing Island Estates. Accordingly, it should be utilized as a starting point to understand the key requirements applicable to properties in the neighborhood. Whenever owners have questions and/or are unsure how the rules and regulations apply to their particular situation, the assigned Community Manager should be contacted for clarification and guidance. It's always a good idea to ask first and avoid potential conflict and lost time and/or added costs.

Section II: Rules and Regulations

Section A: Access Control

1) Residents/Owners Access

- a) All home/property owners are issued transponders or access cards by SSMG that will automatically open the “resident lane” gates at the Main Island Estates entrance or the Mariner Drive entrance. (See Exhibit A)
- b) Owners may also use the “visitor” entry lane and request the duty officer to open the gate. The duty officer will ensure that the individual is a home/property owner by verifying the information on a government issued photo ID to the Island Estates database.
- c) Residents who do not have a valid Smart Pass are required to show a government issued photo ID so that the officer can verify that they are a resident.
- d) Smart Passes found in the possession of a non-owner will be de-activated. Owners can obtain a replacement by going to the SSMG Main Office and pay the fee for a new Smart Pass.

2) Non-Resident Access Conditions and Passes

All Non-Residents will be denied access until one of the following conditions has been met:

- ✓ Proper authorization received from a resident/owner.
 - To contact Island Estates Gate to provide access approval, call 386-445-0768
 - To contact Hammock Dunes Main Gate to provide access approval, call 386-446-6234
- ✓ Proper authorization received from SSMG.
- ✓ Accompanied by a Real Estate Executive with authorized written approval from the property owner.

3) Permanent Entry Approval List (See Exhibit A)

All owners have the opportunity to provide a listing of individuals and/or companies who are permanently authorized to enter Island Estates and gain access to their property. Any individual and/or company on the Approval List will be provided with a Daily Pass and must comply with access control procedures. The Island Estates Guard will not contact the owner for any individual and/or company on the Approval List. The Permanent Entry Approval List may be updated at the owner’s discretion. So that the Approval List is always current, it is suggested that all owners review their Approval List on an annual basis.

4) Types of Access Passes Issued

- a) A **DAILY PASS** is valid for the date of issue only. A person issued a daily pass may enter and leave as often as they wish but each time they re-enter the property they must return to the same destination as printed on the pass and present photo ID. If they are returning to another destination, then the access verification process is repeated and a new pass with a new destination is printed. Hammock Dunes daily passes will not be accepted for vendors/contractors; they must repeat the access verification process for Island Estates.
- b) An **EXTENDED VISITOR PASS** is only given to visiting family members and weekend guests with resident/owner approval.
- c) A **TEMPORARY TRANSPONDER** will be provided for visiting family members and guests for up to a 30 day period with payment of a deposit which is refunded if the transponder is returned within the 30 day period. At day 31 the transponder is turned off and the deposit is forfeited. The temporary transponder may be obtained at SSMG’s Main Office. Temporary transponders may not be given to vendors or contractors.

4) Contractors

- a) If a vendor/contractor/visitor arrives at the gate and does not have preauthorized approval, the gate officer will contact the resident or intended destination and confirm approval.
- b) Once confirmed, all passengers must show their government issued photo ID to the Duty Officer.
- c) This process is the same for ALL delivery personnel. Whether they are delivering furniture, pizza, etc. The resident will always be contacted and visitor procedures must be followed.
- d) The duty officer will print out the visitor pass and give to the driver before granting entry. Passes are to be displayed on the dashboard of the vehicle while it is on Island Estates property.
- e) **Contractor Rules (A copy is given to all contractors upon entry into Island Estates – See Exhibit A)**
 1. All contractors are responsible for using three (3) 28 inch safety cones. The safety cones are to be placed within approximately 8 feet apart running at an angle from the rear left fender to the curb.
 2. All contractors and passengers must show proper ID to the guard when it is requested.
 3. No parking on adjacent property and/or vacant lots at any time, unless permission is given. No overnight parking in driveways of commercial vehicles (includes cars, trucks and trailers).
 4. No blocking of traffic, any Island Estates roadways or fire hydrants.
 5. The use of adjacent property is prohibited for access or storage of material or equipment.
 6. No dumping of any kind on adjacent empty lots. This applies to landscapers as well.
 7. No dumping or storage of building and/or landscaping materials on community roadways.
 8. Any spills resulting from mixing of chemicals or filling of containers including gasoline and oil on community roadways must be appropriately cleaned.
 9. Any damage from loading/unloading of construction equipment on community roadways will be the responsibility of the contractor and property owner.
 10. No unloading of building and landscaping materials, except on the lawn side of community roadways.
 11. Prohibition of playing of music or other sounds which can be heard on adjacent properties.
 12. Working hours:
 - a. Monday through Friday: 7 a.m. to 7 p.m.
 - b. Saturdays: 8 a.m. to 5 p.m. on Saturdays.
 - c. Sundays: No work is to be performed and entry will not be permitted.
 - d. No admittance on holidays, except for emergencies. (Easter, Memorial Day, July 4th, Labor Day, Thanksgiving, Christmas, New Year)
 13. No vendor is permitted to bring pets on the premises.
 14. No solicitation of any kind, includes flyers, signs, etc.
 15. No speeding through Island Estates. **Speed limit is 25mph.**

5) Limos (either with or without resident in vehicle)

- a) All drivers must provide their photo ID and the limo is checked for any passengers.
- b) All passengers must be verified and confirmed. If the passenger is a resident, verification is required.

6) Contractor entry to Island Estates after entry to Hammock Dunes

- a) All daily passes are checked.
- b) All contractors who registered at the Hammock Dunes Main Gate and require access to Island Estates must go through the Island Estates verification process and are given a new Island Estates pass.
- c) If a contractor is going to multiple addresses in the neighborhood they are required to provide all of the addresses to the duty officer.

7) Real Estate Visitors

A. Prospective Buyers Unaccompanied by a Realtor or Owner/Resident

- a) All prospective buyers must be accompanied by a Realtor. If a prospective buyer is alone, the Security Officer is to professionally and politely indicate that entry into the neighborhood is only allowed when one is accompanied by a Realtor. Should the prospective buyer not have a Realtor, provide a copy of the **Island Estates Broker Listing** and indicate that they may contact any broker on the sheet, who would gladly accompany them on a tour of the Island and indicate which properties (house or land) are currently available for sale. A copy of the Island Estates Ambassador Program materials should also be provided, as well as a copy of the **Welcome to Island Estates** brochure.

B. Owners Instructions Regarding Real Estate Agents Access.

- a) When property (either a residence or land) is for sale within Island Estates, the property owner must notify the Security Personnel at the entrance gate by completing the **Hammock Dunes Real Estate Owners Access Form** – (Exhibit E) and providing it to the Island Estates Gatehouse Supervisor. If the form is not provided, the Security Personnel have no way of knowing that authorization has been provided.
- b) This document will be kept on file in the Island Estates Gatehouse to provide guidance regarding entry to Island Estates. Without this document, Realtors will not be granted access to Island Estates.

C. Realtor Entry to Island Estates

- a) Standard Approved Hours for Realtors, provided Owner approved (Step B, above) and Realtor accompanied: Daily - 7:00 AM to 7:00 PM (including Sat/Sun/Holidays)
- b) Exceptions outside these times should be coordinated with the Island Estates Security Supervisor, so that SSMG and the IE Board can be made aware of the presence of visitors in the community.

D. Realtor with Prospective Buyer *in one car*.

- a) Security Officers are to address the Realtor professionally. If the Realtor and Prospective Buyers are in the same car, the Security Officer should ask the name of the prospective buyers and then welcome them by name to Island Estates. [and provide the Realtor with the "Welcome to Island Estates" materials for the Buyers.]
- b) The driver's license of the Realtor should be requested and compared to the information provided by the property owner on their Hammock Dunes Real Estate Owners Access form. Driver license information is not required from the prospective buyers.
- c) All required information should be recorded in the system.
- d) Provide the Realtor with the "Welcome Realtor" handout.

E. Realtor and Prospective Buyer in *two separate cars*.

- a) Security Officers are to address the Realtor professionally and remind them that since two cars are entering the neighborhood, driver license information will be required from both drivers. The Security Officer should ask the Realtor the name of the prospective buyers so that they can be welcomed by name to Island Estates [and provided with the "Welcome to Island Estates" materials.]
- b) The driver's license of the Realtor should be requested and compared to the information on their Hammock Dunes Real Estate Owners Access form; all required information should be recorded in the system. **REMIND** the Realtor that the prospective buyers must exit Island Estates when the Realtor

departs - they are not permitted to remain within the community unescorted.

- c) Provide the Realtor with the "Welcome Realtor" handout.
- d) Security Officer is to welcome the prospective buyer by name to Island Estates, inform them that their driver's license will be required for registration as part of the security protocol of the community [and provide them with a copy of the "Welcome to Island Estates" materials.] All required information should be recorded in the same.

D. Homeowner hosting a party attended by realtors

- a) Broker's Open Houses are not permitted by current post orders. Nor are multiple broker's open houses on the same day.
- b) A property owner may decide to host a party which is being attended by realtors. Homeowners should contact the Island Estates Gatehouse at least (1) one week prior to the event, providing the date and time (start and end) for the event and the names of all invited guests.
- c) All invited guests should be greeted professionally, their names checked against the invitation listing and provided access to Island Estates consistent with standard visitor protocols.

E. Community (HDOA or IENA) hosted "Realtor Days" or "Ambassador Days"

These HOA-initiated events will be coordinated through the respective Boards, with all information regarding timing, participants, and access to be provided through SSMG. Residents will be made away of the special events prior to their occurrence.

8) Special Events/Parties

- a) Owners should provide date/time and a list of names to the Main Gate to expedite the access control process and to ensure that sufficient resources are on hand to support the event.
- b) Standard non-resident access control verification will be in place.

9) Motorcycles

- a) Visitor or vendor motorcycles are not permitted in the Community.
- b) Property owners may operate motorcycles; however they must be registered in the motorcycle log located at the Island Estates Main Gate.

10) Nuisance Vehicles

- a) The Hammock Dunes CC&Rs define any vehicle whose top speed is 35 mph or less as a "nuisance vehicle." This definition includes electric golf carts.
- b) All such vehicles must be registered with the HDOA with the following information being provided: make, model and registration number, current valid license plates, and documentation of insurance coverage.
- c) Vehicles can only be driven by a licensed driver on all Hammock Dunes' community properties.
- d) No rented vehicles will be permitted in Island Estates.

11) Motor Homes

- a) Non Resident Motor Homes are not allowed overnight on Island Estates Property.
- b) Resident Motor Homes are permitted for 24 hours (to load and unload) on a limited basis. NOTE: The patrol officer must be informed of any resident motor homes and their arrival time.

12) Moving Trucks

- a) Owners should inform Security regarding any moving trucks, van lines with information regarding the name of the movers, number of vehicles and expected arrival date(s).
- b) Moving trucks may not block traffic access on Island roads and must follow the rules applicable to all Contractors.
- c) Moving trucks/van lines may not park overnight within Island Estates and will not be allowed on the Island on Sundays.

Section B: General Activities

(Enforcement by IENA)

1) Garbage/Recycling and Yard/Other Pickup

- a) Garbage receptacles are subject to the following criteria: place no earlier than the day prior to pick-up and remove same day of pickup. Current pick up days: Monday and Thursday.
- b) Lawn, yard and other debris are subject to the following suggested criteria: place no earlier than the day prior to pick-up and remove same day of pickup. Current pick up day: Wednesday.
- c) Receptacles, lawn, yard and other debris should **ONLY** be placed on the property's driveway or right of way; **NEVER place in the roadway, on adjacent vacant lots, or on common property**. Such deposits will be treated as litter in accordance with Florida Litter Law 403.413.

2) Vehicles

- a) **SPEED LIMIT IS 25 MPH THROUGHOUT THE NEIGHBORHOOD.**
- b) Owners are not to circumvent established access control procedures by facilitating the "frontgating" or tailgating of vehicles via the Mariner Drive Resident Only gate. A security rover will be sent to the property and the violator(s) will be required to exit Island Estates and re-enter through the Main Gate once the visitor access control procedures are completed.
- c) No parking of trucks, commercial vehicles, buses, RVs, mobile homes, boats, jet skis, lawn movers, campers or trailers unless in an enclosed garage.
- d) **No overnight on-street parking.** Personal passenger vehicles may be parked on paved areas of a lot, provided no lettering or signs are on vehicle(s).
- e) Garage doors are to remain closed except for access and egress. (You don't want wildlife visiting!)
- f) No maintenance or repair of vehicles except for a 2 hour period in an emergency.
- g) No golf cart, moped, motor bike, minibike, ATV or go cart may be operated within Island Estates unless the vehicle is registered with the State of Florida and bears a valid tag. If not tagged, it is treated as a nuisance vehicle and is prohibited as it is not "street legal." It must also be registered as identified in Section A - Part 10.
- h) Non-owned motorcycles are prohibited as a nuisance vehicle.
- i) Owner motorcycles must be registered at the Island Estates Main Gate. (See Exhibit D)

3) Animals

- a) No endangerment of threatened or endangered animals without governmental approval.
- b) No hunting of any type.
- c) No livestock or poultry may be maintained on properties.
- d) No more than 2 domesticated household pets.
- e) Pet must be leashed when outside of property and only walked in designated areas (street and center island parks). Owners should pick up after their pets and appropriately dispose of the waste.

4) No use of Common Areas without written approval

5) No commercial mining or drilling. No dredging without prior consent.

6) No unreasonable noises; no nuisance, immoral or illegal acts within the neighborhood.

7) No trade, business, professional office or any commercial activity allowed other than approved sales model.

- 8) No activity on any lot that would cause increases in insurance rates.
- 9) Hurricane shutter usage is subject to the following suggested operational criteria for full time residents:
Close no earlier than the official hurricane watch and open or take down within seventy-two (72) hours after the official watch is lifted. Plywood hurricane barriers are discouraged and may be installed only during an official hurricane watch. Part-time residents and residents on vacation may close hurricane shutters upon departure and reopen them upon return.

**Section C: Ongoing Property and Landscape Maintenance (including vacant lots)
(Enforcement by IENA)**

1) General

- a) All structures to be kept in good, safe, clean, neat and attractive condition with ongoing timely maintenance and repair of all portions of lot and dwelling.
- b) Property casualty repairs are to be completed as promptly as possible.
- c) Roof and exterior of home, as well as driveways and walkways are to be periodically power washed to remove grime.
- d) No dumping on any lots – improved or vacant at any time. Florida Litter Law 403.413 will apply.

2) Drainage

- a) No obstruction of drainage; swales maintained by the IENA.
- b) The IENA has right of access to maintain drainage swales.

3) Landscape

- a) Lot owner responsible for lawn or landscaping to edge of pavement.
- b) Maintain the trees, sod and landscaping in an acceptable manner to the edge of pavement, including plantings and irrigation within the road right-of-way.
- c) No injury or destruction of protected trees or root systems and no removal of trees over 3" diameter without approval.
- d) All planting areas shall be covered and maintained with three (3) inches or more of pine or cypress mulch or other suitable material approved by the DRC. Organic materials are preferred, but crushed stone or other natural mulch material may be considered. Colors are suggested to be darker earth tones.
- e) No weeds or unsightly growth or refuse on the property; all yard trimmings to be promptly removed.
- f) All lawns are to be maintained and have a properly functioning irrigation system.
- g) Only biodegradable fertilizers, pesticides and chemicals approved by EPA and FL DER should be used.
- h) No burning of yard debris.

4) Invasive Plant Species

- a) All properties, including vacant lots, shall remove and prevent invasive plant species. (Examples include: brazilian red peppers, bamboo)
- b) Contact the DRC prior to removal to determine if replacement plantings will be required.

5) No use of surface water for irrigation. The D.C.D.D. may impose additional charges for excessive water usage.

6) No objects or shrubs in road Right Of Way without DRC Approval.

7) Only Mailboxes that meet postal location requirements and Island Estates DRC requirements are allowed in road Right of Way. The homeowner shall maintain the approved mailbox in a clean and attractive manner, free of rust and discoloration. (See Exhibit B)

8) No disturbance of wetlands unless approved.

- 9) No encroachment or impact on common property.
- 10) Any subsequent modification to driveways, including painting and/or change of material, color or finish, must be approved by the DRC.
- 11) Any modifications to approved Landscape or Home Design plans must be submitted to the DRC for approval.
- 12) All requirements set forth in “Section F: Landscaping” also apply as ongoing criteria for maintenance of property.**
- 13) All requirements set forth in “Section H: Design” also apply as ongoing criteria for maintenance of property.**
- 14) HOA Authority**
 - a) The IENA has the Right of Entry to each property to make **emergency repairs** to prevent damage to a Common Area or another property.
 - b) The IENA has the power to enter, make repairs, charge and lien owner in event of failure to maintain premises or landscaping in good, clean, neat, safe and attractive condition.

Section D: Assessments

- 1) All owners are responsible for timely payment of the monthly assessments, as well as any special assessments levied by the IENA Board. All owners receive timely annual notification following the approval of the annual IENA budget and the related HOA fee for the subsequent calendar year. This notification generally occurs late November/early December.
- 2) Owners have several options with regards to payment of their monthly assessments:
 - a. One-time payment on/before January 15th for the assessment year.
 - b. Monthly payments due the first calendar day of each month.
 - c. Options for payment include
 - i. ACH: approval is given to SSMG to automatically ACH debit the owners checking/savings account for the monthly HOA fee.
 - ii. Bank Initiated: owner initiates the monthly HOA payment electronically through their bank.
 - iii. Check sent to a lock box: owners send a check for the monthly HOA fee accompanied by the SSMG provided monthly coupon.
 - iv. Pay online with a credit card or Paypal
 - d. Timely payment is defined as monies received by SSMG by the 15th calendar day of the month.
 - e. Late fees will be applied commencing on the 16th calendar day of the month.
 - f. Owners are encouraged to promptly contact SSMG to resolve any late payment issues.
- 3) Delinquent accounts
 - a) Accounts are deemed delinquent when two monthly payments have not been received.
 - b) Delinquent accounts are referred to an attorney for commencement of collection efforts.
 - c) In the event payment is not made, owners are responsible for all costs of collection, including interest, late fees, as well as attorney and court costs.

Section E: Leasing

(Enforcement by IENA)

- 1) Leasing is restricted to once in 12 months for a period not less than 3 month or more than 2 years.
- 2) Written notice and a copy of lease agreement must be on file with the community association manager.
- 3) In the event that the Island Estates Rules and Regulations are not being complied with by either the property owner and/or the tenant, the IENA may take all enforcement actions provided for in the Declarations against both the property owner and the tenants, up to and including eviction of the tenant.
- 4) In the event that the property owner fails to make payment of HOA fees, Florida Statute provides the IENA with the right to demand payment of rent directly to the IENA to cover such delinquency.

Section F: Landscaping

(Initial enforcement by DRC; thereafter by IENA)

- 1) No gravel, blacktop or paved parking strips unless approved.
- 2) **Plantings**
 - a) Maximum use of indigenous plants is encouraged.
 - b) Landscape buffers are required on side lot lines and are encouraged to be accomplished with preservation of existing vegetation. Where natural vegetation is nonexistent or is removed, new buffer plantings will be required from front of home to end of pool area.
 - c) All plantings and trees shall equal or exceed the standards for Florida No. 1, as given in "Grades and Standards for Nursery Plants" Parts I and II State of Florida Department of Agriculture and any amendments thereto.
 - d) Only sod may be used. Either St. Augustine grass (*Stenotaphrum secundatum* 'Floritam' is recommended) or Empire Zoysia (*Zoysia Tenuifolium* is recommended) unless otherwise approved. No astro turf may be used.
 - e) Washingtonian palms will not be permitted in landscape installations.
 - f) Invasive species are not permitted. Examples include brazilian red peppers, bamboo.
 - g) Shade trees shall not be planted in locations that would immediately or in the future create a nuisance, significantly shade a pool, or screen the view of an adjoining lot.
 - h) The preservation of existing natural vegetation, use of native plant material, and use of xeriscape principals is strongly encouraged to minimize water usage.
- 3) Irrigation required: the landscaped area of the home site must have a functional automatic underground irrigation system tied into the D.C.D.C. irrigation water supply. No wells are permitted.
- 4) **Mailboxes**
 - a) All mailboxes and stands shall be one of the DRC approved mailbox styles for Island Estates. See Exhibit B.
 - b) The homeowner shall maintain the approved mailbox in a clean and attractive manner, free of rust and discoloration.
- 5) **Any** planned modifications to an existing property that changes the DRC-approved landscape plans for the home requires submission for approval to the DRC. Such modifications include, but are not limited to, removal/addition of trees, shrubs, hardscaping. It is especially important to contact the DRC **prior to** modifying/removing any landscaped buffers between homes.

Section G: Construction

(Enforcement by DRC)

1) Pre-Approval required for any construction or alteration.

- a) Design, construction and remodeling of a home, swimming pool and/or spa, dock, or other building, or other improvement that affects existing exterior architectural features, foot print and/or square footage, or exterior appearance in any fashion in Island Estates, requires a DRC submission for approval.
- b) No construction of a building or structural improvement, no clearing, landscaping or other site improvement, and no alteration or addition to any existing structure or site improvement shall be made on any property until the plans and specifications showing the proposed design, are completed and approved.

2) Approval or rejection by the DRC does not imply approval by government entities or building codes.

3) Contractors Utilized

- a) Architectural plans for each home must be designed by a REGISTERED FLORIDA ARCHITECT and must be submitted and approved.
- b) A site plan/survey must be prepared by a REGISTERED FLORIDA LAND SURVEYOR and be approved; all buildings & other improvements shall be placed as approved.
- c) Contractors must be Florida licensed and meet rules specified in DRM.
- d) All construction to be done by a DRC-approved General Contractor with demonstrable experience in building custom homes.

4) All owners and builders shall be held responsible for the acts of their subcontractors, sub subcontractors, material men, suppliers, laborers, or agents of any tier, or their respective employees and any other persons or parties involved in the construction or alteration of a home site.

5) CONSTRUCTION PORT-O-LET screening is required during the construction period.

6) General HOA Authority

- a) Should the DRC find any construction and/or improvement was not in substantial compliance with the approved submittals, the HDOA or the DRC may, after reasonable notice, remedy or remove the non-complying improvement and seek any remedy permitted as outlined in the CONSTRUCTION AGREEMENT or otherwise permitted by law.
- b) Completion of Construction. If work is discontinued or no substantial progress is being made, HDOA may give notice and complete or demolish such construction. The HDOA may delegate any of its rights and powers to the IENA.

Section H: Design

(Enforcement by DRC during initial build; subsequently by IENA)

1) No subdivision of lots is allowed.

- a) Minimum Setbacks are specified in Plat and C&R, otherwise building placement at discretion of the DRC.
- b) No alteration of drainage or change in grades or elevations without approval.
- c) An Owner of two or more adjoining lots may make application to combine platted lots into a larger home site. (HOA fees remain for all lots combined)
- d) Retention basins are to be located entirely within the home site. Retention basins of adjoining properties may be connected by mutual written agreement of the owners as long as the proper treatment volume has been provided on each home site. No retention basins are allowed within any wetland.

2) Design theme

- a) The architect should strive to reflect a pure and simple, yet elegant, tone to the design of an Island Estates home. All new construction and alterations must follow a design theme similar to the existing Island Estates homes and landscaping.
- b) The overall design theme within Island Estates will be a community of quality homes and buildings with tasteful and aesthetically pleasing architectural designs that are harmonious with surrounding structures and topography.
- c) A sense of timelessness should be incorporated into the design. Faddish or weak interpretations should be avoided.

3) Single Family Residential use only

- a) Only one (1) residential dwelling per lot.
- b) Minimum Dwelling Unit Size of 3,000 sq ft of air-conditioned enclosed living space. plus an enclosed garage for minimum of two (2) cars.

4) Exterior Building Requirements

- a) Recommended exterior materials shall be stucco or similar and stone. Brick, stone and ceramic tile may be used as accents. Metal or vinyl siding is prohibited.
- b) The color palette for Island Estates is subdued earth tones and subtle pastels,
- c) Flat roofs are not permitted. All pitched roofs shall be terra cotta barrel, slate or concrete tile. Roof pitches must be a minimum of 5/12 slope.
- d) Standards for chimneys set forth in the DRM must be adhered to.
- e) Garages and Garage Doors specifications set forth in the DRM must be adhered to.
- f) Hurricane shutter installations must be reviewed and approved.
- g) Finished floor elevations must be pre-approved. Minimum floor elevations are specified in Plat Agreement for Island Estates.
- h) Maximum building height of 35 feet.
- i) No window air conditioning units shall be permitted where visible from the street or any adjoining property.

5) Other Exterior Requirements

- a) No individual wells. GEOTHERMAL CLOSED LOOP SYSTEMS that meet specific system requirements are permitted.
- b) All utility lines must be underground.
- c) All exterior mechanical equipment must be concealed from view by walls of the same material, design scheme and color as that of the building and by screen landscaping sufficient to provide a permanent screen from view of surrounding property. Walls should be either attached to, or no more than 6 inches, from the home structure.
- d) Solar energy collectors, although allowed by Florida statutes, shall be submitted to for review for type, kind, color and location only.
- e) Water Conservation Practices: only low volume plumbing fixtures are to be installed.
- f) Garbage and trash containers must be screened from view.
- g) Screening or underground burial of trash, oil, gas, AC and pool equipment required.
- h) All exterior lighting shall be limited to the minimum necessary for safety, identification, and decoration. Exterior lighting of buildings for security and/or decoration shall be limited to concealed up-lighting or down-lighting. The style and type of lighting shall not be visible from streets and other common areas, and no color lens or lamps are permitted. No lighting of outdoor recreational facilities, except swimming pools and/or spas, is permitted unless site conditions warrant special consideration by the DRC.
- i) No satellite dish greater than one meter (39") for transmission or reception of television signals or any other form of electromagnetic radiation shall be erected where visible from the street. Satellite dishes one meter (39") or less may be placed on a lot, but advance notice to the DRC as to location, color, and screening is required.

6) Accessory Structures

- a) DRC may allow accessory structures in the rear yard setback area for viewing or access to the water such as boat docks, boathouses, viewing decks, gazebos, walkways and similar structures.
- b) Swimming Pools, decks, patios etc must be approved. Swimming pools and cages/screening shall not be visible from the street front.
- c) Pool cages/screening shall be of a color (bronze black or white) and a material approved by the DRC.
- d) Docks and use of waterways regulated by other governmental entities, but must also be approved. Roof Tiles, if applicable, shall be the same as used on the residence.
- e) No portable buildings, tents, trailers or other temporary buildings other than construction shed or trailer for a period of less than 6 months.
- f) No garage shall be converted to other usage without the substitution of another garage. No carports are permitted.

7) Yard Related Items

- a) Tree houses or platforms and similar structures shall not be constructed unless approved.
- b) No water fountains, bird baths, frog ponds, flag poles, lawn sculpture, artificial plants, bird houses, rock gardens, or similar accessories and lawn furnishings (benches, tree swings, etc) without prior approval.
- c) Paved driveway of stable and permanent construction of at least 12 ft in width. Curb shall be repaired in an orderly fashion. All concrete driveways shall have a light broom finish.
- d) No flagpoles without HDOA approval that comply with Florida Statutes.

- e) No Walls and Fences unless approved by DRC and are within the standards specified in the DRM.
 - f) All basketball backboards and any other fixed games and play structures are subject to approval by the DRC and shall be located within the prescribed building envelope of the home site and at the **side or rear** of the building **not visible** from the street, or on the inside portion of the corner homesites within setback lines. Portable basketball backboards may be used in the front driveway provided that they are **collapsed and stowed out of sight from the street within the property boundaries when not in use.**
 - g) No signs of any type without approval.
 - h) DRC approved construction signs and security protection signs are only permitted within 10 ft. of the front and rear doors of the residence.
- 8) **Changes from existing condition and/or approved home/landscape plan:**
- a) Any home site that is altered from its natural state must be landscaped according to plans approved by the DRC. All shrubs, trees, grass, and plantings of every kind must be well maintained, properly cultivated and free of trash and other unsightly material.
 - b) Any planned modifications to an existing home that changes the DRC-approved plans for the home requires submission for approval to the DRC. Such modifications include, but are not limited to, change in color, structure, materials (doors, windows), or additions (garages, pools, pool cages).

Section III: Enforcement Process

A. Violation Process

The IENA, through its Community Association Manager, SSMG, manages the day to day business of the HOA. One of the key responsibilities of SSMG is monitoring and enforcing the rules and regulations pertaining to the homes and properties located within Island Estates. A standard process is followed with regards to all violations of the rules and regulations. The desire is to achieve a timely resolution to the violation(s).

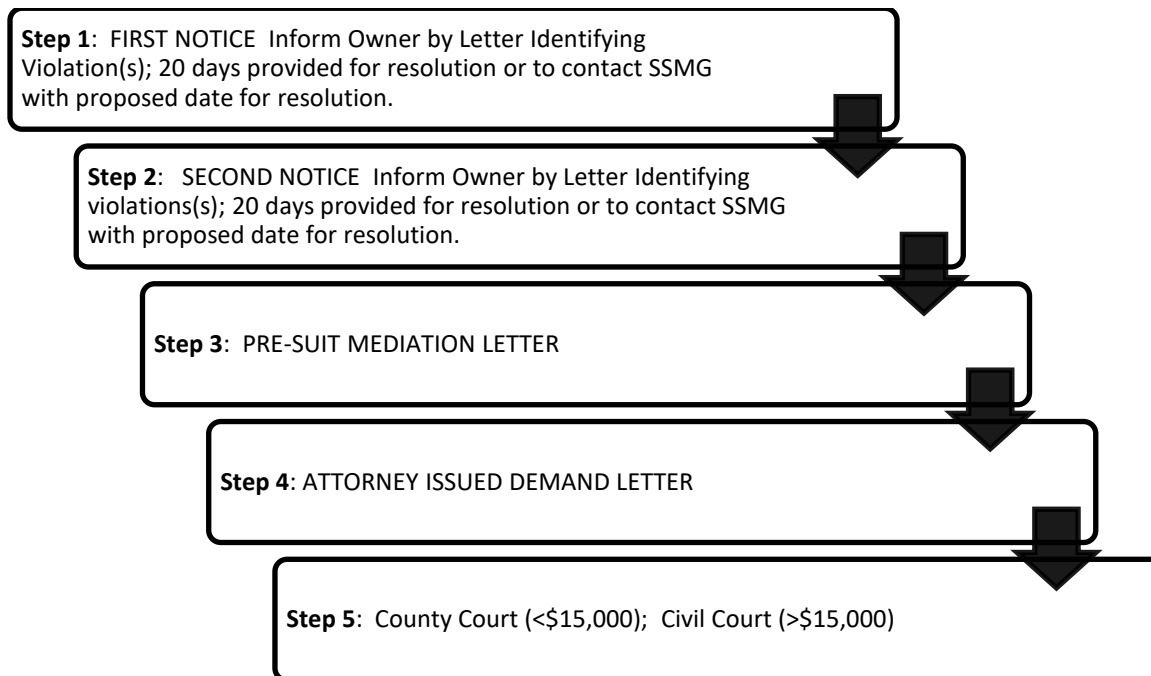
Step 1: Owner is informed and provided with options to address the issue.

Step 2: If no response/resolution a Second Notice is issued, once again providing options.

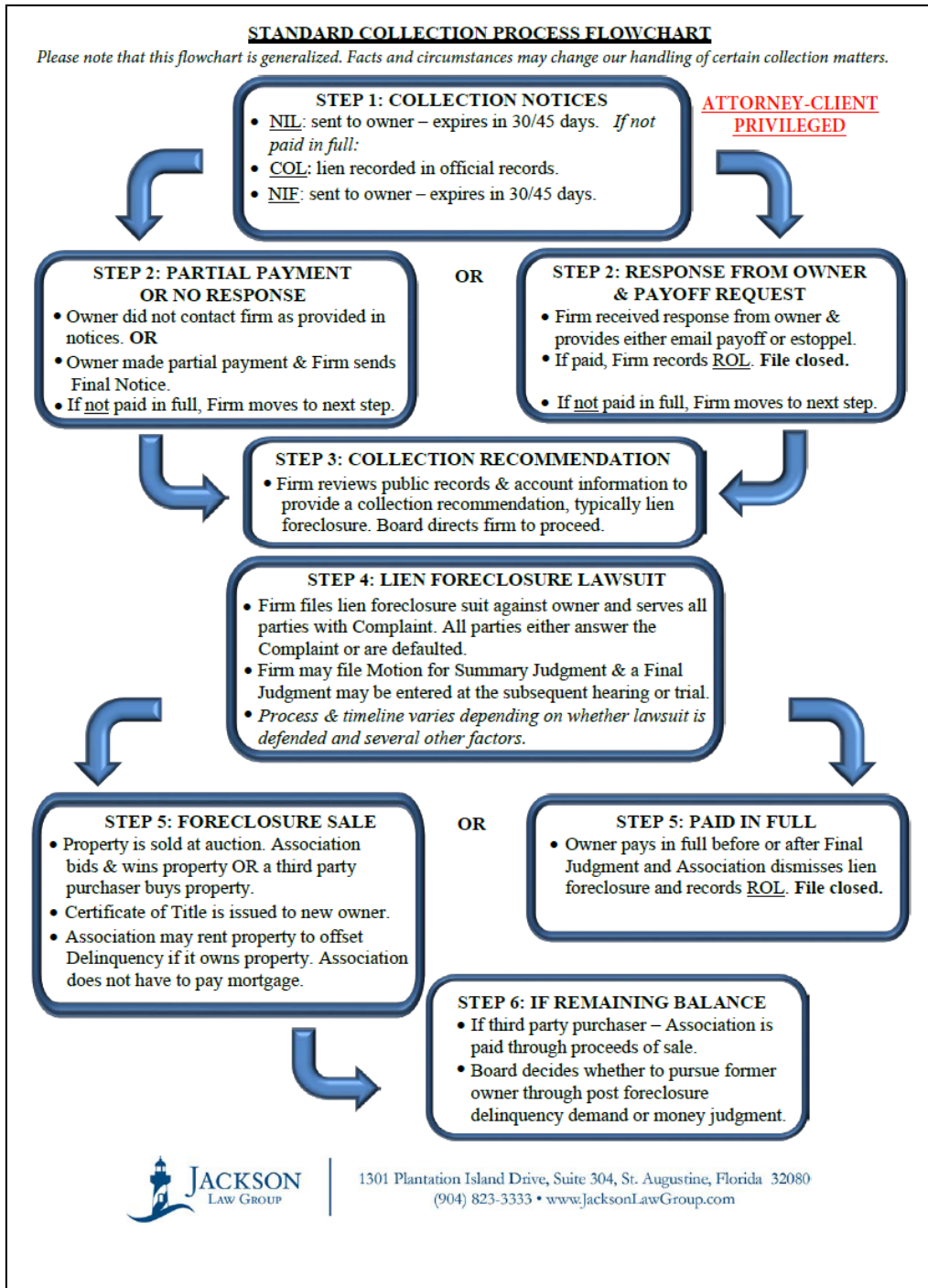
Step 3: If no response/resolution, pre-suit Mediation is pursued.

Step 4: Demand Letter is issued.

Step 5: Civil Suit is pursued.



B. Collection Process



Section IV: Exhibits