

I) Introduction

Costa del Sol is a Community of sixty-two (62) privately-owned attached villas governed by a Condominium Association. Unlike a HOA Community where each resident owns a fraction of the Common Assets, in a Condominium Community the Common Assets are the responsibility of the Association. Here in Costa del Sol the property is actually divided into three distinctive areas: (1) Common Elements, (2) Limited Common Elements, (3) Private Areas. There seems to be little ambiguity about the ownership of Common Elements and Private Areas. But the Limited Common Elements are often not as well understood. The following are considered Limited Common Elements under the Covenants of Costa del Sol:

- ❖ Driveways, landscaping in front of the Villa, sidewalk and exterior walls. The Association is responsible for all maintenance of these areas. The homeowner is restricted from adding decorations or making changes without the approval of the Board of Directors.
- ❖ Exterior lighting is the responsibility of the Association. No changes may be made without the approval of the Board of Directors.
- ❖ Tower structure with its portico top supported by four pillars. The Association is responsible for maintenance of this area, including painting. By prior legal interpretation, the tower color, both inside and out, must conform to the exterior color palette.
- ❖ Lanai, which though used exclusively by the homeowner, must conform to the exterior color palette.

For most of us who have lived in more traditional single family homes, our first experience in a Condominium Association requires some adjustment. We quickly recognize the many advantages of a joint enterprise, where routine tasks such as landscaping and exterior property maintenance are managed for us. Typically, the result of this arrangement is lower individual cost. But enjoying these benefits also brings some clear responsibility to adhere to the documented covenants, by-law and Condominium Association Board decisions. Florida law requires that copies of these By-Laws be provided to the buyer at time of purchase. Therefore, legally, we all agreed to embrace and comply with these documents as a condition of our purchase in Costa del Sol. This compliance applies to family members, relatives, guests and lessees, if any. **As owners, we share in the liability that goes hand-in-hand with non-compliance.**

II) COVENANTS, BY-LAWS AND BOARD RULINGS

Pelican Landing's Master Association promulgates Rules & Regulations that apply to every resident and guest of the development. Costa del Sol's documents are intended to complement, no duplicate, those of Pelican Landing. While the working in both documents may differ, the intent remains fundamentally the same.

The following summary of Rules, Regulations, Policies and Procedures are derived from the current governing documents, whether from Pelican Landing or Costa del Sol, and from the decisions of appropriate Boards, including PLCA, CDD and Costa del Sol. It is the responsibility of all owners, family, guests and lessees to comply with these Rules and Regulations. **All of these Rules are for the common good; no individual owner can decide which rules to follow and which rules to ignore.**

Where Regulations have been ignored because of a lack of clarity by the Association or ignorance on the part of the homeowner, for the betterment of the community, action needs to be taken jointly by the Association and the homeowner to rectify the misunderstanding.

A) Occupancy and Use of Units

1) Leasing and Renting

- a) All units in Costa del Sol are single-family residences, no part of which may be rented for compensation or commercial purposes.
- b) Use by family and friends without the owner's presence requires the completion of the Family and Guest Notification Form.
- c) Time shares are not permitted.
- d) Leases are permitted no more than three (3) times per year, and each lease must be for a minimum of thirty (30) days. Lessees cannot sublet for any period. If a lessee uses the villa for just a week, the thirty (30) days minimum still applies and it cannot be rented until the period is completed.
- e) When a resident intends to rent his unit, an application must be completed and submitted in advance, along with the applicable processing fee to **Resort Management**. **Resort Management** will in turn insure that the appropriate notification is given to Pelican Landing.

- f) The same Rules that apply to owners also apply to all relatives, guests and tenants. Homeowners and residents must not permit anything that constitutes a nuisance, such as excessive noise, interference with the rights of other owners, increased risk and/or liability; commit improper or illegal acts within Costa del Sol. It is the owner's responsibility to ensure that lessees and guests know the Rules and Regulations.

2) Garages and Parking

- a) Only personal automobiles and passenger-type vans are allowed. Pick-up trucks and commercially designated vehicles are prohibited unless they are parked within the garage.
- b) Any unregistered, Unlicensed, uninsured vehicle, moped, dirt bike, motorbike, go-cart, scooters, all terrain vehicle, pocket bike, razor bike, motorcycle, tricycle, Segway, etc. is prohibited in Pelican Landing.
- c) Boats, trailers, recreational vehicles, recreational apparatus, motorcycles, must be parked in the garage or stored off property.
- d) For purposes of appearance, security and pest and rodent control purposes, garage doors should be fully closed at all times except when entering or exiting the premises.
- e) Driveways may be used for the additional parking of one automobile. These vehicles must be well maintained, operable and properly licensed to remain on the premises. No motor vehicle that cannot operate on its own power shall remain on Association property for more than twenty-four (24) hours and no repair of any motor vehicle shall be made on site except in an emergency.
- f) No motor vehicles can be left on the street after 11:00 p.m.
- g) Overnight parking on the street is not allowed from 11:00 p.m. to 6:00 a.m. Infractions will be addressed and corrected, including towing of the vehicle of the owner's expense.
- h) No vehicles may park on the circle near Greenview Drive since this is an emergency entrance for fire trucks and ambulances.
- i) Parking on the grass is not allowed. Infractions will be addressed, corrected and appropriate fines imposed. Among damages caused by parking on the grass are broken sprinkler

heads. Replacement costs for these broken sprinkler heads will be billed to the owner where the violation occurred.

- j) Any improperly parked, illegal, unauthorized, unregistered vehicle otherwise prohibited by these Rules or the Condominium Documents shall be towed from the property. All costs associated with towing, transporting or storing the vehicle shall be borne by the vehicle owner and/or the owner of the unit to which the vehicle relates. The Association shall not have any liability for damages (either property or otherwise as a result of authorizing the removal of improperly parked or unauthorized vehicles from the condominium property.

3) Lanais

- a) When owners are away for an extended period, furniture and all other objects must be brought indoors for storm/hurricane protection, unless hurricane storm shutters approved by the Design Review Committee (DRC) of Pelican Landing are installed and lowered.
- b) Lanais may not be used to dry beach towels, bathing suits and any other clothing.

4) Pets

- a) More than two (2) pets per unit is prohibited (fish excluded)
- b) Guests or renters are prohibited from having pets.
- c) Loud prolonged barking is extremely annoying to other residents and will not be permitted. This behavior must be addressed by the pet owner.
- d) Pets must be kept leashed when outside the units
- e) The owner of every animal shall be responsible for the removal of any excreta deposited by his animal on Association and/or adjoining properties. Such deposits create a nuisance injurious to public health as defined in Florida State Chapter 386.

B) Grills

- a) Charcoal or propane gas type grills are not allowed on lanais, driveways or garages due to the associated combustion hazard.
- b) Florida laws prohibit storage of propane gas in garages and any other enclosed space(s).

TRASH REMOVAL

1. Effective October 1, 2005, **trash is collected on Friday.** No containers should appear at the end of the driveway before 5:00 p.m. on Thursday. All containers must be retrieved by 5:00 p.m. on Friday. If you are unable to retrieve these containers are required, please ask your home watch service or neighbor to do so.
2. Recycling collection and horticulture waste (garden trash) has been moved to Thursday. Horticulture waste (garden trash) must be cut into small pieces, secured or in a 40 gallon or less container. Unbundled or untied palm fronds may be placed at curb neatly stacked up to 50 pounds. Recycling materials and horticulture waste may appear on Wednesday after 5:00 p.m. It is not in our lawn maintenance contract for the company to pick up your garden trash. Failure to comply not only impacts the appearance of the community; it also increases rodent, pest and insect infestations.

Safety

Safety is a major concern in Costa del Sol. Everyone wishes to prevent injury and minimize risk to health and well being.

1) On-Going

- a) The Association must retain a pass key to all entry locks or all residential units in order to gain entry during an emergency (i.e. water leak, lighting strike, etc.) These keys will be kept by the Property Management Company.
- b) The Association needs an **emergency telephone number and key holder's name** for each owner. That number may be your home-watch service or your neighbor who has a key to your residence and to the alarm system. **We live in attached villas; a danger in one residence could pose a serious danger to all residents in that building.**
- c) When you are leaving for extended periods, check with your home watch service concerning a comprehensive list of what should be done to meet insurance requirements and for conventional safety practices.
- d) Electrical surge protectors are useful in protecting your small appliances and computers. Lightning strikes are almost a daily occurrence during the rainy season (June-September).

- e) In addition to the fire extinguisher at the entrance to each villa (checked annually by the Fire Department), we strongly suggest that you have a fire extinguisher in your kitchen. A high percentage of all house fires originate in the kitchen.
- f) It is a violation of Florida State Law to keep flammable, combustible or explosive substances, liquids or chemicals in any residential unit or garage. **The Fire Marshall will strictly enforce this law.** Yearly inspections by the Fire Marshall may be required and resulting fines could be substantial.
- g) No firearms shall be permitted to be discharged any place upon the Association property except as might be permitted to the extent of an emergency under the applicable laws of the State of Florida. "Firearms" for the purpose of this document shall include, but not be limited to rifles, shotguns, pistols, B-B guns and slingshots.

2) Hurricane Preparation

Protection of property is the responsibility of every homeowner. Before departing for the season, or when hurricane watches are issued, every homeowner must:

- a) Remove all furniture, flower pots, decorative pieces, hanging pieces and wall-hangings from **both** the lanai and the courtyard. If approved hurricane shutters are lowered, items may remain on the lanai.
- b) All front entrance items including flower pots, benches, door decorations, and wall hangings should be moved inside.
- c) Roll up garden hoses in secure fashion and place in the garage area.
- d) Ensure that your key holder or home-watch service checks before and after a storm.

E) Common Areas

1) Plantings

- a) Individual owners **can no longer plant or remove** any trees, shrubs, perennials, vines or other permanent plants on Common Property specifically in front, side or back of their units.
- b) Courtyards are not considered Common Property and are therefore not affected by this policy.
- c) Owners may plant annual flowers in the front and back of their units if they agree to care for the flowers and remove them before leaving for the season.

- d) The expense of pruning and maintaining palms and other plants already planted by an individual owner or a previous owner is the responsibility of the present homeowner. If the new homeowner wishes to have those plants removed, the Association will incur a one-time cost of removal.

2) Signage

- a) With the exception of signs used or approved by the Board of Directors, no signs, advertisements, notes or letters may be displayed, exhibited, inscribed, painted or affixed in, or upon any part of the Common Elements or any part of a unit so as to be visible outside of the unit.
- b) Security signs, real estate "Open House" signs, and approved real estate signs are permitted. Other types of "For Sale" signs or "For Sale by Owner" signs are not permitted.

F) Miscellaneous

- 1. Window tinting for purposes of energy conservation is permitted. Reflective or foil window tinting is prohibited on all exterior windows.
- 2. Seasonal decorative lighting may be displayed between Thanksgiving and January 31st only.
- 3. Garage, estate, yard or other household sales are not permitted anywhere in Costa del Sol.
- 4. Visible clotheslines are not allowed.
- 5. Antennas aerials and satellite dishes are not permitted to be placed anywhere on the Common Elements. Wherever these items are placed, written approval of the Board of Directors must be obtained prior to installation.
- 6. Owners must realize that they bear the responsibility for attorney's fees, costs, damages and possible fines for violations of the governing documents or these Rules caused and/or committed by their tenants, family members, friends, guests and invitees.

III) Conclusion

May of us as new homeowners may not be fully informed about the applicable covenants and historical Board rulings. The Board is committed to ensuring that the will of the majority is upheld. We will be happy to furnish you with the relevant documents currently in force.