

LAKE TALLAVANA

TALLAVANA HOMEOWNERS' ASSOCIATION

A Compilation of the Governing Documents for Lake Tallavana

Introduction

This compilation of the Restrictive Covenants, Articles of Incorporation, Bylaws, policies, rules, and regulations has been prepared for the convenience of members of the Tallavana Homeowners' Association. This is not a legal document and does not reflect variations that may exist in the legal wording of the Restrictive Covenants from lot to lot. For legal matters, always refer to the specific legal documents applicable to your property. This is only intended as a convenient reference for general informational purposes. (Note that the terms "homeowners" and "property owners" are used synonymously throughout this document. Also, the terms "rules" and "policies" are used synonymously throughout this document.)

From time to time, property owners within Lake Tallavana ask about the authority under which the Tallavana Homeowners' Association and Architectural Control Committee can operate. Briefly, both of these entities are authorized by the Restrictive Covenants, which apply to every lot and parcel of land within the community known as Lake Tallavana in Gadsden County. By virtue of buying property within the Lake Tallavana Community, property owners automatically become members of the Tallavana Homeowners' Association and agree to abide by its Covenants, Articles of Incorporation, Bylaws, policies, rules, and regulations.

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LAKE TALLAVANA

TALLAVANA HOMEOWNERS' ASSOCIATION

RESTRICTIVE COVENANTS

There are minor differences in the restrictive covenants between some sections of lots. For example, lots that are not on the water exclude the restriction about no docks, for obvious reasons. The restrictions reprinted below are those for a lakefront lot. Due to space constraints, only the informative part of the text is reproduced below. (The first item of the covenants is omitted, since it merely denotes when the restrictions were established.)

Please keep in mind the following restrictions are from a specific lot and may not contain the exact wording of all the restrictions that apply to your property. This is provided for your convenience. However, you should refer to your official document of the Restrictive Covenants should you have any questions. If you do not have a copy of the Restrictive Covenants, they are on file in the Official Records Books of the Clerk of the Circuit Court, Gadsden County Courthouse, Quincy, Florida. The Official Record book and page numbers are as follows:

Lots A1-A68, B1-B3, C1-C10, D1-D12, E1-E8, and F1-F6 are in Book 161, page 661, Book 184, page 270 and Book 185, page 630.

Lots A69-A111, D12-D17, E9-E14, and F7-F42 are in Book 184, page 263.

Lots AA1-AA5, BB1-BB25, CC1-CC18, DD1-DD11, EE1-EE6, FF1-FF5 are in Book 190, page 414 and Book 241, page 1.

Lots DD12-DD27, Book 241, page 8. Lots EE-12-EE27 are in Book 198, page 677, Book 230, page 589 and Book 241, page 8.

Lots AAA1-AAA-30 (Mason Dr.) and 29 acres are in Book 155, page 10 and Book 305, page 513.

Following the legal description of the property, the sample document states:

Now, THEREFORE, in consideration of the hereinabove set forth premises, Tallavana Properties, Inc., the owner and developer of the above described real property, does hereby impose upon the hereinabove described real property the following restrictions and covenants to run with the land and which shall be binding upon all persons purchasing lots within the above-described property and upon all persons claiming by, through, or under Tallavana Properties, Inc., its successors or assigns, until January 1, 2002, at which time said covenants shall be automatically extended for successive ten (10) year periods unless a majority of the then owners of parcels conveyed by Tallavana Properties, Inc., shall agree to change them in whole or in part.

Item 1 references the lots specific to the recorded document.

Beginning with item two, the restrictive covenants from our sample lot are as follows:

2. All lots shall be known and described as residential lots. No structure shall be erected, altered, placed, or permitted to remain upon any of said lots other than one (1) single family dwelling, not to exceed two (2) stories in height and a private garage or carport for not more than two (2) cars and a laundry room or tool room attached to the garage or house on the ground floor. If this lot is located contiguous to water, a boat slip may be constructed in connection with the use of each of said residential lots provided that the appropriate permits are obtained for the construction of all of said improvements. Nothing herein contained shall prevent the construction of a basement under any dwelling.

3. No building shall be erected or placed upon any lots unless the design and location of such building have been approved in writing as to the conformity and harmony of external design and location with existing structures on other lots which approval is to be given by the hereinafter designated Architectural Control Committee. If said approval is not granted or denied within thirty (30) days after submission of a written request therefore, which written request shall be accompanied by adequate plans and specifications, the covenant shall be deemed complied with.

4. No building shall be located upon any lot nearer to the front or rear lines than thirty (30) feet nor nearer to any side lot line than ten (10) feet.

5. No dock shall be constructed in conjunction with or adjoining any of said lots.

6. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

7. Nothing herein shall prevent any dwelling being built on more than one (1) lot as shown on said unrecorded plat but no lot shall be subdivided to secure more than one (1) building plat.

8. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot except that dogs, cats, or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes.

9. No dwelling shall be used as a business or business office open to the general public.

10. No trailer, mobile home, basement (except as otherwise herein provided), tent, shack, garage, barn or other out-buildings shall be at any time used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence. No trailer, mobile homes, travel trailers, or motor coaches shall be permitted to remain upon any lot other than temporarily unless placed or maintained within an enclosed garage or carport.

11. No lot owner, his guests, invitees, successors, devisees, or assigns shall use any mechanically powered boats upon Lake Tallavana except electric motors, not to exceed five (5) horsepower.

12. Each lot owner by acquiring title to any lot or by acquiring any interest in said lot which would entitle him to the use thereof, either individually or in common with others, does by the acquisition of such title consent to be and shall upon acquisition of said title or interest in said lot, automatically become a member in Tallavana Homeowners' Association, Inc. and does agree to abide by the provisions of such Association's Charter, By-Laws and Regulations with relation to the use of such lot and Lake Tallavana and to pay such assessments as are reasonably levied by said Homeowners' Association.

13. No septic tank shall be located closer than one hundred (100) feet to the high water mark of Lake Tallavana.

14. There has been heretofore created a committee called the Lake Tallavana Architectural Control Committee (hereinabove and hereinafter referred to as the "Architectural Control Committee" or the "Committee"). Said Committee was elected and chosen from members of the Tallavana Homeowners' Association, Inc. at a special meeting held on February 24, 1974. Tallavana Properties, Inc. did not vote in the election of such Architectural Control Committee members, and under the Articles of Incorporation, cannot vote for said members at future elections. The owners of real property in the Lake Tallavana development other than Tallavana Properties, Inc. must, from time to time, elect such Committee members. The Committee functions as a Committee of the Tallavana Homeowners' Association, Inc.

15. If the grantor or any persons claiming by, through, or under the grantor or its heirs or assigns, or any other person shall violate or attempt to violate any of the restrictions re covenants herein contained, it shall be lawful for any person or persons owning any lot depicted upon said unrecorded plat to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such restrictions or covenants and either to prevent him or them from so doing or to recover damages for such violation.

16. Invalidation of any of these covenants or restrictions by judgment or court order shall in no wise affect any of the remaining covenants and restrictions contained herein which shall remain in full force and effect.

17. No clearing of vegetation or trees shall be done within thirty (30) feet of the front or rear lines or within ten (10) feet of side lot lines except:

- (a) The removal of underbrush shall be permitted;
- (b) Dogwood, Redbud and Magnolia trees under one (1) inch in diameter may be removed unless protected by law;
- (c) All scrub or Black Jack Oak may be removed;
- (d) All other species of trees under four (4) inches in diameter may be removed;
and
- (e) All trees and other vegetation may be removed for construction of a driveway not to exceed twenty (20) feet in width.

18. These restrictions shall run with the land.

The Tallavana Homeowners' Association is a not for profit corporation registered with the Secretary of State, State of Florida.

**ARTICLES OF INCORPORATION
OF
TALLAVANA HOMEOWNERS' ASSOCIATION, INC.**

We, the undersigned, hereby associate ourselves together for the purpose of becoming incorporated under the laws of the State of Florida applicable to corporation not for profit under the following proposed charter and do hereby certify as follows:

ARTICLE I. NAME.

The Name of the corporation shall be TALLAVANA HOMEOWNERS' ASSOCIATION, INC.

ARTICLE II. PURPOSE AND POWERS.

The purpose for which this corporation is organized is to provide an entity in accordance with and to effectuate the applicable provisions of those certain Restrictive Covenants dated July 17, 1973, and recorded in Official Records Book 161, Page 661 of the public records of Gadsden County, Florida, and as amended under and by virtue of the amendment dated November 26, 1974 and recorded in Official Records Book 184, Page 270 in the Public Records of Gadsden County, Florida, and that certain Second Amendment to Restrictive Covenants dated January 10, 1975 and recorded January 10, 1975 in the Official Records Book 185, Page 630 of the Public Records of Gadsden County Florida.

The corporation shall have the following powers:

1. The corporation shall have all of the common law and statutory powers of a corporation not for profit, which are not in conflict with these articles or with any laws of the State of Florida.

2. The corporation shall have all of the powers and duties set forth in the above-described Restrictive Covenants and all of the powers reasonably necessary to administer and enforce said restrictions as said restrictions may be amended from time to time.

3. In addition to the above set forth powers, the corporation shall have the following powers, which are in addition to and not in limitation of any other powers of the corporation.

(a) To own real and personal property of all kinds for the use and benefit of all members of the corporation;

(b) To own, operate and maintain a recreational, social or similar club or establishment for the benefit of the members of the corporation and their guests;

(c) To maintain and repair streets adjoining any property subject to the above-described restrictive covenants;

(d) To make and collect such assessments against members as are reasonably necessary to the accomplishment of corporate duties and powers which, if unpaid for a period of 12 months, shall automatically become a lien against the property until paid. Upon payment of a lien against the property, the Association shall satisfy the lien and record such satisfaction at the expense of the homeowner. If the assessment or dues become delinquent, the annual dues shall

become due and payable in a lump sum. The Association is authorized to promulgate a rule establishing the date at which the lien becomes delinquent and to levy interest in accordance with current state law plus late and/or processing charges. Members with dues in arrears shall not be permitted to vote at annual or special meetings, may not hold an elective office, may not serve on Association committees and may not be permitted to use the common or recreational facilities, except roads, of the Association.

(e) To use the proceeds of all assessments in the exercise of its powers and duties;

(f) To suspend, for a reasonable time, the rights of members and/or lessees and their guests to use common areas and recreation facilities for violations of rules and regulations regarding the use thereof, and/or to levy fines for violations of rules and regulations regarding the use thereof in accordance with the laws of Florida; and

(g) To employ personnel to perform the services required for proper operation of the corporation.

ARTICLE III. MEMBERSHIP AND VOTING RIGHTS.

The members of the corporation shall consist of all persons owning any portion of the real property subject to the above-described restrictive covenants. Upon any individual or entity hereafter becoming the owners of any such property, said individual or entity shall automatically become a member of this corporation. The interest of the member in this corporation cannot be assigned, hypothecated or transferred in any manner except through transfer of title to such member's ownership of property. Each member (record titleholder), shall be entitled to cast only one (1) vote, even if he owns more than one lot. In any event, the Board of Directors of this corporation shall have the right to appoint the members of the Architectural Control Committee mentioned in Paragraph 14 of the Restrictive Covenants described in Article II of these Articles.

ARTICLE IV. OFFICERS AND DIRECTORS.

The Board of Directors of the corporation shall have seven (7) members who need not be members of the corporation. The number of members on the Board may be changed hereafter as provided by amendment of the bylaws of this corporation. The Directors shall be elected in accordance with the Bylaws of the corporation. Tallavana Properties, Inc. may have only one representative on the Board of Directors. The number of members Tallavana Properties, Inc. may have on the Board may be changed hereafter as provided in the bylaws of this corporation. The remaining members of the Board of Directors shall be property owners, or such persons as the property owners other than Tallavana Properties, Inc. shall elect to the Board of Directors.

The affairs of the corporation shall be managed by a President, Vice President, Secretary, Assistant Secretary and Treasurer, who shall be elected by the Board of Directors. The officers of said corporation shall serve at the pleasure of the Board of Directors unless otherwise provided by the Bylaws of the corporation.

ARTICLE V. BYLAWS.

The first Bylaws of the corporation shall be adopted by the Board of Directors, and may be altered, amended or rescinded in the manner provided in said Bylaws.

ARTICLE VI. MERGERS AND CONSOLIDATION.

Subject to any applicable laws of the State of Florida, the corporation may participate in mergers and consolidations with other non-profit corporation organized for purposes similar to the purposes for which this corporation was organized.

ARTICLE VII. AMENDMENTS TO ARTICLES OF INCORPORATION.

These articles may be amended or repealed by a majority of the regular members present at any annual meeting duly called and held and also by a majority of the votes of the members present at such meeting, notice of such proposed changes having been sent in writing to the members thirty (30) days prior to the meeting. Amendments may be proposed by the Board of Directors on its own initiative, or upon petition of ten percent (10%) of the entire membership addressed to the Board. All such proposed amendments shall be presented to the members with or without recommendation.

ARTICLE VIII. DURATION.

This corporation shall exist until termination of the described restrictive covenants or until the expiration of fifty (50) years from the date of incorporation hereof, whichever sooner occurs.

ARTICLE IX. SUBSCRIBERS.

The names and residences of the subscribers of these Articles of Incorporation are as follows:

<u>Name</u>	<u>Address</u>
R. Frank Donalson	3228 Sharer Road Tallahassee, Florida
Carl R. Pennington, Jr.	Bradfordville Road Tallahassee, Florida
James C. Tully	2305 Charles Ct. Tallahassee, Florida
Terry C. Nelson	2518 Harriman Circle Tallahassee, Florida

TALLAVANA HOMEOWNERS' ASSOCIATION

BYLAWS

Restated Bylaws of
Tallavana Homeowners' Association, Inc.

A Corporation Not for Profit
Under the Laws of the State of Florida

The following are the Bylaws of TALLAVANA HOMEOWNERS' ASSOCIATION, INC., hereinafter referred to as the Association, a corporation not for profit, organized and existing under the law of the State of Florida, which Bylaws have been duly adopted by the Board of Directors of the Association.

1. Seal

The seal of the Association shall bear the name of the corporation, the word "Florida," the words "Corporation Not For Profit," and the year of incorporation. Any of the foregoing words as well as any part of the name of the corporation may be abbreviated on said seal.

2. Members' Meetings.

(a) The annual members' meeting shall be held in January. The date, time and place shall be determined by the Board of Directors of the Association. The purpose of the meeting shall be to elect Directors and transact any other business authorized by the members.

(b) Special meetings shall be held whenever called by the President or Vice President or by a majority of the Board of Directors, and must be called by such officers upon receipt of a written request from members entitled to cast one-third of the votes of the entire membership.

(c) Notice of all members' meetings, stating the time and place and the objects for which the meeting is called, shall be given by the President or Vice President or Secretary unless waived in writing. Such notice shall be in writing to each member at his address as it appears on the books of the Association and shall be mailed not less than ten (10) days nor more than sixty (60) days prior to the date of the meeting. Notice of meeting may be waived before or after meeting.

(d) A quorum at such meetings shall consist of persons entitled to cast twenty percent (20%) of the votes of the entire membership.

(e) In any such meeting, each member (record titleholder), shall be entitled to cast only one (1) vote, even if he owns more than one lot. If the lot is owned by a corporation, the person entitled to cast the vote for the lot shall be designated by a certificate of appointment signed by the President or Vice President and attested by the Secretary or Assistant Secretary of the corporation and filed with the Secretary of the Association. Such certificates shall be valid until revoked, or until superseded by a subsequent certificate, or until the Association has been duly notified in writing of a change of ownership.

(f) Votes may be cast in person or by Proxy. Proxies may be made by any person entitled to vote. They shall be valid only for the particular meeting designated and must be filed with the secretary before the appointed time of the meeting.

(g) The order of business at annual members' meeting, and as far as practical at all other members' meetings, shall be:

- (i) Election of chairman;

- (ii) Calling of the roll and certifying of proxies;
- (iii) Proof of notice of meeting or waiver of notice;
- (iv) Reading and approval of prior minutes;
- (v) Reports of officers;
- (vi) Reports of committees;
- (vii) Election of directors (if necessary);
- (viii) Unfinished business;
- (ix) Additional new business; and
- (x) Adjournment.

3. Directors.

(a) The affairs of the Association shall be managed by a Board of seven (7) Directors.

(b) Election of Directors shall be conducted at the annual meeting of members. A nominating committee of five members shall be appointed by the Board of Directors not less than thirty (30) days prior to the annual meeting. The committee shall nominate one (1) person for each Director whose term has expired. Additional nominations for Directorships and Directors may be made from the floor. The election shall be by ballot (unless dispensed with by unanimous consent) and by a plurality of the votes cast, each person voting being entitled to cast his votes for each of as many nominees as there are vacancies to be filled. There shall be no cumulative voting.

(c) Except as to vacancies resulting from removal of Directors by members, vacancies in the Board of Directors occurring between annual meetings of members shall be filled by the remaining directors. In the event a director fails to attend three consecutive meetings of the Board of Directors, then the Board, in its discretion, may remove the director and elect another to serve in his place until the next annual members' meeting. At the next annual members' meeting, the members shall elect a new director to serve for the remainder of the term of the director so removed.

(d) Any Director elected by the members may be removed by concurrence of two-thirds of the votes of the entire membership at a special meeting of the members called for that purpose. The vacancy in the Board of Directors so created shall be filled by the members of the Association at the same meeting.

(e) The term of each Director's service shall extend for three (3) years and thereafter until his successor is duly elected and qualified or until he is removed in the manner elsewhere stated herein; provided, however, that directors shall serve rotating terms of office. At the annual members' meeting in 1980, two directors shall be elected for a one-year term of office, two shall be elected for a two-year term, and two shall be elected for a three-year term. At ensuing annual meetings, two directors shall be elected for a three-year term except that every third year there shall be three (3) directors elected.

4. Directors' Meetings

(a) The organizational meeting of a newly elected Board of Directors shall be held within ten (10) days of its election at such place and time as shall be fixed by the Directors at the meeting at which they were elected.

(b) Regular meetings of the Board of Directors may be held at such time and place as shall be determined from time to time by a majority of the Directors. Notice of regular meeting shall be given to each Director, at least three (3) days prior to the day named for such meeting.

(c) Special meetings of the Directors may be called by the President and must be called by the Secretary at the written request of a majority of the Directors. Notice of the meeting shall be given at least three (3) days prior to the day named for such meeting which notice shall state the time, place and purpose of the meeting.

(d) Any Director may waive notice of a meeting before or after the meeting and such waiver shall be deemed equivalent to the giving of notice.

(e) A quorum at Directors' meetings shall consist of a majority of the entire Board of Directors. The acts approved by a majority of those present at a meeting at which a quorum is present shall constitute the acts of the Board of Directors, except where approval by a greater number of Directors is required by law, by the Articles of Incorporation or by these Bylaws. If at any meeting of the Board of Directors less than a quorum is present, the majority of those present may adjourn meeting, or conduct any business which might have been transacted at the meeting as originally called by and may be transacted without further notice. The joinder of a Director in the action of a meeting by signing and concurring in the minutes thereof shall constitute the presence of such Director for the purpose to determine a quorum.

(f) The presiding officer of Directors' meeting shall be the President. In the absence of the presiding officer, the Directors present shall designate one of their number to preside.

(g) The order of business at Directors' meetings shall be:

- (i) Calling of roll;
- (ii) Proof of due notice of meeting;
- (iii) Reading and appraisal of minutes of prior meeting;
- (iv) Reports of officers and committees;
- (v) Election of officers;
- (vi) Unfinished business;
- (vii) New business; and
- (viii) Adjournment.

5. Powers And Duties Of The Board Of Directors.

(a) All of the powers and duties of the Association existing under the Articles of Incorporation and these Bylaws shall be exercised exclusively by the Board of Directors, its agents, contractors, or employees, subject only to approval by members when such is specifically required. Compensation of employees of the Association shall be fixed by the Directors. A Director may be an employee of the Association, and a contract for management of the Association may be entered into with a Director.

(b) Architectural Control Committee mentioned in Article III of the Articles of Incorporation of the Board of Directors of the Association. The members of the Architectural Control Committee shall be appointed by the Board of Directors of the Association. (See policy 115.)

6. Officers.

(a) The executive officers of the Association shall be a President, who shall be a Director, a Vice President, a Secretary, a Treasurer, and an Assistant Secretary, all of whom shall be elected annually by the Board of Directors and who may be removed by vote of the Directors at any meeting. Any person may hold two or more offices except that the President shall not also be the Secretary or Assistant Secretary. The Board of Directors may from time to time elect other officers to exercise such powers and duties as the Board shall find to be required to manage the affairs of the Association. Compensation of officers shall be fixed by the Board of Directors.

(b) The President shall be the Chief Executive Officer of the Association. He shall have all of the powers and duties which are usually vested in the office of President of an Association or Corporation, including but not limited to the power to appoint committees from among the members from time to time, as he may in his discretion determine appropriate, to assist in the conduct of the affairs of the Association.

(c) The Vice President shall, in the absence or disability of the President, exercise the powers and perform the duties of the President. He shall also generally assist the President and exercise such other powers and perform such other duties as shall be prescribed by the Directors.

(d) The Secretary shall keep the minutes of all proceedings of the Directors and the members. He shall attend to the giving and serving of all notices to the members and Directors and other notices required by law. He shall have custody of the seal of the Association and affix it to instruments requiring a seal when duly signed. He shall keep the records of the Association except those of the Treasurer, and shall perform all other duties incident to the office of Secretary of an Association and as may be required by the Directors or the President. The Assistant Secretary shall perform the duties of the Secretary when the Secretary is absent.

(e) The Treasurer shall have custody of all property of the Association, including funds, securities and evidence of indebtedness. He shall keep the books of the Association in accordance with good accounting practices and shall perform all other duties incident to the office of Treasurer.

7. Amendments.

The Bylaws may be amended in the following manner:

(a) Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is to be considered.

(b) A resolution adopting a proposed amendment may be proposed by either the Board of Directors or by the members of the Association. The same must be approved by a majority of the members of the Association, and also by a majority of the members of the Board of Directors.

(c) No amendment shall discriminate against any lot owner or against any lot unless the owner thereof shall consent in writing. No amendment shall change the voting rights of members, unless the members concerned shall approve the amendment in writing.

Retyped 8/2006 for grammatical and spelling revisions.

TALLAVANA HOMEOWNERS' ASSOCIATION

POLICIES, RULES & REGULATIONS

The following are policies, rules and regulations enacted over the years by the Tallavana Homeowners' Association Board of Directors, Lake Tallavana property owners and/or the Architectural Control Committee.

SECTION 100

110. General and Miscellaneous

1. Homeowner assessments for the previous calendar year not paid prior to January 1 of any given year will bear interest per annum at a Board approved rate. When necessary to retain counsel to collect past due assessments, the Association shall be entitled to recover reasonable attorney's fees for trial and appeal plus all court costs.
2. Those owning more than one lot will have only one membership vote and will pay only one Lake Tallavana assessment.
3. A minimum of 18-inch concrete or corrugated pipe must be placed under driveways constructed over roadside ditches. *(See ACC Policy #220.B.12.a)*
4. Property owners shall be held responsible for correction of problems created by drainage damage emanating from their personal property.
5. Parking on the right-of-way of Tallavana roads may create a safety hazard and may create erosion. The Board reserves the right to require homeowners to remove vehicles from the right-of-way.

115. Liens, Penalties, Restrictions, Suspensions and Fines.

Rules adopted April 12, 2005 concerning provisions of the Articles of Incorporation regarding unpaid dues or assessments. *(Article II.3.d & II.3.f)*

1. Unpaid dues or assessments; Liens; Penalties: Association dues, or assessments, which are billed and mailed quarterly, shall become delinquent if unpaid, 10 days after quarterly due date. The Association will charge a late fee of \$15.00 per quarter on unpaid dues or assessments. The Association will also levy interest in the amount according to current state allowance on balances prior to the current calendar year. Liens against the property of delinquent members will be filed, automatically, if dues or assessments, late fees and interest are unpaid for a period of twelve (12) months.
2. Unpaid Dues or assessments; Restrictions: Tallavana Homeowners' Association members with dues or assessments more than twelve months in arrears shall not be permitted to vote at annual or special meetings of the Association; nor shall such members be permitted to hold an elective office in the Association; may not serve on Association committees, and, except for use of roads, may not use the common or recreational facilities owned by the Association.
3. Suspensions and Fines: The Tallavana Homeowners' Association Board of Directors may suspend the rights of any member, lessee or guest from the use of common and recreational facilities for a reasonable period of time for violations of rules and regulations regarding the use thereof, and/or may levy fines for violations of rules and regulations regarding the use thereof in accordance with procedures established by the Laws of the State of Florida.

120. Lake and Boat Rules

1. Only electric motors may be used on the lake. Gasoline motors, even though they may not be in operation, are not allowed on the lake.
2. Guests, with the exception of relatives, must be accompanied by their host when fishing on the lake – even though they may be in a boat with decals.
3. All boats using Lake Tallavana must have valid Lake Tallavana decals.
4. Decals will be issued free of charge to property owners. Decals are available from the Corporate Secretary.
5. The boat for which each decal is issued must belong to or be registered to the property owner.
6. Decals shall be placed on both sides near front of boat.
7. If property owner should sell boat, decal must be removed and either destroyed or placed on property owner's new boat.
8. All boats must carry life preservers on board for all occupants and comply with all other state safety requirements.
9. All fishing boats using Lake Tallavana must not exceed 18 feet in length. All pontoon boats must not exceed 24 feet in length and 10 feet wide.
10. Property owners may not have more than four registered boats that use Lake Tallavana unless approved by the Board of Directors.
11. No houseboats or live-on-boards allowed on Lake Tallavana.

(See Appendix #1 for Fishing Regulations)

125. Use of the Sheffield Nature Preserve and Oswald Point

Adopted March 9, 2004

The Sheffield Nature Preserve is a 30-acre tract of land located east of the end of Hickory Lane. The 30 acres was obtained for the purpose of providing a natural game and wildlife preserve to enhance the philosophy of the Lake Tallavana community, and, also, to serve as a buffer zone between the Tallavana community and privately owned neighboring parcels. Oswald Point is a parcel of land east of Hickory Lane and is adjacent to the Preserve. Following guidelines are for the enjoyment and use of these parcels by our members and their invited guests.

1. The Board of Directors of the Tallavana Homeowners' Association desires to provide an opportunity for its members and their invited guests to quietly observe birds and wildlife, enjoy recreation and/or physical exercise through walking or jogging. As soon as these areas are secured, walking trails shall be established to be used with the caveat to all members that these areas will not be policed for the guarantee of safety. Members using the Preserve are required to remain on the designated walking paths. The following Rules and Regulations govern the use of the Sheffield Nature Preserve and Oswald Point.

a. The Sheffield Nature Preserve and Oswald Point are for the use of the members of the Tallavana Homeowners' Association and their invited guests. Invited guests shall be accompanied by their member hosts while using these areas. Entrance and use of the Preserve for purposes of observation shall not be permitted until paths and observation areas have been constructed. The only entrance to the Preserve shall be through the designated gate. The Preserve is open during daylight hours only.

b. No motor vehicles, except for security and maintenance vehicles are permitted at any time. Walking, jogging, cycling, and bird and wildlife observation are permitted and encouraged. All motor vehicles shall be parked along the roadway easement. The only

vehicles permitted for use other than security and maintenance vehicles as provided by the Association are battery motorized wheelchair-type scooters designated for use by disabled persons holding standard disabled permits.

c. There shall be no hunting, camping, fires, firearms, or other equipment for the taking of game and birds permitted on these parcels. Users of the Preserve are required to clean up and remove all of their trash or debris.

d. No "through traffic" of any kind is permitted to cross these properties. The gate at the east end of the Preserve was constructed to provide access for utility companies only and will be kept locked at all times.

2. Violations of these conditions for use of the Preserve shall result in prohibition of use for 90 days to one year.

130. Auto Decal Regulations

1. Property owners are required to display a current Lake Tallavana decal on the back of the inside rear view mirror of each of their cars or trucks. They are available from the Corporate Secretary.

2. Decals will be issued to property owners for their vehicle(s) free of charge.

3. If property owner should sell the vehicle, the decal must be removed and either destroyed or placed on the property owner's new vehicle. Property owner should notify Corporate Secretary when there is a change of vehicles.

140. Gate Card Regulations

1. All gate card numbers are to be recorded and the name of the person authorized to have that card will be kept on a master list showing card numbers and to whom each card is assigned.

2. Two gate cards will be issued, without charge, to each new property owner (unless cards are obtained from the old property owner). Upon receipt of these cards, the property owner will agree that if they sell their property, the gate cards will be relinquished to the buyer.

3. Additional cards may be issued to property owner at a cost determined by the Board:

- a. Members of household living at Lake Tallavana.
- b. Members of immediate family of homeowner (parent, child, grandchild, grandparent, sibling or spouse of any of these up to a maximum of six (6) cards).
- c. Any other individual approved by Board as having justifiable reason for a gate card.

4. Upon receipt of these additional cards, the property owner will agree that if they sell their property, these cards will be returned to the Homeowners' Association.

5. New cards will be issued to replace lost or stolen cards at any time at a cost determined by the Board. These lost or stolen cards will be so shown on a master list.

6. Broken cards will be replaced free of charge, provided they are turned in for exchange.

7. Property owner will be responsible for securing cards for persons renting homes at Lake Tallavana.

8. Building contractors requesting Lake Tallavana gate cards shall post a deposit for said card at a figure determined by the Board. Deposit shall be refunded when card is returned.

9. The Board will approve a list of courtesy cards (Sheriff, Police, Firemen, mail carrier, commercial delivery personnel, etc.)

10. Refunds shall be issued for purchased cards upon their return.

145. Gate Policy

Adopted July 12, 2005 to insure that the THA members and others would know policy for opening the security gate located near Highway 12 on Tallavana Trail.

1. Certain THA directors would be assigned the duty of maintenance of the gate plus opening and closing the gate for designated reasons and have keys to the gate. These THA directors will be called the “gate committee.”
2. THA members and others are encouraged to use the gate’s telephone number to open the gate when they have an event/function within Lake Tallavana. When a guest of a THA member or others arrives at the gate, they should call the person in charge of the event/function, who then can open the gate by calling the gate’s telephone number. Another acceptable method would be for the THA member or others to assign a representative to be at the gate during their event/function to open the gate for their guests as they arrive. If these methods of opening the gate will not work for the THA member or others, then they are to contact a member of the gate committee and make a gate opening request in writing and delivered to a gate member no less than 72 hours prior to the requested time for opening the gate. Emergency conditions would be exempt from the 72-hour notice.
3. THA members and others would be limited to submitting only one (1) gate-opening request per month to a gate committee member.
4. The open time for the gate would be limited to 4 hours and the gate must be closed by 9:00 pm if the gate opening request method is used. Multiple requests by several THA members or others where the times requested are “back to back” will not be accepted. During emergency conditions such as a hurricane, the gate committee can extend the hours the gate is left open as necessary to accommodate the circumstances.
5. The gate committee shall use a method to indicate to the other gate members and the THA Board that the gate has been locked open on purpose.

150. Off-highway vehicles prohibited

1. No off-highway motorized vehicle, except one being used for an association approved maintenance project, shall be operated at anytime within the subdivision known as Lake Tallavana in Gadsden County, Florida.
2. Off-highway motorized vehicle includes dirt bikes, go-carts, all-terrain vehicles, and any other motorized vehicle which is not allowed to be operated on the public streets and highway of the State of Florida.

160. Motorcycles prohibited on Association property

1. The use and operation of motorcycles is prohibited on all property owned by Tallavana Homeowners’ Association including the lands comprising the power-line easement which runs through the subdivision known as Lake Tallavana except that licensed motorcycles with licensed drivers may be used and operated in a reasonable manner on the streets and roads owned and maintained by the Association within the subdivision.

170. Pavilion Reservations

1. The pavilion is primarily for use by residents for get-togethers with family and friends. This use is free.
2. Use by residents for a work or business related event, church group activity, etc. is also allowed but a fee is charged in addition to the refundable cleaning deposit. (*See below for fee & insurance requirements*)

3. To reserve the pavilion for parties and family gatherings, contact the Corporate Secretary. Reservations will not be final until your refundable cleaning deposit is received.
4. The deposit will be returned provided that the pavilion area and restrooms are left clean, all borrowed equipment is returned in good condition and all trash is removed from the common area.
5. As a courtesy, a volleyball set and horseshoes may be available at no charge for use at your party. They can be picked up upon receipt of your deposit.

The Homeowners' Association does not provide restroom supplies. Members planning an event should make provisions for all necessary restroom supplies. Members are responsible for making sure that the restrooms and pavilion area is clean at the end of your event. Trash must be removed from pavilion area and restroom, as there is not a designated Waste Management pick-up in the common area.

(Fee of \$150.00 for use of the pavilion by business, church groups, etc. set by Board in August 2005.)

(Groups other than homeowners using the pavilion must furnish proof of insurance before the event.)

180. Bulletin Board

Please observe the following rules when using the bulletin boards at the gate and on Mason Drive:

1. All notices must be dated.
2. Please remove your notice after seven days.
3. No business notices or business cards.
4. Bulletin board is for use and benefit of Tallavana members only.
5. Please do not tape notices to the outside of the glass.

The bulletin board on Mason Drive is an outdoor type that was manufactured with a lock. Contact the Corporate Secretary for notices to be posted on the Mason Drive bulletin board.

190. Appointment of Committees, Chairpersons, and Term Limits

Adopted August 12, 2003

BYLAWS: The Bylaws of the Tallavana Homeowners Association provides that the President shall be the Chief Executive Officer of the Association. He/she shall have all of the powers and duties which are usually vested in the office of President of an Association or Corporation, including but not limited to the power to appoint committees from among the members from time to time, as he/she in his/her discretion determines appropriate, to assist in the conduct of the affairs of the Association (6. Officers, (b).

5. Powers and Duties of the Board of Directors. (b). Architectural Control Committee. The members of the Architectural Control Committee shall be appointed by the Board of Directors of the Association.

1. The President, as Chief Executive Officer, shall appoint committee members and chairpersons for all standing, temporary or ad hoc committees, except for the Architectural Control Committee. The President shall recommend members of the Architectural Control Committee and the chairperson to the Board of Directors for consideration and approval for each seat one at a time. (Repeal Item 5-B.)

2. Presidential Committee Appointments. The term limits for all committee members, i.e., standing, temporary or ad hoc, except for the Architectural Control Committee (ACC), shall be for a period of one (1) year, which shall extend from January through December. This includes committee members and committee chairpersons. The incoming president shall review

committee membership and chairmanships and appoint or re-appoint members to the committees as soon as possible after assuming office.

3. All committee chairmen or members shall remain in office after expiration of their term, unless replaced.

4. Architectural Control Committee (ACC). The term of office for the ACC members shall be for three (3) years and hereinafter until his or her successor is duly appointed or until he or she is removed. Members shall serve rotating terms of office. Beginning with the January, 2004 annual meeting, two (2) members shall be appointed for a one (1) year term, two (2) members shall be appointed for a two (2) year term and three (3) shall be appointed for a three (3) year term. At ensuing annual meetings, two members shall be appointed for a three (3) year term, except that every third year there shall be three (3) members appointed.

5. Any committee chairman or committee member may be removed from office at any official meeting of the Board by a majority vote of the Board of Directors.

TALLAVANA HOMEOWNERS' ASSOCIATION

SECTION 200

Policies of the Architectural Control Committee (ACC)

200. Architectural Control Committee Authority (ACC).

A. The Tallavana Homeowners' Association (THA) Board is authorized to promulgate policies in accordance with the Articles of Incorporation and the Laws of Florida. The following ACC Policies and Procedures do not supersede and are meant to be consistent with the THA Covenants. They are the THA Board's and ACC's interpretation of the THA Covenants pertaining to the ACC, with additional policies authorized by the Articles of Incorporation, providing the Covenant's specified conformity and harmony of the neighborhood. To the extent that any of these Policies, Rules and Regulations conflict with the Covenants, then the Covenants control.

B. The ACC is authorized to review exterior changes on a lot(s) affecting the property in accordance with the Association's Covenants, Rules, Regulations and Policies. The ACC has authority to approve exceptions to the Covenants and Policies. Substantial exceptions to the Covenants and Policies will be recorded with the deed.

C. If any portion of these Policies, Rules and Regulations are ever found to be invalid by any court or legal authority, such decision shall in no way affect the remaining Policies, Rules and Regulations hereunder.

D. No act or omission by the ACC or the THA Board shall be deemed a waiver of any of its rights under the Covenants, the Articles of Incorporation, the Bylaws, or these Policies, Rules and Regulations. To the extent that the ACC or the THA acts or fails to act in any given situation, such act or failure to act will not result in a waiver of its right to do so a later date, or in a subsequent similar situation.

E. The ACC functions as a seven (7)-member committee of the THA and the Board of Directors. The appointment of the ACC members is conducted in accordance with the THA policy adopted August 12, 2003. See Section 100.190.

205. Purpose.

The special qualities of the Lake Tallavana neighborhood are its preservation of the natural environment in which the community has been developed. Preserving this natural aesthetic environment is paramount to the community and defines the community standards as being compatible with the natural environment. Therefore, the purpose of the ACC is to maintain and preserve the special qualities of the Lake Tallavana community and in turn to protect owners' property values by ensuring that the construction and modifications meet our community standards. It is the responsibility of the ACC to notify the Board when the following policies have not been followed and make recommendations to achieve compliance.

210. Selling Owners Legal Responsibilities Regarding Governing Documents.

In accordance with Florida Statute Chapter 720, when covenants run with the land, a person who assumes ownership of a parcel of land also assumes ownership with the presumed knowledge of the covenants. Each new parcel owner is presumed to know and understand the content of the documents governing the homeowners' association and the community. It is the seller's

responsibility to supply copies of the governing documents to the buyer prior to the execution of a contract for sale. Prior to the sale of a parcel, prospective purchasers must be provided a disclosure summary of the right and obligation incident to ownership of a parcel in the community. Any contract for the sale of a lot or parcel must refer to or incorporate the required disclosure summary. The summary must state that membership in the homeowner association is mandatory and that recorded covenants govern the use and occupancy of the property. The disclosure must reveal the obligation to pay assessments, which, if unpaid, may result in a lien against the parcel and any fee or rental amounts required for use of common facilities. The summary must also disclose whether or not the recorded covenants may be amended without the approval of the association membership. The restrictions in the recorded covenants and the disclosure summary are clothed with a strong presumption of validity arising from the fact that each parcel owner purchases the parcel knowing of and accepting the restriction imposed. (1)
(See Appendix #3 for Disclosure Summary)

215. Definitions

For purposes of this policy the following definitions will apply. Where terms are not defined herein, the ordinary dictionary meaning of a word will prevail.

- A.** Addition: Adding an annex.
- B.** Buffer: The area 30 feet from front and rear lot lines and 10 feet from the side lot line. A 30-foot buffer from the property line may be required on any property adjacent to a roadway, shoreline or other common areas.
- C.** Carport: A roof projecting from the side of a structure or house, used as a shelter for a vehicle. A carport not attached to the side of the house is a detached carport. A detached carport is one having similar architectural characteristics as one projecting from the side of a structure that is used as a shelter for a vehicle or boat, or a prefabricated portable structure as defined herein.
- D.** Clear Cutting: The removal of all trees over one inch in diameter.
- E.** Community Standards: Compatible with the natural environment.
- F.** Deck: A platform connected to or near the house.
- G.** Deck Over Water: A platform extending from the land over a body of water.
- H.** Detached Structure: A structure not attached to the house.
- I.** Drain Field: A grid of wastewater filter pipes.
- J.** Driveway: A private drive connecting a house, garage or other structure with the street.
- K.** Emergency Repairs: A situation or occurrence of a serious nature, developing suddenly and unexpectedly, demanding immediate action and which, under non-emergency conditions, requires an ACC review.
- L.** Eyesore: Something offensive to look at; an enduring cause of vexation or disgust.
- M.** Garage: A structure or wing of a structure, as of a house, in which to park a vehicle(s).
- N.** Gazebo: A small open or screened structure affording an enjoyable view, not to be used as an overnight shelter, residence or storage.
- O.** Fence: A structure serving as an enclosure, barrier, or boundary.
- P.** Front Street: The street used by the homeowner as the property address.
- Q.** Front Yard: The part of a lot that is foremost and abuts a road beginning from the front elevation of the house forward to the street(s).
- R.** House: A structure serving as a dwelling and residence for one family.
- S.** Injunction: A court order enjoining or prohibiting a party from a specific course of action.
- T.** Natural Beauty Environment: The neighborhood's wild nature habitat not created by man pertaining to the sense of beauty.
- U.** Policy/Policies: In accordance with legal opinion, all references to "policy/policies" within is considered to be synonymous with the term "rule".
- V.** Repair: Restoring to sound condition and consistent with previously approved ACC plans.
- W.** Retaining Wall: A structure, with limited height, between the land and a body of water, intended to stop erosion of the land.

- X.** Permanent Shed: A small structure 120 square feet or larger, serving as storage. Such structures require a county building permit, tied down to withstand 110 miles an hour wind. This structure may be either freestanding or attached to a larger structure.
- Y.** Portable shed: A small structure less than 120 square feet that does not require a county building permit (electric and mechanical require an electric or mechanical permit).
- Z.** Prefabricated portable structure: A prefabricated, portable structure typically of metal products and/or fabric covers, commonly used as carport storage for vehicles or boats.
- AA.** Site Plan: A plat map of the property indicating the specific location(s) of structures, septic tank, drain field, driveways, or other items, including measurements and dimensions, to be a part of the ACC submittal, facilitating a clear understanding of the project's location on the lot.
- BB.** Structure: Something constructed, especially a building or part; to construct, give arrangement to a form.
- CC.** Submittal: Proposal for new structure(s) or changes to structure(s) resulting in changes to the exterior of the structure.
- DD.** Substantial Exceptions: Proposal for a new structure or structure changes that will not be within the parameters of the THA covenants and policies.
- EE.** Temporary Structures: Structures remaining on the property no longer than the building process (certificate of occupancy) or six months or during an ACC approved emergency repair.
- FF.** Underbrush: Small trees, less than one inch in diameter, shrubs, or similar plants growing beneath larger trees.

220. Policies of the Architectural Control Committee (ACC)

A. ACC Approval Requirements

- 1.** The ACC will accept project submittals, in accordance with the Submittal Process below, from the day after the monthly ACC meeting until 20 days later. All submittals from owners will be submitted in person to the ACC Chairperson or Co-chairperson or mailed to PO Box 1075, Havana, FL 32333.
- 2.** The ACC meetings will consist of a quorum (a majority of the seven members). Meetings are to be held monthly with meeting date, time and place to be posted on the community bulleting boards.
- 3.** Changes to ACC approved plans will be submitted to the ACC for review. ACC approved plans are valid for two years. The ACC must investigate projects that have begun but have received no action for more than three months. Projects not completed in accordance with the approved submittal will require changes to the project to adhere to the original submittal, or a new submittal to the ACC will be required for alterations to the original approved project submittal. Failure to comply with the ACC approval or failure of prompt submission of an approval request for the unapproved changes will be considered a violation. The project completion inspection will be preformed by an ACC member and the findings will be so noted, dated and signed by the inspector on the approved ACC Determination form and the ACC project sign is removed.
 - a.** The ACC will assure the submittals are qualified for review by:
 - i.** Confirming that the person(s) submitting plans for construction or modifications are the owners of the lot to be reviewed.
 - ii.** Confirming the Homeowners' Association assessments are satisfied.
 - iii.** Confirming any financial obligations to the Association are satisfied. The submittal will be placed in abeyance pending satisfaction of all financial obligations to the Association.
 - iv.** It is the responsibility of the owner to request a review or subsequent reviews via the chairperson, or other ACC member in the absence or unavailability of the chairperson, of the ACC.

b. Prospective buyers may receive a non-binding approval from the ACC by submitting a written description of their project to the ACC.

c. Approvals or denials must be granted or denied within thirty (30) days after acceptance of the submission, in accordance with the Submittal Process below, of a written request to the ACC. The ACC will accept submittals from the day after the monthly meeting until 20 days later. Refer to “Submittal Process” – “Submission to the ACC” below. Owners will be notified of their submittal status within this time period. If submittal requirements are not met and the submittal needs to be placed in abeyance, the homeowner will be given an opportunity to agree to such status. A lack of such agreement will require a rejection of the submittal. A submittal will not be retained in abeyance for more than three months.

d. The following are new construction and structural modifications and examples of proposals that the ACC will review. This is not intended to be a complete list. Each property owner should consult their individual property covenants. Owners are responsible to obtain the required county permits. Owners should seek guidance from the ACC if in doubt regarding adherence to the THA Covenants, Rules, Regulations and Policies.

i. Roads

ii. Houses, including entire site plan

iii. Garages

iv. Carports – attached and detached

v. Sheds – Permanent and Portable

vi. Gazebos

vii. Additions

viii. Driveways

ix. Fences

x. Retaining walls

xi. Trees and vegetation

xii. Exterior Colors – Exterior brick, siding, trim, windows, doors and roofs

xiii. Deck over water

xiv. Decks

xv. Swimming pools and exterior spas and hot tubs

xvi. Septic tanks and drain fields

xvii. Temporary structures

xviii. Any modifications, major repairs and/or changes to all of the above.

e. Prior to the ACC granting a buffer-related exception, the ACC will consider opinions of all potentially affected neighbors.

B. Specific Requirements for Structures

1. Size Limitations

a. House: 1500 square feet minimum heated/cooled.

b. Shed: 160 square foot maximum

c. Garage/Carport: no more than 2 cars – may include a laundry room and tool shed or boat storage – 1000 square feet maximum

d. Gazebos: 144 square feet maximum

e. Detached Decks: 144 Square feet maximum

f. Fire Wood Storage Structure: 150 square foot maximum per lot

2. Structures

a. Houses, sheds, garage, carport and any other structure not included herein will be reviewed by the ACC. Architectural plans must be included in the submittal of a new house. Major structural changes to a house may require architectural plans to be included with the ACC submittal. The ACC has the authority to require architectural plans to be

included with or added to a submittal before it can be considered. To maintain the property values of the neighborhood, permanent structures should be architecturally complementary and color coordinated to the house.

3. Plans

a. Houses, sheds, garages, carport and gazebos will be submitted as plans suitable for committee review and include a site plan.

4. House plans must include:

- a.** Floor plan (with a minimum of 1500 square feet), see “size limitations”;
- b.** At least two elevations indicating the type of exterior material, trim and roof;
- c.** A site plan showing location of structure, septic tank, drain fields and driveway; trees 4 inches and over to be removed;
- d.** Exterior colors with color samples.

5. Buffers/Lot Lines

a. No houses, or other structures will be located within the “buffer” as defined in the covenants as the area 30 feet from front and rear lot lines and 10 feet from the side lot line. Also, a 30-foot buffer may be required adjacent to a roadway, shoreline or other common area. Due to the various house locations within a lot, corner lots, adjacent common areas, etc., the ACC will specify the front, back and side lot lines at the time of review of a site plan. This will determine the buffer requirements specified herein.

6. Lot Limit

a. A lot is limited to a single-family house and no more than one detached structure

7. Colors

a. Colors of all structures will coordinate and will be natural, neutral, muted shades. The ACC maintains a color standard that defines the acceptable range of colors.

8. Sheds

a. If a storage shed is approved as an exception to the Lake Tallavana Covenants and Policies, it may not be in the front yard. Any shed requiring a building permit is considered a permanent shed. A permanent shed will be architecturally complementary to the house. Portable sheds are not considered complementary and therefore must not be visible from any community road.

9. Prefabricated Structures

a. Prefabricated portable structures with metal roofs will be considered by the ACC only for carport storage of vehicles or cars, RVs and boats, but if seen from the front street will need to be complementary to the natural beauty of the lot and the house as determined by the ACC. Other “pole” type structures such as those constructed of metal poles and tarp material are considered a violation of this policy. Installation must comply with county building codes.

10. Sheds prior to January 06, 2006:

a. Any shed in place, other than those in the front yard, permanent or portable whether approved or not approved by the ACC or the Board prior to the date of this policy, January 06, 2006, will be considered grandfathered in but may not be moved, replaced, repaired or improved upon or added to, except for the general maintenance, without the approval of the ACC. The provision for grandfathering does not include any shed for which the lot owner has been notified of any noncompliance issue prior to January 06, 2006. This policy excludes any shed, permanent or portable, that has been placed in the front yard of any residence that has not had written approval for the structure and its location from the ACC or the Board. Any such shed will need to be removed and relocated in accordance with the shed policy location.

b. Expenses caused by the removal or relocation of the shed may be reimbursed or partially reimbursed as a gesture of goodwill to the lot owner at the sole discretion of the Board.

c. In the alternative, the lot owner will apply to the ACC to retain the structure on the property in an approved location.

11. Gazebos

a. Gazebos are not considered a “detached structure” regarding the quantity structure limitations stated above.

b. Gazebos are not to be used as a short or long-term residence, a storage unit or camping shelter.

c. Gazebos cannot be located in the buffer.

d. A gazebo’s location, structure, size and color will be submitted to the ACC for consideration of compatibility to the house and the neighborhood.

12. Driveways

a. Driveway construction or alteration of a driveway will be reviewed by the ACC. This review requires a site plan. Where a driveway crosses a drainage ditch on the right of way, a culvert of 18” inside diameter will be installed. The culvert will be covered with at least one foot of dirt. The installation of the culvert will match the flow line of the ditch. In certain areas of the Lake Tallavana neighborhood, storm water runoff or road configuration may require a larger diameter culvert or an engineered swale and ditch. The ACC will make this determination, in consultation with the THA road committee members and notify the homeowner.

b. Driveways, including circular driveways, will have only one (1) ingress from the street. An exception maybe granted for special cases such as traffic safety or persons with disabilities.

c. Driveways will be no more that 20 feet wide. Trees and vegetation may be removed no more than 20 feet wide maximum for the construction of a single driveway.

13. Fences

A fence’s location, type and color will be submitted to the ACC for consideration of compatibility to the house and the neighborhood. Owners are encouraged to not locate fences within the buffers, allowing free movement of wildlife through the neighborhood. Fences are not considered a “detached structure” regarding the quantity structure limitations state above.

14. Retaining Walls

a. No wall of any kind is to be built on the Lake Tallavana shoreline without first applying for and receiving an appropriate permit from the Florida Department of Environmental Protection (DEP).

b. Upon receiving DEP permit, the member will submit the approved plans to the ACC to determine compliance with the neighborhood’s natural beauty standards. These standards are as follows:

i. The wall color will be reviewed by the ACC

ii. The desired effect to be achieved by the materials used is to have natural appearing walls.

iii. Treated wood (current federal and state approved), riprap bags and stone masonry are acceptable materials. Creosote materials or concrete block and poured concrete walls are not acceptable materials.

c. Property owners do not own the lake bottom and are prohibited from erecting any structure, including artificial fish habitats, beyond the property owners’ property marker unless it is approved by the ACC. Common fish feeders are excluded from this policy requirement.

d. Retaining walls are not considered a “detached structure” regarding the quantity structure limitations stated above.

15. Trees and Vegetation

a. The intent of the ACC is to preserve the natural beauty of the neighborhood and the healthy wildlife ecology. Therefore, all trees proposed for removal that are 4 inches or larger, measured four feet from the ground up, will be submitted to the ACC for approval. The submittal will include the common species name of each tree proposed to be removed indicated on the lot’s site plan. Federal law prohibits the killing of endangered trees. See listing at <http://www.fws.gov/northflorida/Species-Accounts/SpeciesInfo.htm> (Examples: Ashes Magnolia, Pyramid Magnolia, Northern Prickley Ash). Scrub oak and black jack oak (Quercus [Q.] lavis also known as “turkey oak”, Q. Marilandica; “scrub oak” – Q. Lyrata or Q. minima or Q. Geminata or Q. Chapmanii or Q. Rolfsii or Q. Myrtifolia or Q. Laedis) may be removed, only in the buffer (in accordance with the covenant), after review by the ACC to confirm these species. Justification for the removal of damaged or diseased trees (threatening the sustainability of the tree) 4 inches or over will require a report of the tree(s) viability from a licensed arborist to be included with the submittal. This requirement may be exempted if the damage or disease is deemed to be extremely obvious by at least three members of the ACC, and so noted and signed by the members on the ACC Determination Form.

b. Buffer tree removal: If trees are proposed for removal in the buffer zones, the owner will submit a site plan indicating the location of the trees and their common species name and the reason for the removal of the trees over one inch in diameter in the 30 foot front and rear buffers and the 10 foot side buffers. This buffer zone submittal may be included in the entire lot submittal required above, if applicable. The proposed removal of any tree within the buffer will be reviewed for approval by the ACC to include the confirmation of the species types and sizes to be removed as allowed by the covenants as stated:

- i. Only underbrush may be removed in the buffer except as specified herein.
- ii. Dogwood, redbud and magnolias under **one inch in diameter** and all scrub oak and black jack oak (Quercus [Q.] lavis also known as “turkey oak”, Q. Marilandica; “scrub oak” – Q. Lyrata or Q. minima or Q. Geminata or Q. Chapmanii or Q. Rolfsii or Q. Myrtifolia or Q. Laedis) may be removed within the buffer.
- iii. Trees and vegetation may be removed no more than 20 feet wide maximum for the construction of a single driveway.

(See Appendix #2 for complete list of vegetation)

c. Tree and vegetation clearing in preparation for construction will include the required erosion control as specified by state and county laws and rules.

d. Property owners are **encouraged** to consult with the ACC prior to removing any living trees in excess of one inch in diameter to avoid conflicts with these policies.

16. Deck over water

- a. No more than one deck over water per residence will be permitted.
- b. No part of the deck over water shall be nearer than ten (10) feet to side lot lines.
- c. At the time of construction a deck over water may not extend more than twelve (12) feet from the property owner’s lot line over the common lake body.
- d. The maximum width of a deck over water will not exceed 12 feet.
- e. The maximum square footage of the deck over water constructed will not exceed 168 square feet excluding any walkway to the deck itself.
- f. There will not be a roofed structure on the deck.

- g.** No creosote materials will be used. Only treated lumber that currently meets state and federal approval is acceptable. Owners are encouraged to use composite materials or other ACC approved materials.
- h.** A deck over water is not considered a “detached structure” regarding the quantity structure limitations stated above.

17. Decks

- a.** Plans for decks and any accompanying structures, including walkways, must be approved prior to the start of construction. This includes any applicable paint colors.
- b.** Detached decks may not exceed two feet in elevation.
- c.** Detached decks are not considered a “detached structure” regarding the quantity structure limitations stated above.

18. Swimming Pools

- a.** Swimming pools are not considered a “detached structure” regarding the quantity structure limitations stated above.
- b.** Swimming pools will not exceed 650 square feet and will be constructed in accordance with the following Board Policy adopted October 21, 2004.
- c.** In-ground or partially in-ground swimming pools will be fenced according to the Laws of Florida and Gadsden County.
- d.** Swimming pools are prohibited from being constructed in the buffer zones.
- e.** Swimming pools will not be placed in the front yard.
- f.** Above-ground swimming pools will be encircled with shrubbery (bushes), maintained, with expected growth height equal to the top of the pool sides within three years, and/or ACC approved fencing and decking around the pool sides in order to conceal the sides of the pool. Fencing will be required in accordance with Florida and Gadsden County laws, if applicable.
- g.** If an above-ground pool is partially in-ground, the Laws of Florida and Gadsden County apply with respect to fencing. The exposed part of the poolside will be concealed with shrubbery (bushes), in accordance with the above requirement.

19. Septic Tanks and Drain Fields

The location of septic tanks and drain fields will be reviewed by the ACC prior to construction. A site plan is required for this review. The homeowner will be responsible for obtaining appropriate permits from the local government.

- a.** No septic tank or drain field will be located closer than 100 feet to the high water mark of Lake Tallavana.
- b.** The septic permit copy will be submitted to the ACC.

20. Fire Wood Storage Structure

A fire wood storage structure as specified herein is not considered a “detached structure” regarding the quantity structure limitations stated above. This structure will be open sides, used only for the storage of firewood, constructed in a manner to complement the property and not detract from the property’s natural beauty. These structures, if more than 10 square feet total per lot will be reviewed by the ACC for compatibility with the home and the neighborhood. This structure may not be in the front yard and may not exceed 150 square feet total per lot.

225. Submittal Process

A. Submittal Requirements

Any new structure or structure changes submittals will include the following applicable details (house/carport/shed/gazebo). Items that may have been inadvertently omitted from this list does not eliminate the requirement for their inclusion in the submittal if specified in the policy or the covenants.

- 1.** A written narrative explaining the details of the proposed structure or change, including the lot number, address, owners’ phone number(s).

2. Plat map/site plan showing location of structure when applicable.
3. Blue prints or drawings for new and major house structure changes with any required building code engineered certifications or plans.
4. Exterior primary building materials specified.
5. Exterior material's color(s), paint, stain or composite material colors specified with samples.
6. Roofing material and color samples(s).
7. Trim color with sample color(s) chart.
8. Sketch, examples and/or pictures to clarify any unusual configuration or design feature.
9. For portable structures, a manufacturer's catalog with pictures and specifications will be acceptable for 3 through 8.

B. Septic Tanks and Drain Fields

New or major changes to septic tank and drain field will include the following:

1. A written narrative explaining the details of the proposed structure or change, including the lot number, address, owners' phone number(s).
2. Plat map/site plan showing location of tank and field lines.
3. A copy of the county permit issued for the construction or change.
4. Sketch, examples and/or pictures to clarify any unusual configuration or design feature.
5. Tree removal requires a written explanation of the number of trees and or underbrush to be removed and whether they are located within the buffer. An ACC inspection will be required before the tree submittal can be considered. (See "Trees & Vegetation")
6. See also "Septic Tanks and Drain Fields" above.

C. Tree removal requirements

1. Lot number, address, and owners' phone number(s).
2. A written explanation of the trees, quantity, approximate size and/or underbrush to be removed and whether they are located within the buffer. A site plan indicating the approximate location of each tree to be removed. An ACC inspection will be required before the tree submittal can be considered.
3. See also "Trees and Vegetation" above.

D. Swimming pools and surrounding deck(s) requirements

1. Lot number, address, and owners' phone number(s).
2. A written explanation, a picture (if available) or a drawing of the proposed pool, materials and colors to be used in the construction.
3. Site plan for the location on the lot, type of materials to conceal the pool if required, fencing material, design and color, and any available material sample.
4. See also "Swimming Pools" above.
5. See also "Tree Removal Requirements" and "Trees and Vegetation" above, if applicable.

E. Driveway plan requirements

1. Lot number, address, and owners' phone number(s).
2. A site plan locating the driveway
3. A written explanation including descriptions of materials to be used in the construction, colors (if applicable), dimensions of the driveway, and number of trees in the specified area(s) that will need to be removed.
4. An ACC inspection to determine if there are any drainage issues or drainage impact to THA roads will be required before driveway plans are considered.
5. See also "Driveway Requirements" and "Trees and Vegetations" above.

F. Exterior color/trim changes or color additions requirements

1. Lot number, address, and owners' phone number(s).
2. A written explanation of what is to be changed, a description of the structure effected by the color change, a description of the separate areas (primary, trim, highlight, shutters,

columns, etc.) the color name(s) or number(s) and paint chip/sample(s) from the color manufacturer.

3. Trim additions or changes require a written explanation, color samples, material samples, if applicable.

G. Temporary structures such as temporary storage containers requirements

1. Lot number, address, and owners' phone number(s).

2. A written explanation of the need, the type of structure, the expected period of time the structure will be on the property, and the location on the site (may require a site map).

H. Fire wood storage structures requirements

1. Fire wood storage structures 10 square feet or less, total for the lot, are not reviewed by the ACC.

2. Lot number, address, and owners' phone number(s).

3. A drawing of the structure and the materials to be used.

4. The color and type, such as roofing, of the materials to be used in the construction.

I. Submission to the ACC

1. The monthly ACC meeting is the first Tuesday (except holidays, then Wednesday) in each month. The ACC will accept submittals from the day after the monthly meeting until 20 days later, to allow time for pre-inspections by the ACC. Later submittals may not be considered until the following monthly meeting. If this is the case, the submitter will be notified in writing the date the submittal will be accepted as received for consideration.

2. Submit the above information in person to the Chairperson or the Co-chairperson of the ACC or mail it to the Association P.O. Box 1075, Havana, FL 32333. The ACC member receiving the submittal will sign and enter a "received" date at the time of receipt. The 30 day required review period does not begin until the next scheduled ACC meeting when the ACC chairperson or the Co-chairperson signs, dates and notes on the submittal as "received and adequate for consideration." Property owners will be notified, in writing, within one week of the monthly meeting if their submittals were not complete or were not received in the time allotted to be considered and the status and/or expected date of receipt and consideration.

3. Pre-inspections of the proposed project are required to be conducted by the ACC before the submittal review. The completed submittal will be reviewed by the ACC and the approval or rejection and the inspection date and participants will be documented on the ACC Determination Form. This form will be delivered or mailed to the property owner during the week following the meeting, unless the submittal is placed in abeyance. The property owner will be asked to sign the agreement of adherence to the approved specifications. Upon agreement, the approval is finalized and the property owner may begin the approved project.

4. An ACC approved project sign may be located at the front of the property to indicate the proper process has been completed and approval was received for the project.

5. When an approved project is finalized, a post inspection will be performed by an ACC member and the sign will be removed. Projects not completed in accordance with the approved submittal will require changes to the project to adhere to the original submittal or a new submittal to the ACC will be required for alterations to the original submittal.

230. Approval Agreement

A. The execution of the ACC's formal notification of an approved project will include the homeowner's signature (at least one) agreeing to the following.

1. Complete the project as approved by the ACC

2. Allow periodic inspection of the project by the ACC and or the Board

3. Allow the ACC's post inspection of the project

- 4. Make modifications to comply with ACC requirements as specified in the approval documentation.
- B. Signage of approved projects will be designated on the common front street of the property.
- C. ACC will document, on the ACC Determination Form, recommended exceptions from this policy.
- D. Justification for rejected plans will be explained in writing on the ACC Determination Form.
- E. The executed form will be filed with the Corporate Secretary.

235. Appeal Process

- A. If the property owner would like to appeal the ACC’s decision, the following process is recommended.
 - 1. Submit a written explanation of why the owner disagrees with the ACC’s decision to the President of the THA Board one week before the monthly Board Meeting which is normally held the second Tuesday of each month.
 - 2. Attach the ACC’s Determination Form and a copy of the complete submittal (may be obtained from the ACC) with the written explanation submitted to the THA Board President.
 - 3. The Board members will review the request for appeal to determine what, if any, action should be taken.
 - 4. The Board may instruct the ACC to determine alternative solutions and report to the Board.
 - 5. The Board’s final determination will be communicated to the ACC and the property owner in writing within 10 days of the Board meeting in which a final determination is made.
 - 6. If a resolution cannot be achieved, an injunction may be sought causing a formal mediation, which may be initiated by either the THA Board or the property owner. If mediation fails to meet a resolution, a formal court hearing may be initiated by either the THA Board or the property owner.

236. Noncompliance with Approved or Rejected Plan

Any homeowner who does not complete a project in accordance with an approved plan or has not submitted plans for consideration or has constructed a rejected plan will be notified in writing by the ACC on behalf of the THA Board. Such notification will state the remedy required to correct or remove the unauthorized project. The ACC may recommend further legal action to the THA Board if the homeowner does not comply with the ACC notification letter.

240. Board and ACC Member Restrictions

The Board and ACC members having a personal interest or a relative involved in an ACC submittal or appeal will recuse themselves from the decision process. Such members may be present and answer questions.

250. Neighborhood’s Natural Beauty

- A. The ACC is authorized to take actions to encourage the beauty of the natural environment of the neighborhood. The ACC may take actions within the law, covenants, regulations and policies to eliminate practices that obstruct the beauty of the neighborhood’s natural environment such as but not limited to the following.
 - 1. The storage of unlicensed vehicles and trailers, discarded appliances, waste containers and other items that are normally required to be stored out of sight.
 - 2. Failure to properly maintain the homeowner’s property to the extent such failures devalue neighborhood properties.

*Reference: County Code Ordinance 70-71 through 70-78
 (<http://www.clerk.co.gadsden.fl.us/Ordinances/13425.htm>)*

3. No trailer, mobile homes, travel trailers, or motor coaches shall be permitted to remain upon any lot other than temporarily unless placed or maintained within an enclosed garage or carport.

4. Eyesore/distractions to the neighborhood, brought to the attention of the ACC will be dealt with on an individual basis. These would include but not be limited to abandoned vehicles, deteriorating sheds, abandoned appliances, garbage or other items generally considered trash.

(1) The Law of Florida Homeowners Associations copyright 2005

Adopted by the Tallavana Homeowners' Association Board of Directors January 10, 2006
Revision #1 Adopted August 8, 2006

TALLAVANA HOMEOWNERS' ASSOCIATION

SECTION 300

310. Making Presentations to the Board

The following guidelines have been developed to keep the Board meetings on track and still allow anyone who wants to speak the opportunity to do so. Whether you are a Board member or a property owner, the guidelines will help you organize your thoughts and anticipate questions the Board members may have. They will also ensure that the Board has sufficient information to address our concerns.

If you are making a presentation to the Board you should understand that the Board cannot address policy issues or projects that require a significant expenditure of funds until the members have had time to properly evaluate the proposal. Items which are not on the agenda will be taken last as time permits. Upon hearing the item, it will be tabled until the next regular meeting unless it is an emergency, which requires immediate Board action, or a minor issue that is easily resolved. Speakers will be limited to ten minutes.

With these things in mind, you should make your presentation as follows:

1. Whenever possible, discuss your proposal in advance with the Board members.
2. At the meeting, briefly describe the problem/condition that requires action by the Board.
3. Present the proposal you believe will correct the problem. If your proposal will require an expenditure of funds you should be prepared to discuss:
 - a. How much the solution will cost. If you present more than one alternative, a cost estimate for each alternative should be provided.
 - b. What funding source will be used. If the project is not in the current year's budget, be prepared to discuss which budgeted item(s) you feel should be postponed to pay for the project. Copies of the current budget are available from any Board member.
4. If your proposal is of a policy nature and does not require an expenditure of funds, you should be prepared to discuss:
 - a. Proposed wording of the policy. It will help if you have it typed or printed, with a copy for each Board member (there are seven Board members).
 - b. The authority under which the Board can enforce the policy. The Board may enforce policies which are based on the By-Laws or Restrictive Covenants, or which have been approved by a majority of the property owners at the annual membership meeting. The Board may also adopt and enforce policies that pertain to management, maintenance and protection of common property (pavilion, lake, roads, dam, etc.). If you are not sure, discuss the matter with a Board member in advance.
5. If you want to speak for or against a proposal that is before the Board for a vote you should:
 - a. Wait until you are recognized by the chair.
 - b. State your name for the record.
 - c. State whether you are for or against the proposal and briefly state why.
6. If a proposal is not before the Board for voting, discussion will be limited to three minutes per person.

If you follow the above guidelines, you will make the best use of everyone's time. If you are prepared, you will have anticipated potential questions and will be ready to provide the level of information the Board needs to act. In so doing, you will help ensure that your presentation is effective and received the attention it deserves.

APPENDICES

LAKE TALLAVANA HOMEOWNERS ASSOCIATION FISHING REGULATIONS AND INFORMATION

FISHING REGULATIONS

- ◆ Three (3) bass limit – minimum size of 14”
- ◆ Only one (1) bass may be over 22”
- ◆ Release all speckled perch under 10”
- ◆ Florida fish and wildlife commission limits apply to all other species – includes:
 - 50 Panfish.
 - 25 Black Crappie (speckled perch) and/or white crappie individually or in total.
- ◆ All common “German” carp caught should not be returned to the lake. This hardy fish has large scales, thick lips and a pair of barbells or whisker like growths on each side of their mouth. The fish are greenish-gold fading to a yellowish belly; they can weigh up to 10 lbs. and have no known food value.
- ◆ Trotlines, bush hooks, and unattended fishing devices are prohibited.
- ◆ The Homeowner’s Association purchases an annual fishing license for residents and their guests - individual licenses are not required

LAKE AND BOAT RULES

1. Only electric motors may be used on the lake. Gasoline motors, even though they may not be in operation, are not allowed on the lake.
2. Guests, with the exception of relatives, must be accompanied by their host when fishing on the lake - even though they may be in a boat with decals.
3. All boats using Lake Tallavana must have valid decals.
4. Decals shall be placed on both sides of the front of the boat.
5. All fishing boats using Lake Tallavana must not exceed 18 feet in length. All pontoon boats must not exceed 24 feet in length and 10 feet wide.
6. Property owners may not have more than four registered boats that use Lake Tallavana, unless approved by the Board of Directors.
7. No houseboats or live-aboards are allowed on Lake Tallavana.
8. All boats must carry life preservers on board for all occupants and comply with all other state safety requirements.

PROTECTING & MAINTAINING THE LAKE TALLAVANA FISHERY

The use of decals on our member boats and on vehicles launching at our ramps are a means for us to monitor our fishery and insure that only residents and their accompanied guests are fishing Lake Tallavana. Our Lake management volunteers, board members and law enforcement officers employed by the Association are trained to monitor and courteously question fishermen in boats without decals and those launching boats using vehicles without valid decals. Even though we live within a gated community, occasionally we do discover fishermen who have gained access illegally to our lake to sample the great fishing. The cooperation and assistance of each and every homeowner is essential in order for us to maintain the excellent fishery that currently exists and for which we pay annual assessments.

Appendix #2

Recommended Lake Tallavana Native Trees

(F – Fast Growing) (approximate height noted in feet) (*Strongly recommend planting at least one) (+ - Flowering)

<u>Any Locale but Damp</u>	<u>Damp Locations</u>	<u>Sandy/Pine Forest</u>	<u>Under Story</u>
Shumard Oak (F) 100' Florida Maple (F) 50' Red Maple (F) 30' Tulip Poplar (F)(+) 150-190' Magnolia (F)(+) 65-100' Eastern Red Cedar Eastern Redbud (F)(+) 30' Shortleaf Pine 80-90' *White Oak 60-100' *Live Oak 60-80' Overcup Oak 100' Black Oak 80' Flowering Dogwood (+) 40' Mockernut Hickory 100' American Beech 90' Sweet Bay 50-90' American Holly 40-50' American Elm 100' Red Oak 70' American Sycamore 100'	River Birch 30' Loblolly Bay (+) 80' Bald Cypress 80-130 Pond Cypress 40' Sweet Bay (F) 50-90' Wax Myrtle (F) 40' Swamp Chestnut Oak 100' Willow Oak 50' Water Hickory 100' Eastern Red Bud (F) 30' Black Willow 65' Carolina Ash 40' Green Ash 50' Black Titi (+)10-30' Snowbell (+) 10'(in lieu of Dogwoods which are susceptible to anthracnose) Eastern Hophornbeam 40'	American Holly 50' Red Maple 50' Post Oak 50-80' Shortleaf Pine 90'	Wax Myrtle Ashe Magnolia-40' (+) Winged Sumac-25' (+) Florida Anise-25' (+) Parsley Hawthorn-25' (+) Red Buckeye-35' (+) Southern Crabapple-15'-25' (+) Sparlkleberry-6'-25' (+) Sassafras-40' Walter Viburnam-20' +

Original – 9/4/06

[Compiled and retained by Andrena Knicely]

Appendix #3

**DISCLOSURE SUMMARY
FOR
LAKE TALLAVANA COMMUNITY**

1. AS A PURCHASER OF PROPERTY IN THIS COMMUNITY, YOU WILL BE OBLIGATED TO BE A MEMBER OF A HOMEOWNERS' ASSOCIATION.
2. THERE HAVE BEEN RECORDED RESTRICTIVE COVENANTS GOVERNING THE USE AND OCCUPANCY OF PROPERTY IN THIS COMMUNITY.
3. YOU WILL BE OBLIGATED TO PAY ASSESSMENTS TO THE ASSOCIATION. ASSESSMENTS MAY BE SUBJECT TO PERIODIC CHANGE. THE CURRENT AMOUNT IS \$600 PER YEAR. YOU WILL ALSO BE OBLIGATED TO PAY ANY SPECIAL ASSESSMENTS IMPOSED BY THE ASSOCIATION, SUCH SPECIAL ASSESSMENT MAY BE SUBJECT TO CHANGE. THE CURRENT AMOUNT IS ZERO.
4. YOU MAY BE OBLIGATED TO PAY SPECIAL ASSESSMENTS TO THE RESPECTIVE MUNICIPALITY, COUNTY OR SPECIAL DISTRICT.
5. YOUR FAILURE TO PAY SPECIAL ASSESSMENTS OR ASSESSMENTS LEVIED BY A MANDATORY HOMEOWNERS' ASSOCIATION COULD RESULT IN A LIEN ON YOUR PROPERTY.
6. THERE MAY BE AN OBLIGATION TO PAY RENT OR LAND USE FEES FOR RECREATIONAL OR OTHER COMMONLY USED FACILITIES AS AN OBLIGATION OF MEMBERSHIP IN THE HOMEOWNERS' ASSOCIATION.
7. THE DEVELOPER MAY HAVE THE RIGHT TO AMEND THE RESTRICTIVE COVENANTS WHICH CANNOT BE AMENDED WITHOUT THE APPROVAL OF THE ASSOCIATION MEMBERSHIP.
8. THE STATEMENTS CONTAINED IN THIS DISCLOSURE FORM ARE ONLY SUMMARY IN NATURE, AND, AS A PROSPECTIVE PURCHASER, YOU SHOULD REFER TO THE COVENANTS AND THE ASSOCIATION GOVERNING DOCUMENTS BEFORE PURCHASING PROPERTY.
9. THESE DOCUMENTS ARE MATTERS OF PUBLIC RECORD AND CAN BE OBTAINED FROM THE RECORD OFFICE IN THE COUNTY WHERE THE PROPERTY IS LOCATED OR FROM THE ASSOCIATION OFFICE.

(Date)

(Purchaser's Signature)

(Purchaser's Signature)