

RULES AND REGULATIONS FOR EDEN AT THE STRAND

PURPOSE

These Rules and Regulations are intended to supplement the Declaration of Covenants, Conditions, and Restrictions for The Eden at The Strand Homeowners Association (HOA). This manual is being supplied to help residents maintain and enhance home values and to provide simple guidelines for living at Eden without infringing on the rights of neighbors. Homeowners must supply tenants with a copy of the Rules and Regulations. For a full list of the restrictions governing the Lots, please see the Declaration of Restrictive Covenants.

(*) – Per the Strand Master Property Owners Association Documents

MAINTENANCE OF PROPERTY BY HOA

HOA will engage vendors to perform the following services:

- Landscaping – including mowing, edging, regular pruning of shrubbery under 12 ft., mulching and fertilizing of lawn and plants and bushes on lots.
- Maintenance of entry island and lower berm landscape.
- Trimming of Hardwood trees will be performed every other year.
- Trimming of Palm trees over 12 ft will be performed every year.
- Pressure washing of driveways and sidewalks every year.
- Roof cleaning every 2 years.
- Exterior Painting of the 29 buildings as needed, at such time the exterior of buildings, gutters and fascia will be pressure cleaned.
- Maintenance and repairs of sidewalks and roadways.
- Maintenance and repairs of valley gutters and catch basins on roadway.
- Maintenance and repairs of irrigation system.
- Maintenance and repairs of lake and fountain.
- Maintenance and repairs of mailboxes.

MAINTENANCE OF PROPERTY BY OWNER

- Owners shall maintain in good repair all structures and the lot in a neat, orderly, and attractive manner consistent with the general appearance of the Property and Eden.
- Maintenance of all structural components, including entry doors, garage doors, roof, windows, sliding doors, screens, screen doors and their hardware, frameworks, and locks.
- Maintenance of the complete interior.
- Maintenance of the interior and exterior electrical lines and hookups, all air conditioning components, appliances, TV cables and connections, and sewer pipes servicing the unit.
- Maintenance and repairs of the exterior surface of all walls, doors, windows, roof, and driveway pavers.

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- Replacement of landscaping that is dead, diseased, or unsightly with like kind without ARB approval if the new plants are on the ARB approved plant list.
- Maintenance and repairs to gutters or other drainage systems on the lot.
- Should the owner neglect to perform maintenance and repairs after notification by the HOA, then the HOA shall have the right to have the maintenance or repair performed and the owner will be liable for the cost and subject to an individual assessment.

ARCHITECTURAL REVIEW BOARD

- No improvement, exterior change, or structure of any kind, including without limitation, any building, fence, swimming pool, screened enclosure, hurricane shutters, solar panels or additional landscaping is permitted without prior written approval by the Architectural Review Board.
- In all cases, ultimate responsibility for satisfying all local building codes and requirements rests with the Owner and architect/contractor employed by the Owner. The ARB has no responsibility for ensuring that plans and specifications, which it reviews, comply with local building codes and requirements.
- The owner shall hold the ARB, its members, the Association, and the Board harmless from any failure to comply with relevant building and zoning requirements or the Declaration or these Rules and Regulations, and against any defect in any plans or specifications or any defect in a structure or Improvement built.
- Homeowners that begin modifications prior to the submittal of an application may be subject to a fine.
- The ARB request form can be downloaded from the "Documents" page of the HOA website, www.EdenatTheStrand.com or obtained by contacting the management company.

TRASH AND GARBAGE (*)

- Trash and garbage containers shall either be stored within the dwelling structure or in an enclosure approved by the Architectural Review Committee. All trash and recycle containers can be placed curbside the evening before pickup, but no earlier than 6:00 PM, and must be returned to their storage location no later than 6:00 PM of the day of pickup. The pickup schedule for Collier County Waste Management is Friday (trash only) and Tuesday (trash and recycle).

PARKING/GARAGES (*)

- No street parking is allowed. All vehicles must be in the garage or driveway. No vehicles, except two (2) standard passenger vehicles shall be parked in the driveway.
- Garage doors shall be kept closed except when vehicles are entering or exiting.

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PETS (*)

- Only domestic animals that are kept as household pets and are not kept, bred, or raised for commercial purposes are permitted to be maintained within the Association.
- No Owner or resident shall maintain or keep more than two (2) domestic pets except for fish in aquarium, or birds in cages.
- Owners of pets shall be responsible for removing the waste of their pets from any of the common areas and lots.
- Animals belonging to Owners or Guests must be kept on a leash held by a person capable of controlling the animal. Owners are responsible for adhering to all pet/animal laws established by Collier County.
- Pets shall not be left unattended or leashed on porches, lanais, patios, common areas, outside or in the garage.
- Dog runs and invisible fences are not permitted in the community.
- Owners are not to allow their pet(s) to pose a nuisance to other owners or their guests. Any pet that endangers the health or welfare of any Owner or creates a nuisance (e.g., unreasonable barking, howling, whining, or scratching) or an unreasonable disturbance or is not a common household pet, as may be determined in the sole discretion of the Board of Directors, must be permanently removed.

LEASING OF UNITS

- Units may be leased or rented by owners for a term of not less than thirty days (*) and no more than three (3) times a year.
- A lease application must be submitted to the management company at least 20 days prior to the lease for approval.
- Homeowners shall be responsible for the actions of their Guests and/or Tenants.
- The lease application can be downloaded from the "Documents" page of the HOA website, www.EdenatTheStrand.com or obtained by contacting the management company.

Commented [LBE1]: Inconsistent with Declaration.

ENFORCEMENT POLICY AND PROCEDURE

The following procedure will apply to all violations and infractions of the governing documents and rules and regulations.

- Owners may report violations to the management company or the Board of Directors by submitting a written notice describing the violation.
- The Board of Directors, Management Company, or committee appointed by the Board may also note any violations discovered during a walk-through or by personal knowledge of any of its members or representatives.

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At the time a violation is noted or reported, action will be taken as follows:

- The first notice to correct the violation will be sent by the management company. The notice will contain a description of the violation, and instructions regarding response to the notice and correction of the violation.
- If the violation continues, or if the response to the first notice is otherwise unsatisfactory, the Owner will receive notice of a fine being levied. The Owner will be afforded an opportunity to appear before an appointed committee either by appearing personally or electronically or by submitting written testimony. The HOA shall provide written notice of the hearing at least fourteen (14) days in advance of the hearing.
- At the hearing, the facts of the alleged infraction(s) shall be presented to Committee. The owner shall then have a reasonable opportunity to present evidence as to why the fine should not be imposed. If the committee, by majority vote, does not approve a proposed fine or suspension, it MAY NOT BE imposed.
- The Board may impose fines in amounts related to the severity of the offense and deemed adequate to deter future offenses: however, no fine may exceed one hundred dollars (\$100.00) per violation. A fine may be levied based on EACH DAY of a continuing violation, with a single notice and opportunity of hearing, except that no such fine shall exceed one thousand dollars (\$1,000.00) in aggregate. Fines of \$1,000 or more may become a lien on the Lot.
- All monies received from fines shall become part of the common surplus.
- Fines shall not be construed to be an exclusive remedy, and shall exist in addition to all other rights and remedies to which the HOA may otherwise be legally entitled: However, any fine paid by the offending Owner shall be deducted from or offset against any damages that the HOA may otherwise be entitled to recover by law from such Owner.

Commented [LBE2]: The hearing must take place regardless of the owner requesting a hearing. The fine cannot be imposed unless the committee approves it.

Special Note: Should a violation occur which imposes a financial obligation to the Association; the party responsible for the violations shall reimburse, by way of an individual assessment, the Association for the financial obligation. If for example, a party damages a fence, tree or other common property, repair and replacement costs will be charged to the owner responsible for the party.

EFFECTIVE DATE

These Rules and Regulations and any subsequent amendments shall be effective on the date adopted by the Board of Directors unless a later effective date is approved. The Rules and Regulations may be amended or repealed in whole or in part by a majority vote of the Board of Directors.