

ARBOR TRACE HOMEOWNER'S ASSOCIATION

February 2013

Summary Of Covenants Restrictions, Board Rules, Appearance Standards, and Architectural Guidelines

The Arbor Trace Subdivision is a deed-restricted community of 147 homes located in southern Indian River County. The subdivision is bound by 43rd Avenue SW on the east, 5th Street SW on the north, Oslo Road on the south, and Legend Lakes Subdivision on the west.

The Arbor Trace Homeowner's Association has a responsibility to its residents to ensure that the general appearance of existing homes and surrounding property are in accordance with Arbor Trace Covenants and Architectural Guidelines, to avoid harsh contrasts in architectural themes, and to maintain harmony between residences.

The Master Declaration of Covenants, Conditions, Reservations and Restrictions, which includes the Architectural Guidelines, is the Arbor Trace governing document and is the source of this Summary. Every homeowner has the responsibility to read and adhere to the Covenants. This Summary provides a quick reference to the restrictions, architectural guidelines, and requirements contained in the Covenants. This Summary does not replace or amend the Covenants.

Should a violation of the covenants, its restrictions or architectural guidelines occur, the Association or any individual homeowner has the right to seek injunctive relief to require the owner or tenant to stop, remove, and/or alter the circumstances causing the violation, and do so in a manner that complies with the covenants. The owner causing the violation may also be liable for the cost of seeking injunctive relief and may be fined in accordance with Florida Statute 720.305.

Covenants Restrictions and Board Rules

Residential Use

- ❖ Homeowner's property is to be used for single family residential living units and for no other purpose.
- ❖ A business or commercial building cannot be erected on any lot.
- ❖ A business, including garage sales, cannot be conducted on any part of a lot.
- ❖ Architectural Review Committee (ARC) approval is required prior to any alteration or improvement upon a lot as specified in the Architectural Guidelines (Refer to the section on Architectural Standards for details).

Pets

- ❖ Dogs, cats and pet birds are the only animals that can be kept in reasonable numbers as pets of the occupants, but not for commercial use or purpose.
- ❖ All animals are to be kept on a leash when they are outside the owner's premises and must not become a nuisance to other residents; this includes removing the animal's waste the owner's property, from another's property, and from the common areas.
- ❖ ARC approval is required to erect an animal enclosure.
- ❖ Dangerous pets and pets of a mean and vicious temperament are prohibited.

Trucks, Boats, Trailers, and Other Vehicles

- ❖ Only four-wheel passenger vehicles can be parked on any lot, and service or construction companies using trucks in the normal course of business.
- ❖ No maintenance or repair can be performed upon any motor vehicle upon any lot.
- ❖ All boats, trailers, and other types of vehicles are to be kept inside an enclosed garage.
- ❖ Boats are not allowed on the property except within enclosed garages.

Signs

- ❖ No sign of any kind can be displayed to the public view of any lot except for a four square foot sign displaying the words, "FOR SALE" and a security sign of reasonable size provided by a contractor for security services.

Above-ground Pools

- ❖ Above-ground pools are not permitted.

Sports Equipment

- ❖ Sports equipment must not be located on the street, cul-de-sac, sidewalk, or roadside grassy strip.

Dish Antennas

- ❖ Dish antennas are permissible, but, to the extent possible, should not be located on the front of the residence.

Trash, Recycle, and Yard Refuse

Containers must be stored in a way that cannot be viewed from the street.

- ❖ Containers and yard refuse shall not be placed at the curb until the evening before or the day of pick-up.
- ❖ Containers must be returned to storage at the end of the collection day.

Nuisances

- ❖ Noxious or offensive activity cannot be carried on upon any lot, nor shall anything be done which may become an annoyance or nuisance to the neighborhood.

Fireworks display

- ❖ Fireworks that cannot be sold legally in Florida cannot be used in Arbor Trace as defined in Florida State Statute, Chapter 791.01 (4)(a).

Flag display

- ❖ Residents of Arbor Trace may display one US flag, one Florida state flag, and one armed services flag consistent with Florida Statute 720.304.

Easements and Lakes

Lot owners are responsible for maintaining the following:

- ❖ The maintenance easement between the property line and the lakes.
- ❖ The swale between Arbor Trace and Legend Lakes.
- ❖ The grass between the property line and the berms.
- ❖ The sidewalk and grass between the property line and the roadway.
- ❖ Sidewalks must be edged, trimmed, free of mold, mineral stains, and obstacles to pedestrian traffic.
- ❖ Boating and swimming is prohibited in the lakes. Fishing is allowed for residents and guests.
- ❖ Netting of fish is prohibited. The Board policy encourages catch and release.

Roadways

All roads within the community are private roads and subject to the rules of the Association. These rules are as follows:

- ❖ The posted speed limit is 15 MPH for all vehicles.
- ❖ Only registered vehicles may be operated on the streets.
- ❖ Only licensed drivers may operate vehicles on the streets.

Parking

- ❖ It is prohibited to park vehicles and trailers of any kind on any part of the turf between the sidewalks and curb, and on common areas located at the Phase I and Phase II lakes within Arbor Trace.
- ❖ It is prohibited to park vehicles and trailers of any kind closer than one car length from any Stop sign within Arbor Trace.
- ❖ Vehicles shall be parked parallel to the curb and in the direction of traffic flow. Double parking is not permitted. Vehicles shall not be parked in a manner that blocks access to driveways and mail boxes.

Gates

- ❖ The north gate (5th street) is for Arbor Trace residents only and not for commercial vehicles
- ❖ The gate codes and remotes are for use by residents only.
- ❖ Separate codes are available upon request for service providers for use on the east gate (43rd Street) only.
- ❖ If a remote is lost or stolen the Association must be notified promptly.
- ❖ Replacement remotes are available from the Association at a cost to the homeowner.

Appearance Standards

All areas of each homeowner's property must be maintained in good order in recognition of the impact each lot has upon the appearance of adjacent lots and to ensure that all homeowners work to maintain the appearance of respectability in our neighborhood.

Homes must be maintained to ensure there is no visible maintenance needs. This includes, but is not limited to the following:

House Exterior

- Faded, cracking or peeling exterior paint.
- Broken windows.
- Dirt, mold, rust, and/or algae stains on roofs, gutters, soffits and walls
- Bent or loose rain gutters.
- Screen enclosures need to be maintained and repaired as needed.

Lawn

- The lawn should be maintained in a healthy condition.
- All paved areas (driveways, curbs, sidewalks, etc.) shall be edged.
- There shall be no weeds or grass taller than six (6) inches.
- Grass around all areas of the property shall be maintained in neat condition by trimming around mailboxes, flowerbeds, utilities, and the house foundation.
- Lawns that show high infestation by weeds must be treated to remove the weeds.
- Except during winter, dead grass shall not be visible.
- Mulch is recommended to enhance the beauty of the landscape, help retain moisture, and minimize weed production.

Trees, Palms, Plants, and Shrubs

- Plants shall be removed as soon as they die.
- Shrubs must be trimmed and replaced if diseased or dead.
- Prune trees and bushes as needed throughout the growing season to maintain a neat, well-cared-for appearance.
- Trees and palms must be trimmed to prevent encroachment on adjacent lots.
- Trees and shrubs shall not be allowed to obstruct the sidewalk or road.

Sidewalks and Driveways

- Sidewalks and driveways will be maintained and free of iron, mold, rust, and other stains, as well as, weed free. Stain and concrete sealer must be approved according to the Architectural Standards.
- Large cracks in driveways or paved walkway must be repaired.

Fences

- Sagging or leaning fences must be repaired.
- Badly warped or splitting fence pickets must be repaired.

Mailboxes

- Bent or damaged mailboxes or mailbox posts must be repaired or replaced.
- Sagging or leaning mailboxes must be straightened.
- When replaced, mailboxes must be a white and mounted on a 4" X 4" post with a white plastic sleeve. Mailboxes and sleeves can be found at Lowe's or Home Depot.

Post Lamps

- Post lamps should be checked regularly for burned out bulbs and should operate from dusk to dawn.
- Post lamps must be replaced or repaired when broken or damaged.

Architectural Guidelines

Architectural Review Committee (ARC)

The Architectural Review Committee (ARC) consists of Arbor Trace homeowners appointed by the Board of Directors. The ARC is to ensure that changes made to the exterior of existing homes and surrounding property are in accordance with Arbor Trace Covenants and Architectural Guidelines, to avoid harsh contrasts in architectural themes. Approval by the ARC does not relieve the owner of his/her obligation to receive any additional county approvals if required.