

# Amended and Restated Rules & Regulations of The Eagles Master Association Inc.

Pursuant to the Rules & Regulations of The Eagles Master Association adopted in May 2000 the following amends and restates entirely:

**WHEREAS** policies, procedures, clarifications and additional rules are required for the Board of Directors and assigns to carry out the provisions of the Covenants, governing documents and Rules & Regulations uniformly, fairly and firmly;

**WHEREAS** pursuant to Article X Section 1 of the Amended and Restated ByLaws the Board of Directors has the ability to promulgate rules and regulations;

**BE IT HEREBY RESOLVED** by the Board of Directors the following Rules & Regulations are adopted:

1. Alligator Removal Rule;
2. Rules for Contractors – see also incorporated in the Architectural Review Guidelines Manual;
3. Dumping Rule;
4. No Fireworks Rule;
5. Garage Sale Rule;
6. Garbage Disposal Rule;
7. Gate Access Rule;
8. Golf Carts Rule;
9. Noise Disturbance Rule;
10. Pet Rules;
11. PODS Rule;
12. Realtor Signage Rules;
13. Rented Units Rules;
14. Roadway Speeding & Other Roadway Use Rules;
15. No Soliciting Rule
16. Towing Rule;

## Rule 1. Alligator Removal Rule

Residents are not permitted to order the removal of Alligators and/or other wildlife within the confines of The Eagles development without the express permission of the Association.

Residents are not permitted to feed or tease alligators within the confines of The Eagles development.

## Rule 2. Rules for Contractors & Service Personnel

Owners are held responsible for the action of their contractors, sub-contractors and service personnel.

As included in the Architectural Review Guidelines Manual:-

THE FOLLOWING RULES APPLY TO ALL CONTRACTORS, THEIR EMPLOYEES, THEIR SUBCONTRACTORS AND SERVICE PERSONNEL WHILE ON THE PREMISES.

### CONSTRUCTION TIMES:

MONDAY THRU FRIDAY	7:00 A.M. UNTIL 6:00 P.M.
SATURDAY	8:00 A.M. UNTIL 6:00 P.M.
SUNDAY	NO WORK UNLESS PERMISSION GRANTED BY THE ASSOCIATION

- CONTRACTORS WILL USE ONLY THE UTILITIES PROVIDED FOR THE SPECIFIC SITE THEY ARE WORKING ON.
- ANY DAMAGE TO STREETS, CURBS, STREET LIGHTS, SIGNAGE, ENTRY WALLS, RIGHT-OF-WAYS, GATE ELEMENTS, GUARD HOUSE ELEMENTS, LANDSCAPING, PONDS AND ANY OTHER COMMON AREA ELEMENTS WILL BE REPAIRED BY AND BE THE RESPONSIBILITY OF THE CONTRACTOR. DAMAGE INCURRED TO PRIVATE DEVELOPED LOTS WITHIN THE EAGLES IS ALSO THE RESPONSIBILITY OF THE CONTRACTOR TO CORRECT (BY ARRANGEMENT WITH THE AFFECTED LOT OWNER).
- ALL TRAFFIC SAFETY RULES MUST BE OBEYED. THE SPEED FOR ALL VEHICLES IN THE COMMUNITY IS 30 MILES PER HOUR ALONG NINE EAGLES DRIVE AND 18 MILES PER HOUR ALONG OTHER ROADWAYS.

- OPERATORS OF VEHICLES MUST CLEAN UP ANY SPILLED MATERIALS. CLEANUP OF SUCH MATERIALS IS THE RESPONSIBILITY OF THE PRIME CONTRACTOR.
- NO PETS ARE ALLOWED ON JOBSITES.
- RADIOS, TAPE PLAYERS OR OTHER AUDIO DEVICES SHOULD BE PLAYED AT A LEVEL NOT TO BE DISTURBING TO NEIGHBORHOOD RESIDENTS, OR THE COMMUNITY IN GENERAL.
- CONTRACTORS MAY NOT DISPLAY ADVERTISING SIGNAGE AT WORK SITES (DEVELOPER LOTS UNDER CONSTRUCTION ARE EXCLUDED FROM THIS PROVISION).

### Rule 3. Dumping Rule

Any resident or their hired contractor, sub-contractor or service company staff witnessed by a Board Member, Committee Member, Access Control Personnel or Property Manager dumping anywhere within The Eagles development shall be subject to a fine, in accordance with the Fining Policy, as well as all costs related to the appropriate removal of the dumped debris, material or items. Failure to obtain costs and damages directly from an Owners' hired contractor, sub-contractor or service company shall result in a Special Assessment levied to the property Owner in accordance with Article VI Section 4. (c).

### Rule 4. No Fireworks Rule

Fireworks are not permitted at The Eagles (violation of a Covenant see Article III Section 25.) at any time, and homeowners witnessed by Access Control Officers or via complaint of at least 3 different lot owners are subject to a fine.

### Rule 5. Garage Sale Rule

The Eagles Master Association does not permit individual arranged garage sales (in accordance with Article III of the Covenants Section 25.). A Community Wide advertised Annual Garage Sale is held in April or May.

### Rule 6. Garbage Disposal Rule

In accordance with Article III of the Covenants Section 20. Garbage and Recyclables may only be placed curbside, at the earliest, the evening before scheduled garbage collection day, and all garbage containers must be concealed from public view by the evening of scheduled collection day. Garbage must be placed curbside in sealed containers, no loose bags are permitted. Yard debris may only be brought curbside at the earliest, the evening before yard debris scheduled pickup and must be appropriately bundled in “easy to pick up” (by one individual) 4ft long bundles. All yard debris must be stored within the confines of the garage or alongside the home until the evening before or morning of scheduled pickup. Mattresses, appliances, etc. shall not be permitted curbside with regular garbage or on any other day unless appropriate removal arrangements have been secured with the refuse collection company or similar company.

### Rule 7. Gate Access Rule

Vehicle decals are issued to Owners or authorized renters only. They are obtainable from the “front gate house” (Nine Eagles Drive). Completion of an application form is required together with proof of ownership in the form of a warranty deed. All Renters must supply a copy of a valid lease. All Renters are required to pay \$10 for each decal issued. Only checks are accepted and are payable to “Eagles Master Association”. Loose decals are not permitted and shall be deactivated if noted. All residents applying for more than 2 decals must produce the vehicle for decal application by personnel authorized by the Board who shall also have the authority to deny a decal. Upon entering the development, Owners and renters who do not have an affixed decal, as well as any residents’ guest, invitee or service provider, may be required to produce ID. The right to access a residence via the “Residents Lane” may be suspended if an Owner’s property is deemed delinquent in assessments.

### Rule 8. Golf Carts Rule

Golf Carts are not permitted on right-of-ways or sidewalks – only on paved roadways obeying all traffic rules. Golf Carts may only be operated by drivers carrying a valid driver’s license.

### Rule 9. Noise Disturbance Rule

In accordance with Article III of the Covenants Section 25 (& Hillsborough County Ordinance Sec 26-4.1.), the continued playing or permitting the playing of any radio, television, musical instrument or similar device in such a manner or with such volume as to annoy or disturb the quiet, comfort and repose of a reasonable person in any dwelling from 10pm to 8am shall be addressed by the Board of Directors after the affected homeowner(s) has/have pursued compliance through the sheriffs department or other relevant entity.

### Rule 10. Pet Rules

In accordance with the Covenants, Article III Section 19., no more than 2 (two) pets (dogs, cats or other usual common household pets) are permitted in a dwelling unit.

Pet owners shall be responsible for the appropriate and prompt removal of all pet waste on common areas. If a Board member, Committee member, an Access Control Officer or the Property Manager witnesses pet waste not promptly removed from the aforementioned areas, the property from which the pet originates shall be subject to a fine, in accordance with the Fining Policy. Dogs which are walked outside the confines of the Owners dwelling or enclosed yard shall always be on a leash held by a party who shall be able to fully control the dog being walked.

### Rule 11. PODS (or similar) Rule

In accordance with Article III of the Covenants Section 6., it is deemed reasonable that within 5 days and/or 5 nights a PODS, or similar portable storage container, can be loaded or unloaded. PODS, or similar, shall not remain on a driveway more than this timeframe without special circumstance and permission.

### Rule 12. Realtor Signage Rules

Directional signage for open houses, displayed on common areas, is not permitted within the confines of The Eagles development *except for the duration of the open house only.*

### Rule 13. Rented Units Rules

In accordance with Article III of the Covenants, Section 1 as Amended, Owners renting their home must provide and maintain with the Association a current off-site mailing address as well as the full names of all tenant occupants over the age of 18 to validate single-family occupancy. Owners are obligated to provide tenants with a copy of all governing documents and rules and regulations for the Eagles Master Association and the applicable Village. Owners are held ultimately responsible for the actions of their tenants.

### Rule 14. Roadway Speeding & Roadway Other Use Rules

#### Rule 14. (a) Roadway Speeding Rule

Posted Speed Limit on Nine Eagles Dr. 30 MPH

Posted Speed Limit in Sub-Divisions & Eagle Entry Drive 18 MPH

Where a member of the contracted Access Control Company or any other Board approved person or entity finds that a resident, tenant, guest or invitee was speeding in a Village or Master Association road, the following penalty shall apply (subject to the rights to a hearing as outlined in Policy):

- (i) First Offense – a warning shall be issued to the property owner from which the vehicle originates or to which the vehicle is associated (owner, family Member, guest, tenant, invitee included);
- (ii) Second Offense – \$100 fine shall be assessed to the property owner with an opportunity for a hearing in accordance with the above & Florida Statutes;
- (iii) Subsequent Offenses - \$100 Fines shall be assessed for each recurring offense up to the maximum permitted by Statute (\$1,000), unless a period of one year has elapsed between offenses. No hearing shall be necessary to enable the Board to levy fines for recurring violations for which a hearing opportunity was previously provided.
- (iv) After a one-year speeding violation-free term has been verified to the property, the next speeding violation shall be deemed a First Offense and a warning shall be issued.
- (v) Fines are to be settled within 30 days of date of issue.

The Board of Directors from time to time hires the services of Florida Highway Patrol to enforce speed limits within the community.

Rule 14. (b) Roadway Other Use Rules

- At no time shall any Owner or home occupant place any object adjacent to their home at the street that can cause traffic to be blocked or have to enter the on-coming lane to divert around it. This includes but is not limited to: landscape materials, construction materials, deliveries of items, unused vehicles or machinery of any type, or debris of any type;
- At no time shall any Owner or home occupant permit chemicals of any manner or debris of any kind to enter the privately maintained storm drain systems which are connected to the ponds and waterways within The Eagles;
- At no time shall any Owner or home occupant permit skateboard ramps, portable hockey goals or similar gaming equipment to be placed on the roadways within The Eagles.

Rule 15. No Soliciting Rule

The Eagles is a No Soliciting community. The Board reserves the right to deny access to non-resident business owners found soliciting in The Eagles, and any form of solicitation performed by a resident shall be subject to a fine, in accordance with the Fining Policy.

Rule 16. Towing Rule

Where a member of the contracted Access Control Company or any other Board approved person or entity finds that a resident, tenant, guest or invitee is in violation of Article III of the Covenants of the Amended and Restated Declaration of Covenants, Restrictions & Easements for The Eagles and these Rules & Regulations shall apply with respect to street parking.

- (i) First Offense – a warning shall be applied to the windshield of a vehicle parked on a Village or Master Association roadway;
- (ii) Second Offense – a second offense shall be the second consecutive day and/or evening directly following the first warning and a Second Warning in the form of a windshield notice shall be applied to the vehicle;
- (iii) Third Offense - which shall be the third consecutive day and/or evening the vehicle is noted street parked. **THE VEHICLE SHALL ON THIS THIRD DAY AND/OR EVENING BE**

SUBJECT TO TOWING and all expenses shall be incurred by the owner of the vehicle.

- (iv) Any vehicle originating from one Lot, street parked, three (3) times (days or nights) within a one week period shall be subject to towing and all expenses shall be incurred by the owner of the vehicle.
- (v) Unless a *3-month* period has elapsed, recurring street parked vehicles shall be subject to towing without warning.

The above Rules and Regulations are subject to enforcement in the same manner as any Covenant Restriction. Some of the above Rules and Regulations may expand on existing Covenant Restrictions and the onus is on each Owner to be fully aware of all the Covenant Restrictions governing the Master Association and the applicable Village Association. The adopted Rules & Regulations do not in any manner or form replace the Covenant Restrictions but rather expand on or add to them.

On occasion the above Rules and Regulations may not be fully enforced where to do so would create an undue hardship on a homeowner who has articulated to the Board of Directors a particular set of circumstances that he or she may be facing. In such circumstances, no other resident may claim that any such action or inaction created a waiver of any provisions of The Eagles Master Association documents.

These Rules and Regulations shall be adopted at a meeting of the Directors, by a majority vote, and shall be effective 10 days after receipt by each Owner on record at the time of publishing. These Rules and Regulations may be amended from time to time at any Board of Directors meeting by like vote. In no event shall any Rule be inconsistent with any provision of the Amended and Restated By-Laws and Covenants and Articles of Incorporation or Florida Statute and shall be interpreted in such a manner as to, in all events, be consistent therewith.

# Policies of The Eagles Master Association Inc.

The following are the adopted Policies & Procedures of The Eagles Master Association:

1. Architectural Review Guidelines Manual;
2. Assessment Collection Policy;
3. Association Communication Policy;
4. Fining & Enforcement Process Policy;
5. Record Inspection Policy;
6. Meeting Notices Policy;
7. Village Associations Co-operative Relations Policy;

## Policy 1. Architectural Review Guidelines Manual

The ACC (Architectural Control Committee) and Board of Directors adopts the separate document named the Architectural Review Guidelines Manual which defines modifications to exterior elements of homes and lots, which shall be subject to change from time to time and such changes shall be effective 10 days after notification to homeowners on record by mailing or newsletter.

## Policy 2. Assessment Collection Policy

Pursuant to legislative changes effected July 1, 2007, to Florida Statutes Chapter 720 (governing Homeowners Associations), homeowners associations must provide owners a 45-day notice before a lien is recorded and an additional 45-day notice before a lien foreclosure action is filed.

The Association's collection policy has therefore changed accordingly:-

1. Assessments are considered delinquent on the 16<sup>th</sup> of the month in which the assessment is due;
2. A late fee of \$25.00 is assessed to delinquent assessments;
3. Late assessments/and or homeowner's dues shall receive ONLY ONE friendly reminder from the management company;

4. Unpaid assessments/and or dues shall be turned over to an attorney 15 days after the homeowner's receipt of the friendly reminder (as described in 3.);
5. The mandatory 45-day notice of intent to lien letter by certified mail shall be sent by the collection attorney;
6. Actual costs for letter as described in 5. are collectable by the collection attorney directly from the homeowner;
7. All payments received shall be applied in the following order: interest, late fees, costs, attorney fees and then assessment/and or dues. The full amount as determined by the attorney is required to be settled to prevent the filing of the lien on the 46<sup>th</sup> day;
8. Should the lien be filed the costs shall escalate accordingly as a 45-day notice of intent to foreclose letter by certified mail shall also be sent by the collection attorney;
9. Once a homeowner is handed over to the collection attorney that homeowner shall contact the collection attorney directly and all payments received by the Association shall be forwarded accordingly;
10. The Board of Directors shall not waive any attorney fees incurred by a homeowner for delinquent assessments.

### Policy 3. Association Communication Policy

All communication to the Association shall be by first class or certified mail to: The Board of Directors, Eagles Master Association c/o the management company. The Board shall not be held responsible for non-response to other forms of communication sent or relayed to the Association and/or Board of Directors.

### Policy 4. Fining & Enforcement Process Rule

#### Policy 4. (a) Fining Procedure

1. The Board of Directors shall appoint a Hearing Committee of at least three members who are not officers, directors, or employees of the association, or the spouse, parent, child brother or sister of an officer, director or employee;
2. The Board of Directors, Committee Members, Access Control Officers or the assigned Property Manager shall be charged with determining whether there is probable cause to assert that a Lot owner, or other person, is violating or has violated, any of the provisions of the Declaration of Covenants, the Articles of

Incorporation, the By-Laws, Architectural Guidelines Review Manual or the Rules and Regulations of the Association, regarding the use of Lots, or Common Areas;

3. After a "warning" is issued and compliance is not established the Board of Directors or the assigned Property Manager shall determine in accordance with the issue which of the following options shall follow the issued warning: fining process; 10-day letter to correct the violation at the Owner's expense; or whether the matter should be turned over to the Associations' attorney to resolve;
4. For the fining process the Board of Directors adopts the following procedure which is in accordance with Florida Statutes:
5. A written notice shall be mailed to the person alleged to be in violation, and the Owner of the Lot which that person occupies, or of which that person is a guest, if that person is not the owner, describing the specific nature of the alleged violation, including a statement setting forth the provisions of the documents allegedly violated and a short and plain statement of the matters asserted by the Association. The notice shall be mailed at least fourteen (14) days prior to the hearing, and shall state the date, time and place of the hearing to be held if the hearing is requested;
6. Hearings are held monthly, (usually the 3<sup>rd</sup> Wednesday of each month), at the Management Office between 5:30pm and 6:00pm on a first-come first-serve basis;
7. Owners are provided a single opportunity (per violation) for a hearing and must confirm attendance as well as confirmation of attendees, as any party at the hearing may be represented by counsel, within 14 days of the scheduled hearing;
8. If a violator and Lot owner, if other than the violator, chooses not to attend a hearing of which he/she has received notification, then the violator, and Lot owner, if other than the violator, must submit in writing within 14 days of receipt of letter, acknowledgement that the violation occurred as alleged and promise that it will henceforth cease and will not recur;
9. If a violator and Lot owner, if other than the violator, does not respond to the hearing notification and the violation persists, the Board of Directors shall assess fines for the alleged violation up to \$1,000 (\$100 per day of continuing violation) before handing the matter to the attorney to resolve (including but not limited to mediation, arbitration, or legal action for damages and/or injunctive relief).

10. The Hearing Committee as appointed and charged by the Board shall hear and receive the response of the violator, and Lot owner, if other than the violator, including written and oral argument on all issues involved and shall hear any witnesses that the alleged violator, the Lot owner, or the Associations' Property Manager or its agents may produce;
11. The Hearing Committee shall consult privately after the hearing and render their determination (by majority vote) in writing to the violator, and Lot owner, if other than the violator, within 5 business days of the hearing;
12. The Hearing Committees' decisions shall be incorporated within the Minutes of the next Board of Directors Meeting. Any case on which they are unable to make a decision shall be forwarded to the Board of Directors;
13. All fines assessed to the property in violation are payable within 30 days of notice of levy;
14. If the Hearing Committee, by majority vote, does not approve a proposed fine, it may not be imposed;

Policy 4. (b) Enforcement

After a "warning" is issued and compliance is not established, the Board of Directors or the assigned Property Manager shall determine, depending on the nature of the violation, one of the following actions to obtain compliance:

1. The fining process in accordance with Policy 4. (a);
2. To enter the property, after issuing a 10-day letter of intent to do so, and correct the violation and assess the property Owner for the expenses incurred plus a 15% handling charge;
3. Hand the matter to the Associations' attorney to resolve as he/she recommends and additionally and accordingly to recover all legal expenses incurred by the Association.

All expenses as a result of correcting conditions on a property deemed in violation as outlined in 2. as well as expenses incurred by the Association to repair damages caused by an Owner or his invitee are subject to a 15% handling charge and the total sum assessed is considered a Special Assessment. Special Assessments are due 30 days from notice of levy and are collectable in accordance with the Collections Policy.

### Policy 5. Record Inspection Policy

The Board of Directors adopts the record inspection policy as outlined by the Management Company by separate document.

### Policy 6. Meeting Notices Policy

Board of Director Meetings are posted at both the north and south gates not less than 48 hours prior to the scheduled meetings. No action may be taken by the Directors except at an open meeting where each homeowner is entitled to be present and hear the directors' discussions. No homeowner may participate or speak at such a meeting until invited to do so by the President or any Director after the Board of Directors has attended to Board business. Homeowners who speak shall do so politely, abide by normal rule of order and speak within the time limits set by the Directors – 3 minutes per person. The Board of Directors has the right to suspend input from the audience at any time they deem it is appropriate. Roberts Rules of Order shall be used as a guide but shall not be binding on the directors as to the conduct of directors and Members meetings.

Architectural Control Committee Meetings are posted at both the north and south gates not less than 48 hours prior to the scheduled meetings.

Membership Meeting Notices are sent in accordance with the ByLaws.

### Policy 7. Village Associations co-operative relations

It is important to the well-being of all residents of The Eagles that the imposition of any Rules & Regulations be applied with discretion and only as necessary for the protection of the interests of the entire community. To accomplish this result, enforcement shall normally begin on the Village Association level. In this way, the homeowners involved will better understand that the action taken represents the will of their own neighbors.

- (a) Each Village Association shall seek to enforce their own documents as to their own homeowners without involving the Master Association unless and until their efforts have failed;
- (b) At such point, the Village representative shall request the assistance and involvement of the Master Association who shall copy the Village Association representative on all correspondence related to the matter;

(c) The Master Association authorizes enforcement by Village Associations with the below named Eagles Master Association Covenant Restrictions (from Article III) & Eagles Master Association Rules & Regulations to initiate enforcement at Village level : Section 4. Water & Sewer; Section 5. Irrigation; Section 7. Garages Required; Section 9. Trees; Section 10. Artificial Vegetation; Section 19. Animals and Pets; Section 20. Maintenance of Lots and Landscaping; Section 21. Lawns; & Section 22. Boarding up Residences & Eagles Master Association Rules & Regulations: Dumping Rule; Garage Sale Rule; Garbage Disposal Rule; Noise Disturbance Rule; Pet Rules; PODS Rule; Realtor Signage Rules; and any other Restriction or Rule authorized by the Board of Directors from time to time.

The Amended & Restated Rules & Regulations and Policies adopted by the Board of Directors at the duly noticed Meeting held August 11, finalized September 15, mailed to homeowners October 2nd and enforceable October 15, 2008:-

Bruce Derby  
James H. Stewart  
Bobby L.R. Holbrook  
Dick H. Richards  
Jim Zimmerman  
Diane L. Van Volkinburg  
   
   
   
   
   
 

Bruce Derby  
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