

DELRAY DUNES ASSOCIATION, INC.

RULES AND REGULATIONS

JANUARY 2018

DELRAY DUNES ASSOCIATION, INC.

Rules and Regulations – January 2018

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Rules and Regulations

The following are Rules and Regulations adopted by the Board of Directors of Delray Dunes Association, Inc., based on its Restrictions and By-Laws. The Rules and Regulations have been developed to ensure and promote the welfare and safety of the individual and to maintain the physical attractiveness of the Country Club community. From time to time they may be amended or revised by the Board of Directors. All Owners and Tenants should have a copy of these documents, which are available at the Association office. In the following text the words *Members, Owners, Property Owners and Residents* are used interchangeably.

All Property Owners in Delray Dunes are Members of, and pay annual assessments to Delray Dunes Association, Inc., which is responsible for the security of the community, its administration, and the enforcement of the deed restrictions and these rules and regulations.

Delray Dunes Association, Inc. was incorporated in 1972 to secure to the fullest extent a measure of self-government and to preserve the beauty and the unique character of our community. It operates under a Declarations of Restrictions to which all property in the Dunes is subject.

A key provision of the Restrictions is that no building or structure of any kind may be constructed or altered until the plans, specifications, location, and plot plan have been approved, in writing, by the Association. The Architectural Review Committee and Property Review/Landscape Beautification Committee assist in carrying out this function of the Association. Any and all approvals shall be in accordance with the Association's governing documents, including the Declarations, Bylaws, Articles of Incorporation, Rules and Regulations and the Delray Dunes Building and Renovation Manual (DDBRM), as same may be amended from time to time.

The Association is separate from the Delray Dunes Golf and Country Club. It is managed by a Board of twelve (12) directors who are elected to terms of three (3) years. The Board shall meet for the transaction of business of the Corporation periodically as determined by the Board, but not less than seven (7) times per year, the day, date and time to be determined by the Board, and notice of such meetings shall be posted on the bulletin board of the Delray Dunes clubhouse and at the gatehouse. All Members are welcome to attend.

Administration: The Community Manager for the Association, on behalf of the Association, maintains all records, correspondence, and other data for the Association and processes all applications for property improvements requested by homeowners, in accordance with the requirements pursuant to Chapter 720, Fla. Stat., as amended from time to time.

The Association operates on a fiscal year, November 1 to October 31. The annual assessment, which covers security, maintenance, cable TV, and other Association expenses, is due upon receipt.

Questions or comments regarding Association rules or requirements should be directed to the Community Manager. Such communication will be sent to the Board of Directors or the appropriate committee for consideration.

Alligators: Sighting of these reptiles must be immediately reported to Security for action. Apprehending reptiles by an unlicensed person is prohibited by Florida law.

Automobiles: Residents' vehicles must be registered with the HOA Office. Forms are available at the HOA Office. The Delray Dunes sticker must be attached to the left front vehicle windshield. All vehicles must have current and valid registration and license plates. Homeowner's vehicles must be kept in the garage or driveway. Vehicles parked on Villa property must comply with the parking rules within the respective Villa Association. When the Resident is absent for an extended period of time, there must be no open storage of vehicles. The use of protective covers on vehicles is permitted, provided the vehicle is parked totally within the confines of a carport or garage and the cover is a neutral color. In addition, all automobiles shall be required to comply with all applicable provisions of the Declarations of Restrictions, including Section 10 of the Declarations.

Awnings: Must be approved by the Association prior to installation (see the DDBRM). They must be kept clean and free of tears. Awnings must be removed or properly secured in the event of a hurricane.

Bicycles and Golf Carts: Bicycles and golf carts may not be used from dusk to dawn without proper lighting. It is strongly recommended that a cyclist wear a reflective vest. You must be 16 years of age and have a valid driver's license to operate golf carts. Bicycles and golf carts must not be driven across other residents' property. Bicyclists, joggers, pedestrians and skaters are not allowed on golf course paths while the Golf Course is open for play.

Bicyclists, Joggers, Pedestrians, Skaters: Residents and Guests are requested to wear proper attire within the community (shirts, etc.). For the protection of all traveling the roads, a reflective vest should be worn and a light should be used from dusk to dawn.

Boats, Canoes, Kayaks: They are not permitted in the lakes and must be stored out of sight.

Bulletin Board: The Association bulletin board is located at the Clubhouse. Posted information will be controlled by the Association office. A time limit may be imposed on items displayed there.

Carports: Carports are to be used for the parking of vehicles, bicycles, trash receptacles and golf carts only. When in residence, villa owners must store garbage containers out of view. No other items are to be stored in public view.

Clothes Drying Area:

Outdoor drying of clothes and towels etc. is permitted (per Florida current law) but these items must be shielded from view from the street, neighboring homes, lakes and golf course. The items must be removed by dusk each day.

Committees: The active Association committees are: Architectural Review Committee Finance, Cable TV, Community Liaison, Emergency Management, Information Technology, Grievance, Hurricane, Insurance, Property Review/Landscape Beautification, Membership/Real Estate Affairs, Pets, Security, and Waterways/Roadways. These may be amended by the Board without modifying the Rules and Regulations as needs within the community change.

DDBRM: Delray Dunes Building and Renovation Manual (DDBRM) is incorporated by reference. This manual provides the Owner with the information and criteria, rules and regulations, application, and approval process needed in order to make changes to their lot, house, villa or landscape. The manuals are provided at the time of purchase to each Owner. Association approval of planned work is required for all exterior projects. Work may not commence prior to receiving Association approval. Exterior changes to a Villa unit must be approved by the Villa Board prior to submitting to the HOA office for appropriate Committee approval.

Interior alterations not affecting the exterior appearance of a house or villa do not require approval by the Association; however, the Association must be made aware of the project prior to commencement of work. Owner must complete the form Attachment D: Notification of Work to be Performed and Clearance of Subcontractors/Tradesmen. Attachment D is located on the Association website: www.delrayduneshoa.com or in the Building/Renovation Manual located in the Delray Dunes Governing Documents binder. See PODS (Personal On-Demand Storage) and Dumpsters should a dumpster and/or POD be required for interior alterations.

Driveways, House Exteriors, Doors, Shutters, and Roofs: Each Owner is responsible for maintenance, repairs, replacements, cleaning, rust removal and painting of any and all driveways, doors, shutters, lights, roofs, or the entire exterior portion of any Home or Villa, as needed and/or as determined in the discretion of the Board of Directors. All exterior changes, including change in color for house exteriors, driveways, doors, shutters, lights and roofs must be submitted either to the Property Review/Landscape Beautification Committee or the ARC Committee for approval before work is begun. (See the DDBRM).

Emergencies: Call 911. Then notify the Gatehouse so that emergency vehicles can be escorted to the proper address.

Emergency Data Form: The Access Control and Emergency Data form must be completed on www.gateaccess.net. Those residents without internet can get the form from the HOA office.

Employees: Any Association employee who does not conform to the Association's rules or is discourteous must be reported to the Association's Community Manager. No Resident shall discipline or abuse an employee of the Association.

Entry to Delray Dunes: A resident may authorize Security to permit entry of visitors, deliveries, and work personnel by accessing www.gateaccess.net, by calling the gatehouse or by calling the automated

phone entry system. A photo ID is required of all guests, visitors, delivery personnel and vendor/tradesmen in order to enter the community. Owners who rent their property or allow guests to use their property are responsible for the behavior of the occupants. In addition, guests who occupy the property in excess of thirty (30) days without the owner also being in residence, shall further be treated as a tenant for purposes of obtaining approval pursuant to the Declarations and all restrictions contained in the Declarations.

Fences, Hedges and Walls: All fences, gates, hedges, and walls must be approved by the Association prior to commencement of work. There are height and placement restrictions. (See DDBRM as well as the Declarations for specific guidelines and instructions). Fences and Walls must be maintained, repaired, replaced, cleaned and painted as needed, and as required in the discretion of the Board of Directors.

Fishing in Canals and Lakes: Only Residents and guests are permitted to fish from the banks of the lakes and canals, at the fisherman's own risk. Delray Dunes is a "Catch and Release" community, meaning fish are returned to the lake. Notify Security immediately if violators are observed fishing.

Garage and Golf Cart Doors: For appearance and security sake, these must be kept closed except when working in the area. Changes to doors, including paint color change, must be approved by the Association. (See DDBRM for specific guidelines and instructions)

Garbage, Recyclables and Vegetation: Collections are by Solid Waste Authority (SWA) on days determined by SWA. Vegetation and bulk items are collected by separate trucks on a day determined by SWA. Vegetation, garbage, recyclables and bulk items may not be placed curbside before sunset on the night before collection. These service are billed to Owners on their tax bill, which is issued by the County in November. The amount or quantity of waste is unlimited, provided the waste is placed in garbage containers, boxes not exceeding 50 pounds, or sealed plastic bags. Tied bundles should not exceed six (6) feet in length.

SWA provides a yellow and blue container for recyclables. The yellow container is for newspaper, brown grocery bags, magazines, catalogs, and corrugated cardboard. The blue container is for drink boxes, milk and juice containers, aluminum cans, glass bottles and jars, and all plastic containers.

Garbage and recyclables must not be placed curbside before sunset on the night before collection. If there is a problem with the SWA trucks, please call SWA immediately. Except on collection days, the SWA containers and garbage cans must not be visible from the outside. Private homes must store all containers inside the garage, in an enclosed area, or in a walled in, screened in or hedged area. Villa Owners must store containers in walled-in area of carport (such as closet), screened-in or hedged-in area, thus out of view at all times. When away for an extended period, Home and Villa Owners must store containers in a garage or within the Residence for appearance and hurricane protection.

Gatehouse: The Gatehouse is manned 24 hours a day/7 days a week. Questions on security matters should be directed to the Community Manager. Visitors will be admitted through the automated system, phone and/or computer (www.GateAccess.net). Instructions are available in the Association office.

Governing Documents: This shall include all of the documents governing the Delray Dunes community including the Declarations, Bylaws, Articles of Incorporation, Rules and Regulations and

DDBRM, as same may be amended from time to time. Such documents contain use restrictions on the Properties and also empower the Board of Directors to transact business on behalf of the Association Members. All Owners should have copies and should refer to each of these governing documents and are responsible for all restrictions, covenants, rules and regulations contained therein.

Holiday Decorations: The Association encourages seasonal holiday exterior decorations of Members' homes as part of the spirit of the community. However, Members must remove all such decorations no later than two (2) weeks after the conclusion of the respective holiday.

Hot Tubs: Outside hot tubs must be pre-approved by the Association and must be screened from view and must not be visible from the street, golf course, lake, or neighbors.

House/Villa Keys at Gatehouse: Members and Tenants are encouraged to store a copy of their house keys with Security, in order to access the home for emergency or medical reasons. Security is not permitted to give these keys to anyone other than the resident of the property. Security will accompany emergency personnel to the property. As a precautionary measure, residents will be asked to sign a release agreement protecting the Association in such events.

Hurricane Preparation and Storm Shutters: When the National Weather Service issues a hurricane warning, Owners must secure all outside items (lawn furniture, potted plants, recreation equipment, awnings, etc.) that might be blown by hurricane-force winds.

Hurricane and storm shutters are permitted for protection of a Home or Villa. Prior to installation, all permanent storm shutter requests must be submitted to the Association for approval. Existing metal shutters must be painted to coordinate with the Home or Villa as approved by the Association and in accordance with applicable guidelines and standards adopted by the Board of Directors from time to time. Homeowners may close or install shutters that meet the above stated requirement when leaving the area for extended periods of time as approved by the Association. All shutters are to be opened or removed no later than seven (7) days after Hurricane Season ends. Temporary panels (plywood or unpainted corrugated metal shutters) may only be installed during the threat (watch or warning) of a storm or hurricane and must be removed no later than seven (7) days after the storm or hurricane threat has passed unless there is significant storm damage that warrants an exception.

Landscape & Maintenance: Extensive landscaping is encouraged and greatly enhances the overall ambiance of the community. Approval is required for major landscaping changes. (See the DDBRM for all Rules and Regulations, guidelines and instructions pertaining to landscaping.) Landscaping, where approval is not required, must meet the requirements of the DDBRM, Attachment B, Landscape Design Criteria.

Maintenance Standards: The Association has the power to adopt guidelines, rules, and regulations describing acceptable and proper maintenance as defined in the Restrictions and By-Laws, Section 7.

- 1) Lawns must be kept mowed and free of weeds. Dead trees, branches, palm fronds, and shrubs must be removed from the property.
- 2) Garden Beds must be edged and kept free of weeds and grass.
- 3) No weeds, underbrush, or other unsightly growths will be permitted to grow or remain upon the property and no refuse pile or unsightly objects will be placed or suffered to

- remain anywhere thereon.
- 4) All landscaped areas must be provided with a sprinkler system (See DDBRM, for specific details about the sprinkler system), automatically operated, to provide complete coverage of all plant materials and grass.
 - 5) Mulch, rock or straw is required on all areas not covered by groundcover or flowers — no “open” dirt patches.
 - 6) Palm Beach County prohibits the practice of hatracking trees -- pruning all greenery from the tree, leaving only bare branches and the look of a hatrack.
 - 7) The trimming of trees is necessary before the commencement of the hurricane season. All Owners are requested to examine the size of limbs and canopy of their trees and take appropriate steps to prevent damage or loss.
 - 8) Dead trees and shrubbery must be replaced. No approval is required for the replacement of like shrubbery and trees.
 - 9) Hedges should be kept at a height no higher than five(5) feet at the front and back of the lot and along the roadway unless otherwise approved by the Association. Hedge heights between lots should be agreed upon between neighbors. If an agreement cannot be reached between neighbors, then the height of the hedge will be no higher than five (5) feet.
 - 10) Plantings adjacent to the roads must be pruned so as to not interfere with drivers safe vision on the roads. The Association will have the final decision as to what is allowable.
 - 11) Any special purpose plantings such as vegetable or herb gardens must be completely screened from view and must not be visible from the street, golf course, lake, or neighbors.
 - 12) Air conditioners, garbage receptacles, pool pumps, generators, empty flowerpots, etc. must be hidden from view by enclosures or hedges.
 - 13) Permanent foundation planting is required on all four (4) elevations (including screen enclosures, fences, and concrete patios). It is not required on perimeter fences, unless the Association requires it during the approval process.
 - 14) Delray Dunes was platted with an eighty (80) foot road right-of-way on Dunes Road and sixty (60) foot road right-of-way on all others, which right-of-way is owned by the Association. The actual roadbed is only twenty (20) feet, which means that (with minor exceptions) the Association owns the first thirty (30) feet on Dunes Road and twenty (20) feet on all others of lawn on each side of the road (which lawn is maintained by each respective Owner). In this setback, the Association has granted permission to utility and cable companies, etc., and said space may be entered upon without requiring permission from abutting Owner. However, it is the responsibility of the abutting Owner to maintain this lawn area. Special permission from the Association is required to plant within these areas, except that planting within any easement shall not be allowed where the Declarations or any recorded plat prohibits such planting or other obstructions within any platted easement. This arrangement does not apply to the interior roads in the villa complexes.
 - 15) All other lot areas not covered by driveways or structures must be planted with grass, ground cover or other approved landscape materials. Empty lots must be mowed a minimum of once every two weeks.
 - 16) In order to protect against damage to vehicles and bicycles as well as to prevent bodily injury to pedestrians and joggers on the roadways, no Home or Villa Owner shall install, plant, place or otherwise keep any wooden sticks/stakes, rocks/stones, including pointed stones or jagged rocks, metal spikes or any other similar item that does not pertain to mailboxes or any utility boxes, that may pose a danger or threat to drivers, children, bikes, joggers, golf carts or other vehicles or persons within the first ten (10’) feet from the roadway edge on any abutting Lot.

Remedies: In the event an Owner shall fail or refuse to keep the property free of weeds, underbrush or refuse piles or other unsightly growth or objects, or where an Owner fails to maintain his or her Lot, Home or Villa in accordance with the maintenance standards identified herein, or in accordance with any other provision or restriction contained in the Governing Documents, the Association may enter upon said property and remove same or perform any necessary remedial maintenance in order to bring the Lot, Home or Villa into compliance, at the expense of the Owner. Such charge shall be levied as an assessment with full collection rights pursuant to Section 11 and 12 of the Declarations. Such entry shall not be deemed a trespass. Fines may also apply for noncompliance of rules and regulations described above.

Leases: Owners who lease their properties or allow guests to use their properties are responsible for the behavior of the occupants and the upkeep of the property.

Leases shall be submitted to the Association for approval. A proposed lease shall be submitted on the standard lease form provided by the Association with all pertinent information. The proposed Tenant shall sign a statement that he/she has read these Restrictions and Rules and Regulations of the Association, and will abide by them. After receiving the proposed lease agreement, the signed acknowledgement of the proposed tenant, and the applicable Association fee, if any, the Association shall have thirty (30) days in which to approve or disapprove. If disapproved, the proposed lease shall not be made. If the Association fails to approve or disapprove within thirty (30) days, the proposed lease shall be deemed to have been disapproved. The proposed Tenant shall not go into possession until and unless the Association has approved the lease. No subleasing is permitted under any circumstances. The Association may adopt rules and regulations governing leases. All leases shall be for minimum of six (6) months and a maximum of twelve (12) months; however, the Board may, in its sole discretion, approve an extension of the lease period. All such extensions by the Board must be in writing. An Owner may not lease the Unit more than once in any twelve (12) month period. No Home or Villa Owner who purchases a Lot or otherwise acquires title to a Home or Villa after the effective date of this amendment shall be entitled to lease his or her Home or Villa until such Home or Villa Owner has owned the Home or Villa for a period of twelve (12) months, which twelve (12) month period shall commence upon the date title was acquired. Such twelve (12) month restriction on leasing shall not apply to the Association, in the event the Association takes title to a Lot as a result of foreclosure, deed in lieu of foreclosure or otherwise. Additionally, this requirement shall not apply where title is acquired by an immediate family member of the Home or Villa Owner, which immediate family member shall be defined as the Owner's spouse, parents, siblings, children, grandchildren or grandparent, or where the Home or Villa has been transferred or otherwise conveyed to a trust or otherwise conveyed for bona fide estate planning purposes or pursuant to a bona fide estate planning device.

If an Owner, after leasing a dwelling within Delray Dunes, fails to pay any regular or special assessment that is due the Association, the Association, after giving notice to the Owner and an opportunity to cure of not less than thirty (30) days, may notify the Tenant to pay the rent directly to the Association in such amounts not to exceed the past due assessments and the future ongoing assessments as they accrue.

As a condition of Association approval, every lease shall be deemed to include the following provision: If a Lessee, his/her family member(s) or co-occupants, or a guest or invitee of the Lessee shall cause substantial damage to the Association common property or repeatedly fail to comply with the covenants, restrictions, rules and regulations of the Association, then the Owner/Lessor shall, upon receipt of demand from the Association, take immediate legal action as necessary to evict the tenant from the

leased unit. If the Owner/Lessor fails to take such action within ten (10) days from receipt of the Association's written demand, the owner shall be deemed to have assigned, given and transferred to the Association the right to stand in the Owner/Lessor's stead in order to commence legal eviction proceedings against the Tenant/Lessee.

Lemonade Stands: These are permitted only in front of an Owner's property.

Mailbox and Post: Private homes must have a mailbox with the street number 1" size on both sides of box. It is strongly recommended that a name is also included on both sides of the mailbox. Mailboxes must be cleaned and maintained. Mailboxes must be replaced at the request of the Association. All replacement mailboxes must be approved by the Association.

Membership: All Property Owners automatically belong to the Association. A "meet and greet" with prospective buyers is conducted before transfer of property by the Association. Villa associations also meet with prospective villa buyers prior to meeting with the Association.

Membership Fee: A one-time Capital Contribution and Initiation Fee is assessed to new owners at the time of a property transfer. The fee is payable to the Delray Dunes Association, Inc. The amount of the one-time Capital Contribution and Initiation Fee is determined by the Association Board of Directors and may be changed from time to time, and shall be as otherwise required by the Declarations. In addition, a transfer/application fee may also be required pursuant to the Declarations as amended from time to time.

Membership Packet: An information packet is provided to all new members. At a minimum this will include: Application for Homeowner's Membership, Rules and Regulations (including the DDBRM), and the Declarations of Restrictions and By-Laws. These are always available in the Association office.

Membership Roster: The Country Club directory includes a listing of the Members of the Association as well as its Officers, Directors, and committee assignments. This publication is available in the Club office. Grandfathered owners may receive a copy of this Directory from the HOA office.

Memorial Fund: Donations may be made in honor or memory of a Member, to be used for beautification of the community unless the donor specifies a special project (subject to Association approval).

Nuisances: Residents shall be entitled to the quiet enjoyment of their property. Loud music, behavior, and any machinery may be deemed a nuisance. The use of noisy equipment and machinery past 1:30 p.m. on Saturday and all day Sunday is strongly discouraged.

Parking: Parking on vacant lots and golf course property is not permitted. It is preferred that tradesmen working in the Dunes park their vehicles in the driveway of the Member's private home or in the parking area surrounding the villa pools. If this is not possible, parking is permitted on the Association's main roads as follows: (1) East side of Dunes Road; (2) outer perimeters of North and South Lake Drives. Vehicles belonging to Members, Guests, and Tenants must not be parked at any time on lawns or over street drains, or on the roads overnight.

Pets: All pets are to be registered with the Association office. Pet owners are responsible for managing the behavior of their pets at all times in order to not disturb neighbors or trespass on neighborhood property. Aggressive, threatening or excessively loud pets are not allowed within the community. Dogs must be leashed if they are outside the homeowner's property. Pet owners must clean up any pet waste. Two (2) plastic bag dispensing stations are located on South Lake Drive and North Lake Drive for emergency situations.

Playground and Children's Recreational Equipment: Before installation, all such equipment, including trampolines and swing sets, must be approved by the Property Review/Landscape Beautification Committee and so noted on accompanying copy of property survey. The equipment must be surrounded by hedges to block the view from golf course, lakes, and neighbors. Any play equipment not permanently secured must be stored prior to a hurricane. Basketball hoops are allowed on Owner's property. Soccer/lacrosse equipment are allowed on Owner's property but must be stored out of sight when not in use.

PODS (Personal On-Demand Storage) and Dumpsters: The use of PODS requires prior approval from the Association. The length of time PODS will be placed on the property will be no longer than forty five (45) days. Owners may request a time extension which must be approved by the Property Review/Landscape Beautification Committee. Dumpsters are allowed for construction purposes. All dumpsters must be approved before delivery and must be immediately removed when work is completed. Dumpsters are not allowed on site when work has been delayed or does not have a commencement date. Dumpsters are to be emptied when contents are at eye-level. Each dumpster must be covered at the end of each day in such a way as to minimize debris being dispensed by windy conditions. Suggested methods are canvas tarps or mesh netting both of which must be firmly affixed to the dumpster when installed. PODS and dumpsters are to be removed from the community when a hurricane watch or warning is issued.

A Security deposit for PODS and dumpsters must be paid before the POD/dumpster is delivered. Residents receiving approval for major construction projects, having a security deposit on file with the HOA office, will not be required to pay an additional dumpster or POD security deposit. The amount of the security deposit will be set by the Association Board of Directors. Checks will be payable to Delray Dunes Association, Inc. When the POD or dumpster is permanently removed from the community, a written request must be submitted to the Association requesting return of the deposit. Damages, if any, will be deducted from the security deposit prior to refund.

Post Light: At least one light post (white bulb only) with operating automatic dusk to dawn photocell must be installed and maintained in the front of each home or villa. Electronic timers are not allowed. This light must remain operational year-round, regardless of occupancy. The style of light fixture and post must be consistent with those existing in Delray Dunes. If a new post and light is desired, it must be approved by the Property Review/Landscape Beautification Committee prior to installation.

When an Owner is away, the Owner will be contacted and asked if they want the Association to replace the lamp post bulb(s). An owner will be billed for the replacement bulb(s), including labor if they choose to use the Association services. This cost shall be determined by the Board of Directors. Individual villa associations preferring to be responsible for replacement and billing of post light bulbs must inform the HOA office.

Property Reviews:

The Association reviews properties from time to time and notifies the Owner of any items which do not comply with the Governing Documents or meet community standards. A courtesy letter is mailed to the owner advising of the infraction(s) and with a request that it be corrected within thirty (30) days.

Should the owner fail to comply within thirty (30) days, a second notice is mailed to the Owner advising them that the Owner has a final fifteen (15) days in which to comply. Failure to comply by this deadline may result in the Board of Directors levying a fine for each day of a continuing violation. Should a fine be levied by the Board, the Owner is given at least fourteen (14) days notice of a hearing before the Fining/Grievance Committee. The sole role of the Fining/Grievance Committee is to determine whether to approve or disapprove the fine levied by the Board. This Fining/Grievance Committee will be appointed by the Board and be comprised of Homeowners not related to any Board members. If the Fining/Grievance Committee, by majority vote, does approve the proposed fine, the Association will provide written notice of such fine by mail or hand delivery to the Homeowner. If the Fining/Grievance Committee, by majority vote, does not approve the proposed fine, it will not be imposed. These rules may be amended from time to time to comply with Section 720.305, Fla. Stat.

In addition, the Association has the right to commence legal action and/or enter the offending property to correct the infraction. All costs incurred by the Association will be the responsibility of the offending Owner.

When properties are listed for sale, the Association reviews the property and notifies the Owner of any items that are in violation of the current guidelines. Such items must be corrected by the Owner or an agreement between Seller and Buyer must be reached, in writing, as to who will be responsible for bringing the property up to Delray Dunes standards before the property can be transferred to the Buyer. All property violations will be included on the Estoppel letter.

Real Estate: The Association office publishes a brochure listing the properties for sale in Delray Dunes including the listing realtors. The brochure is available to Members and prospective buyers or renters as well as realtors. Listed realtors are permitted entry to the property; other realtors must be cleared through the Gatehouse by the listed realtor or by the Property Owner. Visitors interested in Dunes properties will be granted entry only if accompanied by a listed realtor or an authorized Dunes representative.

The Board of Directors reserves the right to charge for an Estoppel fee. The amount of the Estoppel fee will be determined by the Board of Directors. The Estoppel fee will be payable to Delray Dunes Association, Inc. and payable at the time of the Estoppel request.

Signs and Displays: No sign of any kind may be erected or displayed on the property or on any structure or on or within a vehicle parked or stored on the property. No sign or banner of a commercial or political nature shall be erected or displayed. Decorative banners and signs are permitted during a holiday season.

Solicitations: No door-to-door solicitations are permitted.

Speeding: The speed limit within the community is 25 mph. Residents are encouraged to report speeders to the Gatehouse. An Owner should never approach the speeder directly. Speeders are subject to fines. Prevalent violators, by non-members of the Association, of the 25 mph speed limit may have

their driving privileges suspended within Delray Dunes private road system.

Sprinkler Systems: Sprinkler systems must be maintained in good working order. Pumping water from any lake or canal is prohibited.

Storm Shutters: See Hurricane Preparation.

Swimming or Wading in Lakes: Swimming or wading in the lakes is not permitted. They are regularly sprayed with chemicals and insecticides.

Swimming Pools: Aboveground swimming pools are not permitted.

During construction of a pool or spa, a 4 ft. high temporary fence is required to completely surround the excavated area. This fence must remain in place until a permanent barrier is installed, as required by the Palm Beach County Planning, Zoning and Building Department/Florida Building Code.

Television: Bulk rate service is included as a bundle to all Owners and is billed annually with other Association Common Expenses. This service may be amended from time to time by the authority of the Board.

It is understood that according to the Over-the-Air Reception Devices (OTARD) Rules, adopted by the FCC pursuant to the Telecommunications Act of 1996, Communities cannot restrict the use of satellite dishes (less than one meter in diameter) or other television reception antenna that is limited by OTARD.

No television satellite dish antenna shall be allowed nor any outside antenna. Any satellite dish or antenna must be effectively screened from view from all neighbors, roads, lakes and golf course. A request for approval on the location of the television satellite dish or other outside antenna shall be submitted, in writing, to the Association, together with a sketch or print showing the extent to which it will be visible to neighbors from the roads, lakes and golf course. Roof or soffit mounted, unless totally out of view are not permitted. Dishes mounted on a separate post are not allowed. Dishes shall be painted to match the base color of the house or Villa or camouflaged in some manner. Any and all satellite dishes or antennas shall comply with the Federal Over The Air Reception Devices Rule (OTARD), as same may be amended from time to time.

Tradesmen and Contractors:

November 1 through April 30, working hours are 7:30 a.m. to 5:30 p.m. Monday through Friday.

May 1 through October 31, working hours are 7:30 a.m. to 6:30 p.m. Monday through Friday.

Saturday, working hours are 8:00 a.m. to 1:00 p.m. at all times.

Work or construction deliveries will not be allowed on Sunday, New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas.

Tradesmen and contractors must be cleared by the homeowner by: phoning the gatehouse, calling the automated phone entry system or logging into www.gateaccess.net. If notification is not given and the Resident cannot be reached by phone, entry will be denied. The only exceptions will be authorized pest control representatives, yard maintenance and pool maintenance (that are on the homeowner guest list). Courier, utility vehicles, garbage trucks and postal services do not need homeowner clearance. Security is not permitted to accept delivery of any goods or accompanying such delivery to an addressee's residence.

Traveling Residents: Members or Tenants should complete the Extended Absence security form (available at the Gatehouse or at the Association office) when planning to be absent for an extended period. If you have a person checking your home for emergency purposes, please indicate the caretaker's name and telephone number.

Trucks, Vans, Boats, Trailers, Motorcycles, Motor Homes, Habitable Vehicles And Commercial Vehicles: Declarations of Restrictions, Section 10 is hereby incorporated by reference and shall govern all vehicles and parking within Delray Dunes.

Utility Easements: These are hereby reserved for the purpose of installing and maintaining municipal and public utility facilities, including but not limited to water, sewer, electric, gas, reclaimed water, cable television, and for such other purposes incident to the use of the property, those easements being designated "Utility Easement". There are also hereby reserved easements and rights-of-way for constructing anchor guys for electric and telephone poles, as shown on the recorded plat of DELRAY DUNES.

Villa Carport: See Carports, Page 4

Villa Member Identification: Villa Owners' unit numbers must be displayed on their light posts or in a visible area in front of the property. This policy will enable emergency vehicles to respond quickly to the correct Villa. It is strongly recommended that Villa Owners include their names on their light posts.

Wall or Window Air Conditioners: Window air conditioning units and through-the-wall air conditioning units are not permitted.

Water-Front Properties: The lakes, the waters edge, the banks, and the first several feet of the embankment (i.e., the lawn areas) are owned by the Association under the original Subdivision dated in 1969.

The exact amount of lake embankment owned by the Association varies throughout the individual house and villa areas, and is precisely determined only by survey measurement. However, in general, it is at least the first ten (10) feet of land.

Therefore, care is required in any case where the Owner is considering new or replacement home construction that extends towards the waters edge (including but not limited to the construction of a pool or patio area). Consistent with other sections of these guidelines, prior approval of any such construction must be obtained from the Association.

As Owner of the lakefronts and embankments, the Association is interested in maintaining a consistency of quality, appearance and style throughout the Community. The Association shall be responsible for maintaining, repairing and replacing the lakes and all water management tracts located within the Property that are dedicated to the Association by any plat or other recorded instrument. This includes maintenance, repairs or replacements of all lake banks and any maintenance or repair necessary as a result of lake bank erosion if not caused by the homeowner. Notwithstanding the foregoing, a Home or Villa Owner whose property abuts any lake or other water management tract, shall be responsible for the day-to-day upkeep and maintenance of the lawns and landscaping located in between the Lot line and the water's edge abutting any such Lot. Such maintenance shall include, but shall not be limited to, routine irrigation, trimming, mowing, edging, fertilizing and daily upkeep of all landscaping, lawns, sod

and other greenery located in between the Lot line and the high water's edge. In areas where the bank drop-off is particularly steep, Owners are requested to ensure that heavy landscaping or construction equipment does not drive along the top edge of said banks. Notwithstanding the foregoing, nothing in this declaration shall obligate any Home or Villa Owner to maintain any portion of the Delray Dunes property owned by the Country Club.

In general, there may be some gradual abrading or erosion of lake banks by natural causes (wind and water) over long periods of time. These are monitored by the Association. In certain cases, there may be localized areas of deeper erosion or bank collapse which endanger abutting embankments and/or detract from the aesthetics of the area. In these instances, the Association (acting alone) will take steps necessary to correct the situation consistent with the Association's own guidelines and budgets. In each such case, it will be determined whether the unusual erosion is caused by any contribution from any abutting Owners (e.g., a roof downspout drain exiting directly on the top of the embankment), in which case a repair cost-sharing arrangement will be determined by the Association Board.

Water/Sewer: Water and sewer is supplied by the Village of Golf. In the event of a problem, Village of Golf should be called FIRST before calling a plumber. Village of Golf has its own personnel responsible for fixing problems in its system. The homeowner is responsible for charges incurred if they contract with an outside plumber.

Wells for Lawn Sprinkling: A well must be provided for the irrigation of all landscaping on the property. The system will be controlled by an electronic time clock. Well water contains minerals that stain the home, sidewalk, and driveway. Stains must be treated as soon as possible. Therefore, every effort must be made to set the sprinkler heads to minimize this situation. Pumping water from any lake or canal is prohibited.

Window Tinting: Prior to installation, window tinting must be approved by the Property Review/Landscape Beautification Committee. See the DDBRM for specific guidelines and instructions.

Villa Associations: Villa Owners are Members of Delray Dunes Association, Inc., and must comply with the above Rules and Regulations. In addition, each of the seven (7) Villa Associations has its own rules and regulations for its villa Owners, with a Board of Directors to govern. Requests from Villa Owners for renovations, landscaping, etc., must first be approved by the respective Villa Board before submission to Delray Dunes Association, Inc. In addition, requests by Villa Owners that would result in any deviation from the Villas' existing rules and regulations must first be approved by the Board of the Villa group. After such approval, the request must be directed to Delray Dunes Association, Inc.