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Recorded in Public Records St. Johns County, FL
Clerk # 92012277 O.R. 638 PG 42 10:05AM 04-17-92
Recording 45.00 Surcharges 3.00

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DECLARATION OF RESTRICTIVE COVENANTS GRACEWOOD ESTATES

WHEREAS, THOMAS F. GILL and CAROLYN C. GILL, his wife, are the owners of certain lands situate in St. Johns County, Florida, more particularly described as follows:

Lots 1 through 31, Block 1, and Lots 1 through 9, Block 2, GRACEWOOD ESTATES, as per plat thereof recorded in Map Book 25, Pages 35 and 36 of the Public Records of St. Johns County, Florida.

ARTICLE I DEFINITIONS

SECTION 1. "Subdivision" shall mean the final plat as approved and recorded by St. Johns County. The land included in said subdivision shall be used for private residential purposes only. The subject subdivision is planned as a subdivision for mobile, manufactured, and conventional homes. No building of any kind whatsoever, except approved ancillary uses, shall be erected, placed or maintained on the subject property except single-family homes, and except such screened porches, carports, or garages which shall be used solely in connection with the main single-family home placed on the same building lot.

SECTION 2. "Properties" shall mean and refer to the certain real property hereinbefore described, and such additions thereto as may hereafter be brought within the jurisdiction of the Association

SECTION 3. "Lot" shall mean any of said lots as originally platted upon which a residence may be erected in accordance with the restrictions hereinabove set out or such further restriction as may be imposed by any applicable zoning ordinance.

SECTION 4. "Single Family Homes" shall mean any mobile, modular, or conventional home built or assembled in accordance with local, state and federal laws, relative to mobile, modular or conventional home construction and other such specifications and conditions as presented in Article IV of this Declaration.

ARTICLE II MEMBERSHIP AND VOTING RIGHTS

SECTION 1. Every owner of a lot which is subject to assessment shall be a member of the Association. Membership shall be appurtenant to, and may not be separated from ownership of, any lot which is subject to assessment.

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O.R. 938 PG 0043

SECTION 2. The Association shall have two classes of voting membership:

Class A. Class A members shall all be owners and shall be entitled to one vote for each lot owned. When more than one person holds an interest in a lot, all such persons shall be members. The vote for such lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any lot.

Class B. Class B members shall be entitled to three (3) votes for each lot owned. The Class B membership shall cease and be converted to Class A membership when title to all lots in all sections has been conveyed.

It is the intent of this article to provide the Developer with control of the Association during the initial sale of the project.

As indicated in subsequent articles, the Developer will relinquish control of the subdivision to the residents once total sales exceed voting rights and votes of the Developer.

ARTICLE III ARCHITECTURAL CONTROL

No building, fence, wall or other structure shall be commenced, erected or maintained upon the properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by the Developer. Until such time as an architectural control committee is established, the Developer shall act as the architectural control committee.

When established, the architectural control committee shall be composed of three members. A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. In the event said Board, or the architectural control committee, fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and this Article will be deemed to have been fully complied with.

ARTICLE IV RESTRICTIONS

SECTION 1. In order to provide for a congenial occupation of the subdivision and to provide for the protection of the value of the individual units, the use of property shall be restricted in accordance with the following provisions:

In order to promote uniformity and an aesthetically attractive uniform appearance of the entire subdivision, and to further the purposes set forth in these Restrictions, the Board of Directors of the Association, its successors and assigns, shall have the right to approve all improvements to the lots, including but not limited to, all mobile, manufactured, or conventional homes, improvements and appurtenant and attendant structures to be placed upon said lots in accordance with Article I of this Declaration. As a guide, each mobile, manufactured, or conventional home shall meet the following minimal requirements:

O.R. 938 PG 0044

- 1) Be doublewide with minimum dimensions of 24' x 50' and/or have a minimum of 800 square feet of air conditionable space, excluding porches, garages and carports;
- 2) Have solid masonry skirting around the entire exterior of said home and four-point hurricane anchors, and/or masonry slab construction;
- 3) Have a carport or garage with a concrete apron from paved road to property line, with concrete, asphalt, wood chips or gravel driveway from the property line to unit. In the event that wood chips or gravel driveways are used, said driveways shall be flanked by ties to contain material;
- 4) No homes shall have siding constructed of tin, aluminum, or such roll siding other than aluminum lap siding. All metal siding shall be approved by the Association.
- 5) Where mobile or manufactured homes are placed, no homes shall be more than two (2) years old from the date of manufacture.

SECTION 2. All mobile or manufactured homes shall be located upon the lot so that the front of the mobile home (i.e., the front door of the home which is designed to face the street) shall be facing the street or cul-de-sac. The mobile or manufactured home shall be located on said lot so that the front of the mobile or manufactured home fronts on the street abutting the lot.

SECTION 3. Except for animals such as dogs, cats, and other household pets, no animal, livestock or poultry of any kind shall be raised, bred, kept or maintained on any unit, and no animals, including cows, horses, goats, chickens, dogs, cats, or household pets, may be raised or kept for commercial purposes (not to exceed two of each).

SECTION 4. Lots shall not be used or maintained as a dumping ground for rubbish, garbage, derelict vehicles or fixtures, and all other waste or debris. All such waste or debris shall not be allowed to accumulate and shall not be kept except in a street for pickup and shall not be allowed to remain in excess of twenty-four (24) hours.

SECTION 5. All trucks and commercial vehicles shall be required to be parked in a garage and shall not be permitted to be parked or stored in any other place on any lot except during periods of approved construction on the lot. However, one (1) truck or commercial vehicle used strictly by the owner for his own work or transportation purposes may be parked upon the lot outside of a garage. This prohibition of parking shall not apply to temporary parking of trucks and commercial vehicles such as are used for pickup, delivery and other commercial services. No vehicle without a current valid license plate shall be permitted upon the property. Vehicles which are missing one (1) or more wheels or which are not in an operating condition shall not remain upon any portion of the property for more than two (2) consecutive days. No airplanes, helicopters or gliders shall be permitted upon the property. No maintenance or repairs shall be performed upon any vehicle, boat or similar machine or portion thereof on any lot or portion of the property except within a building where totally isolated from public view. No recreational vehicles, swamp buggies, boats or air boats shall be parked overnight on any lot, except in an enclosed garage.

SECTION 6. There shall be no motorcycles allowed upon the property except such motorcycles as shall be composed of standard factory equipment.

SECTION 7. Each unit owner, lessee or occupant shall maintain at all times in good condition and repair the interior portion of his mobile home and exterior of his unit, including yards, landscaping, porches, interior walls, floors, ceilings, roads, exterior doors, and windows, water, electric and plumbing systems and equipment, and lamps.