

**ODOM'S MILL COMMUNITY ASSOCIATION**

**RULES AND REGULATIONS**

Approved by the Board of Directors

October 27, 2005

**ODOM'S MILL COMMUNITY ASSOCIATION  
RULES AND REGULATIONS**

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## ODOM'S MILL COMMUNITY ASSOCIATION RULES AND REGULATIONS

1. **Introduction:** The Odom's Mill Community association is governed first by Florida state law as promulgated in chapter 720 of the Florida State Statutes. This chapter provides the basis for individual associations to conduct the day-to-day business of community associations for the benefit of the total membership. It also provides the authority for community associations to develop a set of documents specific to their individual needs. The set of documents for the Odom's Mill community in descending order of priority is the declaration of covenants, articles of incorporation, by laws and duly adopted rules and regulations. With the exception of rules and regulations, the community documents were adopted in the early stages of preparation for the development and construction of Odom's Mill. Rules and regulations may be adopted as needed by the Odom's Mill Board of Directors. The primary purpose of this document is to promulgate the Rules and Regulations.
2. **Community:** The term, "Regulations" or the term "Rules" as used herein shall mean the Rules and Regulations of the Odom's Mill Community Association.
3. **Authority:** The association's Covenants and Restrictions, paragraph 5.3, serves as the authority for the Board of Directors to adopt, rescind, and enforce reasonable rules and regulations. This paragraph further states, no owner or other Person occupying any lot or any invitee, shall not violate the Association's Regulations for the use of the Property, and at all times shall do all things reasonably necessary to comply with the Regulations. This paragraph of the C&Rs states the following:
  - a. The Rules initially shall be promulgated by the Board of Directors. They may be amended by a majority vote of the Board or may be rescinded or amended by a majority of the membership present and voting at a regular or special meeting convened for such purposes
  - b. The C&Rs require the Association in enforcing the Rules shall at all times provide the affected Owner with reasonable prior notice and an opportunity to be heard, in person or through representatives of the Owner's choosing.
4. **Member Notification and Maintenance:** The full text of each new Rule approved by the Board of Directors or any changes made to the rules will be provided to each member of the association through direct mail or other means the Board may direct. Each rule will be numbered in a sequential manner and will be included as attachments to this publication. In addition, a table of approved rules will be included as the first page of this document. The table will list all of the rules and their date of approval. As new rules are adopted, the table of rules will be changed to identify the new rule and its date of adoption. The full text of the rule will be added as a new attachment hereto.
5. **Adoption:** The Board of Directors of the Odom's Mill Community Association by a majority vote approved this document and its promulgation at a regularly scheduled meeting of the Board of Directors, October 27, 2005.

# ODOM'S MILL COMMUNITY ASSOCIATION RULES AND REGULATIONS

## GENERAL RULES AND REGULATIONS

1. The Common Areas and facilities, if any, shall not be obstructed nor used for any purpose other than the purpose intended therefore. No carts, bicycles, carriages, chairs, tables or any other similar objects shall be stored thereon, except by the Association.
2. No signs of any kind, including 'for sale' signs, may be placed on Common Areas.
3. The personal property of Owners must be stored in their respective Homes or in outside storage areas (if any are approved by the Architectural Review Committee).
4. No garbage cans, supplies, milk bottles or other articles shall be placed on the exterior portions of any Home or Lot and no linens, cloths, clothing, curtains, rugs, mops, or laundry of any kind, or other articles, shall be hung from or on the Home, the Lot or any of the windows, doors, fences, balconies, patios or other portions of the Home or Lot, except as provided in the Declaration with respect to refuse containers.
5. No motor vehicle that cannot operate on its own power, or that has a flat tire(s), or does not have a current license plate and registration, shall remain on the Properties for more than twenty-four (24) hours, and no repair of such vehicle shall be made thereon, except for emergencies or in a garage.
6. No portion of the Common Areas may be used for parking purposes, except those portions specifically designed and intended therefore, if any. Areas designated for guest parking, if any, shall be used only for this purpose and neither Owners nor occupants of Homes shall be permitted to use these areas.
7. No Owner shall play or permit to be played any musical instrument, nor operate or permit to be operated a phonograph, television, radio, or sound amplifier or any other sound equipment in his Home or on his Lot in such a manner as to disturb or annoy other residents (applying reasonable standards). No Owner shall conduct, nor permit to be conducted, vocal or instrumental instruction at any time, which disturbs other residents.
8. No electronic equipment shall be permitted in or on any Home or Lot that interferes with the television or radio reception of another Home.
9. No awning, canopy, shutter, enclosure, or other projection shall be attached to or placed upon the outside walls or roof of the Home or on the Lot, except as approved by the Architectural Review Committee, which may be withheld in its sole discretion.
10. No Owner may alter in any way any portion of the Common Areas, including, but not limited to, landscaping, without obtaining the prior written consent of the Architectural Review Committee.
11. No commercial use shall be permitted in the Properties even if such use would be permitted under applicable zoning ordinances.
12. An Owner who plans to be absent during the hurricane **season** must prepare his Home and Lot prior to his departure by designating a responsible firm or individual to care for his Home and Lot should the Home suffer hurricane damage, and furnish the Association with the name(s) of such firm or individual.

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13. All persons using any pool on the Common Areas shall do so at their own risk. A responsible adult must accompany all children under thirteen (13) years of age. Bathers are required to wear footwear and cover over the bathing suits in any enclosed recreational facilities. Glass containers are not allowed in the pool area, and pets are not permitted in the pool or pool area under any circumstances. (Complete Pool Rules, see page 7 )
14. Children will be the direct responsibility of their parents or legal guardian(s), including full supervision of them while within the Properties and including full compliance by them with these Rules and Regulations of the Association. A responsible adult must accompany all children under thirteen (13) years of age when utilizing the pool and /or recreation facilities.
15. A speed limit of 25-MPH applies within the Community unless otherwise posted. Drivers in the Community are required to obey all traffic signs. St Johns County Sheriffs Office patrols our streets, and violators of traffic signs and safety rules will be ticketed.
16. Any and all acts of vandalism shall be the responsibility of the resident (owner). It will be the owner's responsibility to pay for all damages caused by any household member or their guests.
17. No weapons (BB guns, pellet rifles, pistols, shotguns, paint ball guns, bottle rockets, bows and arrows, or firearms of any type) shall be openly displayed or discharged in the Community.
18. No swimming, boating, or any type of flotation device is allowed in any lake in the Community.
19. Garbage receptacles, construction debris, lawn clippings, tree branches, bags, etc., are not to be placed by the curb until AFTER 5:00 P.M. the evening before pickup, and must meet specific pickup requirements. Garbage receptacles must be stored in a secure area not generally visible from common property or streets.
20. Parking of boats, trailers, campers, motor homes, or any other motor vehicles is not permitted on the streets, thoroughfares, cul-de-sacs, or common areas of the Community. Such vehicles may not be parked on the resident's property unless specifically located in an area where the vehicle cannot be seen from the street.

The following *Rules* apply to **Owner Lots**. (See Note #1, regarding Common Areas.)

21. *Mowing*: All lawns must be mowed when necessary to maintain a height not to exceed six inches. Lake banks should be mowed to the water's edge.
22. *Edging*: Edging must be performed on a regular basis to conform to the mowing schedule. Weed-eaters should be used in areas inaccessible to lawnmowers. Bed edges must be kept clean and well defined around color beds, shrub beds, open beds, and tree trunks to prevent turf encroachment. Driveways, walkways, and curbing must be edged often enough to maintain clean, crisp, consistent edge lines.
23. *Trimming*: Shrubs, trees, and other ornamentals must be trimmed as often as necessary to maintain a neat, well-groomed appearance.

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24. *Weeding:* Beds must be weeded to remove any weeds and to maintain healthy, neat-looking plants. All turf is to be kept free of weeds through hand-weeding or herbicide application. Herbicides must be used in accordance with all applicable local, state, and federal guidelines.
25. *Fertilization:* All turf must be fertilized frequently enough to maintain a lush green appearance.
26. *Air Conditioning Units:* Window or wall air conditioning units are not permitted. Compressors and other exterior air conditioning components must be screened from public view and insulated to minimize noise, by appropriate shrubbery, fences, or other means approved by the ARC.
27. Every Owner and occupants shall comply with these Rules and Regulations as set forth herein, any and all rules and regulations, and the provisions of the Declaration, By-Laws and Articles of Incorporation of the Association, as amended from time to time. Failure of an Owner or occupant to so comply shall be grounds for action that may include, without limitation, an action to recover sums due for damages, injunctive relief, or any combination thereof. The Association shall have the right to suspend use of recreation facilities, if any, in the event of failure to so comply. In addition to all other remedies, a fine or fines may be imposed upon an Owner for failure of an Owner, his tenants, family, guests, invitees, or employees, to comply with any covenant, restriction, rule, or regulation herein or in the Declaration, or Articles of Incorporation, or By-Laws, as provided in the Declaration.
28. All of these Rules and Regulations shall apply to all Owners and occupants even if not specifically so stated in portions hereof. The Board of Directors shall be permitted (but not required) to grant relief to one or more Owners from specific rules and regulations upon written request thereof, and good cause shown in the sole opinion of, and conditions on time limitations imposed, by the Board.

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**Pool Rules**

**NO LIFEGUARD ON DUTY / SWIM AT YOUR OWN RISK**

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1. You must be 13 or older to swim without adult supervision. You may not be responsible for any other child(ren) under the age of 13.
2. Babies and toddlers not potty trained must use "Swim Diaper"
3. Odom's Mill residents only. Resident must accompany all guests.
4. Shower before entering pool.
5. NO RUNNING, HORSEPLAY, or LOUD MUSIC in or around pool.
6. NO SMOKING within pool gates.
7. Pool closes at dark. No swimming after dark.
8. No glass containers allowed. All trash must be placed in proper receptacles.
9. FOOD and BEVERAGE are not allowed in the swimming Pool.
10. Swimsuits must be worn. No cutoffs or regular clothes allowed.
11. No large flotation devices or surfboards allowed.
12. No animals in pool or on pool deck.
13. No skateboards, rollerblading, bicycles allowed in pool area.
14. Close gates upon entering and leaving pool area.
15. Lock restrooms if you are the last to leave.
16. Respect lap swimmers.
17. NO DIVING

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**Signage**

1. The Odom's Mill Community is a deed restricted community with requirements for compliance with Covenants and Restrictions (C&Rs) to the benefit of the overall community. A significant purpose of the C&Rs is to ensure the Property is maintained in a pristine manner, free of man-made clutter, trash, signs and similar man-made items.
2. Article III, paragraph 3.14 states that no sign of any kind, including street signs, shall be displayed to public view within the Property except customary address signs approved by the A.R.C., and a lawn sign of not more than four (4) square feet in size advertising a Lot or Residential Unit for sale or rent.
3. Article V, paragraph 3.5 states "No owner or other Person occupying any Lot, or any invitee, shall violate the Association's Regulations for the use of the property and at all times do all things necessary to comply with the Regulations. The term "invitee" as used herein shall apply to any guest or invitee to include contractors or other non-residents of the community.
4. It is understood that Federal Laws require lawn maintenance contractors to place a sign on lawns when certain chemicals are applied to lawns and may remain there until the chemical dries. The Lot owner shall not allow these signs to remain on their property for more than 12 hours.
5. Any unauthorized sign found on the Property shall be removed immediately by the Association's property management contractor or the Board's designated representative and disposed of in any authorized trash receptacle. If the ownership of the sign can be readily determined, a letter will be sent to the home owner of the lot within 48 hours. The purpose of this letter is to advise them of the violation and to serve as a warning if further violations occur. In addition, if the sign contains the name or telephone number of a contractor, the association's management company shall notify the contractor of the violation by letter or by telephone. Records of all communications will be maintained by the association's management company.
6. Failure of any homeowner to comply with this regulation shall be subject to fines as specified in Appendix A of this document.

# ODOM'S MILL COMMUNITY ASSOCIATION RULES AND REGULATIONS

## Tree Removal

1. The Odom's Mill Community is a restricted community with requirements for compliance of its Covenants and Restrictions (C&Rs), to the benefit of the whole community. A significant focus of the C&Rs is to preserve the beauty of the community by maintaining landscapes, trees, wetlands and other aspects of the natural environment. To this end the removal of trees is discouraged.
2. Article III, paragraph 3.5 (a) of the C&Rs establishes association policies concerning the preservation of living trees and the penalties for non-compliance. This Rule is hereby promulgated by the Board of Directors to augment the C&Rs and provide procedures for achieving equitable enforcement of the covenants concerning living trees. In addition, it supplements the Covenants and Restrictions by extending reasonable policy to apply where trees have been removed from the Property without prior approval and all pertinent facts cannot be determined. Specifically, this Rule addresses the issue where there is evidence that trees have been removed but the size or the tree cannot be determined or the homeowner contends the removed tree was not a living tree.
3. With regards to the removal of a standing tree, regardless of its living or dead status, homeowners are required to contact the Association's Architectural Review Committee (ARC) for approval **prior** to removing a tree from the Property. The procedures for obtaining ARC approval to remove a tree may be obtained by contacting the Association's property management company, the ARC, logging on to the Odom's Mill web site, ([www.odomsmill.com](http://www.odomsmill.com)), or reading Appendix B in this document.
4. The covenants state that no living tree measuring six (6) inches or more in diameter at a point two (2) feet above the ground may be removed without written approval of the ARC, unless the tree is located within (5) feet of the approved building site of the Residential Unit or within its driveway. This paragraph states any Person removing trees in violation of this covenant shall pay to the association a stipulated liquated damage sum of Fifty Dollars (\$50.00) for each inch of diameter measured as stated above for each tree up to a maximum liquated damages sum of \$10,000 for any Lot. This Rule extends the C&R Provisions to all standing trees regardless of whether they are living or dead.
5. With regard to trees that have been removed without prior approval, it is sometimes difficult to determine the dimensions of a tree as described in the preceding paragraph or its exact distance from the residential unit. Stumps are sometimes removed by ground level cutting, destroyed by special equipment used by contractors, or destroyed by other means. When circumstances inhibit the determination of tree size, the minimum damages are \$1500 per tree. Total damages are not to exceed the amount of \$10,000, as stipulated in the Covenants.
6. The homeowner has the right to appeal the damages or other decisions of the Board in these matters within the procedures and time frame as stipulated by the ARC guidelines.
7. Whenever a member of the Board, its management company or any resident reports that a tree removal may be in violation of the C&Rs, the association President, on behalf of the Board of Directors, will direct the association's management company representative to determine if a violation has occurred and obtain as many other details as possible, including the size of the tree, in accordance with section 3.5 of the C&Rs. He will conduct a preliminary investigation to include photographs of the tree, or any parts of the tree that remain.

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8. As promptly as possible and within at least one week, the management company will notify the homeowner (in writing) of the association's concerns. This notification will advise the homeowner that the Board will address this matter at the next scheduled meeting of the Board. The notification will advise the homeowner of the Board meeting schedule and the right of the homeowner to attend. A copy of this rule will be provided to the homeowner.

9. Upon determination by the Board that a violation has probably occurred, the Board will advise the homeowner of this decision. In addition the Board will advise the homeowner of the right to submit information to the ARC within thirty days from the notification of the violation. The ARC will review the material and advise the Board. Any appeal by the homeowner must include information of the size of the tree as described above. Also, it must include an accurate survey or scale drawing to show the location of the tree on the lot, species of the tree or trees, the size of the trees and reason for removing the tree without approval of the ARC. ARC requirements are found in Appendix B

10. Based on all available information the Board will decide if a violation has occurred and the damages to be assessed. The Board will direct the association's property management company to officially notify the homeowner of the decisions and proceed as necessary to collect the assessed damages. The homeowner has the right to appeal this decision within thirty days after the Board's decision. If there is no appeal or if the appeal is unsuccessful, the Board will direct the management company to proceed expeditiously to enforce the Board's decision and direction.

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## PARKING & ENFORCEMENT

Parking in Odom's Mill Community is governed by the Declaration of Covenants and Restrictions for Odom's Mill, Section 3.8(a). Enforcement is guided by Florida Statutes, Section 720.305. The purpose of this policy is to inhibit illegal parking of vehicles, boats, trailers, and other conveyances. Safety is a primary concern as the streets are not wide enough to accommodate parking on the street without impeding vehicular traffic (including emergency vehicles), pedestrians, children, and pets.

### Permitted Vehicles

The Covenants and Restrictions (C&R's) define permitted vehicles as functional passenger automobiles, vans, motorcycles, and pickup trucks of three-quarter ton capacity or less. Permitted vehicles may be parked only in garages or driveways and should be parked in the garage when not in use. **No part of the Common Areas or Streets may be used regularly for parking**, except for designated parking spaces. "Used regularly for parking" is defined as more than one occurrence, with the exception of the Common Areas. Parking in the Common Areas is strictly prohibited at all times.

### Commercial Vehicles

Commercial vehicles (or any Permitted Vehicle with advertising thereon) may not be parked within public view on a regular basis.

### Boats, Trailers, and Other Vehicles

Boats, trailers, and other vehicles that are not Permitted Vehicles, may be parked only within a garage.

# ODOM'S MILL COMMUNITY ASSOCIATION RULES AND REGULATIONS

## Enforcement

The Board of Directors has designated a Fining Committee of Odom's Mill owners to carry out enforcement of the regulations. The management company engaged by the Community Association will send out notices of parking violations, assess, and collect fines.

## Penalties

Street Parking	First Offense	Written Warning
	Second Offense	\$25.00 fine
	Third Offense	50.00 fine
	Fourth Offense	100.00 fine
Common Area Parking	First Offense	Written Warning
	Second Offense	\$100.00 fine
Commercial Vehicles, Boats, Trailers, etc.	First Offense	Written Warning
	Second Offense	\$25.00 fine
	Third Offense	50.00 fine
	Fourth Offense	100.00 fine

## Appeals

Violations may be appealed to the Fining Committee within twenty-one (21) days of the receipt of a notice of violation. Contact MAY Management to schedule an appearance before the next regularly scheduled meeting of the Fining Committee.

Parking violation fines that remain unpaid for more that thirty (30) days may be assessed against the Owner's property as specified in the C&R's, Section 6.5.

**ODOM'S MILL COMMUNITY ASSOCIATION  
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**Standard Restrictions and Contingencies for Construction-Related  
Alterations and Modification, Including Room Additions, Enclosures,  
and Pools**

- All permanent construction shall conform to all setback requirements as indicated on property surveys.
- All construction debris shall be removed and existing landscaping restored or improved. A landscaping plan must be submitted for Architectural Review Committee (ARC) approval.
- Any damages to adjacent properties shall be restored.
- All room additions and screened rooms must match the current house colors including rooming materials. If the material being used is aluminum, then it must match the window materials of the trims of the dwelling.
- Plans are reviewed by the ARC for the limited purpose of determining the aesthetic compatibility of the plans with the Community and in conjunction with deed restrictions of Odom's Mill. These plans are approved on a limited basis. No review has been made with respect to functionality, safety, and compliance with governmental regulations or otherwise, and no reliance on the approval should be made by any party with respect to such matters.
- The homeowner is responsible to obtain whatever easements, permits, licenses, and approvals, which may be necessary to improve the property, in accordance with the approved plans. This approval must not be considered to be permission to encroach on another property owner's rights to use and enjoy all possible property rights.
- Compliance with all applicable building codes is the responsibility of the general contractor and the owner, and not that of the Architectural Review Committee.
- The Owner is responsible for maintaining positive drainage during and after the construction. No water drainage is to be diverted to adjoining lots, conservation easements, or wetland areas.
- Approval does not constitute a waiver of the restrictive covenants governing conservation easements. The Owner is responsible for requiring the installation of silt fencing and any other measures necessary for the protection of the conservation easement, wetlands, and/or waterways adjacent to the owner's property. The Owner is responsible for any and all fines and costs that may result from violations of the restrictive covenants. (See Note #2 regarding Conservation Easements)
- Any changes to the approved plans without prior ARC approval subjects these changes to disapproval and enforced compliance to the approved plans may result.
- Holders for permits are the only signs allowed during construction. No advertisement signs for any work being in progress shall remain on the Property.

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**NOTES**

**Note #1: Common Areas**

Common areas in Odom's Mill are not irrigated, with the exception of the front entrance. Common areas were not sodded with St. Augustine grass, a turf grass that was used throughout Odom's Mill on homeowner yards.

Plantings, forested areas, and wetlands were left as naturally occurring species and delineated with a turf portion along streets.

Odom's Mill Community Association retains a lawn service company to mow, edge, fertilize, and trim the common areas, only to a neat, natural appearance. Native plants are used when replacement is needed.

Snags and fallen trees are left in the wooded and wetland areas for wildlife use.

**Note #2: Conservation Easements**

Many lots in Odom's Mill Community abut wetlands and/or conservation areas. An official survey will show areas of conservation easement, a deed restriction, located within homeowner's lot.

Conservation easements are under the jurisdiction of St. Johns River Water Management District (SJRWMD), but not owned by SJRWMD, THUS, the homeowner is responsible for the protection of and maintenance of any Conservation easement on his Property.

Some restrictions applying to Conservations easements are: *no mowing or removing vegetation*, including dead trees; *no placing yard waste, soil or other materials*; *no removing of soil, rock, or other natural materials*; and *no construction* of boardwalks, piers, fences, etc.

For more information, log on to [www.sjrwmd.com](http://www.sjrwmd.com)

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**ADDENDUM #1  
PARTIAL LIST OF ADDITIONS & ALTERATIONS  
REQUIRING ARCHITECTURAL REVIEW COMMITTEE APPROVAL**

Air Conditioning (Window Units Prohibited)	Planting – Trees & Shrubs
Air Conditioning Condensers (non-portable)	Play Equipment – Structural
Antennae	Pool Enclosures
Awnings	Pools and Spas
Barriers	Porch/Screen Enclosures
Basketball Backboards	Roof Shingle Replacement
Bulkheads	Satellite Dish
Color needs approval only if color is changing	
Decks	Sheds, Storage – Prohibited
Docks	Shutters – Storm or Decorative
Doghouse	
Driveways	
Exterior House Paint	Trampoline
Fences	
Gazebo	Tree Removal
Grass - changes	Trellis
Landscape – Change or Add	Umbrellas
Lattice	Walkways
Mailboxes	Walls
Outdoor Lighting	Windows – New or Change
Patios	Yard Ornaments

This is a partial list only. Please refer to the Odom's Mill Community Association Declaration of Covenants and Restrictions, and Easements for more clarification, or the ARC Guidelines, or contact a member of the Architectural Review committee.

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**ADDENDUM #2**

**REQUIREMENTS FOR TREE REMOVAL ARC APPLICATION**

The ARC will need the Application, (you may get this document from the web site, or from May Management) TREES are designated – landscaping.

4 copies of your Survey with exact location of trees plotted, their diameter and species,

Copies of letters from tree companies, stating their condition, and any other information you feel would aid the ARC in their consideration of your application.

Please deliver the above items to the management company. The application will be logged in and delivered to the ARC before its regular meeting.

This procedure also applies to trees removed before obtaining approval.

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**Appendix A**

**Fining Violations**

1. The Odom's Mill Community is a restricted community with requirements for compliance with Covenants and Restrictions (C&R) to the benefit of the overall community. The C&Rs, section 8.1, establish an Architectural Review Committee (ARC) that has a major responsibility to regulate the use and appearance of the exterior portions of property for the common good of all homeowners. The Board of Directors has approved a set of ARC guidelines to assist homeowners in understanding their responsibilities and the ARC in enforcement. In addition, the Board of Directors is authorized to adopt reasonable rules and regulations as needed to supplement the C&Rs.

2. The Board of Directors is responsible for enforcing the provisions of the Bylaws, C&Rs and any related documents it has approved to accomplish these purposes. In accordance with the statutes of the state of Florida and as authorized by the Odom's Mill Community Association Bylaws, the board of directors has established the following fines for violations of the C&Rs, Architectural Guidelines and rules and regulations it may adopt as authorized by paragraph 5.3 of the C&Rs.

<u>VIOLATION</u>	<u>PENALTY</u>
Initial Offense	Written Warning
Failure to correct/remedy violation within 30 days	\$50.00
Failure to correct within 15 days of \$50.00 fine	\$100.00
Failure to correct within 60 days	\$100.00 daily

\*Aggregate may not exceed \$1000.00. The Board shall also elect to lien the property or to take other action as necessary to correct the violation as allowed by law.

3. Any warning or violation appeals may be heard by the Odom's Mill Community Association Fining and Appeals Committee. The committee has absolute authority to dispense with any violation in a means it deems fair and equitable.

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## Appendix B

### ODOM'S MILL ARCHITECTURAL REVIEW REFERENCE GUIDE

The Odom's Mill Architectural Review Reference Guide has been designed to provide homeowners with the information they will need as they go through the Architectural Review Process. It is a compilation of pertinent articles and paragraphs from the Declaration of Covenants and Restrictions of Odom's Mill dated 14<sup>th</sup> day of April 1995, the Architectural Review Committee Guidelines adopted by the Board of Directors, and a copy of the application and filing process required by the Architectural Review Committee (ARC). **It is intended to serve as a guide only. It does not replace or override any of the original aforementioned documents.**

We recognize that all circumstances and conditions cannot always be adequately addressed in written form. Therefore, the C&R's and Supplemental Guidelines as approved by the Board of Directors and good common sense must prevail. In the event of a conflict, Association documents, as amended, take precedence.

Each item listed below references the Article and paragraph from the Declaration of Covenants and Restrictions for Odom's Mill.

#### 3.3 – Alterations, Modifications and Maintenance of Exteriors

- Any additions to the exterior of a Residential Unit as well as any alteration or modification to the structural components, roof, or exterior of a Residential Unit must have prior ARC approval.
- All house color changes must be approved by the ARC, and the request for approval shall contain: 1) Old trim and wall color, 2) Color of the roof, and 3) The new colors for the trim and walls.
- All exterior house colors must be consistent and in harmony with the existing colors of homes in Odom's Mill.
- All permanent construction shall conform to all setback requirements as indicated on property surveys.
- All construction debris shall be removed and existing landscaping restored or improved.
- Any damages to adjacent properties shall be restored.
- The homeowner is responsible for obtaining all necessary government approvals and permits prior to the start of construction.
- The homeowner must provide detailed construction plans, including architectural drawings, and a comprehensive materials list and survey map indicating construction site at the time of ARC submission.
- All room additions and screened rooms must match the current house colors, including roofing materials. If the material being used is aluminum, then it must match the window materials or the trim of the dwelling.

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- Hurricane protection shall be shutters of aluminum, clear materials (Lexair™), or fabric panels and shall be removable. Permanent mounts must match current house/window colors. All hurricane protection shall only be installed during threat of severe weather and removed when threat is lifted.
- The Owner shall maintain, repair and replace the exterior of his Residential Unit and Lot with materials of the same style and of equal or greater quality as originally constructed.

**Note: Refer to Paragraph 7.1 for General Maintenance Requirements**

### 3.4 - OTHER STRUCTURES

- No shed, shack, trailer, tent, tank, detached outbuilding, storage building or other temporary or movable structures of any kind (whether similar or dissimilar to the foregoing) shall be erected or permitted without ARC approval.
- All permanent play structures and basketball backboards require ARC approval.
- All basketball backboards are to be placed inside driveway, within ten (10) feet of the garage, to promote safety and prevent disturbance to neighbors. They are not permitted at or near street at any time. All non-permanent backboards must be stored for hurricane-force winds.
- All basketball backboards and hoops shall be kept in good repair.
- All permanent play structures must be in the rear yard and not visible from the street. All structures on corner lots shall be buffered from view using dense vegetation or fencing, as approved by ARC.
- All portable play and game structures shall be stored from view when not in use.
- Tents or other temporary structures for use during social functions are permitted but not to exceed 48 hours.

### 3.5 – Landscaping

#### (a) Preservation of Trees

- No living trees measuring six (6) inches or more in diameter at a point two (2) feet above the ground may be removed without the written approval of the ARC. Any person removing trees in violation of this covenant shall pay to the Association a stipulated liquidated damage sum of Fifty Dollars (\$50.00) for each inch of diameter measured as stated above for each tree, up to a maximum liquidated damage sum of \$10,000 for any Lot.
- The ARC shall require the removal of all dead or unsafe trees on the homeowner's property. The homeowner shall be liable for any damage or injury that may result due to their negligence or refusal to remove a dead or unsafe tree.

#### (b) Landscaping Improvements

- No artificial grass, plants, or other artificial vegetation shall be placed or maintained on any Lot.
- No weeds, underbrush or other unsightly vegetation shall be permitted to grow or remain on any Lot.

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- All tree and shrub beds shall require mulch and periodic replenishment. Any standard wood mulch product, such as cypress mulch and pine is encouraged. All other mulch products, such as rocks or stone must receive ARC approval prior to installation. No artificially colored or artificial/synthetic material will be permitted.
- Any significant landscape improvements or changes (for example: construction of new shrub beds, where only grass existed previously; or removal of existing shrub beds, etc.) shall require ARC approval. Replacement of existing shrubs with new or different variety shall not require ARC approval.

**NOTE: Refer to Paragraph 7.1 for Landscape Maintenance requirements.**

### **3.6 - FENCES**

- All fences, walls or similar structures must be approved by the ARC before installation or construction.
- Fences and walls are discouraged in defining property lines. Hedges or dense vegetation are the preferred method for privacy screening.
- All approved fences constructed on a lake view lot may not exceed four (4) feet in height and shall be aluminum or wrought iron in material.
- Fences on lake view lots must be a minimum of five (5) feet from the top of the lake bank.
- Materials: wood, vinyl, aluminum or wrought iron. Vinyl, aluminum and wrought iron shall be of an open, non-privacy style.
- Colors: Natural for all wood fences and black for vinyl, aluminum and wrought iron. Bleaching oil may be used on natural wood fences. Stains shall not be permitted.
- No stockade style fences will be allowed.
- All wood fences must have supporting structures face the interior of the homeowner's yard.
- All walls must match existing house exterior.
- All fences and walls shall be buffered by dense vegetation on the side(s) visible from the street. Appropriate landscape plan must be submitted with fence application, where appropriate.
- All fences and walls shall be kept in good repair. Rotted boards and posts shall be replaced, and fences, which begin to sag or waiver from a straight line, shall be repaired to correct the defects. All fences shall be kept neatly trimmed of all grass and bushes. Walls and fences shall be kept clean and mildew-free.
- All fences are to blend with surrounding properties and neighborhood.
- No fence, wall or hedge may exceed six (6) feet in height.

### **3.9 – Antenna and Security Systems**

- No television or radio masts, towers, poles, antennas, aerials, or appurtenances shall be erected, constructed, or maintained on the exterior of any Residential Unit or Lot. Any such item must be located within the attic of the Residential Unit.
- Satellite Dishes:

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1. The following satellite dish antenna is the ONLY type of satellite dish antenna that may be installed and used in Odom's Mill.

A satellite dish antenna that is 24" or less in diameter that is designed to receive direct broadcast satellite service, including direct-to-home satellite service.

2. In order to best preserve the beauty, quality and value of the neighborhood, and to insure the homeowners are provided the minimum level of *acceptable quality signal*\*, the ARC has formulated a prioritized list of placement preferences for the installation of satellite dish antennas on subdivision property. Every effort must be made to obscure the satellite dish from view by neighboring lots and the street. Antennas shall be installed only in the highest priority location that permits the reception of an acceptable quality signal, and which does not reasonably delay or prevent installation or unreasonably increase the cost of the installation, maintenance or use. If the satellite dish is installed in a location other than location (a) Short pole in landscaping, the **installer** must provide a signed statement certifying the alternate location was necessary for minimum level of acceptable quality signal. The homeowner must forward a copy of the statement to the Community Association Manager for their records.
  - (a) Highest priority location: Short pole in landscaping. If landscaping is required to obscure satellite dish from view by neighboring lots and the street, a landscape plan must be submitted to ARC for approval prior to installation.
  - (b) Second highest priority location: Behind chimney
  - (c) Third highest priority location: Under eave

The ARC has also formulated this priority list of locations for the express purpose of insuring safety of others. If none of the above locations provides the homeowner with the minimum level of acceptable quality signal, the homeowner and ARC shall work together to find an acceptable location for the satellite dish antennae.

3. After installation of an antenna that meets the requirements of Section 2, the owner shall do one or more of the following:
  - a) Paint the antenna in a fashion that will not interfere with reception so that it blends into the background against which it is mounted.
  - b) Landscape the area surrounding the antenna in a fashion that will not interfere with reception so that it blends against the background against which it is mounted.
4. Any disputes pertaining to the above delineated rules shall first be subject to the jurisdiction of the ARC. The owner should contact the ARC to set up a meeting to discuss the problem. The ARC will work together with the homeowner to attempt to reach an acceptable solution to the problem.

\*An acceptable quality signal is one that is not substantially degraded.

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### 3.14 SIGNS AND MAILBOXES

#### (a) Signs

- No sign of any kind, including street signs, shall be displayed to public view within the Homeowner's Property except customary address signs, unless approved by the ARC.
- All lawn signs for a Residential Unit or Lot will be restricted to "For Sale" or "For Rent" in nature. All such signs must be green and cream in color and conform to the size, style and design specifications on the attached diagram.
- "For Sale" and "For Rent" signs shall not be permitted to be placed at the community's front entrance or on any common area, but are restricted to the Owners' property.
- "Open House" signs will be permitted at the front entrance of the community and on the Owner's property only for the period of the Open House. Such signs shall be removed immediately following the end of an Open House showing.
- Owners shall not display any sign, signal, or advertisement at any window, door, balcony, terrace or wall of a residence.
- Appropriate holiday decorations are acceptable during the holiday season.

#### (b) Mailboxes

- All mailboxes will be of a standard residential-size metal, rounded-top style, with a red flag.
- No commercial-size or decorative boxes will be permitted.
- The mailbox may be on a natural wood post, a wood post painted black with a black mailbox, or a wood post painted white with a white mailbox. Mailboxes may also be in a styro-fabricated housing with a stucco, brick or coquina finish to match the exterior of the house.
- All damaged mailboxes and/or the supporting structures must be repaired to restore its original appearance or replaced. All replacements shall be according to the standards described above.

### 3.17 - LAKES AND WETLANDS

#### (a) General

- There will be no alterations to the lake banks, unless the Association deems the improvement necessary for lake bank stability.
- There will not be any fences allowed any closer to the lake than five (5) feet from the top of the lake bank.
- Hedges and trees in the yard of lake view lots may not obscure neighbor's view of lake and are subject to ARC approval.
- No decks, docks, moorings, pilings, bulkheads or other structures shall be constructed on any lake embankment or into the lakes without prior ARC approval.

#### (b) Wetland Conservation Easement

- Any activity within the Wetland Conservation Easement, as shown on the Owner's plat, must be in accordance with the recorded Wetland Conservation Easement and regulations of the St Johns River Water Management District. (Note: A copy of the recorded easement and regulations is on file with May Management Services, Inc.)

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## POOLS and POOL EQUIPMENT

- All pools require ARC approval prior to installation.
- All pools must be permanent, in-ground pools of structural steel, concrete reinforced construction with a decking height not to exceed the floor level of the first story of the residence.
- Pools may be screened or fenced and must be landscaped. ARC approval is required prior to the installation of any screen, fence and/or landscaping.
- All permanently installed pool equipment (heaters, pumps, pipes, tubing, etc.) shall not be visible from the street or adjacent lot(s), and shall be hidden from view by ARC approved vegetation, fence or wall.

## 7.1 – Maintenance

### (a) General

- Each Owner at his expense, shall maintain in good order and repair and keep in an attractive condition all portions of his Lot and Residential Unit, including without limitation the roof, gutters, downspouts, exterior building surfaces, all portions of privacy fences within the Lot, all glass surfaces and screening, doors, electric and plumbing equipment, air conditioner and heating units, driveways and any other equipment, structures, improvements, additions, or attachments located on the Lot.

### (b) Lawn Maintenance

- Landscape maintenance shall include regular lawn mowing, fertilizing/weed control, watering and edging.
- All Owners of Lakeview Lots are required to keep the shoreline of the lake abutting or within their Lot free of litter, debris and nuisances.
- All property owners who benefit from sidewalks along their property are required to maintain the area between the walk and the street in a manner similar to those standards that apply to yards, including edging along the sidewalk and the curb. ARC approved flowerbeds around mailbox structures are acceptable. No trees may be planted in the area between the sidewalk and street to prevent roots from damaging sidewalks in future.
- All tree and shrub beds shall require mulch and periodic replenishment. Any standard wood mulch product such as cypress or pine is encouraged. All other mulch products, including rocks or stones, must receive ARC approval prior to installation.
- All fences shall be kept neatly trimmed of all grass and bushes.
- All maintenance and repair shall be performed by each Owner at regular intervals as shall be necessary to keep his Lot in an attractive condition.

### (c) Liability for Failure to Properly Maintain a Lot or Residential Unit

- Each Owner shall promptly perform any maintenance or repair requested by the Association and shall be liable for all direct loss of damage sustained by other Owners or the Association caused by reason of his failure to promptly perform such maintenance and repair following written notice to such Owner specifying the items of maintenance or repair. Failure to properly maintain a Lot or Residential Unit shall permit the Association

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to perform such maintenance as provided in Paragraph 5.2 of the Declaration of Covenants and Restrictions for Odom's Mill dated the 14<sup>th</sup> day of April, 1995, and to levy assessments to recover the cost thereof.

### TIME FRAME TO COMPLETE PROJECT

- All work must be completed within six (6) months of ARC approval date or homeowner must resubmit.

### ENFORCEMENTS

**5.2(a) Unit Exterior and Lot Maintenance.** If an Owner of any Lot shall fail to maintain, repair, or restore the exterior of his Lot or Residential Unit, including the landscaping located thereon, and the shoreline of the lake adjacent to or within his Lot, if any, in the manner required by the Legal Documents within thirty (30) days following notice by the Association specifying the maintenance or repair item, then the Association after approval by not less than seventy-five percent (75%) of the members of the Board of Directors, shall have the right but not the obligation, through its agents and employees, to enter upon the Lot and to perform such repair, maintenance, or restoration. The cost of such exterior maintenance shall be assessed to the Owner of the Lot or Residential Unit and shall become due and payable in all respects, together with assessments of the Association. Additionally, the Association shall have a lien for all unpaid costs and interest against the Lot or Residential Unit, and such costs and interest shall be the personal obligation of the Person who owned the Lot at the time the notice was given by the Association, in the same manner as herein provided for other assessments of the Association (Section 6.5).

**10.1(a) Rights of Developer and Association.** Developer reserves the right but shall not be obligated, for the Developer or the Association, following twenty (20) days written notice to the Owner of any portion of the Property specifying a violation of the Legal Documents, to enter upon such property to correct any violation of the Legal Documents or to take such other action at the expense of the owner as Developer or the Association deems necessary to enforce these covenants and restrictions. The Owner of such property shall pay Developer or the Association on demand the actual cost of performing the enforcement plus twenty percent (20%) of the cost of performing the enforcement. In the event that such charges are not paid on demand, the charges shall bear interest at the maximum lawful rate of interest from the date of demand. Developer or the Association may, at its option, bring action at law against such owner personally obligated to pay the same, or upon giving the owner ten (10) days written notice of an intention to file a claim of lien against a Lot, any file and foreclose such lien