

# Frenchmen's Landing POA

## Quick Reference to Covenants, Rules & Regulations By-Laws, Articles of Incorporation

The legal documents for Frenchmen's Landing were recorded, after being revised and updated, on 2/20/03 and are part of the public records for Palm Beach County, FL. This is not intended to be a substitute for the actual documents as recorded for Frenchmen's Landing POA. In addition, the Board of Directors has adopted additional rules and regulations, which will be noted below.

**SELLER'S DISCLOSURE REQUIREMENT:** FL Statutes, Chapter 720, (formerly 289.26, revised and moved to Chapter 720), requires Sellers to provide to a Buyer a disclosure regarding a mandatory Homeowners Association prior to execution of a contract for sale and purchase.

Under the Articles of Incorporation, Article V (Powers), Section 2, A-I, the Board of Directors is granted the powers necessary to enforce by legal means the provisions of the Articles, By-Laws and Rules & Regulations for the use of the Property. In addition, the powers entrusted to the Board of Directors are explained in more detail in the By-Laws, Article IV, Sections 9,11,14. The powers and limitations of such are further detailed in the Covenants, Articles III, IV, V, VII, and VIII.

**PROHIBITION ON TRUCKS & BOATS:** Article X. Sections 16,22.25:

No trucks, trailers, campers, motor homes, commercial vehicles of any kind or boats of any type whatsoever shall be kept or stored on any Lot except within a closed garage.

**PARKING ON STREETS:** Article X. Section 22, No cars or trucks or other vehicles shall be parked overnight being defined as the period from Midnight to 6 A.M. on any streets or swales. Parking on both sides of the street (opposite another vehicle) is prohibited and can be a liability for emergency vehicles to pass.

In addition to the foregoing, all Lot Owners and Lessees of Dwelling Units shall abide by the Declaration, the Articles of Incorporation, the By-Laws and the Rules and Regulations.

**PETS:** Lot Owners may keep as pets, birds, cats, tropical fish and dogs. Cats and dogs must be carried or on a leash at all times when on Common Property. For the safety and protection of our children, pets are NOT allowed in the playground. It shall be the Owner's obligation to dispose of waste materials from pets. Failure to pick up after the animals can result in corrective action. The Board of Directors shall have the right to order the removal of any pet, which is considered a nuisance, in the sole discretion of the Directors.

**STOP SIGNS:** All intersections entering Frenchman's Passage have 4-way stop signs. The Board in the interest of safety installed these signs for the residents. All motorists are encouraged to respect the intent of the stop signs to provide for the safety of the children and other non-motorists who use the streets for recreational purposes, such as bicycling, running etc. The Board has the authority to place, maintain and enforce the stop signs as a rule of the Association. (See LEGAL EXPENSES BELOW)

**USE OF STREETS:** Only licensed motorized vehicles are permitted on the streets. No golf carts or other non-licensed recreational devices are permitted.

**SPEED LIMITS:** The speed limit is enforced by radar is 25 MPH. The Board requests that all residents and guests adhere to the traffic control signs placed at strategic positions in the development. All motorized vehicles must be properly licensed and insured. The Board reserves the right to limit driving privileges by due process on the Associations' roadways and sidewalks.

**USE OF LAKE:** No boats of any kind or floating devices are permitted on the lake. No swimming is allowed.

**LAKE GAZEBO & RECREATION AREA:** These are for the use of the residents of the community and their guests. The Gazebo closes at 10 P.M. and the recreational area closes at sundown.

**TENNIS COURTS:** The tennis courts are for use by the owners and their guests for tennis only. No roller blades, skateboards, bicycles, etc are allowed on the courts to prevent damage to the surfaces.

**NOISE RESTRICTIONS:** No power tools, lawn mowers/equipment should be operated prior to 7 A.M. on weekdays and 8 A.M on Saturday and 12 noon on Sundays. All such equipment should cease operations at 7 P.M.

Playing of musical instruments, electronic equipment, such as radios, TV, stereos VCR /DVD/ CD's amplification of any device from any lot or dwelling unit must not be so loud as to be a nuisance. A violation occurs when a nuisance is created as a result of such noise after 11 P.M. Sunday through Thursday and 12-midnight Friday and Saturday. In addition, Palm Beach County Code has specific regulations regarding excessive noise levels, which must be obeyed.

**LEGAL EXPENSES:** Article XVI, Section 1: (in part) "Where the Association incurs expenses, including attorney's fees, to enforce the governing documents, rules and regulations without having to resort to litigation against the member in violation; these expenses shall be borne by the members in violation. All enforcement expenses to be paid by an Owner in violation shall be an individual "Special Assessment." Failure to pay will result in legal action by the Association.

**VANDALISM:** will not be tolerated. Perpetrators will be remanded to the authorities when caught and the Association may prosecute to the fullest extent of the law. Costs to repair or replace damaged common area property will be recovered from those responsible. **Property owners are responsible for the actions of their tenants or guests.**

**ENTRANCE GATES:** All Owners should have an electronic gate opener to gain access through the owner's side of the entrance after the gates are secured for the night. Gate openers are available from the Property Manager at current prices. The hours of operation for the front gate are set by the Board of Directors. When the gates are closed, the security camera is operational. Property damages whether or not recorded on camera shall be the responsibility of the perpetrator. Currently the gates close at 7:00 P.M. and open at 6 A.M. Additional gate openers may be purchased from the Property Manager.

**VISITORS ENTRY:** Any visitor to the community can dial the property owner they intend to visit. Property owners' names are listed with a corresponding 3-digit number. When that number is properly dialed, the owner's telephone will ring. After you answer and agree to allow entrance, press and HOLD THE NUMBER 9 FOR THREE SECONDS. The gate will be activated for your visitors.

**GATE SECURITY:** All areas of the entrance are protected by video surveillance. In the event anyone forces open a gate or inflicts any damage to the gate operating equipment, the video recording may be used for prosecution and recovery of all expenses for repair or replacement and legal processing. Forcing open a gate may subject the person to trespassing.

**PROPERTY OWNER MEETINGS:** There is an annual meeting. The time and location are properly noticed for all property owners. In addition, the Board conducts other meetings throughout the year in accordance with State Statutes and Robert's Rules of Order. All Board Meetings are posted and open to property owners to attend.

**SALE TRANSFER OF PROPERTY:** In addition to FL Statutes regarding mandatory disclosure by the sellers and their agent to any prospective buyer, the Association requires that the buyers complete a notarized application. An application fee in the amount of \$150.00, made payable to Frenchmen's Landing POA must accompany the application. The Association will issue no letter of Estoppel or Certificate of Approval until the notarized application and fee have been received. An Estoppel fee of \$50.00 is due at time of closing. (Allow up to seven (7) days for processing)

**REAL ESTATE SIGNS:** The Covenants limit the size, color and content of all real estate signs. The signs are available from the Property Manager. The signs are available for rental. A refundable deposit of \$50.00 is required at time the sign is made available. When the sign is returned (undamaged), the deposit will be returned. The signs can be purchased for \$50.00.

**OPEN HOUSE SIGNS** are restricted for use one hour before and taken down one hour after Open House. Signs left out will be confiscated.

**RENTALS:** Article XIV, Sections B, F. Any owner intending to lease his property and dwelling unit must provide to the Association notice of such intention in writing and provide a refundable security deposit in the amount of \$2,500.00 to be held by the Association for any damages to common area property, buildings and equipment. In addition, an application must be completed by the tenants and submitted to the Association with the processing fee of \$150.00. The Association has the right to require an interview with the prospective tenants.

**ALRC- ARCHITECTURAL AND LANDSCAPE REVIEW COMMITTEE:**

This is a committee appointed by the Board. ANY AND ALL changes to the EXTERIOR of the dwelling and property **MUST BE APPROVED BY THE ALRC PRIOR TO COMMENCEMENT OF THE WORK.** This includes exterior painting, major changes to landscape (not planting seasonal plants, etc), and removal of trees, installing fences, roofing and pools. Installation of satellite dishes must also be approved. Exterior includes driveways, mailboxes and outside post lights. (Refer Covenants Articles IX, X, and XI.)

**Wells** for irrigation purposes must have advance approval from the ALRC and must not have a sulfur odor. Staining of driveways and walkways caused by the well are the responsibility of the individual homeowner to clean.

**IN BRIEF:**

**Mailboxes** must conform to specific design. Plans are available upon request.

**Pools** can only be drained into the street or street drain. Allowing chemically treated pool water can cause damage to the swales and landscaping.

**Post Lamps** are required on each lot containing a dwelling. These lights must contain a photocell to control the on and off functions from dark to daylight.

**Trash & Garbage Removal:** This service is provided through Palm Beach County Solid Waste Authority. All garbage and debris must be placed at the end of the driveway or (landscape materials) on the adjacent swale area. Currently the schedule is as follows:

- Garbage is picked up on MONDAY & THURSDAY
- Landscape materials on THURSDAY ONLY
- Recycled aluminum, glass and newspapers THURSDAY ONLY
- Appliances and furniture on THURSDAY or call the Solid Waste Authority to schedule a pick up.

**NOTE:** All items for pick up should be placed out the night before. This includes Lawn and landscape materials. Your cooperation will be appreciated.

Trash cans and re-cycle containers must be stored out of sight from the street when not set out for the scheduled pick up day.

**BICYCLES, PLAY/RECREATION EQUIPMENT & TOYS** should be stored out of sight from the street when not being used. The exception is a basketball hoop. When a bicycle is abandoned on common property, it can be impounded by the Association and placed in storage. There can be an administration fee to recover the item.

**BUSINESS OPERATIONS:** Palm Beach County has strict codes regarding any business activity in a residential area. Basically no business that would require employees to report to the property or activity that would generate automotive traffic to the property is restricted. Also refer to the Covenants & Restrictions, Article X, Section 15.

**LOT MAINTENANCE:** The Association is responsible for maintenance of the common areas. Each property owner is responsible for the maintenance of his/her individual dwelling and landscape materials.

**TELEPHONE NUMBERS FOR SERVICES**

Fire, Police (Sheriff), Medical Emergency	911
Sheriff – Non-Emergencies	688-3000
Poison Control/Response	1-800-222-1222
FPL	697-8000
Seacoast Utilities (water and sewage)	627-2900
Telephone Repairs	611
Comcast Cable TV (repairs and other services)	848-1600
Animal Control	233-1200
Jupiter Medical Center	747-2234
Palm Beach Gardens Hospital	622-1411
Solid Waste Authority (trash removal-special requests)	697-2700

**FRENCHMEN'S LANDING BOARD OF DIRECTORS**

Tom Powell President	694-8980
Keith Hardy, Vice President	691-4392
Jon Colclasure, Treasurer	624-5051
Tana Gaskill, Secretary	627-5328
Betsy Melton, Director	776-5495
John Peters, Director	622-1468
John Dykinga, Director	627-0479

**ARCHITECTURAL, LANDSCAPE REVIEW COMMITTEE (ALRC)**

Tana Gaskill	627-5328
Betsy Melton	776-5495
Dave Haysmer	
John Peters, Director	622-1468

**COMMUNITY SAFEKEEPING COMMITTEE**

Steven Strivelli

624-6084