

EVERGREEN PROPERTY OWNERS ASSOCIATION RULES & REGULATIONS

The information contained herein has been extracted from the "Declaration of Covenants, Conditions and Restrictions" (Covenants) of the Evergreen Property Owners Association Inc. This information outlines the rules and regulations that are widely used by residents on an everyday basis. They are not intended to replace the "Covenants" but merely to amplify, clarify, update and/or extenuate their content. Specific reference to the applicable Article, Section or Sub-section of the Covenants is noted.

APPLICABILITY

The owners and lessees of each residence or parcel within The Planned Unit Development (Community) shall abide by each term and provision of "Covenants and "By-Laws" of the Evergreen POA and thereto to these rules and regulations.

DEFINITIONS (Refer to Article I)

Every Evergreen resident should understand these essential definitions.

1. Association – refers to the Evergreen Property Owners Association (POA), a Florida non profit corporation.
2. Club – refers to the Evergreen Country Club Inc., a Florida corporation, which is a separate and distinct entity from the POA.
3. Owner – refers to a record owner of any parcel, a numbered plat of land in the Community.
4. Golf Course Area – includes all real property and improvements conveyed to the Evergreen Country Club and is designated as "Golf Course Area" or "Golf Course Maintenance Area" in the Plan.
5. Common Area – refers to all the real property and improvements owned by the POA for the common use of all owners. This does not include any golf course area!

PROPERTY RIGHTS & EASEMENTS (Article II)

The following easements exist and are applicable to all residents and The Club and/or its members.

1. Utility – a ten-foot (10') utility easement along the front of each lot exists, as indicated by the plat.
2. Out of Bounds Easements – a forty foot (40') easement exists at the rear of all lots abutting golf course fairways. The Club maintains the easement and no improvements may be erected or effected by residents or owners.
3. Golf course Access – a twenty foot (20') access easement exists as noted on the plat for golf cart access by club members only.
4. Canal Right of Way – a twenty foot (20') access easement exists as noted on the plat for all owner and residents for ingress and egress from the roadside to the canal.
5. Drainage – the right exists to enter over, through, and upon all portions of the common area golf course area and drainage easements to maintain, modify, or improve the community drainage plan.
6. Delegation of Use (Article II. Section 3) – any owner may delegate in accordance with the bylaws of POA, the right of enjoyment of the common areas and common facilities to the members of his/her family, tenants, or contract purchasers who reside on the property.

DRAINAGE

Everyone has a responsibility in maintaining the drainage system within our community. The best way to do this is for you to insure the swales on your property are maintained as follows:

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1. Keep both ends of your driveway culvert free of silt build-up and debris. Also, remove any debris or silt from the culvert.
2. If the culvert has a build-up, then please remove it while maintaining the proper slope.
3. Machine mowing of damp, soft, or steep swales may cause irregularities in the swale and cause water problems. String cutting is recommended.
4. If there is a catch basin or drain opening on your property, it should be cleared of grass and debris when necessary.
5. Do not drive over grates or ends of culverts. Do not park or drive heavy equipment in swales.

PLEASE COMMUNICATE THE ABOVE POINTS TO YOUR LAWN MAINTENANCE CONTRACTOR.

MAINTENANCE (Article V. Section I-4)

The responsibilities for maintenance of property are as follows:

1. The POA – the POA will maintain, repair and/or replace at the association's expense:
 - a. All personal property and improvements of the Common area.
 - b. All equipment conduits, lines, mains, ducts, plumbing, wiring and other appurtenances and facilities for the furnishing of water, sewer, drainage or other utility services to the Community except where such facilities are solely for The Club golf course area.
 - c. All lawns, landscaping and landscaped areas of the common areas.
 - d. All private roads, street, and right-of-way in the Community on which the parcel owners have easements.
 - e. When necessary, vacant lots will be maintained as required with cost back charged to the owners.
2. The Club – shall maintain at its expense all portions, improvements and property of the golf course area.

USE RESTRICTIONS (Article VIII)

You cannot erect, construct, suffer, permit, commit, maintain, use or operate any nuisance on any land within the Community. Examples include but are not limited to the following:

1. No rubbish, garbage cans, debris or materials will be deposited on any land or plot except building material during the course of construction.
2. Refuge dumpsters are only permitted on private lots during the course of construction and with POA approval.
3. Regular trash, garbage and yard waste hauling is accomplished by a private sanitation company under contract by the county. Each owner is responsible to comply with the times and instructions specified by the sanitation company. The removal of extra volume yard waste is the responsibility of individual residents who must request and schedule this type of pick-up with the sanitation company.
4. No animals, birds, or fowl shall be kept in the community with the exception of pet dogs, cats, and caged pet birds in reasonable numbers. These pets are for the pleasure and use of the residents, on their designated lots. Commercial use or confinement of animals is not permitted. Pet dogs must be walked on leashes. No animals are allowed on the golf course. Residents are expected to clean up after their pets. Pets can be rear fenced, on specific non-golf course lots, only with POA approval. Staking of pets in front yards is not permitted.

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5. Laundry drying areas must be properly and adequately screened from any ground level view.
6. No parking of trucks, trailers, campers, boats or other recreational vehicles is permitted on any street or lot except for delivery, pick-up, contracted service or out of view in garages. Guests or residents will be given a 24 hour pass to load, unload, or clean their RV/Camper but only in their respective driveway. After that time, the said vehicle must be removed from the community or garaged.
7. Lawn maintenance or other unique service vehicles can park temporarily in the street when they cannot be properly or safely accommodated on the resident's property. Temporary parking must be adequately marked front and rear, to safeguard other vehicles and pedestrians using the roadway.
8. No sign of any character is permitted in the community without permission from the POA. Permitted signs are not to be left out after 6PM.
9. The speed limit on Evergreen roads is 25 mph. The limits are set to protect everyone. Our roadways are used by pedestrians, bikers, joggers, etc. In addition, we have no streetlights or sidewalks.
10. No unlicensed vehicle of any type is permitted on Evergreen roadways with exception of bicycles and golf carts. Children under the age of 16 years old are not permitted to drive golf carts on the roadway.
11. Children awaiting school bus or parent pick-up at the guardhouse must stay in the shelter until their transportation arrives.
12. Contractor work times are 7:00AM to 6:00PM excluding Sundays and Holidays.

APPROVAL OF PLANS (Article IX)

No building, fence, hedge, wall, walk, pier, dock, seawall or other structure, grading or planting shall be commenced, erected or maintained; nor shall any addition, change or alteration be made, until the plans and specifications detailing the nature, kind, shape, height, materials, floor plans, color scheme, location of such structure or work to be done, and the grading plan of the lot to be built upon have been submitted to and approved in writing by the POA.

Homes shall have a minimum of 1800 sq. ft. of living space, excluding garage, porches, and patios. Front set back from street right of way will be 120 feet. Side set backs will be minimum of 30 feet. Set back from rear golf course easement line is 20 ft. minimum to pool enclosure, 30 ft. from other building structures.

No garage can face the street except in case of a corner lot where approved landscaping must be installed.

Roofs must be tile or wood shingle with a minimum pitch of 6 to 12. However, new materials availability has allowed for exceptions to this rule.

Roof exceptions may be granted by the POA if warranted.

COMMUNITY ACCESS

Residents, to include owners, renters, lessees as well as club members and club employees whose vehicles bear a valid Evergreen Club windshield decal shall be admitted by the guards. Residents plus non-resident equity members (only) of the club can apply for remote self entry devices, which will require deposits. Residents are required to notify the guard house in advance when expecting guests, deliveries, (including pizza), contractors and service

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personnel. Residents who authorize such visits must telephone the guardhouse, identifying the visitors' names and date/time of arrival.

Approved regular service providers must register at the guardhouse. Vendors are not permitted with pets, children or firearms. Realtors must provide adequate identification and credentials. Security will maintain logs on all visitors, realtors, contractors and service providers.

COMPLAINT PROCESS

Resident's complaints regarding the actions of other owners, residents, their families or guests should be made by notifying Security who in turn will notify the Management Company. Depending on the nature of the complaint, you may choose to notify the Management Company directly. In either event, a complaint/incident report will be initiated. You will be asked to sign personal complaints regarding other residents, families and guests. Appropriate investigation and actions taken in response to complaints will be communicated back to the originator. All incidents are summarized and reported at the monthly POA meeting.

MOVE-IN PROCEDURE

New residents must register with Evergreen's property management company. Once this is completed, the Management Company will immediately notify both Security and POA. The Management Company will insure that copies of all rules, covenants and By-Laws are issued. This practice will also occur when and if homes under construction become ready for occupancy. The guardhouse must be advised of the move-in date and time. Security will insure that all proper information regarding the new resident's personal and vehicle data is on file. All coordination for actual mover's arrivals must be accomplished through Security. No moving van arrival after 6:00PM will be permitted. The residents are required to coordinate the moving van's departure with the guardhouse. Moving vans must load and unload from street side to avoid any driveway damage.

SPECIAL SECURITY PROVISIONS

When a resident determines that he/she will be away for an extended time or that an unfortunate medical situation exists which would require special security measures, simply notify Security of your situation. You will be required to complete a form. We will do everything possible to insure your property and/or special needs are met.

Upon conclusion of your vacation or absence, please notify Security of your return.

UTILITY & POWER OUTAGES

Utility failure of electrical power, telephone, or cable is reported directly by each resident to the applicable providing company. Subsequently, your problem should be reported to Security as a matter of information.