

## **Article XIII**

### **Restricted Uses**

1. All Units and Property shall be kept in a clean and sanitary manner, and no rubbish, refuse, or garbage shall be allowed to accumulate or any fire hazard allowed to exist thereon or thereabout. All Units shall be maintained in a first-class condition with a well-maintained lawn and landscaping. In the event grass/landscaping is not maintained, the Association may, but shall not be required to cut the grass and maintain the landscaping, in which event the Unit Owner shall be obligated to pay the Association as an assessment the actual cost for such grass cutting/landscape maintenance plus an additional \$25.00, which amount shall be due and payable immediately upon delivery and receipt: of demand for same by the Association.
2. Each Unit is restricted to single-family residential use occupied only by the Owner or Owners thereof, their lessees, immediate families, and guests.
3. No nuisance or any use or practice that is a source of annoyance to other Unit Owners or interferes with the peaceful possession and proper use of the Units by the residents of the Property shall be allowed upon any Unit.
4. No continuing trade, business or commercial use, including garage sales, shall be conducted in or from any Unit without the prior approval of the Board of Directors.
5. Each Owner shall be responsible for properly depositing his garbage and trash in garbage cans and trash containers sufficient for pick-up by the appropriate collection agencies in accordance with the requirements of any such agency. Yard waste must be bundled in accordance with the requirements of the collecting agency. All such garbage and trash receptacles shall be maintained in a sanitary condition and shall be shielded from the view of adjacent properties and streets. Garbage cans, trash containers, and yard waste bundles shall not be placed out for pickup earlier than 6:00 p.m. on the day preceding the pick-up.
6. No utility shed, storage shed or similar structure shall be permitted.
7. No linens or clothes or the like shall be hung on clotheslines or in any other manner outside of a Unit such that the same is visible from any street or from the golf course.
8. No horses, hogs, cattle, cows, goats, sheep, poultry or other animals, or reptiles shall be kept, raised or maintained in or on any Unit or any Property. However, no more than a total of two (2) each of dogs, cats, or other household pets may be kept in a Unit if their presence causes no significant disturbance to others. All pets shall be kept on a leash when not in the Owner's Unit. Owners shall be responsible for disposing of their pets' excrement on Common Areas and other Units. No breeding or raising of pets for commercial or other purposes shall be permitted.

9. No boats, trailers of any kind, mobile homes, campers and similar recreational vehicles (motorized or towed) shall be placed, parked or stored on any Lot, or street, at any time, unless the same shall be parked or stored entirely within and fully enclosed by a garage, except as follows: (a) in the event that a Unit is located abutting Lake Loch Leven, said Unit Owner shall be entitled to store one motorized boat trailer in the rear yard; (b) in the event that a Unit is located abutting Lake Loch Leven and in the event that said Unit Owner shall have installed a properly permitted dock which has been approved by all applicable governmental agencies and the Architectural Review Board of the Association, said Unit Owner shall be entitled to store one non-motorized boat not exceeding twenty (20) feet in length, in the vicinity of such dock; and (c) for loading and unloading purposes only, mobile homes, campers and similar recreational vehicles shall be parked in a driveway or on the street in front of a Unit for no longer than twenty-four (24) hours in any seventy-two (72) hour period. No boat or boat trailer shall be parked in the front of a Unit or in the driveway. No recreational water craft, motorized or non-motorized, shall be permitted in any pond or lake owned by the Association, excluding Lake Loch Leven.
10. No vehicles used in business for the purpose of transporting goods, equipment and the like, or any trucks or vans which are larger than three-quarter (3/4) ton capacity shall be parked on the Property, except on a temporary or short-term basis in connection with the furnishing of services and/or the routine pickup and delivery of materials from and to any Lot. Private passenger automobiles, personal street vans, and personal trucks of three-quarter (3/4) ton capacity or smaller shall be parked only within the boundaries of a driveway or within and fully enclosed by a garage. This restriction does not apply to the private road at The Cumberland, The Meadowlands, and The Southerlands. No vehicles displaying commercial advertising or other markings shall be parked within the public view. No vehicles of any nature shall be parked on any portion of the Property or a Unit except on the surfaced parking area thereof and, in any event, shall not be parked on the grass anywhere on the Property. No vehicle shall block a sidewalk. No vehicle bearing a "for sale" sign shall be parked within the public view anywhere on the Property. No vehicle repairs or maintenance shall be allowed on the Property. No vehicles shall be stored on blocks, nor may inoperable vehicles or vehicles with parts removed be stored or parked on the Property, except as may temporarily be required. No tarpaulin covers on vehicles shall be permitted anywhere within the public view.
11. No lawn mower, riding lawn mower or motorized lawn equipment shall be permitted to be parked or stored on any Lot or upon the Property unless the same shall be parked or stored entirely within and fully enclosed by a garage.
12. (Intentionally left blank for future use)
13. Installation of direct broadcast satellite antennas larger than one meter are prohibited. Installation of multipoint distribution service antennas larger than one meter are prohibited. Installation of transmission-only antennas are prohibited unless approved by the Architectural Review Board. All other antennas not covered by Federal Communications Commission (FCC) rules are prohibited. Installation, maintenance, and

use of all antennas shall comply with restrictions adopted by the Board of Directors and shall be governed by the then-current rules of the FCC.

14. No signs, except as approved by the Architectural Review Board, shall be placed, erected or displayed on any Unit or anywhere on the Property. Owners of Units must obtain “for sale” and “for rent” signs from the Association. “For sale” and “for rent” signs shall not be placed on Common Area and shall be limited to one in the front yard and one in the rear yard of a Unit. Contractor signs are prohibited. Declarant and all builders of new homes shall be exempt from the provisions of this paragraph.
15. Political signs shall not be placed anywhere on the Property other than on private lots and shall be limited to one per lot. Political signs shall (a) be no larger than twenty-four (24) inches by twenty-four (24) inches; (b) not be placed in a yard more than thirty (30) days in advance of Election Day; and (c) be removed no later than three (3) days after Election Day, unless there is a run-off election, in which case political signs may remain in yards until the date of the run-off election.
16. The size and design of all signs, house numbering, outside lampposts, and other such material shall be approved by the Architectural Review Board. All mailboxes shall be kept in good repair. Replacements must be obtained, at Unit Owner’s cost, from the Declarant or the Association and shall be installed according to U.S. Postal Service regulations.
17. No fuel storage shall be allowed on the Property, except as may be reasonably used for swimming pools, spas, kitchen appliances, barbecues, fireplaces, lawn maintenance equipment or similar devices.
18. No wall or window air conditioning units shall be permitted to be used in any Unit.
19. No iron security bars shall be placed on the windows of any Unit without the prior written consent of the Architectural Review Board as provided for in this Declaration. No aluminum foil, newspaper or other such material shall be permitted to be affixed to the windows of any Unit.
20. No individual water supply system shall be permitted on any Unit, including but not limited to an individual water supply system which withdraws water from any lake including Lake Loch Leven. No intentional runoff or discharge of any sort shall be permitted to flow into any body of water.
21. No garage shall be converted into general living area, unless specifically approved by the Board of Directors. No “screened” garage doors shall be permitted. Garage doors shall remain closed at all times except when vehicular or pedestrian access is required.
22. No permanent basketball backboards or skateboard ramps shall be permitted on any Unit. Play structures shall not be permitted without express approval by the Architectural Review Board, and if approved, they shall be located at the rear of the dwelling within

the footprint of the residence or on the inside portion of corner lots within the setback lines. Tree houses or platforms of a like kind or nature shall not be constructed on any part of a lot. Portable basketball backboards and skateboard ramps shall be removed from public view when not in use.

23. No changes or additions to the exterior of Units or to existing landscape treatments shall be permitted without prior Architectural Review Board approval.
24. No awnings, canopies or shutters, including hurricane shutters, shall be affixed to the exterior of Units without prior approval of the Architectural Review Board. No reflective tinting or mirror finishes on windows shall be permitted unless approved by the Architectural Review Board.
25. No surface applications to driveways shall be permitted without prior approval of the Architectural Review Board as to material, color, and pattern.
26. No permanent, in-ground flagpoles shall be permitted anywhere on the Property unless approved by the Architectural Review Board. Unit Owners may erect one (1) portable, removable United States flag, as long as the flag is displayed in a respectful manner, consistent with Title 36 U.S.C. Chapter 10. The Declarant shall be exempt from the provisions of this paragraph.
27. Water softeners, air conditioning units, trash containers, sprinkler controls, propane tanks, and other similar utilitarian devices shall be properly screened from street and golf course view in a manner approved by the Architectural Review Board.
28. All screening and screened enclosures shall be approved by the Architectural Board and shall be constructed utilizing anodized or electro statically painted aluminum in bronze or white. Screening shall be charcoal in color. All enclosures of lanais or patios, including the addition of vinyl windows, shall be approved by the Architectural Review Board. All decking shall be approved by the Architectural Review Board.
29. All Units at street intersection shall be so landscaped as to permit safe sight across the street corners. No fence, walls, hedge, shrub, or other planting will be placed or permitted, nor vehicles or other objects placed or parked, to remain at the corner of a create a traffic or sight problem.
30. No synthetic or artificial plant material in the form of trees, shrubs, flowers, vines, ground covers, or lawns shall be permitted. Materials such as rocks or gravel to function as ground cover in lieu of turf shall not be permitted.
31. No wall, fence or other structure shall be erected in front of any Unit, except as may be originally installed by the Declarant. No fence may be erected without the prior approval of the Architectural Review Board as provided for herein. No chain link fence shall be permitted. In the event any fence is so approved and erected, no painting of such fence shall be permitted unless prior approval shall be obtained from the Architectural Review

Board. In the event that a Unit shall be located adjacent to any golf course property (including lakes) any conservation tract, any park area, or any similar open space, then in that event no wall, no fence, and no other obstruction shall be erected or placed between the residence and such golf course property, conservation tract, park area, or similar open space, behind the rear edge of such residence. In addition, any wall, fence, hedge, or other obstruction proposed to be located at any location on any lot may be prohibited or restricted in any manner by the Architectural Review Board in order to promote the unobstructed view of any golf course property, conservation tract, park area, or similar open space, in accordance with architectural standards and rules and regulations promulgated by the Architectural Review Board. Notwithstanding the foregoing provisions, a screened enclosure adjacent to a residence shall be permitted, provided that such screened enclosure shall be in compliance with all applicable governmental requirements, and approved by the Architectural Review Board. No fence or other improvement shall be erected upon a Unit that is deemed by the Association to interfere with a common sprinkler system upon the Property or that interferes with any landscape maintenance performed by the Association. No fence, fence wall, or hedge between Units shall exceed a height of five (5) feet nor shall any material used in the construction of said fence consist of any type of material other than those materials approved by the Architectural Review Board. A fence or fence wall at the rear lot line shall be no higher than six (6) feet without a variance. In writing, from both the Architectural Review Board and the City of Mount Dora.

32. Any swimming pool to be constructed upon any home site shall be subject to review by the Architectural Review Board. The design must incorporate, at a minimum the following:
  - A. The composition of the material must be thoroughly tested and accepted by the industry for such construction.
  - B. Any swimming pool constructed on any lot shall have an elevation of the top of the pool not over two (2) feet above the natural grade unless approved. No above ground pools are permitted.
  - C. Pool cages and screens must be of a design, color and material approved by the Architectural Review Board and shall be no higher than twelve (12) feet unless otherwise approved by the Architectural Review Board.
  - D. Pool screening shall not be visible from the street in front of the dwelling unit. Pool screening shall not extend beyond the sides of the house without express approval by the Architectural Review Board.
  - E. All pools, spas, and accessories shall be screened or fenced completely to prevent access from children. This requirement shall be by the Architectural Review
33. Easements for installation and maintenance of landscaping, utilities and drainage facilities are reserved as shown on the recorded plat, or as heretofore granted and at this

time a part of the public records of Lake County, Florida. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities or which may change the direction of the flow of drainage channels in the easements, or which may otherwise obstruct or impede use of the easement for its stated purposes. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company or the Association is responsible.

34. Any area designated on a plat of any Common Area portion of the Property as a maintained vegetative buffer shall be maintained by the Association (if required), to such extent as maintenance shall be permitted, and any such area shall be fully accessible to the Association. If the vegetative buffer is located upon private lots, maintenance of the vegetative buffer shall be the responsibility of the Unit Owner. Upon approval by the Architectural Review Board and the City of Mount Dora, an Owner may construct a privacy fence, along such Owner's rear lot line, in which case the vegetative buffer area shall be maintained by such Owner.
35. Any area designated on a plat of any portion of the Property as a conservation tract or conservation easement shall be maintained in its natural state. Within any conservation easement upon any Unit, there shall be no construction of improvements permitted, including but not limited to patios and swimming pools. Within any Common Area conservation tract, there shall be no construction of improvements permitted, except that the Association may construct a nature park with associated amenities such as boardwalk, picnic area or other similar amenities.
36. Any area designated on a plat of any portion of the Property as a conservation easement adjacent to any pond or lake and which is under the jurisdiction of the St. Johns River Water Management District shall be maintained by the Association (if required), to such extent as maintenance shall be permitted, and any such area shall be fully accessible to the Association. Unit Owners shall not do any activity detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation. Unit Owners shall not remove or destroy trees, shrubs, or other vegetation in the conservation easement and shall be bound by the provisions of Article 111, Section 8, herein. Violations of these restrictions may subject an Owner to fines by the Association and the St. Johns River Water Management District.
37. Emergency access easements designated on a plat of any portion of the Property shall not be dedicated to the public and shall be reserved, restricted, and dedicated for emergency access by police, fire protection, rescue, ambulance and other such public safety and emergency vehicles only.
38. No local association, Unit Owner or Property Owner, including their guests, employees and agents, shall interfere with the Declarant's completion and sale of the Units.
39. The above restrictions set forth in Article XIII shall not apply to Declarant or its agent,

employees, successors or assigns during the period of construction and sales within the Property.