

BRIGADOON HOMEOWNER'S ASSOCIATION, INC.'S
RESOLUTIONS REGARDING ARCHITECTURAL CONTROL STANDARDS

WHEREAS, Brigadoon Homeowner's Association, Inc.'s (the "Association") Governing Documents authorize the Association to adopt reasonable resolutions from time to time that are consistent with the rights and duties established by the Brigadoon on Lake Heather Declaration of Covenants and Restrictions filed in Official Records Book 4069, Page 1994 of the Public Records of Hillsborough County, Florida, as amended from time to time (the "Declaration"); and

WHEREAS, Article VII of the Declaration and provide the Association with authority to appoint an Architectural Review Committee (hereinafter "ARC") to establish reasonable rules and regulations regarding architectural control of all improvements built on the property that is subject to the Declaration, which includes individual homeowner lots as well as common areas; and

WHEREAS, the Brigadoon on Lake Heather community was developed with the intent that homes and other improvements present a pleasing, harmonious, and consistent design and style; and

WHEREAS, in response to recent legislative changes, in particular section 720.3035, *Florida Statutes*, effective as of July 1, 2007, the Association is in the process of adopting detailed guidelines and standards governing architectural control; and

WHEREAS, the Association desires to preserve the existing harmonious architectural design and style of the homes in Brigadoon on Lake Heather and to prevent the introduction of design and style that are not in keeping with the existing homes in the Brigadoon on Lake Heather community.

NOW, THEREFORE, BE IT:

RESOLVED, that the ARC recognizes and adopts the design and style of the existing, as-built (and properly approved as otherwise required by the Declaration and Articles of Incorporation) improvements as the standard by which the ARC of Brigadoon on Lake Heather shall review, approve, and control the design of any and all improvements constructed upon the Brigadoon on Lake Heather property; and

RESOLVED, that the standard described above shall continue in effect until the ARC adopts and publishes new guidelines and standards; and

RESOLVED, that each Owner shall be permitted to use any of the architectural styles, setbacks, colors and color combinations, materials, roof pitches, and doors and windows that are already in use within the Brigadoon on Lake Heather community, and approved by the ARC.

[Signatures on Following Page]

IN WITNESS WHEREOF, the ARC of Brigadoon Homeowner's Association, Inc. has adopted the foregoing resolutions upon motion made by Fred Pica and seconded by Paula Alexis and passing with a vote of 6 in favor and 0 opposed, on this 14 day of November, 2007, at a duly called and properly noticed meeting of the Board of Directors and the ARC at which a quorum was present.

ARCHITECTURAL CONTROL COMMITTEE,
BRIGADOON HOMEOWNER'S ASSOCIATION, INC.

By: Frederick U. Pica
Chairperson, ARC

Attested to
By: PAULA ALEXIS
Secretary, HOA

INSTR # 2004406233

O BK 14320 PG 0629

Pgs 0629 - 631: (3pgs)

RECORDED 10/18/2004 10:09:09 AM
RICHARD AKE CLERK OF COURT
HILLSBOROUGH COUNTY
DEPUTY CLERK B Loggans

This Instrument Prepared by and Return to:

Robert L. Tankel, Esquire

Address:

Robert L. Tankel, P.A.
1022 Main Street, Suite D
Dunedin, FL 34698

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**CERTIFICATE OF AMENDMENT TO THE STANDARDS OF
BRIGADOON HOMEOWNER'S ASSOCIATION, INC.**

WE HEREBY CERTIFY THAT the attached amendments to the Standards of Brigadoon Homeowner's Association, Inc. recorded at Book 8274 at Page 0909 affecting the property subject to the Declaration of Covenants and Restrictions of Brigadoon on Lake Heather, as described in Official Records Book 4069 at Page 1894 of Hillsborough County, Florida, was duly approved in the manner required therein at a meeting held on August 11, 2004.

IN WITNESS WHEREOF, we have affixed our hands this 4 day of October 2004, at Hillsborough County, Florida.

BRIGADOON HOMEOWNER'S
ASSOCIATION, INC.

Witnesses:

Mildred Perez
Signature of Witness #1

Mildred Perez
Printed Name of Witness #1

By: Robert Walters
Robert Walters, President

Roberta E. Dill
Signature of Witness #2

Roberta E. Dill
Printed Name of Witness #2

Attest: Paula Alexis
Paula Alexis, Secretary

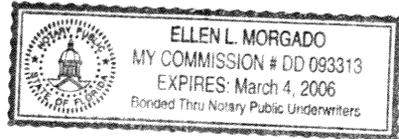
STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 4 day of October 2004, 2004 by Robert Walters and Paula Alexis, to me known to be the President and Secretary of Brigadoon Homeowner's Association, Inc., a Florida corporation, on behalf of the corporation. They are personally known to me or have produced _____ and _____ as identification, and they acknowledged executing the same voluntarily under the authority duly vested in them by said corporation. If no type of identification is indicated, the above-named persons are personally known to me.

Ellen L. Morgado
NOTARY PUBLIC

Ellen L. Morgado
Printed Name of Notary Public

My Commission Expires:



Brigadoon Homeowners Association, Inc.

4131 Gunn Highway * Tampa, FL 33618

Telephone (813) 961-2203

Fax (813) 963-1326

AMENDMENTS TO THE STANDARDS

Hose/Hose Caddy: Hose/Portable Hose Caddies are only to be allowed in the front of the units when in use. Hose/portable hose caddies cannot be left out in the front of the buildings and must be stored out of view when not in use. Hose/portable hose caddies may not be attached to the units.

Window replacement: 12 pane bronze aluminum frame (each pane is 9 in x 13 in) with one-inch aluminum divider, metal fixtures.

Screen Door/Storm Door: Narrow frame to be either painted Brigadoon green or dark anodized frame door with single pane glass. No etching or designs on glass. Fixtures are to be brass or antique brass.

Potted Plants: Two plants per unit in pots - 10 to 20 inches in diameter; A standard terra cotta pot or pots that are Brigadoon colors (green or beige) are the only pots allowed; Other pots are allowed at the discretion of the Board and are subject to review by the Architectural Committee.

Decorations in front of unit: No decorative flags, windchimes, hanging baskets, plaques, carvings or other decorative objects are allowed in the front of the units. All decorations in the front of units are subject to Architectural review/approval.

Security Signs: One sticker up to 8x10 inches is allowed in the window. No other display of security sign allowed.

Holiday Decorations: Winter Holiday decorations, which shall be taken down by January 15. (Winter holidays defined from November 15 through January 15.)

French Doors: Glass sliding doors may be replaced with Standard French Doors. All French Doors are subject to Architectural review/approval.

Flag Standard: Any homeowner may display one portable, removable flag of the United States, the State of Florida, and on Armed Forces Day, Memorial Day, Flag Day, Independence Day and Veterans' Day, a flag which represents the United States Army, Air Force, Navy, Marine Corps or Coast Guard.

INSTR # 2003451764

O BK 13235 PG 0943

Pgs 0943 - 945: (3pgs)

RECORDED 10/22/2003 11:14:34 AM

RICHARD AKE CLERK OF COURT

HILLSBOROUGH COUNTY

DEPUTY CLERK Y Roche

This Instrument Prepared by and Return to:

Robert L. Tankel, Esquire

Address:

Robert L. Tankel, P.A. *Tom*

1022 Main Street, Suite D

Dunedin, FL 34698

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**CERTIFICATE OF RECORDATION OF
ARCHITECTURAL POLICY STANDARDS
BRIGADOON ON LAKE HEATHER**

WE HEREBY CERTIFY THAT the attached Policy Resolution regarding Architectural Policy Standards relating to the Declaration of Covenants and Restrictions of Brigadoon on Lake Heather, as described in Official Records Book 4069 at Page 1894 of Hillsborough County, Florida, was duly approved by the Board of Directors at a meeting held on August 21, 2002.

IN WITNESS WHEREOF, we have affixed our hands this 13 day of October, 2003 at Hillsborough County, Florida.

BRIGADOON HOMEOWNER'S
ASSOCIATION, INC.

Witnesses:

Mindred Peñaibert

Signature of Witness #1

By: *Robert Walters*

Robert Walters, President

Mindred Peñaibert

Printed Name of Witness #1

Deanna S. Katz

Signature of Witness #2

Attest: *Paula Alexis*

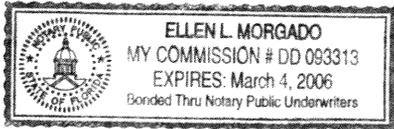
Paula Alexis, Secretary

Deanna S. Katz

Printed Name of Witness #2

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 13 day of October, 2003 by Robert Walters and Paula Alexis, to me known to be the President and Secretary of BRIGADOON HOMEOWNER'S ASSOCIATION, INC., a Florida corporation, on behalf of the corporation. They are personally known to me or have produced _____ and _____ as identification, and they acknowledged executing the same voluntarily under the authority duly vested in them by said corporation. If no type of identification is indicated, the above-named persons are personally known to me.



Ellen L. Morgado
NOTARY PUBLIC

Ellen L. Morgado
Printed Name of Notary Public

My Commission Expires:

**ADOPTED RESOLUTION REGARDING
ARCHITECTURAL POLICY STANDARDS
BRIGADOON ON LAKE HEATHER**

The American flag may be displayed from a flag holder attached to the front of the home; the flag holder on end units will be located on the side by the front door. The flag shall be the standard size - 3' x 5'. The height of the flag holder shall not exceed eight feet (8') in height from the ground. Only the American flag can be displayed at any given time from the flag holder and only one flag holder per home is permitted. Total length of the flag staff shall not exceed six feet (6') in length. No form of lighting may be attached to the flag staff.

INSTR # 2004052488

O BK 13545 PG 0727

Pgs 0727 - 729; (3pgs)

RECORDED 02/11/2004 11:30:42 AM

RICHARD AKE CLERK OF COURT

HILLSBOROUGH COUNTY

DEPUTY CLERK A Scott

This Instrument Prepared by and Return to:

Robert L. Tankel, Esquire

Address:

Robert L. Tankel, P.A.
1022 Main Street, Suite D
Dunedin, FL 34698

[Handwritten initials]

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

**CERTIFICATE OF AMENDMENT TO THE STANDARDS OF
BRIGADOON HOMEOWNER'S ASSOCIATION, INC.**

WE HEREBY CERTIFY THAT the attached amendment to the Standards of Brigadoon Homeowner's Association, Inc. recorded at Book 8274 at Page 0909 affecting the property subject to the Declaration of Covenants and Restrictions of Brigadoon on Lake Heather, as described in Official Records Book 4069 at Page 1894 of Hillsborough County, Florida, was duly approved in the manner required therein at a meeting held on November 5, 2003.

IN WITNESS WHEREOF, we have affixed our hands this 2 day of February, 2004 at Hillsborough County, Florida.

BRIGADOON HOMEOWNER'S
ASSOCIATION, INC.

[Vertical stamp: RECEIVED FEB 11 11:39:36]

Witnesses:

Deanna S. Katz
Signature of Witness #1

Deanna S. Katz
Printed Name of Witness #1

By: Robert Walters
Robert Walters, President

Mildred R
Signature of Witness #2

Mildred Penabert
Printed Name of Witness #2

Attest: Paula Alexis Paula Alexis
Paula Alexis, Secretary

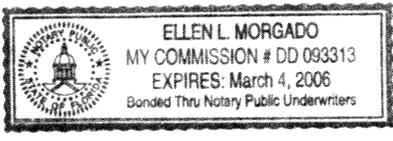
STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)

4 The foregoing instrument was acknowledged before me this 2 day of February, 2003 by Robert Walters and Paula Alexis, to me known to be the President and Secretary of Brigadoon Homeowner's Association, Inc., a Florida corporation, on behalf of the corporation. They are personally known to me or have produced _____ and _____ as identification, and they acknowledged executing the same voluntarily under the authority duly vested in them by said corporation. If no type of identification is indicated, the above-named persons are personally known to me.

Ellen L. Morgado
NOTARY PUBLIC

Ellen L. Morgado
Printed Name of Notary Public

My Commission Expires:



**ADOPTED AMENDMENT TO
STANDARDS
OF
BRIGADOON HOMEOWNER'S ASSOCIATION, INC.**

Section B. of the Standards is amended to read as follows:

B. PAINT

The colors to be used on the outside of buildings is to be Scott Paints. Brigadoon Trim, Brigadoon Body, and Brigadoon Door. Paint can be obtained by calling the Scott Paint store at (813) 933-1728, 3710 W. Waters Avenue, Tampa, Florida 33614.

213

**BRIGADOON HOMEOWNER'S ASSOCIATION, INC.
CORPORATE RESOLUTION REGARDING INSTALLATION OF SATELLITE DISHES**

Upon motion duly made by Robert Walters, duly seconded by LoisAnn Soransen, the following Resolution regarding installation of satellite dishes, the policy of the Board of Directors, was adopted by a Unanimous vote of the Board of Directors of BRIGADOON HOMEOWNER'S ASSOCIATION, INC.

1996 DEC 17 AM 8:43

96312594

WHEREAS, the Board of Directors of BRIGADOON HOMEOWNER'S ASSOCIATION, INC. (hereinafter "Board"), is the entity charged with the enforcement of the Declaration of Covenants and Restrictions of Brigadoon on Lake Heather, as recorded in Book 4069 at Page 1894, of the Official Records of Hillsborough County, Florida; and

WHEREAS, the Board desires to adopt a policy resolution to clarify restrictions contained in the Covenants; and

WHEREAS, the Board has carefully considered all the information brought before them, including recommendations from the members of the Architectural Control Committee.

NOW THEREFORE, be it resolved by the Board of Directors of BRIGADOON HOMEOWNER'S ASSOCIATION, INC., in a regularly scheduled meeting this 29th day of August, 1996:

In the matter of Association compliance with the Telecommunications Act of 1996, and more specifically, Section 207 thereof, the Board of Directors hereby expressly finds the following facts concerning installation of TVBS, MMDS and DBS dishes covered thereunder:

1. Brigadoon is a deed restricted community consisting of attached single family home residences. As a result, owners have significant control over limited portions of property they own and have exclusive use of.

2. In order to protect the health, safety and welfare of the owners subject to the Declaration it is necessary to ensure that installation of such devices are in strict compliance with the Southern Building Code.

3. In light of the express findings by the Federal Communications Commission that screening of these devices is reasonable, and in light of the limited areas available to place devices upon the lot without being an architectural eyesore or interfere with safety requirements, the Board hereby adopts the following with regard to installation and location of the devices:

a. Proposed installation plans shall be submitted by each owner to the Architectural Control Committee in accordance with all other requirements relative to any other installation of architectural change within Brigadoon.

b. All installations of such devices shall only be upon property within the exclusive use or control of the owners located upon the lot but not located upon the exterior of the lot, except as follows: on a roof or chimney, not facing the street or front

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

of the dwelling, or upon a patio or balcony. Where this requirement "impairs" reception, as defined by the F.C.C., the Board or the Architectural Control Committee shall work with the person submitting the plans in question to reach a solution in an equitable, case by case fashion.

APW
X

c. Where necessary, reasonable architectural modifications to the device, such as change of paint color, installation of screening materials or other architectural devices designed to conceal the device may be required where the installation of the device is not practical or impairs reception by being located in a particular location. Such instances shall be decided on a case-by-case basis, and approvals must be requested and received in writing, in advance, prior to such installation in any event.

d. All installations shall meet the minimum windload requirements of the Southern Building Code (latest edition) concerning wind resistivity and other matters.

IN WITNESS WHEREOF, the Board has adopted this resolution this 29th day of August, 1996.

BRIGADOON HOMEOWNER'S ASSOCIATION, INC.

By: *Robert L. Walters*
Robert L. Walters, President

Lois Ann Sorensen
Lois Ann Sorensen, Asst. Secretary

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 29th day of August, 1996, by Robert L. Walters, as President, and Lois Ann Sorensen, as Asst. Secretary, of BRIGADOON HOMEOWNER'S ASSOCIATION, INC., a Florida corporation, on behalf of the corporation. They are personally known to me or has produced _____ (type of identification) as identification.

Mary Ann Luallen
Signature of Person Taking Acknowledgment

Mary Ann Luallen
Name of Acknowledger Typed, Printed or Stamped

(NOTARY SEAL)

Notary Public, State of _____

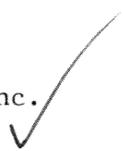
Notarial Serial Number _____



Mary Ann Luallen
MY COMMISSION # CC523874 EXPIRES
February 18, 2000
BONDED THRU TROY FAIN INSURANCE, INC.

#85734.1

Return to: Greenacre Properties, Inc.
4131 Gunn Highway
Tampa, Florida 33624



9
m

Prepared by & return to:
Greenacre Properties, Inc. ✓
4131 Gunn Highway
Tampa, FL 33624

BRIGADOON HOMEOWNER'S ASSOCIATION, INC.
CERTIFICATE OF RECORDATION

OFF. REC. 7357PG 753

As President and Treasurer of the Brigadoon Homeowner's Association, Inc., the Declaration of which is recorded at O.R. Book 4069, Page 1894, of the Public Records of Hillsborough County, Florida, we certify that the attached Standards, Rules and Regulations, and General Information were adopted by the Board of Directors on March 24, 1994, in a manner specified by the Bylaws for the conduct of Association business on the stated dates, and that the Board has directed their recordation.

BRIGADOON HOMEOWNER'S ASSOCIATION, INC.

By: Robert Walters
Robert Walters, President
4021 Braesgate Lane
Tampa, FL 33618

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

Attest: James Dunn
James Dunn, Treasurer
16575 Brigadoon Drive
Tampa, FL 33618

RECORD VERIFIED
Richard Ake
Clerk of Circuit Court
Hillsborough County, Fla.
By Bruce L. Barnett, D.C.

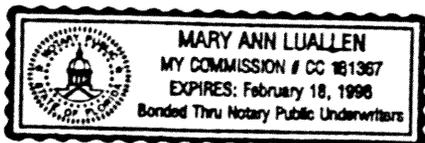
STATE OF FLORIDA:
COUNTY OF HILLSBOROUGH:

The foregoing instrument was acknowledged before me this 24th day of March, 1994, by Robert Walters and James Dunn, President and Treasurer of the Association respectively, for the Association, who are personally known to me and did / did not take an oath.

My Commission Expires:

Mary Ann Luallen
NOTARY PUBLIC - STATE OF FLORIDA

Mary Ann Luallen
Printed Name of Notary



1994 APR 13 PM 12:34

94094006

117

CERTIFICATE OF RECORDATION

BRIGADOON HOMEOWNERS ASSOCIATION, INC.

As President for Brigadoon Homeowners Association, Inc., the Declaration of which is recorded at O.R. Book 4069, page 1894, of the Public Records of Hillsborough County, Florida, I certify that the attached Standards, Rules and Regulations, General Information, and the Corporate Resolution Regarding Satellite Dishes were adopted by the Board of Directors for the conduct of Association business, and that the Board has directed their recordation.

1998 SEP -6 AM 8:07

BRIGADOON HOMEOWNERS
ASSOCIATION, INC.

By: Robert L. Walters
Robert L. Walters, President

96220189

STATE OF FLORIDA:
COUNTY OF HILLSBOROUGH:

Before me, the undersigned authority duly appeared Robert L. Walters, to me well known to be the President for Brigadoon Homeowners Association, Inc. and he did affirm before me that he executed the foregoing certificate for the purposes therein expressed.

Mary Ann Luallen
NOTARY PUBLIC - STATE OF FLORIDA

Mary Ann Luallen
PRINTED NAME OF NOTARY PUBLIC

My Commission Expires:



Mary Ann Luallen
MY COMMISSION # CC523874 EXPIRES
February 18, 2000
BONDED THRU TROY FAIN INSURANCE, INC.

RICHARD AKE
CLERK OF CIRCUIT COURT
HILLSBOROUGH COUNTY

Return to: Greenacre Properties, Inc.
4131 Gunn Highway
Tampa, FL 33624 ✓

OFF
REC 8274
90909

STANDARDS

All requests for items A through F below, except B, shall be submitted in writing to the Board of Directors for approval in accordance with Article VII. of the Declaration. Forms are available from the Property Manager. Should the Board fail to approve or disapprove a request within thirty (30) days of receipt of application, approval is assumed and work may begin. Failure to comply with the above procedure, however, may result in legal action, including removal of unauthorized items, at owner's expense.

A. **SCREEN ENCLOSURES**

Screen enclosures shall be of dark brown aluminum frame with charcoal vinyl screen. Screen doors shall be of same material. Lower screen enclosures are to be built over original existing patio slab. Upper screen enclosures will be erected inside of balcony fence. Roof will be of vinyl screen or white aluminum panels.

B. **PAINT**

The colors to be used on the outside of buildings to be Porter Paints. Brigadoon Trim, Brigadoon Body, and Brigadoon Door. Paint can be obtained by calling the Carrollwood store at 962-7433, 11913 N. Dale Mabry Highway, Tampa, FL 33618.

C. **ROOFS/AWNINGS**

Replacement shingles for roofs and awnings shall be GAF (or other manufacturer) Tamko Weathered Wood (color to match existing as close as possible); twenty (20) year fungus and algae resistant; 225 lb/square min., glass fiberbase, standard 3 tab construction UL rating A for fire and wind; underlayment shall be no.15 unperforated asphalt saturated felts; roof sheathing shall be a minimum of 1/2" exterior grade plywood in the field of the roof and at common wall areas beneath fire-retardant 1/2" sheathing (Dricon by Koppers). All roof sheathing must be placed in 48 X 48" or larger pieces to span a minimum of 3 supports and meet local and state code requirements. Written application shall be submitted to the Board of Directors and if a reply of approval or disapproval is not received within thirty (30) days of receipt of application from the Board, approval is assumed and work may begin. Failure to comply with this procedure may result in legal action including removal of unauthorized materials and replacement at owner's expense.

D. **OUTSIDE LIGHT FIXTURES (Front Door)**

Replacements shall be either black ceramic or brass (polished or antique), beveled glass, one bulb not to exceed 60 watts, and no larger than 17" high X 8" wide.

E. **KICK PLATES**

Kick plates shall be 8" high X 34" long. Brass or aluminum screws must be used to avoid rust.

F. **FRONT DOORS**

Replacement doors shall be 2 panel, 9-lite, steel, 80" X 1 3/4" X 36", right or left hand opening, galvanized and bonderized, treated, and primed frame with TPE compression weatherstrip, with or without threshold.

I. LANDSCAPING AND USE OF COMMON AREAS

- A. Any owner wishing to add/delete and/or change existing landscaping around their lot shall submit a written request to the Board of Directors for approval. Should the Board fail to approve or disapprove such request within thirty (30) days of receipt of application, approval is assumed and work may begin. Failure to comply with the above procedure, however, may result in legal action including removal of unauthorized landscaping, at owner's expense.

- B. The common area is defined as all real property (including the improvements thereto) owned by the Association for the common use and enjoyment of the owners. Therefore, owners of interior lots do not have the right to use any property beyond their concrete patio in the rear. For end lot owners use is measured in a straight line along the outside of the sidewalk from the front door to the end of the concrete patio in the back.

The following may NOT be placed on the common areas by anyone: Marble Chips or Stones, Curved or Straight Edging, Border Blocks, Trees, Bushes, Flowers, Potted Plants and anything that would interfere with day to day maintenance of the common areas. Anyone installing or placing one or more of the above mentioned items on the common areas will bear the cost of returning the affected area to its natural state.

In addition to the above; material of any type, e.g., wood, plastic, vinyl, etc. which prohibits (blocks) the normal flow of water in the front, back or side of any lot shall be removed at lot owners cost.

II. VEHICLES/PARKING

- A. Passenger automobiles, vans, and light pick-up trucks that do not exceed the size of one parking space may be parked only in the areas provided for that purpose. Parking on the grass is prohibited and subject to towing without notice. Boats, trailers, motor homes, and commercial vehicles shall not be parked on the properties and are also subject to immediate towing. The following definitions shall apply for the purpose of this section:
 - 1. "Vans and light pick-up trucks" mean vehicles with less than a one-half (1/2) ton rated weight carrying capacity which is used solely as a passenger vehicle and not as a "Commercial Vehicle", as that term is defined elsewhere in this rule. This rule is intended to specifically permit the parking of passenger, cargo, and like vans currently marketed under the following manufacturers name plates: Dodge Caravan, Plymouth Voyager, Chevrolet Astro, Ford Aerostar, and all other vehicles of similar design and which are within 5% of the height, width, and length of such vehicles. The term light pick-up trucks is specifically intended to include open bed vehicles not used for commercial purposes such as traditional pick-up trucks, El Caminos, Rancheros, as well as vehicles commonly marketed as "Jeeps such as Ford Broncos, Chevrolet Blazers, Jeep Wagoneers, and the like."

2. "Commercial vehicles" means all vehicles of every kind whatsoever, which from viewing the exterior of the vehicles or any portion thereof, shows or tends to show any commercial markings, signs, displays, or otherwise indicates a commercial use.
3. "Bus" means all vehicles of any kind whatsoever, manufactured, designed, marketed, or used as a bus, for transport of greater number of passengers or goods than automobiles are customarily manufactured, designed, marketed, or used to carry, but excluding vehicles manufactured, designed, or marketed as passenger, cargo, or like vans.
4. "Campers" means all vehicles, vehicle attachments, vehicle toppers, trailers, or other enclosures or devices of any kind whatsoever, manufactured, designed, marketed, or used for the purpose of camping, recreation, or temporary housing of people or their personal property.
5. "Mobile homes" means any structure or device of any kind whatsoever, which is not self-propelled but which is transportable as a whole or in sections, which is manufactured, designed, marketed, or used as a permanent dwelling.
6. "Motor homes" means any vehicles which are self-propelled, built on a motor vehicle chassis, and which are primarily manufactured, designed, marketed, or used to provide temporary living quarters for camping, recreational, or travel use. Vehicles satisfying the foregoing criteria and which contain shower facilities, restroom facilities, and full cooking facilities shall be considered motor homes.
7. "Boats" means anything manufactured, designed, marketed, or used as a craft for water flotation, capable of carrying one or more persons, or personal property.
8. "Trailers" means any vehicles or devices of any kind whatsoever which are manufactured, designed, marketed, or used to be coupled to or drawn by a motor vehicle.

B. Mopeds shall be parked in unnumbered parking spaces only. Motorcycles may only be operated for ingress and egress and shall have a quiet muffler. No noisy "dirt bikes" may be operated or parked within Brigadoon at any time. For bicycles, see "Maintenance by Owners/Occupants" (V.A.).

C. There shall be no major repair performed on any motor vehicle on the properties.

D. Any vehicle which is not currently licensed or cannot operate on its own power shall not remain on the premises for more than forty-eight (48) hours. As used in this section, the term licensed shall mean that vehicle displays, at all times, a license plate or license tag to which is affixed a sticker indicating that the vehicle is currently registered with the State of Florida or other state as the case may be. Any member of the Board, or any of the Board's agents, who has reasonable cause to believe that a vehicle is unable to operate on its own power shall affix a sticker thereto notifying the owner of the vehicle that it is considered to be in violation of the Association Rules and Regulations. The owner of such vehicle shall have forty-eight (48) hours from the date and time affixed to the sticker to respond to the Board or its agent and demonstrate that the vehicle can operate on its own power. If the owner cannot so demonstrate or if the owner does not contact the Board, the vehicles may be towed at the owner's expense.

- E. Any vehicle violating any provision of this section shall be towed at the owner's expense. The Board, or its agents, shall have the authority to affix stickers to the vehicle indicating a violation of these Rules and Regulations. Any stickering of a vehicle will not constitute a waiver of the Board's right to tow the vehicle and nothing contained herein shall be construed to require the Board to affix a sticker to the vehicle before towing it.
- F. Each resident shall have the right to not more than one (1) automobile parking space. The Association shall assign a space, with street number on the parking bumper, as near and convenient to each lot as is reasonably and practically possible together with the right of ingress and egress to and upon said parking area. Any resident who is denied access to his/her assigned parking space because another resident or non-resident is occupying that space, may call the Association's towing contractor (name and phone number posted at each entrance) and have the unauthorized vehicle towed. Resident should be able to provide contractor with street address, license plate information, make, model, and number of doors. Towing shall be at the expense of the towed.
- G. The Association shall have the right through its agents, to tow any vehicle, without notice, which: blocks the street, including the pool area; blocks entrance areas to dumpsters; uses more than one parking space for a single vehicle; parks on the common areas or on a between-buildings island; or for any other reason a Board member or the Association's agent determines a situation to be hazardous or detrimental to the flow of normal traffic.
1. The Association shall have the right through its agents, to tow any vehicle at owner's expense, which obstructs street maintenance, including parking spaces. Advance notice of such maintenance shall be provided residents at least twenty-four (24) hours before work commences, shall be in writing, posted on the front door of each unit and shall state area(s) and time(s) where vehicles may and may not be parked while contractors are working.
- H. The speed limit on Brigadoon Drive is 15 miles per hour.

III. **MISREPRESENTATION**

No person shall prepare, post, mail, or otherwise circulate in any manner whatsoever any material which purports to be or represents any official act or notice of the Association, except as specifically directed by the Board of Directors.

IV. **SIGNS**

No signs shall be erected or maintained on any lot at any time. However, each owner shall have the right to place one (1) "For Sale" or one (1) "For Rent" sign in either the kitchen window downstairs or front bedroom window upstairs, but not both. Further, such a sign shall not exceed four (4) square feet in size, the design of which shall be subject to review and approval by the Board of Directors.

V. MAINTENANCE BY OWNERS/OCCUPANTS

- A. It is the responsibility of Owners and Occupants to maintain the common areas, including balconies, patios, and entrances appurtenant to his/her lot in a clean and orderly condition. Hanging of clotheslines, garments, laundry, or other objects or cleaning of rugs or other household items is prohibited. Window coverings, including sliding glass door areas, shall be normally acceptable covering such as drapes, shades, and blinds. Substitutes, such as but not limited to, sheets or newspapers, are prohibited. Plants, shrubs, and other vegetation within the patio area shall be trimmed, weeded, and pruned as necessary by the occupants or the Association will do the work and the lot owner will be required to pay for the service. Written notice will be given before work commences. Repeat offenders will be referred to the Association's attorney for legal action. Occupants are in no way restricted as to what may be kept on the patio or balcony (except no boats and other craft so described in II.A.7.) so long as the area is kept clean, does not detract from the beauty of the community or interfere with the life, health, and safety of neighbors. Anything which would be a fire hazard, breed ants, roaches, termites etc. is prohibited. Boats are not allowed on lots (which includes balconies and patios) or the common areas and will be towed at owner's expense. Bicycles may be stored (parked) on patios. They are subject to immediate removal without prior notification by the Association if found on common areas.
- B. Each lot owner shall be responsible for keeping the exterior of their lots in a good state of maintenance and repair and when necessary, replacement. This shall include, but is not limited to: roofs, drainage systems, awnings (shingles below the roof), balconies, shutters, window boxes (applicable units), doors, and windows. Window boxes are for decorative purposes only. Placing dirt or clay pots in them causes decay and rot. Owners are also responsible for structural damage to their unit. When replacing gutters it is not necessary to go beyond the property line. The new gutters should have end caps and independent drainage and be detachable from your neighbors. Splashblocks should be installed.
- C. Residents who commit violations on the common areas, their front door, rear, or the side area (end units) of their lots, such as but not limited to, putting dog posts in the ground, leaving trash, bottles, cans, grills, wood, or any items which could be considered to be personal shall have such property removed by the grounds maintenance contractor. Small items shall be placed in dumpsters, large ones within dumpster area. Large items not picked up within fourteen (14) days will be placed in dumpster or otherwise removed from the properties. Repeat offenders will be referred to the Association attorney for further action. The Association will not be responsible for items placed in dumpster area.

VI. DUMPSTERS

It is the responsibility of all Brigadoon residents to keep the dumpster areas neat and clean. These responsibilities include:

- A. Close lids and doors after use.
- B. Large items, such as old furniture, appliances, and hazardous material cannot be put into the dumpsters. It costs all of us many dollars (in maintenance fees) to have these items removed.
- C. All trash must be placed inside dumpster not inside the door or on the ground. This costs money, too, to have someone pick up and dispose of trash.

VII. PROHIBITIONS

- A. The following items and activities are prohibited on Brigadoon lots and common areas: temporary structures; games and play structures; window air conditioning units or fans; any garage or yard sale and such similar activity.
- B. Grills may be used on the common areas providing they are removed immediately after use. Use on balconies is prohibited since this constitutes a fire hazard.
- C. Water Softener or other Purifier units are not allowed on the outside of any lot, front, back, or rear. Cost of removal shall be at owner's expense.

VIII. PETS AND ANIMALS

- A. All pets shall be kept on a hand-held leash. All pet owners shall be required to have their pets use designated pet-walk areas between dumpsters for defecation. Each pet owner shall carry some type of pooper scooper device when walking their pet. Owners are responsible for and shall immediately clean-up and properly dispose of their pet defecation.
- B. In addition to the Association's Rules and Regulations, all residents must comply with state, county, and local ordinances.

IX. COMMON AREAS/POOLS

- A. Any and all use of the recreational facilities and other common areas shall be in such a manner as to respect the rights of other occupants. Anyone using such facilities or areas shall leave them in the same condition as existed before such use.
- B. Occupants shall adhere to reasonable standards of dress. Specifically prohibited are cut-offs.

C. With respect to the pool and pool deck areas:

1. The pool and pool area are reserved for the exclusive use of residents and their guests. Guests of a resident's guests are not permitted unless the resident is personally present in the pool area.
2. All persons using the pool do so at their own risk.
3. Any child under the age of 14 must be accompanied by a person age 18 or over who accepts responsibility for the child's safety and behavior.
4. Due to the potential health hazard and additional pool maintenance responsibility and costs, children that are not toilet trained shall be allowed in the pool only if wearing waterproof rubber pants.
5. No glass objects of any kind, except eyeglasses, shall be permitted in the pool area.
6. No animals are permitted in the pool or pool area.
7. Diving, running, pushing, and roughhousing are not permitted.
8. Oils and lotions shall be showered off before entering the pool.
9. No one with a skin disease, nasal or ear discharge, open cuts, or communicable disease shall be permitted in the pool.
10. No unreasonable loud music is allowed.
11. Passenger vehicles, bicycles, etc. may not be parked in and around the pool area. Parking is allowed in authorized spaces only. Violators are subject to removal at owner's expense.
12. Failure to comply with these rules may result in suspension of the right to use the pool by an owner/resident for a period not to exceed 60 days.

GENERAL INFORMATION

A. BARKING DOGS/NOISY NEIGHBORS

1. Ask neighbor to keep dog quiet or to turn down radio or TV. Should this not correct the situation;
2. Call the Sheriff's Office (247-8000) and report a violation of Hillsborough County Ordinance 85-04;
3. The Deputy must first issue a warning to stop the noise;
4. If the noise persists, it could result in sixty (60) days in jail and/or a \$500 fine.

B. UNAUTHORIZED DUMPSTER USE

Call Environmental Enforcement Unit (E.E.U.) at 247-8121, give them tag number, request a trespass warning be issued to violator, and get Officer's name and number. Any resident can report this type of violation.

C. GROUPS KNOCKING DOOR-TO-DOOR (INCLUDING RELIGIOUS GROUPS)

Obtain as much information as possible from the group's representative, such as name of person/group, address, and any free literature. Call the property manager as soon as possible.

D. DOOR-TO-DOOR SOLICITORS AND ADVERTISING PLACED ON DOORS

Obtain as much information as possible from door-to-door solicitors. Report both types of violators to the property manager.

E. TERMITES

The Association has a contract with Terminix International, Tampa. Their phone number is 977-9211. If you call and your problem is **Subterranean Termites**, there is no charge. If the problem is **anything else**, normal charges will apply to the homeowner and/or resident, not the Association. Be sure to ask for rates when you call.

F. STREET LIGHTS

Check your area from time to time at night to see that the street lights are on. Bad storms often times put street lights out all together or in an on-again, off-again state. Call Tampa Electric at 223-0800 to report problems. Give them the number on the street light pole and your address.

**BRIGADOON HOMEOWNER'S ASSOCIATION, INC.
CORPORATE RESOLUTION REGARDING INSTALLATION OF SATELLITE DISHES**

Upon motion duly made by Robert Walters, duly seconded by Lois Ann Soransen, the following Resolution regarding installation of satellite dishes, the policy of the Board of Directors, was adopted by a Unanimous vote of the Board of Directors of BRIGADOON HOMEOWNER'S ASSOCIATION, INC.

WHEREAS, the Board of Directors of BRIGADOON HOMEOWNER'S ASSOCIATION, INC. (hereinafter "Board"), is the entity charged with the enforcement of the Declaration of Covenants and Restrictions of Brigadoon on Lake Heather, as recorded in Book 4069 at Page 1894, of the Official Records of Hillsborough County, Florida; and

WHEREAS, the Board desires to adopt a policy resolution to clarify restrictions contained in the Covenants; and

WHEREAS, the Board has carefully considered all the information brought before them, including recommendations from the members of the Architectural Control Committee.

NOW THEREFORE, be it resolved by the Board of Directors of BRIGADOON HOMEOWNER'S ASSOCIATION, INC., in a regularly scheduled meeting this 29th day of August, 1996:

In the matter of Association compliance with the Telecommunications Act of 1996, and more specifically, Section 207 thereof, the Board of Directors hereby expressly finds the following facts concerning installation of TVBS, MMDS and DBS dishes covered thereunder:

1. Brigadoon is a deed restricted community consisting of attached single family home residences. As a result, owners have significant control over limited portions of property they own and have exclusive use of.
2. In order to protect the health, safety and welfare of the owners subject to the Declaration it is necessary to ensure that installation of such devices are in strict compliance with the Southern Building Code.
3. In light of the express findings by the Federal Communications Commission that screening of these devices is reasonable, and in light of the limited areas available to place devices upon the lot without being an architectural eyesore or interfere with safety requirements, the Board hereby adopts the following with regard to installation and location of the devices:
 - a. Proposed installation plans shall be submitted by each owner to the Architectural Control Committee in accordance with all other requirements relative to any other installation of architectural change within Brigadoon.
 - b. All installations of such devices shall only be upon property within the exclusive use or control of the owners located upon the lot but not located upon the exterior of the lot, except as follows: on a roof or chimney, not facing the street or front

of the dwelling, or upon a patio or balcony. Where this requirement "impairs" reception, as defined by the F.C.C., the Board or the Architectural Control Committee shall work with the person submitting the plans in question to reach a solution in an equitable, case by case fashion.

RLW

c. Where necessary, reasonable architectural modifications to the device, such as change of paint color, installation of screening materials or other architectural devices designed to conceal the device may be required where the installation of the device is not practical or impairs reception by being located in a particular location. Such instances shall be decided on a case-by-case basis, and approvals must be requested and received in writing, in advance, prior to such installation in any event.

d. All installations shall meet the minimum windload requirements of the Southern Building Code (latest edition) concerning wind resistivity and other matters.

IN WITNESS WHEREOF, the Board has adopted this resolution this 29th day of August, 1996.

BRIGADOON HOMEOWNER'S ASSOCIATION, INC.

By: *Robert L. Walters*
Robert L. Walters, President

Lois Ann Sorenson
Lois Ann Sorenson, Asst. Secretary

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 29th day of August, 1996, by Robert L. Walters, as President, and Lois Ann Sorenson, as Asst. Secretary, of BRIGADOON HOMEOWNER'S ASSOCIATION, INC., a Florida corporation, on behalf of the corporation. They are personally known to me or has produced _____ (type of identification) as identification.

Mary Ann Luallen
Signature of Person Taking Acknowledgment

Mary Ann Luallen
Name of Acknowledger Typed, Printed or Stamped

(NOTARY SEAL)

Notary Public, State of _____

Notarial Serial Number _____



Mary Ann Luallen
MY COMMISSION # CC523874 EXPIRES
February 18, 2000
BONDED THRU TROY FAIN INSURANCE, INC.

#85734.1

Return to: Greenacre Properties, Inc.
4131 Gunn Highway
Tampa, Florida 33624