

The Meadows At World Golf Village

Saint Augustine, FL 32092

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The Meadows is a Deed Restricted Community

What Are Deed Restrictions?

In real estate law, deed restrictions (restrictive covenants) are defined as agreements by landowners that they will only use their property for specific purposes in a specified manner and refrain from certain actions. Contained within the deed of a property, a restrictive covenant limits the rights of the future property owner.

Generally, Deed restrictions prevent a property owner from making certain modifications to their property or prevent them from engaging in certain activities.

Deed restrictions are written agreements that restrict, or limit, the use or activities that may take place on property in a subdivision. These restrictions appear in the real property records of the county in which the property is located. They are private agreements and are binding upon every owner in a subdivision. All future owners become parties to these agreements when they purchase property in deed-restricted areas.

A primary purpose of most deed restrictions is to preserve the residential character of a subdivision by keeping out business and commercial activities. For people who prefer to live in a wholly residential environment, deed restrictions are desirable. Deed restrictions stipulate, or limit, how homeowners can use their property, based on the official property records of the home.

In practice, deed restrictions can vary dramatically — some are relatively minor and simple, while others are complicated and have a significant impact on the owner's legal rights.

What Is A Deed Restricted Community?

A deed restricted community is a neighborhood where there are limitations on homeowners' property rights. Deed restricted communities are often under the governance of a homeowners association (HOA), though it's important to note that deed restrictions and HOA rules aren't the same thing. Homeowners living in deed restricted communities follow the rules and regulations listed in their development's Covenants, Conditions and Restrictions (CC&Rs), which are legal terms that property owners must follow to live in that community.

The deed restrictions (restrictive covenants) are typically enforced by the homeowners associations created in the covenants. Any homeowner in the community can potentially file a lawsuit against another homeowner for not following a deed restriction to enforce compliance.

Deed restricted communities typically have homeowners associations that outline and enforce neighborhood rules. The rules are designed to preserve home values by ensuring

the community remains in good shape. They can regulate everything from a property's exterior appearance to the number of pets homeowners can keep.

Other deed restrictions include:

- Lawn maintenance
- State of repair
- Fencing
- What the property can be used for, including home businesses
- Whether you can rent out the property
- Where cars may be parked
- Types of vehicles that can be parked in the neighborhood
- Number and type of animals that live on your property
- Types of additions you can complete on your property
- Rules on using common areas

Every deed-restricted HOA community is different in regards to rules and regulations. It is important that all owners and residents understand all of the information regarding what they can and can't do. In some cases, the rules may seem favorable to you; in other instances, they may not.

The goal of a deed restricted community is to promote a fluid look throughout a neighborhood, which in turn helps maintain home values.

What Happens If An Owner Does Not Follow Deed Restrictions?

There are several possible consequences for owners who fail to follow the community's deed restrictions. For property owners in a neighborhood with an HOA, the first step is receiving a letter notifying the owner of the violation. The owner may also be fined for committing a violation, if it is not resolved after the initial notice is sent out. If the violation continues unaddressed, the HOA may be able to put a lien on the property, which can make it difficult to sell the home.

Is A Deed-Restricted Community Right For You?

Some people like the stability provided by an HOA, while others would rather take the chance of living next to someone who has a lot of rubbish in their front yard than have to deal with having to paint their mailbox a particular color.

Having an HOA may be well worth it to you. For one, homes in HOA communities tend to hold their value better over the long term, mainly because the overall maintenance of the neighborhood remains in better condition. Buyers find this appealing because people prefer a well taken care of neighborhood as opposed to one that appears run down.