

402

Wellington Homeowners Association Of Polk County, Inc.

Proposed changes to governing documents starting January 1st 2010

Proxy Voting Sheet

Declaration of Restrictions of Real Estate for Wellington

Article IV Section 13

Initial Assessment: Transfer Fee: In addition to the other assessments provided in this Article IV, an initial assessment of One Hundred Fifty Dollars (\$150.00) per Lot shall be paid by the Owner to the Association at the time of purchase of each Lot from the Developer, ~~and a Transfer Fee of Fifty Dollars (\$50.00) shall be paid by the Owner to the Association upon any subsequent transfer of any lot.~~

Initial Assessment: Transfer Fee: In addition to the other assessments provided in this Article IV, an initial assessment of One Hundred Fifty Dollars (\$150.00) per Lot shall be paid by the Owner to the Association at the time of purchase of each Lot from the Developer, **and a Transfer Fee of One Hundred Fifty Dollars (\$150.00) shall be paid by the Purchaser to the Association at the time of transfer of any lot.**

Initials of Homeowner: MD Yes No

Article V

Architectural Control: No building, fence, wall or other structures, other than those constructed by Developer, shall be erected, placed or altered on any building Lot until the building plans, specifications, plot plan and landscape plan have been submitted ~~in triplicate~~ to the Architectural Review Committee for approval and approved by same, said Architectural Review Committee to be comprised of the Developer, its appointees, its successors and assigns. When there no longer exists a Class B membership, the Architectural Review Committee shall be appointed by the Association. In the event that the said Architectural Review Committee or its successors or assigns fail to approve or disapprove of such building plans, specifications and plot plan within 30 days after the same have been submitted to said Architectural Review Committee, such approval will not be required and this covenant will be deemed to have been fully complied with. ~~Powers and duties of the Architectural Review Committee, its successors and/or assigns as herein set forth shall cease on or after January 1, 2010. Thereafter, the approval described in this covenant shall not be required unless a written instrument shall have been executed by the then record Owners of a majority of the Lots in said subdivision and duly recorded in the Public Records of Polk County, Florida, appointing a representative or representatives who shall thereafter exercise the same power as above granted unto the said Developer, its successors and/or assigns.~~

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WELLINGTON HOA OF POLK COUNTY
P O BOX 136145
CLERMONT, FL 34713-6145

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Article VI Section 12

Clotheslines: Solar Devices: No clothesline or similar devices shall be permitted to be erected on any Lot or other part of the Properties unless erected and located in such manner so as ~~not to be visible from the subdivision right of way or from any adjoining Lot, including Lots to the rear.~~ This provision shall not be interpreted as a prohibition against clotheslines, but rather as a requirement that they be completely screened so as to not be visible to other homeowners.

Any solar panels or other devices for the collection of solar energy shall be placed, subject to the directional requirements of such devices, ~~in a manner so as to be visible to the fewest number of adjoining properties. Any such devices shall be subject to the Architectural Control requirements contained in Article V of the Declaration, and the Architectural Review Committee is authorized to prescribe the location, color and design of such devices. The Architectural Review Committee may prescribe a standard design and color, or may prescribe a design and color which will best blend with the house on which the device is to be placed, or both, in its discretion. Whenever possible, such devices shall be located to the rear of the house and shall be mounted flat against the house roof.~~

Clotheslines: Solar Devices: No clothesline or similar devices shall be permitted to be erected on any Lot or other part of the Properties unless erected and located in such manner so as **to be the least visible to any surrounding lots.** This provision shall not be interpreted as a prohibition against clotheslines, but rather as a requirement that they be screened so as to not be **highly** visible to other homeowners.

Any solar panels or other devices for the collection of solar energy shall be placed, subject to the directional requirements of such devices. The Architectural Review Committee shall be informed of any house modifications in the use of any energy efficient upgrades to the exterior of a house. Any modifications for the purpose of the collection of energy shall be installed by licensed professionals to avoid risks to adjoining Lots.

Initials of Homeowner: [Signature] Yes No

Article VI Section 16

Antennas: Satellite Receivers: ~~There shall not be permitted to exist anywhere on the Properties any outside antennas or other devices for purposes of reception of television, radio or similar signals. The term antenna as used herein shall be interpreted to specifically prohibit the construction or installation of a satellite dish or similar type of receiving device, whether such device is to be part of the structure or located on the Lot apart from the structure.~~

Antennas: Satellite Receivers: **In accordance with the Telecommunications Act of 1996 each owner of a Lot is assured access to television services provided by direct broadcast satellite. Each Lot may install a direct broadcast satellite which is less than one (1) meter in diameter. Satellite dishes must be placed and maintained in an unobtrusive location on the house and placed in a location that does not hinder the device's function, but makes said device as unnoticeable to other Lots as possible.**

Initials of Homeowner: [Signature] Yes No

By-Laws of Wellington Homeowners Association of Polk County, Inc.

Article III Section 3

Notice of Meetings: Written notice of each meeting, stating the time, place, and in general terms, purpose or purposes therefore, shall be sent by mail to the last known address of all Members at least ten (10) days prior to the meeting.

Notice of Meetings: Notice of each meeting, stating the time, place, and in general terms, purpose or purposes; therefore, **shall be posted at the most conspicuous locations in the development no less than forty-eight (48) hours prior to meetings; furthermore, so long a website is maintained by the Association meetings shall be posted on said website no later than seven (7) days prior to the meeting.**

Initials of Homeowner: JD Yes No

Article V Section 2

Regular Meetings: The Board of Directors shall meet not less than once each month for the transaction of business at such place as may be designated from time to time.

Regular Meetings: The Board of Directors shall meet not less than once **every two months** for the transaction of business at such place as may be designated from time to time; **however, may meet as frequently as they feel is necessary for the transaction of business.**

Initials of Homeowner: JD Yes No

The undersigned ratify and confirm any and all acts and things that the proxy may do or cause to be done in the premises, adjournment or continuation of it, and revoke all prior proxies previously executed. By undersigning this document I as the Lot Owner declare that all of my votes for the aforementioned modifications are what I consider to be in the best interest of my community.

Dated: 12/13/09

Parcel Owner: John W. Dodson

Parcel Number: 89

402 Cornwallis dr.

Davenport, FL 33897

(or Property Address)

Parcel Owner's Signature

Signed before me: _____ Representing the Wellington Homeowners Association of Polk County, Inc. Board of Directors

Article VI Section 22

Xeriscape Landscape: Homeowners may implement Xeriscaping on their individual Lots by creating a quality landscaping that conserves water and protects the environment by using site appropriate plants, an efficient watering system, proper planning and design, practical use of turf, mulches and stone. Plans for any Xeriscaping project are required to be submitted to the Architectural Review Committee before implementation. This ordinance is in no way to be misconstrued into allowing homeowners to neglect their yards and not maintain turf on any Lots. Xeriscaping must encompass the entire Lot in design and implementation; while compost may be used in Xeriscaping all Sections of Article VI shall be complied with and compost producing a noxious odor shall not be permitted.

Initials of Homeowner: Yes No

Article VIII Section 7

Annexation by Owners: At such time as Class B membership has ceased pursuant to the provisions of the Declaration, additional residential property and common area may be annexed to the Properties with the consent of two-thirds (2/3) of the then existing Owners. Any land so annexed shall be subject to the general plan theretofore approved by FHA or VA.

Annexation by Owners: At such time as Class B membership has ceased pursuant to the provisions of the Declaration, additional residential property and common **area located between two or more lots** may be annexed to the Properties with the consent of two-thirds (2/3) of the then existing Owners. Any land so annexed shall be subject to the general plan theretofore approved by FHA or VA. **Common Area expressly adjoining to one Lot shall be annexed into the care of said Lot owner if requested by the Lot proprietor with a unanimous vote of the Board of Directors. This provision shall not apply to common areas which connect to currently developed recreational common areas.**

Initials of Homeowner: Yes No

that the said Architectural Review Committee or its successors or assigns fail to approve or disapprove of such building plans, specifications and plot plan within 30 days after the same have been submitted to said Architectural Review Committee, such approval will not be required and this covenant will be deemed to have been fully complied with. **Powers and duties of the Architectural Review Committee shall run for twenty (20) years from the year 2010 when it shall be recorded into Public Record of Polk County, Florida, and shall be automatically extended for four (4) successive periods of ten (10) years each.**

Initials of Homeowner: Yes No

Article VI Section 5

Fences: No fence or fence wall shall be constructed, erected or maintained on or around any portion of any building Lot that is in front of the front setback line of the dwelling. Any fence or wall must, in the sole discretion of the Architectural Review Committee, be completely and aesthetically acceptable in design, materials and construction. On corner Lots, the building shall be deemed to have two front lot lines for the purpose of this section only. No fence or fence wall shall exceed a height of six (6) feet or be constructed of any material other than ~~masonry or solid wood~~ acceptable to the Architectural Review Committee. Any such fence or wall shall be fully subject to the Architectural Control requirements. If any fence is approved which contains a "finished" or smooth side with vertical or horizontal support boards on the other side, the "finished" or smooth side must face the exterior of the Lot on which the fence in constructed. On lots of the subdivision which abut or are adjacent to the perimeter wall (no matter what the distance is between the perimeter wall and such other wall or fence) and no other wall or fence structure shall be constructed perpendicular to or in any way adjacent to or leading to said perimeter wall which shall exceed a height of five (5) feet or any height which places the top of such wall or fence higher than six (6) inches below the top of said perimeter wall as measured at the point of contact between such wall or fence and said perimeter wall.

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Initials of Homeowner: Yes No