

**RESOLUTION OF THE EDGEWOOD AT EVERLANDS HOMEOWNERS ASSOCIATION
INC.'S BOARD OF DIRECTORS FOR UNANIMOUS ACTION BY WRITTEN CONSENT IN
LIEU OF A MEETING**

WHEREAS, that certain Declarations for Edgewood at Everlands were duly adopted and caused to be recorded at Official Records Book 9465, Page 1523, Public Records of Brevard County, Florida as amended from time to time (hereinafter "Declaration"); and

WHEREAS, 617.0821, Florida Statutes, provides for action by the Board of Directors by unanimous consent in writing in lieu of a meeting; and

WHEREAS, the organizational documents of the Association do not prohibit unanimous action in lieu of a meeting, nor do they otherwise require that all actions of the Board take place at a meeting; and

WHEREAS, the Association is a Florida not for profit corporation created and organized for the purpose of managing and administering the community and common areas of the Association; and

WHEREAS, the Board of Directors of the Association pursuant to its Byelaws and Florida Law, is authorized to adopt rules and regulations governing the details of the operation and use of the Common Areas and Association Property of the Association; and

WHEREAS, Section 720.305 Florida Statutes, provides that the Board of Directors may levy reasonable fines not to exceed \$100.00 per violation as limited by the Declaration against any Owner, or that Owners tenants, guests, or invitees for violating the Governing Documents of a homeowner's association, including the rules and regulations adopted by the Board of Directors; and

WHEREAS, the Board of Directors of the Association has determined that in furtherance of its efforts to protect the general welfare of the Owners and residents of EDGEWOOD, it is in the best interest of the Association to adopt a comprehensive covenant enforcement policy, as well as a process for the imposition of fines pursuant to section 720.305, against an Owner, or that Owners tenants, guest, or invitees for violating the Governing Documents of the Association; and

WHEREAS, the Board of Directors of the Association has determined that it is appropriate to establish a schedule of fines for more common violation within the Community without the necessity of a Board Meeting to consider whether to levy a fine for such common violations; and

WHEREAS, the Board of Directors deems it in the best interest of the Association to take the action signified below by unanimous written consent in lieu of a meeting to expedite action by the Board and to thereafter ratify all such action(s) at a subsequent, duly noticed meeting of the Board of Directors;

NOW, THEREFORE, the Board of Directors of Edgewood at Everlands Homeowners Association, Inc. hereby resolve by unanimous written action in lieu of a meeting as follows.

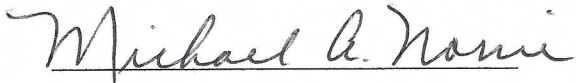
- 1) The Board of Directors hereby resolve to take the following action and thereby adopts the Covenant Enforcement Procedure to impose fines for violation of the Governing Documents/Declarations, which shall apply to all Owners, and their tenants, invitees, licensees, guest and other visitors of the Association (hereafter the "**Covenant Enforcement and Fining Policy**"). A true and correct copy of the Covenant Enforcement and Fining Policy, as approved by the Board is attached to this Resolution as **Exhibit "A."**

FURTHER BE IT RESOLVED that the Board hereby rescinds any prior covenant enforcement processes and procedures related to fines and suspensions previously adopted by the Board.

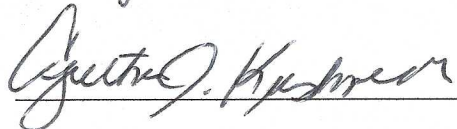
RESOLVED by unanimous written consent of the Board of Directors on this the 9th day of July, 2025.



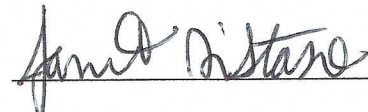
Timothy H P Paterson, President



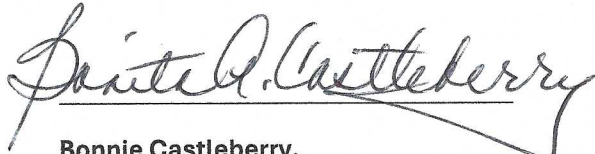
Michael Norrie, Vice President



Cynthia Kushner, Secretary



Janet DiStaso, Treasurer



Bonnie Castleberry,
Director of New Resident Liaison

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COVENANT ENFORCEMENT PROCEDURE TO IMPOSE FINES FOR

VIOLATIONS OF THE EDGEWOOD GOVERNING DOCUMENTS AND DECLARATIONS

On this 9th day of February February 2025 these rule and regulations have been duly adopted by the Board of Directors of Edgewood at Everlands Homeowner Association Inc. (the "Association") to establish a covenant enforcement procedure to impose fines for violations of the Governing Documents and declarations of **EDGEWOOD**, including all duly adopted rules regulations (hereafter the "**Covenant Enforcement and Fining Policy**"). This Covenant Enforcement & Fining Policy has been adopted and approved pursuant to the authority granted to the Board of Directors of the Association by Chapter 720, Florida Statutes, the Articles of Incorporation ("Articles"), Bylaws, and Declarations of Covenants and restrictions for EDGEWOOD. This Covenant Enforcement & Fining Policy shall supersede all previously adopted rules and regulations concerning the covenant enforcement process and fining Owners, and their tenants, invitees, licensees, guests and other visitors of the Association within EDGEWOOD AT EVERLANDS HOMEOWNER ASSOCIATION INC. This Covenant Enforcement & Fining Policy may be further amended by the Board from time to time at a duly noticed meeting called for that purpose.

1. Objective & Overview:

The objective of the Covenant Enforcement & Fining Policy is to ensure compliance with the Associations Governing Documents and Declarations in a fair, consistent, and systematic manner. A formal process and procedure for handling violations will eliminate potential ambiguity and provide Owners with the opportunity to be heard before an impartial committee, thereby affording Owners due process in accordance with Florida law.

Under Florida law, a fine or a suspension may not be imposed against an Owner, tenant, guest, or other visitor without a minimum fourteen-day advance notice to the person sought to be fined or suspended and an opportunity for a hearing before the Associations "Appeals and Hearings Panel" (AHP), of at least three members appointed by the Board. The AHP members cannot be officers, directors, or employees of the Association, or a spouse, parent, child, brother or sister of an officer, director or employee.

This Covenant Enforcement & Fining Policy is intended to encourage all Owners, tenants, guests or other visitors to maintain the function and purpose of the Governing Documents, ensure compliance with other rules and regulations with the goal being to protect and enhance the value of the assets within the Association, and to protect the general welfare and enjoyment of the community, which is dependent, in part on Owners being respectful of their neighbors and property.

2. Reporting Violations:

ARCHITECTURAL CONTROL COMMITTEE are responsible for maintaining the aesthetic of the community and shall be responsible for reviewing the same to ensure compliance with the Governing Documents, especially with any Application for Approval for modifications that differ from what was provided by the Developer. For any person who witnesses a violation of the ACC portion of the Governing Documents/Declarations, the goal shall be to provide photographic evidence of the specific violation, (date and time stamped on the photograph), offenders address etc. and forward

same to the ACC team, the Community management team or Board of Directors. The Community Management team or the Board of Directors shall also collect data on ACC violations directly on their tours through the community.

NON-COMPLIANCE VIOLATIONS OF GOVERNING DOCUMENTS are violations related to inconsiderate and irresponsible behaviors affecting residents within the community (refer to the schedule of fines for Violations in this category. For any person who witnesses a violation of these types of inconsiderate/irresponsible behaviors, the goal shall be to provide photographic evidence of the specific violation, (date and time stamped on the photograph), offender's address etc. and forward the same to the Community management team or Board of Directors. The Community Management team or the Board of Directors shall also collect data on behavioral violations directly on their tours through the community.

Any member of the ACC, Board of Directors, or Community management are hereby authorized to receive, and review reported ACC violations and recommend enforcement action based upon the approved schedule of violations and proposed penalties set forth in this Covenant Enforcement Process

3. Covenant Enforcement Process for ACC Violations:

- A) Management receives directions from the Board of directors on the degree of enforcement and frequency of inspections. As part of this Covenant enforcement & Fining Policy, the Board adopts the uniform fine and suspension rates, and duration for specific violations set forth below and hereby delegates authority to any officer, Director and management to levy and recommend the appropriate and commensurate fine and/or suspension to the AHP for imposition. Management, and members of the Board of directors, and the ACC Chairperson are hereby authorized to perform Application inspections, including any follow up inspections, as may be necessary to verify whether a violation has been cured or still outstanding.

First ACC Notice of Violation – written notice is sent to the Owner identifying the violation in question and providing the Owner with fourteen (14) days (from the receipt of the letter) to correct the violation. The letter shall be sent by regular US Certified Mail, return receipt requested. Costs associated with said letter shall be borne by the recipient.

A follow-up inspection shall be undertaken on the fifteenth (15) day to review said violation status, to see if violation has been cured or remains.

Second ACC Notice of Violation – if the violation has not been cured or remains, a second and final written notice is sent to the Owner identifying again the violation in question and providing the Owner with a further fourteen (14) days (from the receipt of the letter) to correct the violation. A fine consistent with the schedule below shall be levied by the Board of Directors shall be deemed to have commenced from the original day fifteen of the first violation notice, incurring additional daily recurring fines up to the maximum allowed under Florida statute. This matter shall also at this time be referred to the Appeals and Hearings Panel, (with a copy to the Owner, giving a date and time that the Appeal can be heard) for their review at the designated Panel meeting, so long as the Owner is afforded the allocated minimum time of fourteen days to cure or appeal against the violation. The letter shall be sent by regular US Certified Mail, return receipt requested. Costs associated with said letter shall be borne by the recipient.

B) Covenant Enforcement process for Non-Compliance Violations of Governing Documents:

Management receives directions from the Board of Directors on the degree of enforcement and frequency of inspections. As part of this Covenant enforcement & Fining Policy, the Board adopts the uniform fine and suspension rates, for Incurable Noncompliance set forth below and hereby delegates authority to any officer, Director and management to levy and recommend the appropriate and commensurate fine and/or suspension to the AHP for imposition.

First & Final NC Notice of Violation – written notice is sent to the Owner identifying the violation in question, the Fine imposed, and providing the Owner with fourteen (14) days (from the receipt of the letter) detailing the owner's right to a hearing with the AHP. This matter shall also at this time be copied/referred to the Appeals and Hearings Panel, with a copy to the Owner, giving a date and time that the Appeal can be heard. Failure to appear at the appeal shall instigate immediate requirements to settle the fine imposed within five (5) days. The letter shall be sent by regular US Certified Mail, return receipt requested. Costs associated with said letter shall be borne by the recipient.

At the Appeals and hearings panel meeting the committee will approve or reject any fine that the Board of Directors has levied/imposed. At the AHP committee meeting, the owner may present statements or other evidence as to why there should not be a fine imposed. If the AHP committee, by majority vote, does not approve a proposed fine, then it may not be imposed.

Following the committee meeting, an AHP Decision Letter shall be sent to inform the Owner that the AHP has approved a fine, suspension, or other permissible sanction and will include again the details of the fine. Alternatively, the decision letter will advise the Owner that the fine or suspension was rejected and why for the Owners records. If the AHP committee voted in favor of confirming a fine or fines the decision letter will notify the Owner of the committee's approval and that the fine is due and payable within five (5) days or such other time frame as may be set by Chapter 720, Florida statutes.

If an Owner (or Owner's tenant, Guest, or other visitor -where applicable) refuses to pay the fine imposed by the AHP committee after receipt of the AHP Decision letter when due, the Association reserves the right to levy an Individual Assessment upon proper notice in accordance with Section 21.8.4 of the Declaration.. In addition, the Owner will be ineligible to be a candidate for the Board of Directors at a future election in the event that the monetary obligation remains outstanding. If the fine is outstanding for more than ninety (90) days, the Association may suspend the rights of the Owner, or the Owner's tenant, guest or invitee, to use common areas and facilities until the fee, fine or other monetary obligation is paid in full. The notice and hearing requirements before the AHP committee set forth above will not apply to a suspension imposed by this paragraph. See Florida statute § 720.305(3) & (4). All suspensions imposed pursuant to this paragraph must be approved at a properly noticed Board meeting. Upon arrival, the Association must notify the Owner and, if applicable, the Owners tenant, occupant, licensee, guest or invitee by mail or hand delivery.

The Appeals and Hearings Panel should establish a predetermined day, time and location for its monthly meetings.

The AHP committee should have a Chairperson, Co-chairperson appointed by the Board of Directors, there will be at least three (3) independent committee members to ensure a majority vote at all times.

After each appeal is heard, the AHP committee should make a motion to confirm or reject the fine and the appropriate amount per day and/or occurrence previously approved and imposed by the Board of Directors, pursuant to Florida law, the Committee does not have the authority to either reduce or increase the proposed fine.

All references to violations committed by Owner(s) shall extend to the conduct of all Owners, tenants, guests, and invitees.

Any person who is fined may appeal the decision of the AHP committee to the Board of Directors by submitting a request for appeal to the President or secretary of the Board of Directors within 30 days of receipt of notice of the AHP committees' decision to impose the fine or suspension issue.

4. Number of Days to Comply Chart & Schedule of Fines:

The following schedule of Standard Fines is hereby adopted by the Board of Directors, which is designed to make the fine assessment procedure consistent, fair and non-selective and easier to use. The schedule is designed as a guide and can be altered at any time by the Board of Directors. This schedule is designed to be used in conjunction with the violation processes as established and modified by the Board of Directors from time to time.

Violation	Doc'n #	Days to comply	1 st offence	2 nd offence	Source
ACC Violations (All)	ALL	14	\$100.00	\$100.00	Governing documents
Non-compliance governing documents					
Dog off Leash	13.2	Instant Fine	\$50.00	\$100.00	Report Brevard Animal services
Dog attack	13.2	Instant Fine	\$100.00	\$100.00	Report Brevard Animal service
Dog Attack with injury	13.2	Instant Fine	\$100.00	\$100.00	Report to Brevard County Sheriff
Blocking Sidewalk	13.4.1	Instant Fine	\$50.00	\$100.00	Governing documents
Fireworks	13.20	Instant Fine	\$100.00	\$100.00	Governing document
Overnight Parking on Road without Pass	13.4.1	Instant Fine	\$50.00	Towing Company \$180.00	Lees Towing Co.
Parking On & damage to common areas	11.2 & 13.4.1	Instant Fine	\$100.00 plus any damage	\$100.00 plus any damage	Governing Documents
Garbage cans left outside of garages and at roadside Tues/Fri	13.12	Instant fine	\$25.00	\$50.00	Governing documents

pm, & Saturday(all day)					
B&E pool cabana outside of hours	16.1.2	Instant fine	\$100.00 & suspension	\$100.00 & suspension	Report to Brevard County Sheriff
Alcohol/drugs at pool	16.1.2	Instant fine	\$100.00 & suspension	\$100.00 & suspension	Report to Brevard County sheriff
Electric bikes/scooter on common areas/sidewalks and more than 20mph	16.1.2	Instant Fine	\$50.00	\$100.00 plus report	Report to Brevard County sheriff

5. Additional Remedies: Attorney's Fees and Costs;

If the Association incurs any expense or cost to enforce this Covenant Enforcement & Fining Policy or to collect unpaid fine, the legal fees and cost incurred to do so shall be chargeable to the Owner of the home where the person resides in addition to being chargeable to the person who committed the violation of the Governing Documents/Declarations. The associations right to fine a Owner for any violation of these Rules and Regulations is not intended to be an exclusive remedy, but rather shall be in addition to all other rights and remedies the Association may have under its Governing documents/declarations and applicable Law, including the Associations right to demand pre-suit mediation, and institute a lawsuit against any person the Association determines in its sound business judgement to have violated the Governing Documents, and/or the Owner of the Home where the person resides, and seek injunctive relief and/or monetary damages.