

COVENANT COMPLIANCE RESOLUTION**BY****VIZCAYA AT HODGES HOME OWNER'S ASSOCIATION, INC.**

THIS RESOLUTION is made this 27th day of September, 2021 by the Board of Directors of Vizcaya at Hodges Home Owner's Association, Inc., a Florida Corporation not-for-profit ("Association").

WHEREAS, Section 720.305 of the Florida Statutes mandates that each owner, member, tenant, and invitee, comply with Chapter 720 of the Florida Statutes, the governing documents of the community, and the rules of the association and further provides that actions at law or equity may be brought against any of the foregoing parties for failing to comply; and

WHEREAS, Section 720.305 further provides that the Association may levy fines of up to \$100.00 per violation and may suspend the right to use the common areas of any owner, member, tenant, or invitee for failing to comply with the Association's governing documents; and

WHEREAS, Article IX of the Declaration of Covenants, Conditions, and Restrictions of Vizcaya at Hodges ("Declaration") establishes the Architectural Control Committee of the Association ("ARD") and further provides that certain changes to or improvements of the exterior of any Residential Dwelling Unit or other improvement of the Property may not be made without approval of the ARC; and

WHEREAS, Article XIV of the Declaration provides that the Association may prosecute proceedings as law and equity against an Owner for violation of the covenants and restrictions, including but limited to any change to or improvement of the exterior of a Residential Dwelling Unit or other improvement on the Property, and that the prevailing party shall be entitled to attorney's fees associated with any such action; and

WHEREAS, the Board of Directors of the Association has recognized a problem of Owners transferring Units while outstanding violations exist, specifically including but not limited to architectural violations, and has passed this Resolution to ensure that the Owner's Residential Dwelling Unit or Residential Lot.

NOW, IT IS RESOLVED that the Board of Directors, after obtaining the requisite vote, hereby evidences the passage of this Resolution to provide notice to all Owners and prospective purchasers of Residential Dwelling Units and Residential Lots in Vizcaya at Hodges of the following:

1. **Prior to the transfer of any Residential Dwelling Unit or Residential Lot in Vizcaya at Hodges, there shall be a Covenant Compliance Inspection of the property. Such inspections will be coordinated through, and conducted by, the Associa CMC of Jacksonville. All fees associated with resale, including said inspection, shall be the responsibility of the real estate transaction parties, and not the Association.**
2. As part of any transaction or transfer of any Residential Dwelling Unit or Residential Lot, the parties thereto shall make arrangements to cure all outstanding violations and remit any outstanding monetary obligations to the Association prior to effectuating such transaction or transfer.

3. This Covenants Compliance Inspection requirement is effective upon adoption hereof, to remain in force and effect until revoked, modified or amended.

IN WITNESS WHEREOF, the duly authorized officers of the undersigned Association have executed and attest to this Resolution this 25th day of March, 2022.

VIZCAYA AT HODGES HOMEOWNER'S ASSOCIATION, INC.

By: Jackie K. Disher
Jackie Disher, President

STATE OF FLORIDA
COUNTY OF DUVAL

I hereby acknowledge that on this 25th day of March, 2022 before me personally appeared the above signed, as President of Vizcaya at Hodges Homeowner's Association, Inc., respectively, who are ☒ personally known to me or ☐ who have produced _____ as identification, and who acknowledged before me that they executed the foregoing instrument and that they did take an oath.

WITNESS my hand and official seal in the County and the State last aforesaid this 25th day of March, 2022.

Margaret C. Flowe
Margaret C Flowe
Notary Public, State of Florida
At Large