

**FAIRWAY VILLAS OF MILES GRANT  
ASSOCIATION, INC.  
5276 S.E. SEA ISLAND WAY  
STUART, FLORIDA 34997**

**RULES  
AND  
REGULATIONS**

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## INTRODUCTION

Fairway Villas of Miles Grant Association, Inc. (also known as Phase III of the Miles Grant community) consists of 46 detached single family houses (called “villas”), a swimming pool and pool house, and approximately 11 acres of land at the western end of the miles Grant community. Fairway Villas is **not** an “Over 55” community and **does not** require mandatory membership to the Miles Grant Country Club. **Children and pets are allowed.**

Fairway Villas, despite being single family homes, is a condominium form of ownership and is controlled by Florida Statute 718 (the Condominium Act) and the Fairway Villas documents (Declaration of Condominium, Articles of Incorporation, Bylaws, and these Rules and Regulations). Therefore, Fairway Villas has many rules and requirements not found in typical home ownership.

Each Unit owner has exclusive ownership of the unit (the inside of the villa) and also owns a 1/46 share of all the Association property (the “common area” or “common elements”. While all the owners obviously have an interest in how the property is maintained, specific responsibility for maintaining, preserving, and protecting the common area lies within the elected Board of Directors. Unit owners must work with the Board and not take unilateral action.

More details about the operation of the condominium association are to be found in the condominium documents and in FS718.

## 1. Exterior of the Villas

Neither the public areas of the condominium nor the exterior of any building shall be altered in appearance by any individual owner nor group of owners unless the Board of Directors has, in writing, specifically approved the plans for such alterations.

### a. Windows and exterior doors

- 1) If replacement windows or exterior doors are different in appearance from those being replaced; prior Board approval is required. The inner vestibule door is not considered an exterior door unless there is no screen or storm door.
- 2) Screen doors: unit owners must fill out a **Request for Approval of Screen Door** form and must not install the door until written approval is received. The only approved colors are white almond/beige and dark brown/bronze.
- 3) No mops, laundry, clothing, cleaning cloths, bathing attire, towels, rugs, etc., may hang or exposed from the villa or any part of it.
- 4) No awnings, ventilators, generators, shall be installed without prior Board approval.
- 5) No signs, notices or advertising shall be placed in the windows, on the doors, or on any other exterior of the buildings, yard/lawn, exclusive of the official bulletin boards (and on those only with Board permission).

### b. Screened porches

- 1) The porch support posts are load-bearing and are maintained by the Association. Unit owners are not permitted to alter them. When screening attached to the posts must be removed so that the posts can be repaired or replaced by the Association, it is the owner's responsibility to remove and replace the screening at his cost.
- 2) Railings and other non-support structures in the porch are the responsibility of the unit owner to maintain.

### c. Hurricane shutters

Any change to structure/appearance requires Board approval. Unit owners must fill out a **Request for Approval of Installation of Hurricane Shutters** form and must not install the shutters until written Board approval is received. The only approved colors are white, beige and dark brown.

### d. Flags

Decorative Flags may be flown from a holder attached to the villas and be no larger than 30 inches by 52 inches. American flags may be flown according to law.

### e. Interior modifications

May be made without approval so long as no load-bearing walls are altered, and the appearance of the villas from the outside is not changed.

### f. Driveways

- 1) The driveways are maintained by the Association, cleaned, repaired and painted on a rotation basis. Unit owners who want to maintain a driveway themselves (whether or not they ask for reimbursement) must obtain prior to get authorization from Buildings committee; specifications must be met. Carport painting is the responsibility of the unit owner and must be painted beige or driveway color.

g. Three-foot planning strip

- 1) The planting and maintenance of the three-foot strip is the responsibility of the unit owner, but shall not be permitted to look overgrown or touch or be against any part of the villa.
- 2) Unit owners are permitted to grow only flowers and/or shrubs in the three-foot area. Anything else must be approved by the Board before planting.
- 3) Irrigation systems in the three-foot area, if any, are the responsibility of the unit owner and must not be connected to the Association's irrigation system.
- 4) Materials used to border the three-foot area must be either treated wood or beige in color. The Board will arrange for periodic surveys of all the three-foot areas, to check for compliance.
- 5) Notice of maintenance compliance within 30 days or the Board will have it done and send unit Owner a bill for service.

h. Trash containers

All garbage and trash must be put in a container with a lid in neat condition and kept in your carport area until the designated trash collection days which then the trash container maybe left at the end of your driveway for pick up only.

Gas Grills: Barbeque grills with propane tanks may be kept in the carport area or in any open lanai area.

i. Maintenance responsibilities

- 1) It is the responsibility of the villa owner(s) to report to the Association when any areas of the exterior of the villa needs repair. The **Maintenance Request** form is to be used. Forms are stored in the ladies bathroom at the pool or at all association mail box areas.
- 2) The Board of Directors or its authorized agent has the right to enter any villa in the event of an emergency or at reasonable times, to inspect or make repairs to the common elements.
- 3) Maintenance of the interior of the unit is the responsibility of the unit owner, including the carport shed doors, the carport flooring, and the carport ceiling consistent with the existing exterior color of the house and driveway.
- 4) The unit owner is also responsible for maintaining several exterior items: the exterior air conditioning unit and any item not part of the villas when originally built, such as gutters and hurricane shutters.

2. Pool

- a. Regulations governing pool use are posted at the pool and must be observed at all times.
- b. Use of the pool is strictly at the swimmer's own risk.
- c. Pool hours are from 8:00 am to dusk. Use of the pool and/or the pool area is not permitted at any other time.
- d. Persons walking to and from the pool must wear "cover-ups" over their bathing suits.
- e. A shower must be taken before entering the pool and upon re-entering the pool if oil or tanning lotion is used. The shower is not to be used as a personal bathing facility for shampooing and overall body soaping.
- f. Only regulation swimwear is permitted at the pool – no cutoffs jeans or substitutes.
- g. Infants must wear protective waterproof covering over their diapers while in the pool.
- h. No diving or jumping into the pool.
- i. Children under 16 must be accompanied by an adult whenever in the pool area.
- j. No glass or breakable containers are to be used in the pool area.

- k. No rafts, scuba gear, or fins may be used in the pool. Life vests are permitted.
- l. No ball playing, running, shouting, or excessive noise in the pool area is permitted. To minimize staining the pool furniture while wearing wet bathing suits and/or suntan lotions or creams, the furniture must first be covered with a large towel.
- m. Pool furniture shall not be removed from the pool area without specific approval of the Board of Directors.
- n. Pool parties may be held provided prior arrangements have been made with the Association President, Vice-President, or Social Chairman.
- o. House guests (staying overnight) have unlimited privileges to use the pool, provided they observe all rules. Local guests (not staying overnight): The host must be present at the pool with the guest. The host should limit a local guest to minimal visits to the pool per month.
- p. Per Florida law, unit owners whose villas are rented may not use the pool while the renter is renting, unless the rented has specifically, in writing, stated his intention not to use the pool. Relatives and guests of the owner also may not use the pool while the renter is renting, unless they are local guests of the renter.
- q. Pool gate and bathhouse will be kept locked at all times. Unit owner will be able to purchase key to locks from the association.
- r. Any continuous violations of the pool rules could result in loss of pool privileges.

3. **Pets**

- a. No more than three (3) pets per unit will be allowed.
- b. The owner is responsible for his pet not making a nuisance of its self, including excessive barking.
- c. Pets are not permitted in the pool, or the pool area.
- d. The owner is responsible for immediately cleaning up after his pet anywhere on common grounds. (This includes the lawn area surrounding Pet Owners villa.)
- e. Owner must keep pets leashed at all times when out in common areas.
- f. 6. Owner is responsible to have current state vaccinations for pets.

4. **Trucks, Mobile Homes, Boats, Campers and trailers etc.**

- a. No truck or commercial vehicle of any kind is permitted to be parked on the Fairway Villas property overnight or at any time for a period of more than four hours, unless it is temporarily necessary in the actual repair of the buildings on the property or for grounds works.
- b. No boats, boat trailers, or trailers of any kind, campers, mobile home, or RVs are permitted to park on the property except for temporarily while loading or unloading.
- c. Golf carts, scooters, or similar vehicles shall not be parked nor allowed to stand in parking spaces, public passageways, or other common areas unless such area is specifically set aside by the Board for such purpose.
- d. Motorbikes, mopeds and motorcycles are restricted to transportation use only and not allowed to stand in parking spaces, public passageways, or other common areas.
- e. Bicycles shall be ridden or walked only on streets or driveways. Riding on grassed areas is prohibited.
- f. Our limited parking areas are to be used only by guests or those using the pool. They are not or permanent parking.

5. **Grounds**

- a. The planting or removal of trees, shrubs, grass, flowers, etc. In the commons areas (except three-foot strip) requires the approval of the grounds committee prior to any work being done.

- b. All plantings on the condominium property become the property of the Association regardless of origin. Volunteer maintenance is welcome, but must be coordinated by the Grounds Committee.
- c. Residents and visitors are not permitted to park on the grass as damage can be done to the irrigation system or lawn.
- d. Owners may report any grounds problems, suggestions, etc. to the Grounds Committee or to the Board of Directors.
- e. Lawn furniture shall not be kept on the lawns except when in actual use.
- f. No outside antennas, poles, (accept one for an American flag), masts, electronic devices, or towers shall be permitted, unless approved, in writing, by the Board.

## 6. **Sales and leases**

### A. **Sales**

- 1) When an owner puts villas on the market, the Association requests that the owner inform the Sales and Leases Chairman. Sometimes prospective buyers inquire if any villas are for sale.
- 2) The **Request for Purchase** form must be filled out completely by the seller and buyer and submitted to the Sales and Leases Chairman. This must be done even if the sale is within the family.
- 3) The buyer must pay a \$100.00 sales fee, plus reimbursement for any unusual costs expended by the Board in processing the sale.
- 4) There is also an estoppel fee, usually paid by the buyer. The fees will be charged by the accountant of the Association to prepare.
- 5) The buyer will be interviewed by a member of the Sales and Leases Committee.
- 6) A seller is required by Florida law to turn over his condominium documents to the buyer. If the seller does not have a complete set of documents, documents may be purchased by the seller from the Sales and Leases Committee, at the cost which is determined by the Board of Directors.
- 7) Approval by the Board of Directors is indicated in the **Certificate of Approval**, which is needed at the closing. The Association has 30 days (from receipt of the request form) to provide the certificate.
- 8) After the closing, the new owner must furnish the Association with a copy of the deed, and the name and address of the mortgage company, if any.
- 9) New owners must fill out an Information Sheet which is provided by Sales and Leasing, giving such information as next of kin and who has any keys to the villas. The Association keeps the information sheets on file case of emergency. The Association does not keep copies of any keys to the villas.
- 10) Mailbox Keys: Sellers must turn over the villa's two mailbox keys to the new owner. Owners who lose keys must purchase new ones from the Post Office. The Association keeps a set of mailbox keys, for emergency use only.
- 11) Pool Key: Sellers must turn over the villa's Pool Key, if they have one. Otherwise, a Pool Key can be purchased for a \$25.00 fee.
- 12) Gifts and Inheritance: Even is no money is charged, villas which change ownership (other than to another owner) must follow the standard sales procedure.
- 13) Guests: The Board of Directors must be informed whenever a villa is to be occupied by relatives or friends in the absence of the owner more than 30 days. Each of the villas shall be occupied by only one family.

## B. Leases

- 1) The **Request for Lease** form must be filled out completely by the owner and rented and submitted to the Sales and Leases Chairman.
- 2) The rental period for any villa is a minimum of three months and limited to one rental per fiscal year (July 1 – June 30). No rooms may be rented.
- 3) The owner (not the renter) must pay a \$10.00 lease fee, plus reimbursement for any unusual costs expended by the Board in processing the rental.
- 4) The owner must furnish the Association with a copy of the lease.
- 5) Approval by the Board of Directors is indicated in the **Certificate of Approval for Lease**, which is usually given to the owner.
- 6) The renter must abide by all the rules and regulations of the Association. The owner will be contacted if the renter violates any of the rules.
- 7) Lease renewals: The new **Request for Lease** form must be filled out by the owner and submitted to the Sales and Lease Chairman. The lease fee is waived. Board approval is required.

## 7. Insurance

- a. The Association's Insurance policies cover such things as: property insurance on the pool and clubhouse; liability; directors and officers; crime; and workers' compensation. It does not cover property insurance on the villas. Each unit owner is required to obtain insurance coverage for the entire villas. Such insurance coverage is a must. There are several legal steps the Association can take to enforce this rule. A Proof of Current Insurance Coverage statement must be sent from each owner's insurance company to the Association annually and whenever owners change companies, naming Fairway Villas of Miles Grant as the named insured.

## 8. Maintenance Fees

- a. The annual budget is determined by the Board of Directors, with an opportunity for unit owner input at the Annual Meeting. The fiscal year is July 1 – June 30.
- b. By law, the maintenance fee must be sufficient to cover all the Association's expenses for that year, including proportionate contributions to the various reserves.
- c. The maintenance fee is collected quarterly (July 1, October 1, January 1, and April 1).
- d. Owners will receive a coupon booklet prior to June 1<sup>st</sup> of each year with instructions as to where payment is to be sent and amount to be paid. Interest of 0.83% a month is charged on late maintenance fees more than 10 days late.
- e. The Association has the authority to lien units which are delinquent.

## 9. Governance (See also the Condominium Documents)

- a. All unit owners of record (i.e. on the Deed) are members of the Association.
- b. The Annual Meeting is held in March at the Miles Grant Country Club Clubhouse at a date to be determined each year. All unit owners are expected to attend or send in a proxy.
- c. Special unit owner meetings are held when needed.
- d. The Board of Directors consists of seven Directors, each with a two-year term. In January every year, those who are willing to serve on the Board must indicate that in writing. If there are more candidates than open positions, there is an election, held at the Annual Meeting. If there are equal candidates, they are deemed elected. The Board is obligated to try and fill any vacancies as soon as possible.



- e. In any voting (election for the Board or voting on an issue), each villas has one vote. If there any multiple owners, they must select one to be the voter. The **Certificate of Appointment of Voting Representative** must be completed and is kept on file by the Association.
- f. The Board meets several times a year as necessary. Each agenda is posted on the bulletin board at the mail boxes and emailed to all unit owners having email at least 48 hours before meeting. Attendee's may only speak on any listed agenda item. A copy of the approved minutes is available in the library in the pool house.
- g. Since we do not have a manager or a management company, we depend upon volunteers to keep our community going. All unit owners are requested to be willing to serve on the Board or in one of the committees of responsibility (Buildings, Grounds, Pool, etc.).

## **10. Nuisances**

- a. Noise of all kinds shall be kept low enough so as not to disturb neighbors. Likewise, nothing shall be done that might interfere with the rights, comfort, or convenience of other owners or occupants.
- b. No nuisances shall be allowed upon the condominium property, nor any use or practice that is the source of annoyance to residents or which interferes with the peaceful possession and proper use of the property by its residents.
- c. Objectionable behavior is not acceptable even if it is not specifically covered in the Rules and Regulations.
- d. All parts of the condominium shall be kept in a clean and sanitary condition, and no rubbish, refuse, or garbage allowed to accumulate nor any fire hazard allowed to exist.
- e. No unit owner shall permit any use of his unit to make any use of the common elements that will increase the cost of insurance upon the condominium property above that required when the unit is used for approved purpose
- f. Ball playing and games are strictly prohibited in near proximity to residential units where grass or plantings can be damaged or residents disturbed. Lawful use: No immoral, improper, offensive, or unlawful use shall be made of the condominium property nor any part of it, and all
- g. Valid laws, zoning ordinances, and regulations of all governmental bodies having jurisdiction shall be observed. The responsibility for meeting the requirements of governmental bodies for maintenance, modification, or repair of the condominium property shall be the same as the responsibility for the maintenance and repair of the property concerned.

## **11. By-Laws**

- a. Violations of the rules are the responsibility of the villa owner, even if committed by the owner's rented, hired help, guests, children, or pets.
- b. Complaints of violations are to be made to the Board of Directors in writing. The Board also has the right to enforce the rules even in the absence of a unit-owner compliant.
- c. Violations will be called to the attention of the violator in writing, and corrective action will be required. Owners may request an appearance before the Arbitration Committee regarding violations.
- d. The Board will assess a fine for repeated violation. PerFS718
- e.

## **12. Miscellaneous**

1. Notices will also be posted on bulletin boards located at the end of each of the three association mailbox structures as well as email.
  2. All notices to be displayed on bulletin boards must be approved by the Board or its designees before posting.
- f. Suggestions
- 1) Complaints, requests, and suggestions shall be in writing and addressed to the Board of Directors and placed in the white association mail box at the pool or emailed to the association. The Board may then assign the situation to one of the areas of responsibility (Buildings, Grounds, Pool, etc.) to respond to you.
  - 2) Per FS718, unit owners may place a topic on the agenda of a Board meeting if they present to the Board a petition signed by at least 20% of the total number of units (20% of 46 = 9.2, so 10 signatures are needed).
- g. Solicitation
- No solicitation is permitted anywhere in the Miles Grant complex, including in Fairway Villas. Signs are posted at the entrances to the complex.
- h. Trash Pickup
- 1) Unit owners are encouraged to recycle appropriate materials, pick up on Tuesdays.
  - 2) Trash, garbage, yard trash, and recyclables pick-up is not controlled by the Association. Trash pickup is Tuesday (with recycling pick up also) and trash only on Friday. Green/yard brush on Wednesday. Owners are charged for trash pickup with your County Tax bill. Recycling totes can be picked up at any martin country utility office.
  - 3) Complaints are to be addressed to the waste management company (Waste Management 722-546-7000).
- i. Changing the Rules
- Each of the condominium documents has a provision for amending the rules contained in the document. Unit owner voting is required. Requests for Rules are to be submitted to the Board for its actions, if any.
- j. Miles Grant Country Club
- 1) The Club facilities include a Clubhouse with bar and dining facilities, an executive 18-hole golf course, tennis courts, and swimming pool.
  - 2) Membership in Miles Grant Country Club is available at an additional cost. It is not mandatory for Fairway Villas owners to be members. Interested persons should contact the Club office for more information.