

**Misty Oaks Owners Association, Inc.
Resolutions by the Board of Directors**

The Misty Oaks Board of directors have adopted unanimous resolutions (in accordance with State Statute, Chapter 617) to provide consistent criteria for approval or disapproval of requests from Misty Oaks property owners. These resolutions only apply to sections of the Declaration of Restrictions requiring Board approval, as specified in each resolution.

These resolutions do not, in any way, amend or revise the Declaration of Restrictions but provides a uniform method for the Board of Directors to review requests by owners. These resolutions may be revised from time to time by unanimous approval of the current or any succeeding legally constituted Board.

Misty Oaks Owners Association, Inc.

A Corporation Not-for-Profit
Manatee County Florida

A Written Action by the Board of Directors (installed in office on December 2, 1999 at the Misty Oaks Owners Association's Annual Membership Meeting):

Resolution No. XIII, Procedures for Billing and Collecting Assessments

In accordance with the "Declaration of Restrictions for Misty Oaks Subdivision" (as currently amended) (referred to here-in as the Deed Restrictions), Article XII, the Association has the right to levy assessments and collect monies to pay its operation and maintenance expenses.


Resolved: The following procedure will be conducted for billing and collection of Annual and Special Assessments (Days in Calendar days with Holidays excepted):


- Notice of Annual Assessment will be transmitted by First Class Mail to each lot owner subject thereto, coincident with the Annual Meeting notice, but, no later than December 1, nor earlier than November 1, prior to the budgeted fiscal year. Annual Assessments will be due and payable on January 15, of the budgeted fiscal year and be delinquent thereafter.
- Special Assessments will be transmitted by First Class Mail to each lot owner subject thereto, when the assessment is determined to be encumbered by Association. Special assessments are due and payable 30 days from the billing date and become delinquent there after.
- In not less than one day nor more than 10 days from an assessment due date, any lot owner with an unpaid Annual or Special Assessment, will be transmitted by First Class mail, a Second Notice of amount due without penalty or interest.
- In not less than 15 days nor more than 30 days from the date of the second notice, any lot owner with an unpaid Annual or Special Assessment, will be transmitted by First Class mail, a Third Notice of the amount due without penalty or interest with a due date of not less than 15 days nor more than 20 days from the date of the Third Notice. This notice will also be sent in duplicate by Certified Mail within 7 days of the date of the Third Notice date.
- In not less than 1 day nor more than 7 days from the Due Date specified in the Third Notice, notice, any lot owner with an unpaid Annual or Special Assessment, will be forwarded to the Association's attorney for collection in accordance with Article XII and XIII with penalty, interest, attorney fees, and lien applicable.
- Penalties will be calculated as follows: 5% of the delinquent amount plus, the delinquent amount, times 1.5%, times the number of months delinquent.
- In the event that a lien is filed for non-payment, the Association will direct the Cable Company to disconnect service to the dwelling with a delinquent Annual Assessment.

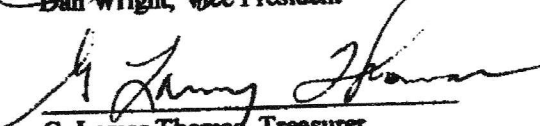
Done by unanimous written consent of the Misty Oaks Board of Directors, this day of February 13, 2000, and shall remain in effect until revised by a subsequent Board:


Harry O'Connor, President


Alain Dessaint, Secretary


Dan Wright, Vice President


Patrick Daugherty, Vice Secretary


G. Lamar Thomas, Treasurer

Misty Oaks Owners Association, Inc.

A Corporation Not-for Profit
Manatee County Florida

A Written Action by the Board of Directors (Installed in office on December 1, 2014 at the Misty Oaks Owners Association's Annual Meeting):

Resolution No. V-1 A ; **Criteria for approval/disapproval of additions/external improvements**

In accordance with the "Declaration of Restrictions for Misty Oaks Subdivision" (as currently amended), Article V, Section 1 "ARCHITECTURAL CONTROL" States: No external improvements shall be commenced, erected, placed or maintained upon any lot, nor shall any addition, change or alteration thereof or thereto be made, unless and until the plans, specifications and location of the same shall have been submitted to and approved in writing by the Board. In keeping with Association's intent to assure to each lot owner a neighborhood of quality homes of tasteful design, the Board will evaluate the plans and specifications of all proposed improvements with respect to their external design, appearance, and location in relation to surrounding structure, and their general aesthetic impact. The Board may, in its sole discretion, disapprove plans and specifications for any reason, including purely aesthetic considerations. It is not the Association's intent to impose a uniform appearance or limited architectural style in the subdivision, but rather to promote and assure architectural and aesthetic quality and discrimination for the benefit of all owners in the subdivision.

Resolved: Additions/external improvements will be approved only if the following requirements are met:


- All additions/exterior improvements must meet the requirements of Article V, and Article VI
Details of the proposed improvement must be provided with the Request for Architectural Modification Approval presented to the Board. The details must include make and models of all exterior finish materials, with samples of all colors if changes are proposed, and be supported by scaled plan view and elevation drawings or sketches including walls, roofs, and eaves and overhangs. The Board is open to considering preliminary approvals if such drawings/sketches are not available or finalized so long as all essential information of the proposed improvement are disclosed. For projects requiring a County Building Permit, Board final approval will only be given upon submittal of two (2) sets of drawings identical to the applicant's submittal for County approval of the project. All construction, upon obtaining the necessary county permits, must be built in compliance with the plans submitted and approved by the Association. (In the event that there are any changes to the plans during the course of the permitting process, such changes must be submitted to the Association at least five (5) business days before proceeding with any construction so that the Association can update the file and application and verify that any proposed additional changes are in compliance with the Deed Restrictions). If a permit is issued, a copy must be submitted to the Association before construction begins.
- Exterior improvements, and additions must match the design, approved colors and aesthetic properties of the existing structure, including, but not limited to:
 - Soffits, eaves and overhangs must be in the same style, materials and dimensions as the existing structure, and cannot extend into the setback. If there are gutters on the existing structure, sufficient space must be allowed on the addition, without encroaching into the setback, for gutters, whether they are installed or not.
 - Walls may not be angled nor overhangs or eaves truncated solely for the purpose of keeping the addition/external improvements from extending into the setbacks.
 - The exterior walls must be the same color, texture and surface material as the existing structure.
 - The roof must be of the same style, material, color and texture as the existing structure.
 - The exterior colors, and roof material, color and texture, of the existing structure may be changed, with Board approval, to match those of the addition.

2. Resolved: Said addition/external improvement will be disapproved for any other reason not specified in 1.


Done by unanimous written consent of the Misty Oaks Board of Directors, this day of February 22, 2015 and shall remain in effect until revised by this or a subsequent Board:


Larry Sullivan, President


Michael Regalbuto, Vice President


Tom Smith, Secretary


Jim McGuire, Director


Milton Diehl, Treasurer

Misty Oaks Owners Association, Inc.

A Corporation Not-for-Profit
Manatee County Florida

A Written Action by the Board of Directors (installed in office on December 1, 2014 at the Misty Oaks Owners Association's Annual Membership Meeting):

Resolution No. VI-10 Criteria for approval/disapproval of driveways – revised

In accordance with the "Declaration of Restriction for Misty Oaks Subdivision" (as currently amended) Article VI. Section 10., states: "All dwellings shall have a paved driveway of stable and permanent construction of at least 16 feet in width at the entrance to the garage. All driveways must be constructed with concrete, unless prior approval of other materials is obtained from the Board. No portion of a driveway shall be located within five feet of the side line of any lot"

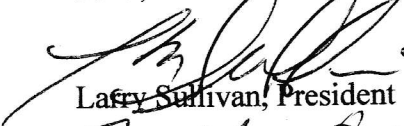
1. Resolved; Driveway construction will be **Approved** if the following criteria are met:

- Poured concrete material, or concrete/interlocking driveway pavers
- Decorative surfaces may only be applied over a concrete foundation
- If a sidewalk is present, driveway pavers and decorative surfaces may only extend to the sidewalk. Existing concrete sidewalk and apron must be maintained.
- The colors and patterns of driveway pavers and decorative surfaces must be supplied with the Request for Modification form and match the approved colors, trim and aesthetic properties of the dwelling.


2 Resolved: Driveway construction will be **Disapproved** for any other reason not specified in 1. above including, but not limited to:

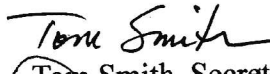
- Use of asphalt, aggregate. Shell, earth cement, or any similar material in the driveway.

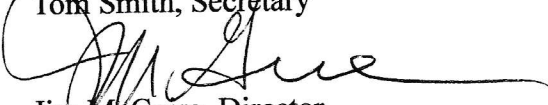
Done by unanimous written consent of the Misty Oaks Board of Directors. this 4th day of August 2015, and shall remain in effect until revised by a subsequent Board:


Larry Sullivan, President


Michael Regulbuto, Vice President


Milt Diehl, Treasurer


Tom Smith, Secretary


Jim McGuire, Director

Misty Oaks Owners Association, Inc.
A Corporation Not-for-Profit
Manatee County Florida

A Written Action by the Board of Directors (installed in office on December 2, 1999 at the Misty Oaks Owners Association's Annual Membership Meeting):


Resolution No. VI-12; Criteria for approval/disapproval of Mailboxes

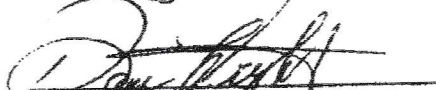
In accordance with the "Declaration of Restrictions for Misty Oaks Subdivision" (as currently amended) (referred to here-in as the Deed Restrictions), Article VI, section 13., states: "No mailbox or paper box or other receptacle of any kind for use in the delivery of mail or newspapers or magazines or similar materials shall be erected on any lot unless and until the size, location, design, and type of material for said boxes or receptacles shall have been approved by the Board."


1. Resolved: Mailboxes, paper boxes or other receptacles will be *approved* if the following criteria are met:
 - No more than one said box or receptacle may be erected on a lot.
 - Constructed using a 4"x4" square (minimum) post, or 6"x6" square (maximum) with a United States Postal Service (USPS) standard residential mailbox, cedar enclosed, or enhanced with other appropriate paintable material. A house number may be mounted on the post or receptacle platform to correspond with neighboring installations but must not appear on any side of the USPS standard mailbox.
 - Receptacle and post must be finished to match the approved colors, trim and aesthetic properties of the dwelling.
 - The receptacle must be erected to meet USPS requirements for height and location from the curb, but must not exceed a total height above the ground of 5 feet.
2. Resolved: Said boxes or receptacles will be *disapproved* for any other reason not specified in 1. above including, but not limited to:
 - Designed to depict anything other than a mailbox, including dwellings, enclosures for other purposes, vehicles, plants, birds, animals, fish, man-made objects, sporting objects, entertainment objects, religious or ethnic symbols, human effigies, and similar items.
 - Decorated or embellished with numbers, symbols, artistry, character depictions, or similar ornamentation, on any portion of the installation.
 - Used for any purpose other than U.S.P.S. Mail delivery in accordance with USPS Regulations.

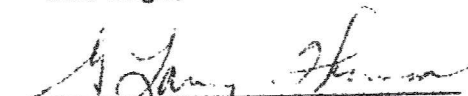
Done by unanimous written consent of the Misty Oaks Board of Directors, this day of February 13, 2000, and shall remain in effect until revised by a subsequent Board:


Harry O'Connor, President


Alain Dessaint, Secretary


Dan Wright, Vice President


Patrick Daugherty, Vice Secretary


G. Lamar Thomas, Treasurer

Misty Oaks Owners Association, Inc.

A Corporation Not-for-Profit
Manatee County Florida

A written action by the Board of Directors (Installed in office on December 1, 2014 at the Misty Oaks Owners Association's Annual Membership Meeting):

Resolution No. VI-13 Criteria for approval/disapproval of fences, hedges and walls – revised

In accordance with the "Declaration of Restrictions for Misty Oaks Subdivision" (as currently amended) Article VI, section 13., states: "The composition, location and height of any fence, hedge or wall to be constructed on any lot shall be subject to the approval of the Board. Article VI, section 9., states:Air compressors and fans located outside a building shall be similarly screened from view and buffered by walls or shrubbery so as to reduce the noise level resulting from operation thereof.

MOOA policy is limit the use of fences and walls to that which is necessary to provide the required screening and to minimize the size of such structures, and to assure that what is installed does not compromise the architectural style and aesthetic appearance of the house and must be described in detail in the "Request for Modifications"

1. Resolved: Fences, hedges, and walls will be **approved** if the following criteria are met:

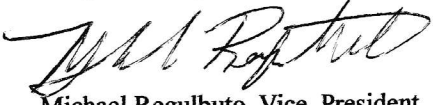
- Materials must be consistent with those approved for the construction of the dwelling and the approved landscaping plan.
- Fences and walls must be constructed using concrete block, wood and be finished to match the approved colors, trim and aesthetic properties of the dwelling. Use of plastic (PVC) fencing is discouraged, and should be confined to those areas that have limited visibility from the street.
- Fences and walls around the a/c and/or pool pump equipment must be of sufficient height to completely screen the equipment, but not to exceed six (6) ft.. (approved shrubs may be allowed to grow to their natural height.). Width should be the minimum shielding needed for a/c and/or pool equipment, which may include manufacturer space for airflow, plus allowance for trash cans.
- Hedges or similar dense foliage erected on the rear of a lot on the property line or in the area between any property line and the setback boundary established in Article VI., section 5 to provide privacy, must be maintained at a maximum height of four (4) feet if in the opinion of MOOA they block or limit the view from a neighboring residence of the golf course fairway, any lake, or a view that is considered important.

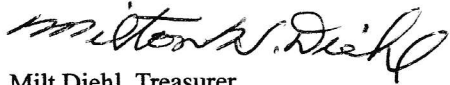
2. Resolved: Fences, Hedges, and walls will be **disapproved** for any other reason not specified in 1 above including, but limited to:

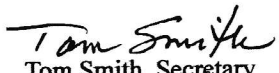
- Fences and walls erected on any property line or in the area between any property line and the setback boundary established in Article VI., section 5., or on any lawfully established easement.
- Use of chain link or similar metal fencing.
- Used to contain, or exercise or train animals.
- Used to contain items detached from the primary dwelling, including: abandoned property, machinery, motor vehicles, water craft, aircraft, trailers, tools, building materials, toys, defects in landscaping, and any similar items.

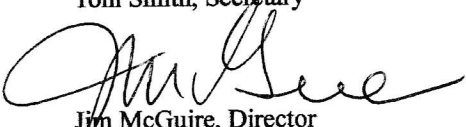
Done by unanimous written consent of the Misty Oaks Board of Directors, this day of August 4, 2015 and shall remain in effect until revised by this or a subsequent Board.


Larry Sullivan, President


Michael Regalbuto, Vice President


Milt Diehl, Treasurer


Tom Smith, Secretary


Jim McGuire, Director

Misty Oaks Owners Association, Inc.

A Corporation Not-for Profit
Manatee County Florida

A Written Action by the Board of Directors (Installed in office on December 8, 2011 at the Misty Oaks Owners Association's Annual Meeting):

Resolution No. VI-14; **Criteria for approval/disapproval of Man Made Landscape Items**

In accordance with the "Declaration of Restrictions for Misty Oaks Subdivision" (as currently amended), Article V, Section 1 "ARCHITECTURAL CONTROL" States: No improvement or structure of any kind, including, without limitation, any building, fence, wall, swimming pool, tennis court or other game court or structure, screen enclosure, water or sewer line, drain, mailbox, solar energy device, decorative building, landscaping, **landscape device or object**, or other external improvements shall be commenced, erected, placed or maintained upon any lot, nor shall any addition, change or alteration thereof or thereto be made, unless and until the plans, specifications and location of the same shall have been submitted to and approved in writing by the Board.

1. Resolved: Installation of any man made landscape device or object will be **disapproved** if said landscape device or object is located closer to the street than 15 ft, as measured from the inside edge of the sidewalk or curb, if there is no sidewalk.
(Approved mailboxes and the required post light are exempt from this restriction.)
2. Resolved: The **approval** of any man made landscape device or object located outside the above stated 15 ft distance will be subject to Article V, Section 1.

Done by unanimous written consent of the Misty Oaks Board of Directors, this day of February 7, 2012 and shall remain in effect until revised by this or a subsequent Board:



James Werner, President



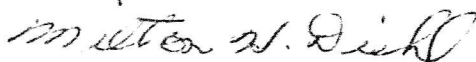
Linda Semilof, Secretary



Michael Regalbuto, Vice President



Larry Sullivan, Director



Milton Diehl, Treasurer

Misty Oaks Owners Association, Inc.
A Corporation Not-for-Profit
Manatee County Florida

A written action by the Board of Directors (Installed in office on December 1, 2015 at the Misty Oaks Owners Association's Annual Membership Meeting):

Resolution No. VI-20 Criteria for approval or disapproval of signs, flags or banners

In accordance with the "Declaration of Restrictions for Misty Oaks Subdivision" (as currently amended) Article VI, section 20, states:

20. Signs. No sign, flag, or banner of any kind intended to be used as advertising the sale of the property shall be displayed to public view on any lot except as follows:

- a) Individual, ornamental house name or number plates may be displayed.*
- b) One temporary sign not exceeding 24" x 24" overall size utilized in connection with the sale of a lot may be displayed on such lot. The nature, content and location of such sign may be subject to the approval of the Board.*
- c) During the course of construction on a lot, a construction sign not more than four square feet in size identifying the builder may be displayed on the lot. Such sign shall be promptly removed upon the issuance of a certificate of occupancy.*
- d) Other signs, flags or banners may be displayed if such signs, flags or banners are approved by the Board as to size, design, location and content.*

1. Resolved: Signs, flags or banners will be **approved** if the following criteria are met:

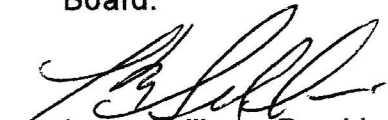
- a) Any sign, flag or banner specifically allowed in a, b, & c above and subject to the limitations therein.
- b) One additional temporary sign connected with sale of a home located in the rear of the property, subject to the other limitations of "b" above.
- c) Freestanding Flagpoles: Freestanding flagpoles of a height no more than twenty feet (20') may be constructed on a lot, provided the flagpole does not obstruct sightlines or is not constructed within or upon an easement. The owner may display, in a respectful manner from such flagpole, one (1) official United States flag, not larger than 4 ½ feet by 6 feet, and may additionally display one (1) official flag of the State of Florida, or the U.S. Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal to in size or smaller than the United States flag. Any such flagpole must comply to all applicable building codes, zoning setbacks, and other applicable governmental regulations, including but not limited to, county noise and lighting ordinances and all setback and locational criteria contained in the governing documents. Note: The design and location of permanent flag poles requires Board approval prior to installation.

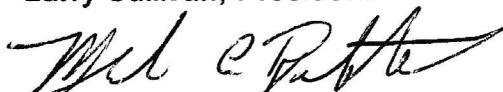
- d) The owner may display one (1) portable, removable United States flag or official flag of the State of Florida in a respectful manner, and one (1) portable, removal official flag, in a respectful manner, not larger than 4 ½ feet by 6 feet, which represents the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Permanent displays in such mountings require prior Board approval.
- e) A maximum of two signs for a professional home security alarm monitoring company not exceeding 160 square inches in size each, unless specifically approved by the Board.
- f) Decorative flags or banners not having any political or other message printed on them, unless specifically approved in advance by the Board. Pursuant to the authority granted in the Declaration, the Board reserves the right to consider approving banners or other similar decorative items not specifically addressed in this resolution, subject to the discretion of the board as to size, location, and content.

2. Resolved: A sign, flag or banner not specifically allowed in subsection 1 above will be **disapproved** for reasons including, but not limited to:


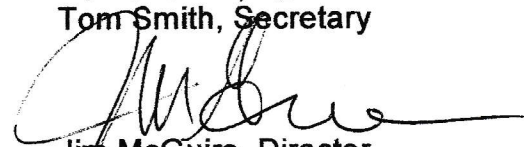
- a) Any sign, flag or banner supporting or disparaging any political candidate, party or containing any other political message, or supporting any non government organization.
- b) Any sign, flag or banner with any advertising or other commercial message.
- c) A flag of any other country, nation, or political entity, past or present.

Done by unanimous written consent of the Misty Oaks Board of Directors, this day of November 1, 2016 and shall remain in effect until revised by this or a subsequent Board.


Larry Sullivan, President


Michael Regalbuto, Vice President


Milt Diehl, Treasurer


Tom Smith, Secretary

Jim McGuire, Director

Misty Oaks Owners Association, Inc.

A Corporation Not-for Profit
Manatee County Florida

A Written Action by the Board of Directors (installed in office on December 5, 2013 at the Misty Oaks Owners Association's Annual Membership Meeting):

Resolution No. VII-2 Acceptable Landscape Maintenance

Article VII, Section 2. Maintenance of Lots and Landscaping. No weeds, underbrush or other unsightly growth shall be permitted to grow or remain uncut or unmowed upon any lot, and no refuse pile or unsightly objects shall be allowed to be placed or remain anywhere thereon. The owners of the lots in the subdivision shall be responsible for the maintenance of all areas located between their respective lot lines and the pavement of the streets providing access to said lots. All owners shall maintain their hedges, plants, lawns and shrubs in a neat and trim condition at all times. The owners of the lots abutting lakes or ponds shall be responsible for the maintenance of said lots to the waters edge.

Resolved: The following is a guideline for maintenance of lawns and landscaping in Misty Oaks:

1. Lawns: Should be composed of a Florida Turfgrass, kept free of weeds (e.g., broad leaf weeds, Nutsedge). Zoysiagrass is not recommended because it turns brown in the winter. Lawn grasses should be regularly mowed and edged where they abut a sidewalk, driveway, street or planting beds.

2. Paved Areas: Should be free of debris and should not have grass or weeds growing in the separations or cracks.

3. Plantings: Should be in a well defined bed and landscaping shall be maintained and pruned in a manner that preserves the natural shape and growth characteristics of the species, with recognition given to personal preference to formal and informal pruning practice. The bed should be sized appropriately for the number and size of the plants. Dead plants should be removed and replaced within 30 days.

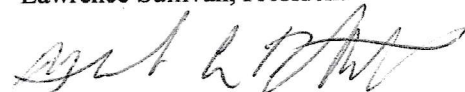
4. Beds: Should be mulched with suitable material: stone, bark, wood chips, pine straw etc. and should be kept free of weeds and grass. Edges of beds should be maintained by regular trimming with a power edger and/or by artificial edging material (e.g., brick, concrete, metal, plastic.)

5. Trees: Oak trees and other deciduous trees should be trimmed so that they are clear of the roof or any other part of the structure and provide sufficient clearance over driveways, streets, sidewalks or neighboring property. They should be maintained and pruned in a manner that preserves the natural shape and growth characteristics of the species. Dead or brown palm fronds should be removed at least semi-annually.

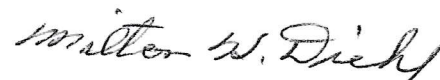
Done by unanimous written consent of the Misty Oaks Board of Directors, this day of July 29, 2014 and shall remain in effect until revised by this or a subsequent Board.



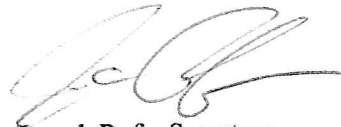
Lawrence Sullivan, President



Michael Regalbuto, Vice President



Milton Diehl, Treasurer



Joseph Rufo, Secretary



James McGuire, Director