

BRIAR CREEK MOBILE HOME COMMUNITY II, INC.

RESTRICTIONS

Approved by Board, November 2021

1. Briar Creek is a "55 and older community" under the Fair Housing Amendments Act of 1988 and the Housing for Older Persons Act of 1995. Eighty percent (80%) of the units shall have at least one (1) occupant who is at least fifty-five (55) years of age, and all occupants must be at least eighteen (18) years of age.

(A) Children under the age of eighteen (18) may be permitted to visit and temporarily reside in the community, provided that such temporary residence shall not exceed sixty (60) days in any one calendar year or sixty (60) days within any consecutive twelve (12) month period. The Board of Directors shall establish rules pertaining to the use of common facilities by guests under the age of eighteen (18) years.

(B) The following shall be prohibited in the common areas: baseballs and baseball bats, volley balls, basketballs, footballs, soccer balls, and any other balls used in sport, kiddie cars, roller skates, skateboards or Frisbees, or any other items that can cause a trip hazard to residents or damage to property.

2. "Vehicles" as used here refers to automobiles, trucks, SUVs, vans, motorcycles, and other motorized conveyances that may be used on state roads to transport persons or property.

(A) Vehicles, including golf carts, motorized scooters and similar conveyances, must be parked in spaces provided on your lot or as otherwise designated by the Board of Directors. Vehicles should not be parked on lawns; all wheels should be on the roadway pavement. Vehicles are not permitted to stand overnight in the street. Vehicles parked overnight in the street after notification may be subject to towing at the owner's expense.

(B) Motor homes, RVs, travel trailers, trailers, canoes, boats and boat trailers are not permitted to be parked or stored permanently in your driveway or on your lot. (See item 7, Recreational Vehicle Parking Area, below.) Motor homes, travel trailers, boats and similar conveyances may be temporarily parked overnight in the street or in your driveway while being actively loaded or unloaded for a trip, but only for a period not to exceed forty-eight (48) hours.

(C) The repairing of vehicles, motor homes, travel trailers, trailers, canoes, boats and boat trailers in the street, in your driveway, or on your lot is prohibited.

(D) No inoperable vehicles or vehicles without a current state license plate are permitted in the street, in your driveway, or on your lot at any time.

(E) The Board shall have the authority to require the use of parking decals, stickers or other reasonable means of identifying permitted motor vehicles of owners, tenants and guests and the Board shall be further authorized to regulate motor vehicle parking as necessary.

(F) Vehicles may be parked at the Clubhouse provided that a guest card is placed in the front window of the vehicle. Guest cards are available at the office. A contact phone number must be clearly visible on the card. The area to the east of the shuffleboard courts may be used by large vehicles, provided they are parked at least twenty (20) feet from the embankment.

(G) Motor homes and other recreational vehicles operated by persons residing out of Pinellas County, Florida, or those operated by unit owners immediately prior to a trip, may be parked temporarily in the Clubhouse parking lot, space permitting, for a period of time not to exceed seven (7) days. After that period, the motor home or other recreational vehicle must be moved to a storage facility if friends or family members are staying for a longer period of time.

(H) Motorcycles are not permitted in Briar Creek II MHC, whether on common elements or upon an owner's unit. However, a visitor or guest of an owner is permitted to bring a motorcycle into Briar Creek II MHC during the time of his or her visit and to park in the unit's driveway. The visitor's motorcycle must not be parked overnight in the street.

(I) Speed limits within the community are authorized by the Board of Directors and are designated by signs.

3. Owners shall keep their lots in a good, clean, healthy and attractive condition at all times. No owner shall make or cause any alteration to and on the lot, including, but not limited to, removal of any additions or improvements or fixtures from the lot, or do any act that will impair the soundness of the lot without first obtaining the prior written consent of the Board of Directors.

(A) Fences of any kind, including PVC, wood, metal, cinder block, cement, and hedges or other plantings are not permitted on individual lots or borders thereof, or where they would inhibit ingress or egress of lawn mowers. However, fences, shrubs, and walls may be constructed in the case of flood-prone areas with the written approval of the Board of Directors and in accordance with the architectural standards that are adopted by the Association from time to time.

(B) No unsightly storage will be permitted in or around manufactured homes.

(C) Planting of shrubs and trees on a lot is permitted provided the owner submits an Alteration/Renovation Request to the Board of Directors *prior* to planting. This allows the Grounds Committee to evaluate whether the planting(s) would interfere with lawn mowing or utilities.

(D) No vegetables are to be grown on a unit's lot.

(E) Satellite dishes and antennas are permitted provided they are installed in accordance with the rules, regulations and architectural standards adopted by the Board of Directors from time to time. All such installations must be located on the dwelling or on a pole as close to the dwelling as possible, and may not be installed in any location where they would interfere with the Association's maintenance responsibilities. Owners must not allow installation technicians

to place these devices based on the technician's convenience.

(F) In the event the resident does not keep his lot up to minimum requirements, the Board of Directors of the Association reserves the right to have the work done, and the costs will be charged to the resident's account.

4. Lawn mowing will be provided by the Association. Residents may choose to mow their own lawns; however, the monthly maintenance fee will not be reduced. If an area is not to be mowed because of owner preference, or because of new planting or other reasons, the resident must set out landscape marking flags along the edges of the area. The resident must remove the marking flags when mowers have finished working, or when the area is safe to be mowed again.

(A) The Board of Directors has the authority to enforce Southwest Florida Water Management District (SWFWMD) regulations for water usage. The Safety Harbor website provides details on water restrictions.

(B) Any lawn sprinkler system that interferes with the condominium lawn mowing service is prohibited. For the purpose of this regulation, the meaning of the term "interferes" shall be construed to mean the following: A consequence caused by an in-place sprinkler system through its design or installation which prevents the normal operation of or causes damage to lawn-cutting equipment.

(C) In-ground sprinkler systems must have Board approval prior to installation, using the Alterations/Renovations Request form. Automatic sprinkler systems are prohibited; however, automatic systems installed and approved prior to 1995 have been grandfathered. Automatic rain sensors or equivalent are required with any underground, automatically operated system.

(D) All automatic sprinklers must be turned off if the occupant is away two or more weeks. Outside turn-offs should be identified and visible. The Board reserves the right to turn off automatic sprinkler systems if the home is vacant for an extended period.

(E) Overflow on any road is prohibited. The Board of Directors of the Association interprets overflow of water to mean "excessive watering of lawns which results in water running down streets and into storm drains."

5. Use of all recreation facilities is governed by posted rules and regulations regarding them. Owners are responsible for the behavior of their guests.

(A) Recreation hall, pool, bocce court and shuffle court hours shall be as authorized by the Board of Directors and posted accordingly.

(B) Upon such terms and conditions as the Board of Directors may determine from time to time, the Board may permit exclusive use of the Clubhouse and charge a reasonable fee for such use, including imposition of security deposits and fees for protection of the Condominium property and its residents.

6. Each mobile home must be skirted, must have a planter built in front, must have a concrete driveway with minimum width of 11.5 feet with carport attached, and must have a utility building contiguous with the carport.

(A) All lots, buildings and mailboxes must be kept in good and orderly condition, and the homes shall be clean and well painted. Only neutral colors are allowed for exterior wall painting or siding, such as beige, tan, ivory, pale yellow, pale blue, etc.

(B) In order to maintain some degree of conformity, Board approval is required for all exterior color changes as well as for any additions and replacements *prior* to the work being done. Owners must request approval on a Renovation/Alteration Request form, available at the office. If painting, new siding, or trim is requested, owners must provide color samples ("paint chips") with the request form.

7. The Recreational Vehicle (RV) Parking Area is available to all owner-occupied units for storage of owners' recreational vehicles, including motor homes, travel trailers, trailers, canoes, boats, and boat trailers. Any available spaces are assigned by written application to the Board, and applications are evaluated on a first-come, first-served basis. All vehicles parked in the area shall be registered with the Board of Directors of the Association or their designee. Owners must provide a title and current registration and have a valid registration sticker on the vehicle at all times. All assigned spots must be maintained by the owners and kept free of weeds and unsightly storage.

8. No owner shall permit laundry and/or dry cleaning of any kind or nature to be hung or displayed within the common elements or lots of Briar Creek Mobile Home Community II, other than in such areas as designated from time to time by the Board of Directors. A clothes-line drying yard is provided for residents' use.

9. Excessive noise that disturbs neighbors, including excessive dog barking, will not be tolerated.

(A) Radios, music, and televisions are to be played softly at all times. Boisterous parties are not allowed. Improper conduct of any kind will not be tolerated.

(B) Pinellas County Ordinances Article XII restricts noise, including construction and maintenance noise. Excessive noise from parties, people or vehicles beyond 11 p.m. is handled by the Pinellas County Sheriff's Office, (727) 582-6200.

10. The Association is not responsible for damage, injury or loss by accident, theft or fire to the property of either residents or guests in the Park. Owners are hereby notified that owners assume all risks and relinquish all and any claims for damages and/or losses.

11. Alcoholic beverages will not be permitted or consumed in or on any of the common elements, unless authorized in writing by the Board of Directors. Authorized use of alcoholic beverages will be "Bring Your Own Beverage" (BYOB) only, unless part of an Association sponsored event. If at any time, authorized use of alcoholic beverages becomes out of control, this use will be curtailed at the discretion of the Board of Directors.

12. Upon written authorization by the Board of Directors of the Association, one (1) "For Sale" or "For Rent" sign no larger than 12" x 18" may be permitted to be posted inside the street-side window only of a mobile home unit.

(A) In addition, during an Open-House, one small sign indicating an "Open House" may be permitted to be placed on Briar Creek Blvd. in Phase II, and another small sign may be placed in front of the unit being sold. These signs should be no larger than 12" x 18".

(B) No other signs of any kind shall be displayed within the Park without written authorization from the Board of Directors of the Association.

(C) General notices, real estate and articles for sale may be prepared for posting on our Bulletin Board after approval by the Board of Directors of the Association or its delegates.

13. One resident adult must accompany children under fifteen (15) years of age at the swimming pool and hot tub, recreation hall, pool table, bocce court and shuffleboard court each time children use these facilities. Residents and guests must read and conform to the rules posted at the recreation facilities as authorized by the Board of Directors.

14. No peddling, soliciting or commercial enterprise of any kind will be permitted without permission of the Board of Directors.

15. Pets shall be permitted only in the designated pet area of Briar Creek Mobile Home Community II, Inc., and shall be subject to the following:

(A) Pets as defined herein shall be restricted to one (1) small domestic cat or one (1) dog that shall weigh twenty-five (25) pounds or less. Upon request by the Board of Directors, the owner of the pet will be required to provide documented proof of the pet's weight. Lot owners wishing to have a pet other than a cat or dog must have prior approval of the Board of Directors.

(B) Pets must be kept on a hand-held visible restraint at all times and shall not be permitted to roam freely about the community or on other condominium parcels. Under Pinellas County ordinances, no pet shall be left outdoors unattended, either roaming at large, restrained or tethered on a leash or rope, or in a crate or other container.

(C) Owners must assume complete responsibility for cleaning up after their pets.

(D) In no event shall the pet be allowed to enter the recreational area or any other areas of Briar Creek other than those areas designated for pets.

(E) Pets shall not cause a nuisance or disturbance of any kind. In the event that the Board of Directors determines that any pet has become a nuisance due to barking, aggressive, or dangerous behavior, or other disturbances of the peaceful enjoyment of the property by other residents, the Board may require that such pet be removed from the property. Prior to a final decision regarding removal, the Board will provide the pet owner with notice and an opportunity for a hearing before the Board of Directors.

(F) The foregoing notwithstanding, a single "indoor cat" may be kept by a resident within any residence in the community provided the cat is restricted to the inside of the home at all times except when transporting the cat to and from the residence. When transporting an indoor cat to and from the residence, the resident must utilize a carrying case or harness and leash at all times.

(G) Any resident permitting an indoor cat to run at large outside of the home in violation of the terms hereof, whether residing in the Pet Area or not, shall be subject to all remedies available to the Association under the Declaration of Condominium and Florida Statutes, including fining, and including the right of the Association to declare the indoor cat a nuisance requiring its permanent removal from the community. The decision by the Board that an indoor cat is a nuisance shall be conclusive, provided the owner or resident harboring the cat is given notice of the intended Board action and an opportunity for a hearing prior to Board action.

(H) Any resident with a physical, mental, or emotional disability who desires to keep an Emotional Support Animal in his or her unit must request the accommodation in writing and provide sufficient credible facts and medical documentation to warrant accommodation under the Federal and State Fair Housing Acts. Such documentation must show a relationship between the medical disability and the need for the Emotional Support Animal to accommodate the disability. For an Emotional Support Animal, documentation must be provided from a physician, psychiatrist, social worker, or other mental health professional stating that the animal alleviates at least one of the identified symptoms or effects of the existing disability. Emotional Support Animals are subject to the same restrictions as pets with regard to leashing, walking, and cleanup. Whenever possible and reasonable, support animals should be walked within the Pet Area.

16. Smoking is prohibited inside the Clubhouse, exercise room, garage, and in the pool area except under the patio.

17. If owners have complaints or recommendations, these should be discussed with the Board of Directors or submitted to the Suggestion Box in the Clubhouse.