

This instrument prepared by:

Helena Gutierrez-Malchow, Esquire
WEAN & MALCHOW, P.A.
646 East Colonial Drive
Orlando, Florida 32803

**CERTIFICATE OF APPROVAL OF AMENDMENTS TO THE RESTATED
ARCHITECTURAL REVIEW BOARD PLANNING CRITERIA COVENANTS AND
RESTRICTIONS OF STONE ISLAND HOMEOWNERS ASSOCIATION, INC.**

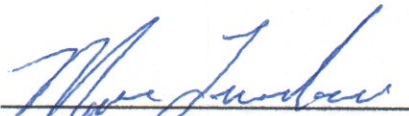
The undersigned authorities hereby certify that at a duly called meeting of the Board of Directors held on October 12, 2020, the Board of Directors of Stone Island Homeowners Association, Inc., approved the attached proposed amendments to the Restated Architectural Review Board Planning Criteria Covenants and Restrictions of Stone Island Homeowners Association, Inc.

The attached proposed amendments were approved in accordance with Article IV, Sections 4 and 11(A)(i) of the Restated By-Laws of Stone Island Homeowners Association, Inc., by a majority vote of the Directors present at a meeting which a quorum was present and which was posted and noticed to the members at least fourteen (14) days in advance of the meeting.

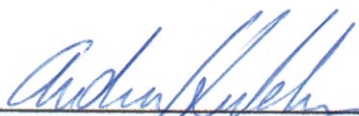
Witness our hands and seals this 17th day of December, 2020 

ATTEST:

STONE ISLAND HOMEOWNERS ASSOCIATION, INC.
"Association"



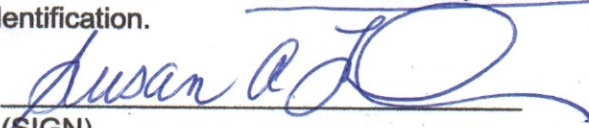
Monica Luedecke, Asst. Secretary

By 

Andrew Hulcher, President

STATE OF FLORIDA :
COUNTY OF VOLUSIA :

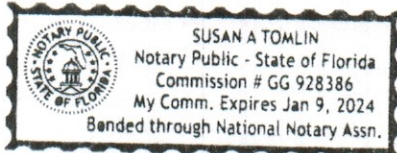
The foregoing instrument was acknowledged before me by means of physical presence or _____ online notarization, this 17 day of Dec, 2020, by Andrew Hulcher as President and Monica Luedecke as Asst. Secretary, respectively, of Stone Island Homeowners Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me or have produced _____ as identification.



(SIGN)

Susan A. Tomlin

My Commission Expires:



(PRINT)
Notary Public, State of Florida at Large

**PROPOSED AMENDMENTS TO THE
RESTATED ARCHITECTURAL REVIEW BOARD PLANNING CRITERIA
COVENANTS AND RESTRICTIONS OF
STONE ISLAND HOMEOWNERS ASSOCIATION, INC.**

Proposed additions shown in **bold underlining**

Proposed deletions shown in ~~strikeouts~~

Omitted but unaffected provisions are represented by * * *

* * *

MAINTENANCE, LANDSCAPING AND OPEN STANDARDS

GENERAL

All portions of the residential dwelling on a lot, including but not limited to roofs, gutters, garage doors, windows and screens, exterior doors and walls, driveways and any permanent structures or improvements located on the lot shall be maintained in a neat, clean and attractive manner free of mold and mildew.

Any home site which shall have been altered from its natural state, shall be sodded and landscaped.

Swale areas and easement areas shall be kept free of any plantings or structures and shall not be filled in any manner, including but not limited to plants, sod, soil or other similar items.

The Board or ARB may in its sole discretion abate enforcement of any existing maintenance violation during the period of time that an adverse weather event exists or results in extensive damage to the community or when excessive water levels are present in the community.

SOD

Sod and/or landscaped areas will be required on front and side yards. Sod, sprigging and or landscaped areas will be required in the rear yards. On corner lots, sod and/or landscaped areas will be required on all sides.

All portions of the lots, including the sodded and landscaped areas, shall be maintained in a neat, clean and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plants, shrubs and trees, removal of weeds, wild flowers, underbrush, and removal of all trash. The sodded areas shall not exceed the height of 5". Sodded areas that have bare ground, sparse

growth, dead or dying areas must be restored or replaced to eliminate the bare ground, sparse growth area or dead or dying areas.

* * *

THE ARCHITECTURAL REVIEW BOARD (ARB) shall have the authority, as hereinabove expressed, from time to time to include within its promulgated residential planning criteria other restrictions regarding such matters as prohibitions against window air conditioning units, "For Sale" signs, mailboxes, temporary structures, nuisances, garbage disposal, vehicles in repair, removal of trees, gutters, easements, games and play structures, swimming pools, sight distance at intersections, and such other restrictions shall be governed in accordance with the criteria hereinabove set forth for residential planning criteria promulgated by the ARB. However, once the ARB promulgates certain restrictions, they shall become as binding, and shall be given the same force and effect as the restrictions set forth herein until the ARB modifies, changes, or promulgates new restrictions set forth by the ARB. Any deviations must have the prior approval of the ARB.

* * *

ENFORCEMENT PROCEDURE The ARB shall have the right to enforce the provisions contained in the Association's governing documents, including this architectural planning criteria. The manner of enforcement shall be as follows:

1. An owner or resident who is in violation of the Association's governing documents will be sent a notice stating the nature of the violation, including reference to the specific provision(s) of the documents allegedly being violated. The notice will be sent first class mail and certified mail, return receipt requested - postage prepaid to the property address and the mailing address for the property contained in the Association's official records, if different. The notice shall include a warning that if the violation(s) is not corrected within the stated period of time, measured from the date of the letter, a fine may be imposed in addition to and not in lieu of other remedies available to the Association.
2. The owner and resident will be given a reasonable period to correct the violation. The period may be adjusted depending on the nature of the violation. In the event of complicated violations requiring a length of time to complete, two (2) time deadlines may be given. The first shall state a date by which a substantial commencement at compliance must occur. The second shall be a reasonable date for completion, with continuous efforts used to achieve compliance between the two dates. If the violation is in the nature of a one-time incident, the notice shall advise the owner and resident that repeating the offense may result in a fine. The time to cure shall be ten (10) days.
3. If the notice is ignored, or if compliance is not achieved as required by the notice, the owner and resident shall be sent a Notice of Fining Hearing, to be held before the Board of Directors ("the Board") and the Fining Committee ("the Committee"), which will include the time, date and place of the hearing. The date of the hearing will not be less than fourteen (14) days after the date of the Notice. The Notice shall be sent first class mail and certified mail, return receipt request - postage prepaid to

the property address and to the mailing address for the property contained in the Association's official records, if different. The Board and Committee meetings shall also be duly noticed, as required by law. The owner and resident shall be entitled to representation by counsel and may present any evidence which they deem to be exculpatory or in mitigation of the alleged violation or the fine.

4. The Committee shall be composed of owners who are not current directors or officers nor spouses of current officers or directors. Nor shall a committee member be the owner or resident nor the spouse of the owner or resident of the property in violation. The Committee shall be composed of an odd number of owners and having not less than three (3) members. -3-

5. The owner and resident shall be given an opportunity to be heard. The hearing shall be conducted by the Board in the presence of the Committee and the owner and resident. Both the Board and the owner and resident shall have the opportunity to cross-examine witnesses and present evidence. The Board will render a decision as to the violation and the amount of the fine to be imposed, if any. The amount of the fine shall be in an amount not to exceed the maximum amount permitted by law. If the Board sets a fine, the Committee shall immediately proceed to consider this decision. If the Committee does not agree that a fine should be levied, or if it does not agree with the amount of the fine, then no fine may be levied. The Committee shall have no right to approve a different fine or to otherwise modify the terms set by the Board of Directors. The Committee's authority is limited to approving or disapproving the fine as established by the Board.

6. If the fine is approved by the Committee, the fine payment shall be due five (5) days after the date of the meeting at which the fine is approved or in the manner provided by law. The Board will provide written notice of the fine by mail or hand delivery to the owner and resident.

7. Minutes of the meeting will be kept by the Board and shall become part of the Association's official records.

8. If the owner or resident does not attend the hearing as scheduled, or does not timely request a reasonable alternative scheduling in writing in advance of the date of the scheduled fining hearing, the Board may consider such absence as some evidence concerning the validity of the alleged violations.

9. Failure of the owner and resident to pay the levied fine may result in legal proceedings to enforce payment, in which event the Association shall seek recovery of its reasonable attorney's fees and costs, in addition to the fine, as permitted by law.

10. Disapproval of the fine by the Committee shall have no impact of the right of the Association to take any other legal action it may deem appropriate. The foregoing procedure relates only to the imposition of a fine and is not required in the event that the Board declines to consider imposing a fine or fails to give advance notice of the hearing at which the matter will be considered. This procedure shall not be construed to be exclusive and shall exist in addition to all other rights and remedies to which the Association may otherwise be entitled under its governing documents or by law.