

HAMMOCK LAKES HOMEOWNERS ASSOCIATION, INC.  
C/O ELLIOTT MERRILL COMMUNITY MANAGEMENT  
835 20<sup>TH</sup> PLACE  
VERO BEACH, FL 32960  
(772)569-9853

March 12, 2021

Re: Certificate of Recording of the Rules and Regulations

To All Hammock Lakes Owners:

Attached is the Certificate of Recording of the Rules and Regulations adopted at the January 25, 2021 Board Meeting. Please keep these important documents with your Hammock Lakes Documents.

Copies of these documents are located on the Hammock Lakes' website.

Sincerely,

Hammock Lakes Board of Directors

Record and Return to:  
Jane L. Cornett, Esq.  
Becker & Poliakoff, P.A.  
Royal Palm Financial Center  
759 SW Federal Highway, Suite 213  
Stuart, FL 34994

**HAMMOCK LAKES HOMEOWNERS' ASSOCIATION, INC.  
RULES AND REGULATIONS**

The Declaration of Covenants, Restrictions, and Easements for Hammock Lakes was recorded at Official Records Book 1169, Page 277 et.seq., and supplemented at Official Records Book 1450, Page 2792 et.seq., and supplemented at Official Records Book 1735, Page 1426 et.seq., Public Records of Indian River County, Florida. The Rules and Regulations, attached hereto, as authorized by the Declaration, are hereby amended as approved by the Board of Directors at the meeting held January 25, 2021.

IN WITNESS WHEREOF, the undersigned has caused these to be signed by its President and its Secretary this 9 day of February, 2021.

WITNESSES:

Hammock Lakes Homeowners' Association,  
Inc.

Megan Murphy  
Witness #1 Signature

By: Jack Swaine  
Jack Swaine, President  
H.O.A. President

megan murphy  
Witness #1 Printed Name

LR Murphy  
Witness #2 Signature

Dana Murphy  
Witness #2 Printed Name

By: Linda Bergeron  
Linda Bergeron, Secretary

Megan Murphy  
Witness #1 Signature

megan murphy  
Witness #1 Printed Name

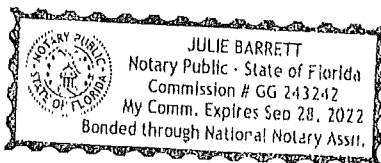
LR Murphy  
Witness #2 Signature

Dana Murphy  
Witness #2 Printed Name

STATE OF FLORIDA  
COUNTY OF Indian River

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 1<sup>st</sup> day of February, 2021, by Jack Swaine as President of Hammock Lakes Homeowners' Association, Inc. [] who is personally known to me or [] has produced \_\_\_\_\_ as identification.

Notary Seal

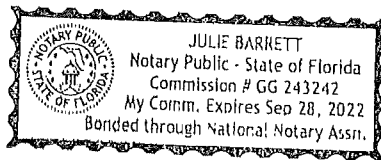


Julie Barrett  
Notary Signature

STATE OF FLORIDA  
COUNTY OF Indian River

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 1<sup>st</sup> day of February, 2021, by Linda Bergeron as Secretary of Hammock Lakes Homeowners' Association, Inc. [] who is personally known to me or [] has produced \_\_\_\_\_ as identification.

Notary Seal



Julie Barrett  
Notary Signature

R&R Summary January 15, 2021 Amended January 25, 2021 \*

**HAMMOCK LAKES STANDARD OF MAINTENANCE RULE**

The list below sets forth the Standard of Maintenance for the homeowners of Hammock Lakes. All areas of each homeowner's property must be maintained in good order in recognition of the impact each lot has upon the appearance of adjacent lots and to ensure that all homeowners work to maintain the appearance of respectability in our neighborhood. Homes must be maintained to ensure there are no visible maintenance needs.

\*Landscaping additions and/or changes require HOA ARC written approval.

In general, we strive to maintain a high standard commensurate with the quality and value of the homes within the Hammock Lakes community. The property manager is responsible for addressing compliance with the following standards:

Front yard vegetable gardens are not allowed within Hammock Lakes, Inc.

Landscaping includes lawns, shrubbery and trees. Grass should be maintained in a way that is free of excessive weeds and not allowed to grow excessively long (more than five - six inches). Lawns that are 40% brown or dead are unacceptable. Except during winter, dead grass shall not be visible.

Mulch is recommended to enhance the beauty of the landscape, help retain moisture, and minimize weed production around plantings.

Streetscape trees, originally planted by the developer and builder, are intended to create a consistent streetscape. These trees must not be removed without the authorization of the HOA ARC. If a streetscape tree dies or is diseased it should be replaced with a similar tree. There are several "Oak" varieties in Hammock Lakes. Trees should be healthy, undamaged, and not pose a safety threat. Trees that overhang public sidewalks should be kept trimmed so that pedestrians may safely pass under branches without brushing against low branches-approximately seven feet over the sidewalk. Bushes and shrubs should be healthy and free of dead or dying foliage. All shrubbery is to be neatly maintained. Uneven growth and any expansive sideways growth (as in encroaching toward a neighbor's boundary) should be kept neat and under control.

**Home Exterior Appearance RULE**

This rule covers the exterior appearance which includes but not limited to the following:

No faded, cracking or peeling exterior paint. No broken windows. No dirt, mold, rust, and/or algae stains on roofs, gutters, soffits and walls. No bent or loose rain gutters. Screen enclosures need to be maintained in an as-new condition and repaired as needed. No screening of the front portico or garage door opening is permitted.

No window or wall air conditioning units shall be permitted.

\* Roofs should be free of mildew and stains. Mildew or discoloring covering 40% of the roof is outside of the standards for compliance. Gutters should be securely attached to the house and periodically cleaned of the typical gray streaking that occurs over time.

**Parking and Vehicular Restrictions RULE**

This policy applies to every owner (member) and occupant of each lot within Hammock lakes, Inc. as well as their guests, lessees and invitees. Only registered vehicles are permitted within Hammock Lakes and only licensed operators are permitted to operate such vehicles within Hammock Lakes. Parking of vehicles by owners, their guests, or their invitees is restricted to the enclosed garages constituting portions of their dwelling units, and their paved driveways. These vehicles are described as automobiles, vans, sport utility vehicles, and trucks which are designed as non-commercial passenger vehicles, which have no commercial signs or lettering affixed. Trucks considered to be non-commercial vehicles shall not have any material stored in the bed (other than a permanently affixed and well maintained tool box). No construction materials or ladders are to remain mounted on the roof. No unsightly, inoperative, or damaged vehicles are to be stored or parked outside of the garage. The only exception is for active cleaning, loading, or unloading. No owner shall conduct repairs, maintenance or restorations of any motor vehicle, boat, trailer or any other vehicle upon any portion of the lot, other than the garage. The only exception to

this shall be hand washing/waxing of personal automobiles or trucks. Parking overnight (12:00 PM to 6:00 AM) in the street is not allowed. Signage throughout the Hammock Lakes complex reminds all drivers that the posted speed limit is 20 MPH.

When street parking becomes the only option, the following must be followed:

It is prohibited to park automobiles, trucks, trailers, boats, recreation vehicles, motor cycles, or other vehicles on any part of the turf between the sidewalks and the roadway "Miami" curb. It is prohibited to park vehicles, motor cycles, or other vehicles closer than one car length from any "Stop" sign. All vehicles shall be parked parallel to the curb and in the direction of traffic flow. Double parking of vehicles is not permitted. Double parking includes vehicles parked parallel to each other whether side by side or parked across the street from each other. Vehicles shall not be parked in a manner that blocks access to driveways and mail boxes. Vehicles shall not be parked on any street within Hammock Lakes, Inc. in such a manner as to block access, or make access difficult, by emergency vehicles, garbage/recycle/yard waste trucks, postal delivery trucks, etc.

No commercial vehicles, or personal campers, mobile homes, motor homes, house trailers or trailers of every other description, recreational vehicles, boats, boat trailers, shall be permitted to be parked or to be stored at any place within Hammock Lakes, Inc. except in fully enclosed garages. Commercial vehicles shall mean those which are not designed and used for customary, personal/family purpose, and those which contain commercial lettering. The absence of commercial-type lettering or graphics on a vehicle shall not be dispositive as to whether it is a commercial vehicle. The prohibitions on parking contained above in this section shall not apply to temporary parking of commercial vehicles such as for construction use or providing pick-up and delivery and other commercial services for members of the Association. Subject to applicable laws and ordinances, any vehicle parked in violation of this policy or any other restriction within the Hammock Lakes, Inc. Governing Documents, including Covenants, Bylaws, Rules and Regulations may be towed by the Association at the sole expense of the owner of such vehicle which remains in violation for a period of forty-eight (48) hours from the time a notice of violation is placed on the vehicle and the vehicle owner has been personally notified in accordance with Florida State Statute FS 715-07. The Association shall not be liable to the owner of such vehicle for trespass, conversion or otherwise, nor guilty of any criminal act, by reason of towing and once the notice is posted, neither its removal, nor failure of the owner to receive it for any other reason, shall be grounds for relief of any kind. For the purposes of this paragraph, "vehicle" shall also mean campers, mobile homes, trailers, boats, golf carts, recreational vehicles, or any other vehicle referred to in this policy. An affidavit of the person posting the aforesaid notice stating that it was properly posted in accordance with Florida State Statute FS 715-07 shall be conclusive evidence of proper posting.

For this policy "Park" &/or "Parking" is defined as the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers as may be permitted by law.

#### **Drone Use RULE**

Drones are not permitted to be flown over or around individual home sites within Hammock Lakes, Inc. except for licensed inspectors or emergency property surveillance. This Drone surveillance should be conducted by licensed utility workers, such as FPL, and/or FEMA inspectors in accordance with their assigned tasks'.

#### **Exterior Lighting and Post Lamps RULE**

All exterior lighting, whether for decoration, landscaping, or any other purpose must be approved by the HOA ARC prior to installation, in order to verify that there will be no glare or light intrusion into an adjoining property. In an effort to avoid harsh contrasts in architectural themes, and to maintain harmony between residences, all fixtures and the illumination shall be white, and in compliance with the style of the rest of the community lighting. Landscape and walkway lighting should not exceed a height of 18 inches above the ground. Holiday and special occasion lighting is exempt from this rule. Front yard post lamps should be checked regularly for burned out bulbs and should be illuminated from dusk to dawn. Post lamps should be periodically cleaned and be free of rust, staining, and rot, and replaced or repaired when broken or damaged. Illumination from all post lamps and all lighting

mounted at the front entrance and on either side of the garage door is to be white. No colored bulbs or bulbs simulating a flame (as in an old gas light) are permitted.

**Exterior House Painting and Driveway-Sidewalk-Front Entry Walkway Coating RULE**

All exterior house painting must be pre-approved by the HOA ARC whether using the same colors or making a new color choice. The house paint color cannot be the same color as the neighbor's house on either side of your house. All windows and door trim and the garage door are to be the approved shade of white. Except for Clear Coating the driveway, front entry walkway and sidewalk all colors must adhere to the palette of approved colors available from the management company or the Architectural Review Committee. Now that our community is getting older, some of our driveways have become discolored or stained. This has also happened on some of the sidewalks and walkways between the driveways and front entrances. Sidewalks and driveways should be maintained and free of dirt, iron, mold, rust, and other stains, as well as, weed free. Large cracks in driveways or paved walkways and sidewalks must be repaired. Special consideration is to be given to those driveways that are naturally gray spotted or discolored because of flaws in the concrete. In an effort to make them look nicer, the following manufacturer's recommended procedure, which shall be followed exactly for proper application, has been approved by the HOA Board.

**PRODUCT:** BEHR Premium, Solid Color Concrete Stain, Flat Finish, White Cloud PFC-72 or Fossil Grey SW-637 or Greyrock Inn SW-796.

**APPLICATION:**

1<sup>st</sup> Apply BEHR Cleaner & Etcher #991 per directions.

2<sup>nd</sup> Apply BEHR Concrete & Masonry Bonding Primer #880 per directions.

3<sup>rd</sup> Apply BEHR Premium Solid Color Concrete Stain, Flat Finish, per directions. Two (2) final coats are recommended.

**NOTE:** These 3 steps must be followed exactly.

Pressure clean and acid etch all concrete to be stained.

One coat of masonry bonding primer followed by at least two coats of solid color concrete stain, colors mentioned above.

**Fencing Restrictions RULE**

Fencing on any lot may not be installed without the written approval of the HOA ARC and approval may be withheld for any reason. No fence may be greater than four (4) feet high and HOA ARC approved landscaping may be required to screen the fence. So as to not block or restrict the view of the lake, fencing is restricted around the lakes. So as not to inhibit maintenance or repair work on the Berm, fencing is restricted from the twenty (20) foot wide drainage easement. Fencing is not permitted to extend beyond the width of any home. All fencing must be maintained in like new condition and any sagging or leaning fences must be repaired immediately.

**Flag Pole and Display Rule**

Flag poles may be allowed in the front of a home in a location approved by the HOA ARC. The flag pole shall be for the sole purpose of flying the flag of the United States of America. An armed services flag or a POW-MIA flag may be placed lower than the United States flag. Flagpoles may require landscaping, should not be higher than sixteen (16) feet, constructed from telescopic material that should not rust and the pole should be collapsed when not flying the American flag.

The "Freedom to Display the American Flag Act of 2005" prohibits a condominium association, homeowners association, cooperative association, or residential real estate management association from adopting any policy that would restrict or prevent a member of the association from displaying the flag of the United States of America. Nothing in the Act shall be considered to permit any display or use that is inconsistent with any reasonable restriction pertaining to the time, place, or manner of displaying the flag of the United States necessary to protect a substantial interest of the condominium association, cooperative association, homeowners association, or residential real estate management association. Florida Statute 720.304 states that "Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and on Armed Forces

Day, Memorial Day, Flag Day, Independence Day, and Veterans Day may display in a respectful manner portable, removable official flags, not larger than 4 1/2 feet by 6 feet, which represent the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, or a POW-MIA flag, regardless of any declaration rules or requirements dealing with flags or decorations." Residents of Hammock Lakes, Inc. may display the flag of the United States, of an armed services, and POW-MIA consistent with Florida Statute.

A staff may be attached to a home for the purpose of displaying a banner for a brief time frame which depicts universities, colleges, or sports teams. These banners shall not have any political or commercial image or message. The short frame that pushes into the lawn and holds a welcome or holiday banner with words or images that are not political are permitted.

#### **For Sale Signs RULE**

Only one real estate "For Sale" sign of standard size, not to exceed six (6) square feet may be placed in the front yard of any lot. This sign may be mounted on the ground or upon a 4" by 4" post and no tag lines (add-ons) are permitted except for the name of the realtor or the word "Sold".

"For Sale" signs may not be placed facing 1<sup>st</sup> street SW and/or Kings Highway (58<sup>th</sup> Ave.).

#### **Garage Sales RULE**

Individual garage sales are not permitted within Hammock Lakes, Inc.

The first Saturday of March is the annual community wide garage sale as established by the HOA Board of Directors. If a second garage sale is requested, it must be at least five (5) months after our annual March sale and be approved by the HOA Board of Directors.

#### **Household Pets RULE**

The HOA Board of Directors has stated that no livestock, reptiles, or poultry including chickens (fowl) are to be considered pet animals and are not to be kept on any portion of Hammock Lakes, Inc. property.

Dogs, cats and domestic pet birds are the only animals that can be kept in the dwelling unit as household pets with no more than a total of three animals per household without the prior consent of the Board of Directors. Pet animals are not for commercial use or purpose.

Dogs and birds shall not make or be permitted to make unnecessary, disturbing barking, chirping, or squawking. All animals are to be kept on a leash when they are outside of the owner's premises and must not become a nuisance to other residents; this includes removing the animal's waste from the owner's property, from another's property, and from the common areas. Noxious odors from a pet or pet waste are considered a nuisance by the Homeowners Association. This rule should not limit a household owner from keeping fish in an aerated home tank or a household pet permanently caged, such as a gerbil, which is never taken outside of the dwelling unit. The HOA Board of Directors has the right to adopt changes as required to avoid animals from becoming a nuisance. Dangerous pets and pets of a mean and vicious temperament are prohibited.

#### **Hurricane Shutter RULE**

Hurricane Shutters are only for hurricane storm protection and are not designed for security or any other purpose and must be approved by the Hammock Lakes Architectural Review Committee before initial installation.

All types of hurricane shutters should be maintained in first class condition, in order that they will perform as intended.

##### **TYPES OF APPROVED SHUTTERS AND RESTRICTIONS FOR USE**

\* Accordion, Roll-down and bolt-on type hurricane shutters are approved for all window and door openings.

All hardware must adhere to the color of the home or trim.

##### **TIME FRAME FOR SHUTTER USE**

Homeowners are allowed to install hurricane shutters when the National Weather Service has projected a hurricane or a tropical storm may affect our area within 5 days. Shutters must be removed within 7 days after the storm threat has passed. In the event of electrical power loss associated with the storm, shutters must be removed within 7 days after electrical power has been restored. The only exception to this rule is hurricane shutters in an enclosed covered lanai may be closed for a period of time not to exceed six months in any twelve (12) month period.

**Mailboxes RULE**

Bent or damaged mailboxes or mailbox posts must be repaired or replaced.  
Sagging or leaning mailboxes must be straightened.  
Mailboxes and the posts they sit upon should be free of rust stains, green algae, and damage from string trimmers.  
When replaced, mailboxes must be white, approximately twenty one (21) inches long by eleven (11) inches high by nine (9) inches wide and mounted on a white 4" X 4" post.  
Mailboxes and posts can be found at Lowe's or Home Depot and many other suppliers.  
Mailboxes are to be numbered with one and three quarter's high black stick on numbers applied to the front door of the mailbox.

**Recreational Equipment RULE**

Portable basketball, game and play structures are considered temporary and must be stored in the garage or other enclosed area when not in use.  
Basketball and other noise generating outdoor activities should be limited to the hours between 8:00 am and 10:00 pm, 7 days per week, so as not to create a nuisance to the neighboring homeowners.  
Play structures that are permitted to be permanently installed (anchored in cement) on lots along the berm are limited to swing sets and basketball hoops. Swing sets are to be at the rear of the home. No swing set or other permanently installed play structure may be installed on any lot without the prior written consent of the HOA ARC and the approval may be withheld for any reason.

**Satellite Dish Antennas RULE**

The HOA ARC respects and adheres to FCC Guidelines. The HOA ARC recommends that, as a first choice location, a satellite dish be ground mounted with landscape screening. This is the least intrusive position on the neighborhood aesthetics. The installation technician will determine where, the ground or the side of the home or the roof/eave, there is an acceptable signal reception. The homeowner will ask the technician to document his decision and include this location documentation with the ARC paperwork.

**Solar powered devices RULE**

The HOA ARC respects and adheres to all current Federal and Florida state solar guidelines including Florida Statute 163.04. Solar panels may not be installed without prior approval of the HOA ARC.  
It is recommended that solar panels be installed on the back of the house or where they are the least visible from the street. Solar collectors may be installed on the roof within an orientation to the south or within 45 degrees east or west of due south, if such determination does not impair the effective operation of the solar collector.  
In the case of solar powered attic fans, there are devices available that may be mounted on the back or side of the roof on a south facing home, while meeting all of the above criteria. This placement allows the home to blend in with the character of the neighborhood.  
Landscaping may be needed to screen any ground equipment from the street.  
It is the homeowner's responsibility to determine if an Indian River County Building Permit is required. A permit and final inspection are required if roof penetration is necessary.

**Trash, Recycle, and Yard Refuse Containers RULE**

Trash, garbage, or other waste shall not be kept on any lot except in sanitary containers such as trash cans.  
All garbage and recycling containers must be kept in a clean and sanitary condition. There shall be no odor from anything stored outside of a home.  
All garbage and recycling containers must be stored in a way that cannot be viewed from the street.  
Containers and yard refuse shall not be placed at the curb until the evening before or the day of pick-up.  
Containers must be returned to storage at the end of the collection day.  
No outside burning of wood, leaves, trash, garbage, or household refuse shall be permitted.



**FINE PROCEDURE RULE**

*The Hammock Lakes, Inc. Fines Committee shall comply with Florida State Statute 720.305 as it relates to property owners fines and appeals.*

Violations The Association implements a violations and fines procedure to enforce the Declaration of Covenants, Restrictions, and Easements for Hammock Lakes, the Bylaws of Hammock Lakes, the Hammock Lakes Architectural Rules and Regulations, and the Pool and Spa Rules. Each calendar year the Board of Directors shall appoint a Violations and Fines Committee consisting of no less than three (3) and no more than five (5) resident homeowners. The members shall be Hammock Lakes, Inc. homeowners whose name is on the deed. No officer, director, or any of their immediate family may serve.

Procedures In the event of a reported violation of Hammock Lakes Declaration of Covenants, Restrictions and Easements, or of the Bylaws, or of the Architectural Rules and Regulations, and the Pool and Spa Rules the management company will prepare an initial informative courtesy letter with the names and addresses of the owner of the property and the tenant, if applicable, the lot number and the details of the reported violation, together with a photograph of the evidence of the violation if at all possible. This initial courtesy letter will be sent by the management company by regular mail and require that the violation be corrected within thirty (30) days, or the homeowner or tenant contact the management company to explain why it cannot be corrected within the allotted time. If the homeowner does not correct the reported violation or properly respond to the management company within the thirty (30) days allowed, the management company will send a Second Notice of Violation informing the homeowner that the Association has the right to assess a fine against them. Such letter will again be sent to the address of record of the homeowner as well as to any tenant or occupant of the owner's unit if applicable and will be sent by regular and certified mail. The letter will include a copy of the initial courtesy letter and will inform the homeowner that if the violation is not corrected within fourteen (14) business days, of the date of such second letter, a fine may be levied against the owner's property in the amount of \$100.00. This fine will accrue at the rate of \$100.00 per day if the violation is ongoing and the owner does not respond or correct the violation within the time provided. Each day of a continuing violation for the same rule or restriction is \$100.00 not to exceed \$1000.00. If the homeowner does not correct the reported violation or properly respond to the management company within the fourteen (14) business days allowed, the management company will send a Third Notice of Violation informing the homeowner that the Association has the right to assess a fine against them. Such letter will again be sent to the address of record of the homeowner as well as to any tenant or occupant of the owner's unit if applicable and will be sent by regular and certified mail. The letter will include a copy of the initial courtesy letter and will inform the homeowner that if the violation is not corrected the HOA Board of Directors will hold a Board meeting to discuss and if deemed appropriate will assess a fine. The letter will inform the homeowner that he/she may appeal the levying of the fine by attending the HOA Board of Directors meeting on a specific date, the date to be at least fourteen (14) business days following the date of the third letter.

If the HOA Board of Directors votes to assess a fine, the management company will send a Notice of Intent to Fine sent to the address of record of the homeowner as well as any tenant or occupant of the owner's unit if applicable and will be sent by regular and certified mail. The letter will inform the homeowner that the Hammock Lakes, Inc. Fines Committee will meet on a specific date, which is to be at least fourteen (14) business days from the date of the Notice of Intent to Fine mailing and will inform the homeowner that he/she may appeal the levying of the fine by attending the Fines Committee meeting. The committee decides if the fine was properly imposed based upon the community documentation of the violation. The committee does not decide if the relevant article, covenant, by-law is good or bad. *The committee will meet on an as required basis only.*

Once the committee has reviewed all of the relevant information presented at the hearing, the committee will adjourn to discuss and finalize their decision. The decision of the Violation and Fines Committee will be passed to the management company at the next business day, along with the Fines meeting minutes. The management company will notify the Board of Directors and those owners sought to be fined, including those who do not choose to attend or appeal, regarding whether the fine was approved, or not approved. This notice will inform the owners who have had fines imposed that they have fifteen (15) business days from the date of this notice to pay any fine and correct any noted violation or the Association will begin pursuit of its legal remedies which may include both bringing a lawsuit to collect the fine(s) and bringing a lawsuit to force correction of the violation.