

RULES AND REGULATIONS FOR TRAILSIDE HOA

Revised by the Trailside Board on June 18, 2025

1. ACC

All single-family homes shall have a minimum floor area of 2500 square feet of air-conditioned space. This excluding garages and mother-in-law suites over garages or any other detached living quarters not part of their main home. Homes shall be built first. *The following sections are from the Declaration, Article 12 Section 2*

Single Family homes shall have a minimum of a two-car garage or 440 square feet minimum.

Garage doors must be electronically operated.

The same building elevation shall not be constructed within two lots.

Roof eave overhangs shall be a minimum of one foot and a maximum of three feet.

Roof pitch shall not be less than 5 inches in the vertical dimension for each 12 inches in the horizontal dimension.

The building height shall be consistent with the Martin County code.

No buildings should be built close together (within 100 feet) to give a zero lot line appearance. If additions are necessary, then rooflines shall be matched to give a cohesive pleasing appearance.

Solar devices shall be hidden from view of neighbors and the road.

No free standing antennas or towers including those for cell phone, internet service or short wave radio signals exceeding a one story building height may be installed on any of the lots within Trailside or the common area. Trailside is limited to any improvement being less than 50' in height. Buildings are limited to 40' at the main ridgeline of the structure. *July 2016*

Wind driven turbine fans are prohibited. Plumbing and similar through the roof vents shall be painted as to blend with the roof. The Architectural Control Committee may permit electronically powered ventilators, provided that said device is not seen from the street.

Screened enclosures for swimming pools or exterior patios shall be the mansard or hip roof type. Aluminum structure shall be of the same color to match the window frames of the home. Screening shall be of the black/charcoal variety. The use of green screening is strictly prohibited.

Fencing around pools shall be in accordance with all applicable codes of the Martin County building department and Section 8.0 of this document.

Building Walls:

A. Concrete Block with Hardy Board or other material to mimic siding appearance (CBS) on the front and sides of the structure.

B. Wood- vertical board and bat (16.0"O.C.), horizontal lap siding, maximum 8" to weather, or Hardy Board cement siding.

C. Stone- with Architectural Control Committee approval of specific manufacturer

D. Brick- exposed brick (Chicago Brick) No solid bright red brick is allowed.

Garden Walls: To match or blend with building walls (see building walls for materials allowed). Prefinished aluminum to match finish on windows. Wrought Iron – 5/8" minimum dimension, maximum 6" spacing or any other material that the ACC approves of.

Columns, Piers, and Arches: CBS/Concrete with base and capital Cut coral or approved imitation cut coral, Wood with base and capital or cast Iron.

Railings: Prefinished aluminum to match finish on windows. Wood (Cypress or Cedar) detail to be approved by the Architectural Control Committee, finish to be painted or preserved. Wrought Iron, PVC or other material as approved by the ACC.

Roofs: Fiberglass shingle or metal 5V crimp or standing seam. Flat tiles may be considered by the ACC as long as they are of an earth tone color, preferably brown tones. No flat roofs or glazed tile are allowed.

Gutters: Painted, aluminum or Copper gutters are allowed.

Windows and Skylights: Painted aluminum (From ACC approved list) Wood, Vinyl or aluminum clad skylights when used, shall be flat in type and shall not be visible from the roadway.

Allowed types of operation of windows are single and double hung, casement, awning, (multiple panned awning units are allowed on side and rear only.) Fixed frames (maximum 36 square feet).

Windows to be appropriately trimmed with wood or banded with stucco.

Doors: Painted metal or wood- stained, sealed/varnished or painted.

Guest Houses: will be considered on an individual basis as requested by the lot owners.
March 26, 2008

The Architectural Control Committee will be looking for homes that are Country Estate in style.
2007 ACC Guidelines & January 2004 meeting minutes

Miscellaneous:

- a. Colors- colors to be earth tones (preferably light in color), which would not cause harsh contrasts with community.
- b. Exterior lighting fixtures- shall be compatible with the architectural style of the home. Lighting must be located so as not to interfere with vehicular traffic or become a nuisance to neighbors. Lightbulb wattage not to exceed 40 watts
- c. Through wall/ window air conditioning units are prohibited.
- d. Wood shutters and window boxes are allowed.
- e. Antennas or similar towers are prohibited except as specifically authorized.

Street address numbering shall be of the style selected by the Architectural Control Committee. Numbering on the house structure visible from the street shall be in accordance with Martin County or other Governing agency.

The USPS mailboxes are located at the front of the community.

Boxes for newspapers or similar use are prohibited. *ACC Guidelines March 2007*

Roads: road aprons can be concrete, asphalt or pavers. *October 9, 2006*

CONSTRUCTION/ACC GUIDELINES

- 1.01 All applicants are required to submit plans and specifications in duplicate for final approval. It is suggested, though not mandatory, that all applicants submit documents in their preliminary form for preliminary review. This will allow the applicant the opportunity to communicate with the ACC in concept and basic form prior to investing in fully detailed architectural and engineering documents. *ACC Guidelines March 2007*

If you have construction going on the Construction Deposit MUST be on file with the Association. This money is to protect the association from damage to the road or other common areas. **The Board in its reasonable discretion may require an increased contribution based on the intensity of the wear and tear on the Roads attributable to the Owner's project.** When your construction is completed all you have to do is call a board member to inspect the areas in question and we will have the money returned. Those of us who are in perpetual construction will leave the money in the account until we are finished. This means everybody (see previous revision note) *SEPT 8, 2003*.

The ACC will act on matters presented within a period of 30 days and in all cases will make every effort to expedite review of applications sooner. In no case shall construction, clearing, filling or landscaping commence prior to ACC's approval.

The ACC may act on applications submitted by noting:

- Approved
- Approve as noted (with minor comments)
- Not approved, revise and resubmit

After the Architectural Control Committee has reviewed and issued final approval, the ACC will communicate in writing with the lot owner. The Architectural Control Committee will establish a file for each lot requesting ACC's approval. All correspondence documentation of subsequent approvals or notices of violation in conflict herewith, will be kept for 3 years.

All approvals shall be effective for a period of six months for date of approval, at which time it will expire unless construction has commenced. Expired application must be resubmitted to the Architectural Control Committee along with a new fee if any. It should not be assumed that previously approved plans would be automatically approved. The ACC will review all applications in regards to the facts and circumstances existing at this time.

In the event that the Architectural Control Committee shall fail to approve or deny any plans and specification submitted in the complete form within 30 days after request for approval, then such approval by the Architectural Control Committee shall be deemed approved. This does not; however negate any of the covenants and servitude of the development.

1.02 If an application has been denied, or if the applicant believes the conditions or comments of approval to be unjust, he may request meeting before the full Architectural Control Committee. Appeals must be made in writing, stipulating all applicable facts, within two weeks.

Written request shall stipulate if a meeting of the full ACC is desired. The applicant will be notified of the time and place of the meeting. *ACC Guidelines March 2007*

Feb 11, 2004- before your general contractor and his subs begin work on your lot, your contractor must present to the board/management co. with his worker's compensation certificate, and contractors license. Whenever he and his workers enter Trailside, they must carry id with them so they can be identified.

It was also mentioned that contractor's signs should be placed on the inside of the white fence of a lot under development. *Minutes November 18, 2003*

Homes should be sited to best complement the architecture and to take advantage of prevailing breezes, sun orientation and to facilitate the preservation of existing vegetation. It is encouraged that homes be designed and configured for each individual lot. Home designs may be typified by large wrap around porches, levitated first floor, dormers, revealed fireplaces, horizontal wood siding and double-hung vertical windows. Although home design may be influenced by Florida Cracker, Caribbean or classical details, homes shall reflect an informal country style as opposed to a formal one. Jan 22 2004

Minimum setbacks- Single family Residence, Barns, Structures, Pools, Spas and Driveways/Roads

| | |
|-------------------------------------|---------|
| Front Yard minimum setback shall be | 75 feet |
| Side Yard minimum setback shall be | 50 feet |
| Rear Yard minimum setback shall be | 50 feet |

Tree Preservation -The Architectural Control Committee encourages the preservation of all trees and native vegetation. Native vegetation, trees and under story plants should be integrated into the landscape plan. The Architectural Control

Committee will issue credits on the number of total trees required if trees are preserved. At a minimum, all trees eight inches in caliper or greater shall require Architectural Control Committee approval prior to removal.

Finish Floor Elevation: The finish floor elevation for single-family homes shall be governed by Martin County and the SFWMD as a guide, homes shall be a minimum of 18"-24" above the crown of the center of the road at their lot.

Site Grading and Earth Mounding- Home sites should be graded to visually harmonize with the surrounding grades, provide for site drainage, and facilitate the preservation of existing vegetation. The use of earth mounding is encouraged, however, no fill for the purpose of earth mounding should be placed within the drip line of existing Oaks, Pine trees or drainage swells. Slopes on mounds should be long and gentle and shall not exceed 1:4 ratios.

Fill/Illegal dumping materials. Lots in Trailside MUST be filled with clean fill. Construction debris of any type is not allowed to be dumped onto the lots in Trailside HOA. *August 10, 2008.*

Drainage: All drainage should be self-contained; no water should be allowed to drain in accordance with the master drainage plan for Trailside. In no case shall drainage patterns be altered such that water will drain on to adjacent property or lot. *(Except in circumstances dictated by South Florida Water Management District).* The Architectural Control Committee may require modifications to building floor elevations, earth mounding or site grading if impacts to surrounding homeowners are evident.

Storm water drainage shall be designed to drain in accordance with the master drainage plan for Trailside. In no case shall drainage patterns be altered such that water will drain on to adjacent property or lot. The Architectural Control Committee may require modifications to

building floor elevations, earth mounding or site grading if impacts to surrounding homeowners are evident.

ACC guidelines March 2007

Vehicles/parking and garages: No motorcycle, truck, trailer, boat, van in excess of 17 feet in length, camper motor home, bus, commercial vehicle of any type, (i.e., any vehicle which has any exterior lettering or logo, or has tools or equipment), non-passenger van (i.e. any van which does not have a rear seat and side windows), or similar vehicle shall be parked on any Lot or any other part of the property unless parked inside a garage or otherwise hidden from the view of other lots and the platted paths and roads. No vehicles, except for commercial vehicles, van or trucks delivering goods or furnishing services during daylight hours, shall be parked upon any portions of the common areas. The Association shall have the right to remove any vehicle in violation of this provision and the expense of doing so, including attorneys' fees, if any, shall be borne by the vehicle owner.

No garage, trailer or other vehicle shall be used as a living area. *Minutes April 19 2003*

April 10, 2006- Clarification of ACC Construction Deposit.

The construction deposit is required for the new house as well as the landscaping, to guarantee that all work will be completed as submitted and all repairs made to any areas damaged.

1.03 Step Three: Compliance during construction and final construction approval is mandatory.

Periodic inspections of construction in progress will be made by the Architectural Control Committee to determine compliance with the approved plans. The ACC is empowered to enforce its guidelines as set forth in the deed restrictions. At the completion of the project, a final inspection will be made to verify compliance with the approved plans.

If construction is determined to be in complete compliance with the plans, specifications and applicable deed restrictions, a certificate of approval will be issued to the applicant with a copy retained in the project/lot file. In the event the construction is found to be inconsistent, the applicant will be issued written notification outlining comments or deficiencies, which are to be corrected.

Applicants must provide a minimum of seven days notice for request for final inspection or re-inspection. Appeal shall be resolved as indicated in Section 1.03 of this document.

ACC Guidelines March 2007

Within 30 days and not prior to 48 hours after submission, the Architectural Control Committee will review the application and issue final approval, approval with conditions or denial with request for re-submittal. If denied, the ACC will outline, in writing any deficiencies with measure that can be taken to satisfy the ACC's concerns.

One set of approval plans noted appropriately will be placed in the permanent lot file for the project. This set of plans will be used by the ACC for final approval and retained in the files of the Trailside HOA permanently.

1.04 Step Four: Building Permit by Owner

After approval of final plans by the ACC, the owner shall submit the approved plans and specifications to Martin County, and/or other agencies having jurisdiction over the scope of the work.

1.05 Step five: By Owner

The owner starts construction within 6 months from the date of approval of plans. If the time exceeds 6 months, the owner must resubmit to the ACC for approval to start building. If construction exceeds eighteen (18) months of time, the owner must submit an extension request to the ACC.

1.06 Step Six: Final Inspection

The Owner notifies the Architectural Control Committee in writing or via email communication with at least 7 days prior notice that all work has been performed and requests final inspection.

The Architectural Control Committee will make a field inspection to the residence to evaluate compliance with the approved plans. If it is determined by the Architectural Control Committee that the construction has been completed with substantial compliance with the approved plans, a Certificate of Compliance will be issued. *ACC guidelines March 2007*

AGRICULTURAL EXEMPTION

Agricultural exemptions are given for lot owners in several ways by Martin County.

1. Horses- need to buy, sell or have a foal every two years. 1 horse per 2 acres of land.
2. Board horses- restriction on 1 horse per 2 acres of land applies.
3. Cattle- no more than $\frac{1}{2}$ a head of cattle per acre. 20 acres equals 10 cows. You may lease your land for ranchers who graze cattle. You are responsible to make sure that the number of cattle does not exceed SFWMD guidelines for our HOA.
4. Hay- lot owners may grow their fields to be hayed. However, the six feet of space immediately inside the common area white fence and the fencing adjacent to the bridle paths and adjacent lots must be mowed and fence lines trimmed. It must be maintained as a crop. This means you need to conduct periodic mowing and fertilizing as necessary and maintenance of the edges of your fields.
5. Bees as described by Martin County Property Appraiser Agricultural standards.

Restrictions to the number of animals on the lots are per SFWMD. The water quality is affected by excess run off from waste materials. Each lot owner has the option of gathering the manure and having it hauled off the lot by a certified manure removal company to minimize the effects on the water systems in Trailside.

AGRICULTURAL CATTLE LEASE RULES

1. Lot Owner Livestock Fencing Responsibilities

Refer to FL Statute 588.01 and 588.011. Exterior fencing for cattle is the lot owner's responsibility. Fencing with two consecutive broken fence posts, deteriorating/rusting field or barbed wire fencing, and/or broken gates, will be noticed to remove livestock and correct fencing issues. Livestock fencing must be constructed with 1) minimum 5 strand barb wire; OR 2) field fencing topped with either barb wire or 1"x6" (nominal) fence boards, referencing FL State Statute 588.01 and 588.011".

2. **Loose cattle.** On lots where ranchers / owners do not respond to loose livestock call within approximately 30 mins, if available third-party cowboys / similar will be called. Lot owners will be billed \$250 per hour per cowboy to round up the livestock and return the livestock to their field. If cowboys are not available, the Martin County Ag Deputy will be called to handle the situation through Florida State legal channels.

In a situation where a lot has loose livestock, ranchers / owners are not responding in approximately 30 mins, there are broken fences, the Martin County Ag Officer is unable to respond in a timely manner and/or other extenuating circumstances, cattle are jeopardizing the safety of the community, emergency fence repair may be requested and the lot owner will be responsible for the costs.

In the event that loose cattle, caused by an open gate, occurring 3 times within a 365 consecutive day period, the Martin County Ag Officer will be immediately called to address the situation.

3. Rancher Cattle / Livestock Lease Responsibilities to Trailside HOA

Lots having livestock leases must have from the Rancher:

- 1) Liability policy with a minimum amount of \$1M / \$2M and specifically naming the HOA as secondary insured;
- 2) A current copy of the liability policy on file with the HOA;
- 3) Operational / current emergency rancher contact phone number(s) and current mailing address; and
- 4) Cattle approximately 1 year old and older are to be tagged or branded.

Lot owners with livestock leases are responsible to ensure this criteria is met.

All paperwork is to be kept up to date and on file with the HOA.

BOARD MEETINGS

Board meetings are open to all property owners. The notices will be posted at the mailboxes inside of the Trailside entrance per Florida HOA Statutes. Meetings are for lot owner's only- guests are to be approved by the board when requested in writing a minimum of 14 days prior to Board meetings. *January 11, 2003*

The Architectural Control Committee will meet on an as needed basis. The ACC must approve any improvement, site and structural plans or changes in all lots.

BOARDING REQUIREMENTS

All lot owners who are boarding horses who do not own the boarded horses shall:

1. Provide 1M/2M minimum liability insurance also naming Trailside Homeowner's Association as an additional insured. Shall be renewed yearly. Current COI shall be provided to the Board of Directors at the time of renewal or change in insurance.
2. All horses within Trailside HOA must have a Coggins, health certificate, record of vaccinations prior to the horses entering the community. Such information will be updated annually and provided to the Board of Directors.
3. Each boarder must attend a meeting with representatives of the Board of Directors prior to the beginning of equestrian boarding in Trailside HOA. At the meeting, the following documents must be submitted:
 - a. Waiver of liability- Trailside Hoa has an equestrian waiver form that must be completed prior to riding in the common area. Lot Owner is required to keep all documentation of the waivers for a period of five years. The waivers must be made available to the Board of Directors upon request. There are no exceptions to this rule.
 - b. Boarder contact information form
 - c. Veterinarian information on file (to be updated as veterinarian changes)
 - d. Coggins and health records
 - e. Each boarder is encouraged to also carry their own liability insurance for further coverage.
 - f. Each boarding agreement shall contain a care, custody and control agreement for each horse/equine. This must be held by the lot owner in the event the owner fails to care for their horse. This gives the facility the right to do what they need to do with the horse for medical, evacuation during storms, etc.
4. All Boarders under the age of 18 will be required to wear ATSI certified helmets. Adults are highly recommended to wear helmets for accident protection.
5. Individual gate codes will be issued at the time of the meeting. It is the lot owner's responsibility to inform the board when a boarder ceases boarding their horse at their property.

The gate codes are boarder and lot specific and cannot be reassigned or transferred to another lot. It is also the lot owner's responsibility to notify the board if they feel a boarder has shared their gate code with others. Entry times for boarder gate codes are from 7 am- 7 pm seven days a week. Any time outside of the set times, the lot owner is required to grant entry at their discretion.

6. Lot owners are not permitted to provide access to boarders (customers, clients) onto the common area for equestrian usage. Boarders are allowed entry through the main gate at the discretion of the lot owner. Boarders may proceed directly to the lot they have their horse boarded on. They may only use said lot for equestrian purposes.

7. Lot owner is responsible for notifying the board within 24 hours of any occurrence of highly infectious/contagious equine diseases.

8. No boarding facility may be leased by a non-property owner for the purpose of running a boarding or training facility. Only owners may run boarding or training facilities.

BRIDLE PATHS AND EQUESTRIAN USAGE OF THE COMMON AREA

Bridle paths are for equestrian use only by the **lot owners**. A boarder of a lot is a customer or client, not a guest. Boarders are not allowed to utilize the equestrian trails or bridal paths at any time.

A lot owner using the bridal path with a guest is responsible for having an equestrian release signed for the HOA and lot owner's protection. The lot owners must also accompany the guests. The releases may be requested for review by the board at any time from the lot owner. Please keep the releases available. No more than 5 guests are allowed to accompany the lot owner on the bridle paths without prior board approval of the specific riding time. Requests must be submitted 72 hours prior to the riding time and approval must be granted by a board member before the guest can access the bridal paths.

No vehicles are allowed on the bridle paths with the sole exemption being a board member, someone on behalf of the board or ACC conducted a survey.

Any one who operates a motor vehicle over the bridle path and is not performing HOA approved maintenance is TRESPASSING. If you see people on the bridle paths with trucks or other vehicles please stop that person and request that they leave the bridle paths immediately. If they

refuse and are not on official HOA business approved by the board by letter, call the sheriff's department for a formal trespassing charge.

Horse riders within the HOA shall exercise caution and proper horsemanship. If you are operating a motor vehicle, please exercise extreme caution when passing a rider. Please slow to 5 miles per hour or stop until the rider has passed your vehicle.

Bridle paths/ drainage utility easements are not to be used for commercial purposes, riding lessons or for-profit trail rides including leasing of horses for sole purpose under any circumstances. Our HOA declaration along with our liability insurance prohibits it.

CANALS

The Association maintains the canals in Trailside. Spraying is done on an as need basis. The canal banks are mowed three to four times a year.

COMMON AREAS

Common areas are for the usage of the general membership. The bridle paths are limited to equestrian use only. Maintenance of the bridle paths will be done at the board's direction. If any lot owner while riding notices damage or required maintenance, please report it to the board. The Board will do surveys of the bridle paths. In the event of required maintenance bridle paths will be closed until repairs are completed.

DELIVERIES

Deliveries to individual lots by commercial vehicles are allowed on a Monday through Saturday basis from 7 am until 5 pm. No commercial vehicles shall remain overnight in the neighborhood including on individual lots.

DOGS

All dogs need to be on a leash at all times if they are off their owner's property. Please do not let your animals wander off your lot. Also, each lot owner should notify the board of the names and type of dogs you have. If the Board knows your animals, if they do wander, we will know who to return them to.

DUES

Lot owner dues are due the first day of January, April, July and October. The dues are late and assessed a late fee of \$25.00 on the 15th of the month they are due in. Late notices are generated and sent to the lot owners who are delinquent. Dues unpaid by the 30th of the month they are due in will be sent to Trailside HOA's attorney for notice of lien. 45 days after the notice of lien, a lien will be filed with Martin County Clerk of Court. Immediately after the lien is filed, a 45 day notice of foreclosure will be sent to the lot owner and 45 days later foreclosure proceeding will be handled by the Martin County Clerk of the Court.

ENTRANCE ROAD

The Association maintains the main gate at the intersection of Pratt Whitney and Trailside Run. The entrance road is an easement granted to Trailside, which is recorded with the Martin County Clerk of Court, which starts at Pratt Whitney Road and extends to the start of the black fencing.

EQUESTRIAN RULES AND REGULATIONS

1. Horses shall not be left unattended on lots. A completed house with the lot owner or barn manager on the residence is required 24/7 to oversee the horses. The house must be built as stables do not qualify as a building to be able to oversee the horses. NO full pasture board is allowed. There needs to be horse stalls, shade, and a barn with adequate clean drinking water. Horses have different requirements than cows to survive and thrive.
2. The following need to be on file with the HOA for all lot owner equestrian activities of horses or having your own pleasure horses:
 - a. Lot owner of said horse(s) shall provide: a picture of the horse, contact information, and veterinarian for the horse, Coggins, vaccinations and health certificates on every horse. Coggins must be updated and submitted to the board annually.
 - b. Adequate appropriate horse fencing must exist on the lot to contain the horses. Horses are not cows and will run through a fence if scared.
 - c. The bridle paths are for lot owner and guest's enjoyment, not to be utilized by outside entities for their own use. A boarder is a customer of a lot, not a guest. Owner must accompany all of their guests on the bridle paths. No more than 6 horses (1 lot owner, 5 guests) shall be allowed to go riding together with express dated permission from the board, see referenced above under "Bridal paths and equestrian usage of the common area".

d. There is to be a 24-hour notification of a highly contagious infection/disease for the board, so we can notify other equestrian owners.

e. All riders under 18 years of age will wear ATSI helmets on all lots. Over 18 years of age, ATSI helmets are highly recommended.

EQUESTRIAN USAGE IN TRAILSIDE

Any lot owner may participate in any equestrian usage **of the lot**. This includes boarding and caring of horses **on your lot**. If guests are allowed to ride on the lot, the legal lot owner of record must have each participant sign the equestrian waivers for Trailside. The legal lot owner must accompany the guests on the bridle paths per our declaration.

No lot may be leased for a commercial purpose of training, boarding or breeding. This constitutes a commercial enterprise violating Trailside HOA residential classification as delineated in section 12.1. It also violates our general liability policies per the insurance agent.

FENCING

The use of the perimeter white PVC common area fencing is not allowed to be used to contain cattle or horses. Electric fencing ("hot wire") is not permitted to be installed directly on the white fencing, nor may modifications be made, other than to create access to lots. (Lot owners who wish to cut the white fence need to notify the board and the white PVC boards shall be removed, not cut. We have lost too many whole rails to destruction. Shorter segments will be provided rather than cutting the existing fence. Please call the board to arrange a work time for removal of a section for an access to a lot.

The HOA will clean the outside of the white fencing annually.

FINES

Fines Committee

Fines Process and Fines Menu

Fines Process Overview

Monthly eval => noncompliance to lot owner => 14 days to resolve => continued noncompliance to Fines Comm => Fines Comm validation => continued noncompliance letter and start of fines => fines non-payment to counsel => lien issued => lien non-payment to counsel for property foreclosure

Fines Process Detailed Actions

- On a monthly basis, drive around of Trailside Path and all bridle trails. Digital photos / video taken of all areas;
- Lot owners in noncompliance will be sent a letter, with photographic evidence, of the noncompliance;
- Lot owner has 14 days to correct and notify the HOA that the noncompliance has been addressed;
- If a lot owner has an **extenuating** circumstance, the lot owner can submit their written plan **and timeline** to resolve, to the HOA for review;
- During the monthly board meeting, the board will review each noncompliance. A motion will be made on each noncompliance to either
 - 1) Refer the noncompliance to the Fines Committee; or
 - 2) Evaluate lot owner request for extension due to extenuating circumstance; or
 - 3) Determine the noncompliance no longer / does not meet the threshold and will be discharged;
- Fines Committee will meet within 5 calendar days and review each referred noncompliance. The fines Committee determines if the threshold of the noncompliance is met or not.

Fines Committee formally communicates their results to the HOA Board of Directors.
- For each noncompliance approved by the Fines Committee, the HOA will verify that each noncompliance still exists, and if so, a letter is issued to the lot owner stating that in x days (with specific start date defined), fines will begin to be levied at \$100 / day for 10 consecutive days. Per FL state statutes **720.305**, maximum fines are \$100 per day for total of \$1,000 per occurrence;
- If the fines are not paid 30 days after the fines letter, the noncompliance will be referred to counsel. A lien is then filed on the property. Legal fees now become the responsibility of the lot owner and will be billed directly to the lot owner.
- After 45 days, if the lien is not paid, the foreclosure process will commence. Legal fees continue to be billed directly to the lot owner.

Fines Menu

Trailside HOA Board of Directors specify which Rules and Regulation noncompliances will be pursued using the Fines Committee. Below is the list of noncompliances routinely monitored. All fines will be levied at \$100 / day for 10 consecutive days. Per FL State Statute **720.305**, maximum fines are \$100 / day and \$1,000.00 total per occurrence.

Noncompliance monitoring:

- 1) Lot perimeter fence line trimming:
 - a. Common area white fencing: vegetation shall be no higher than the bottom of the first rail, or less than 8" high in areas where the white fencing is raised due to ground contour;
 - b. Lot perimeter fencing: vegetation shall be no higher than 12" on all side and rear lot perimeter fencing;
- 2) Fields:
 - a. Fields shall be no taller than the bottom of the 2nd white fence rail, or less than 28" in areas where the white fencing is raised due to ground contour;
 - b. Ag 20 hay fields shall be kept cut at ground level for 8' in towards the field next to the white fencing;
- 3) White Fencing Damage:
 - a. Lot owners shall install free-standing interior fencing to ensure their animals do not damage the white fencing;
 - b. All types of fencing, wire, etc shall not be attached directly to the white fencing;
 - c. All white fencing damage repair / replacement due *to lot owner's animals either pushing through the fence in any fashion or their inside fencing being pushed into the white fence* will be billed to the lot owner. Bills are payable in 14 calendar days.

FIREWORKS

Trailside is an agricultural community. There are no fireworks allowed for any reason in the community for the safety of the livestock here. Fines menu is as follows: First offence: \$500. Second offence: \$1000.

GATE CODES

Gate codes will be provided for each lot owner. These codes are for the lot owners only. They are not to be given out to persons for access to Trailside. Each lot owner must have a telephone number programmed into the gate thereby allowing for remote access by pressing the 9 on your telephone after you have responded to the call from the gate. The alternative is to have the Swiftlane app downloaded to utilize remotely opening the gate. Please identify who is requesting access and do not randomly let a person in who is requesting access other than to your lot. Garbage collection, USPS, UPS and Fed Ex have individual codes and should not need to call a lot owner for access.

Access for Corporate entity owner of lots/ bank owned lots and lots in the foreclosure process is as follows:

1. Contact information sheet must be on file with the board clearly designating a person who is in charge of the property for maintenance, etc.
2. Access will be granted during business hours with approval of the HOA board.
3. The Board will be notified 48 hours prior to workers being allowed access for maintenance purposes. Names and telephone numbers of the workers will be provided to the HOA in addition to a valid worker's compensation policy being on file with the HOA and valid liability insurance also on file with the HOA. A representative of the board will give access through the gate keypad system for all maintenance of the lot.
4. No real estate agents will be given a gate code for the main gate. If the lot is to be shown, 36-hour approval is needed from the board. The realtor's name and telephone number must be given to the board. Under no circumstance is the realtor to allow access to Trailside without being present in person. A representative of the board will give access through the gate keypad system for all showings of the lot.
5. No clicker or codes will be issued for bank or corporate owned lots.

GUESTS

Guests of lot owners are governed by the HOA declarations and rules/regulations. Their behavior should conform to our standards. Guests are not allowed in the common areas for equestrian usage without the lot owners. Invitees are not allowed in the common areas except to transit to the lot, which is their destination. They are not allowed on the bridle paths or drainage easements. They are allowed to transit on the roads in a vehicle through the HOA.

GUNS/TARGET PRACTICE

Target practice is not allowed within Trailside. If a weapon is required to protect your property or livestock, please observe gun safety practices for your neighbors and their livestock. Remember it is a felony to shoot across a fence in an agricultural region. No weapon other than a shotgun or a 22-caliber weapon may be discharged for any purpose within Trailside. Shotgun and 22 caliber weapons are to be used for protection purposes on YOUR lot only. NO Target practice. See article 12 Section 1J of the Declaration regarding firearm and explosives safety and rules.

HEAVY EQUIPMENT

Any heavy equipment brought into the development of the purpose of lot clearing or over sized deliveries shall be cleared with the 48 hours ACC prior to equipment arriving. Any damage caused to the common area and potential legal fees arising from the damage is the lot owner's financial responsibility. If damage occurs due to an easement agreement with others who are not Trailside Lot Owners, they will be responsible for all damage costs and potential legal fees. No commercial vehicles should be traversing over the drainage and utility easements. Ranchers and guests are not allowed to drive on the drainage and utility easements nor on the bridle paths.

INTER-LOT DISPUTES

October 17, 2006. Disputes between lot owners cannot involve the Board. At lot owners request, the Board will review the issue and determine if the issue is a Trailside issue or an inter-lot dispute. The Board cannot take sides on inter-lot disputes. These issues need to be resolved between the lot owners, and include SFWMD or Martin County Building Department and Code enforcement as necessary. These issues cannot be a board concern causing Trailside monies to be expended. Trailside Board cannot be the litigating agent between neighbor disputes when the county and SFWMD has approved it.

LEASES

Each lot is allowed one lease per lot. This includes cattle leases. For example: If you have a lease for the agricultural exemption, and wish to lease your residence, the agricultural lease will be voided unless the person leasing the residence is the agricultural lease also.

No subleasing is allowed.

Persons who have an agricultural lease in Trailside HOA are allowed to go to the lot(s) they are leasing only. They do not have access to the bridle paths or drainage easements. Their lease is for agricultural purposes only. If they require access to the bridle path or drainage easements, they need to contact the board for approval. No fishing is allowed in the common areas by lease holders. Any dogs that are brought into Trailside for cattle herding purposes must be confined to the lot, which is leased. The dogs shall not be in the common areas for any purpose other than being transported in a vehicle. No common area shall be utilized to herd cattle unless the cattle are loose by downed fence or open gates.

LOT SALES

All lots being sold require a pre lot owner meeting and sign off on said prior to estoppel being filled out. Also Background checks on potential buyers are required at the buyer's expense by a licensed bonded certified background check company contracted by the HOA. Scheduling of the meetings is at the HOA's board members schedules and availability. Generally, they can be accomplished within one to two business weeks. Meetings are not scheduled on the weekends.

LOT OWNER RESPONSIBILITIES

Each lot owner is responsible to keep his or her property maintained. The fence lines surrounding the property shall not exceed the height of the bottom of the lowest white rail on the front fence. The field height shall not exceed the bottom of the second rail of the white fencing. If you wish to allow your lot to grow as a hay lease, the lot owner is required to mow a minimum of eight (8) feet back from the fence and keep the fence line trimmed. No visible debris should be on the lot. If there is a storm and your items blow onto another lot, be a good neighbor, contact the neighbor and make arrangements at your expense to collect your debris. Each lot owner is

responsible for their guests, employees and contractors behavior. They must also follow the HOA rules. If they damage the common area or someone else's property, it is your responsibility to pay for damages.

Keep your lots neat and tidy; remove excess horse and cow manure to keep the smells down. In short, be a good neighbor.

MAINTENANCE ISSUES

According to the Trailside Bylaws: property owners are responsible for maintaining their own lots. Trailside will maintain the outside of the White PVC and all the homeowners will maintain the inside of the fence. Legal has informed the board that for routine maintenance of the fence the legal ramifications are too onerous for the board to contemplate entering each lot for fence cleaning. All debris must be removed from the under the fence by the lot owner. The lot owner shall maintain all grass and weeds under the white fence. The vegetation should not touch the lower aspect of the lower rail of the white fence. If there are any burn piles on a lot, they must be burned before the burn season ends due to fire hazard and potential hurricane damage. Any unsightly equipment; trailers, containers, building materials, etc must be removed and put behind or stored in a manner which is not visible from the common road. *March 22, 2003*

Carefully plan your burn pile location. You must have a permit issued by Martin County Fire District prior to burning. Also, you must have permission to burn prior to lighting your burn pile. Presently, Station 22 at Tropical Farms provides Fire/Rescue support to Trailside.

All tractors, trailers, containers and building materials must be stored out of sight from the road. If you are unable to remove these materials, Trailside HOA will remove them for you at your expense.

Trailside has 41 lots and all 41 lots **must be maintained** in good condition. Maintaining your lot is each lot owner's responsibility. Grass must be mowed and kept neat year round. If you are using cattle on your property, you need to provide an adequate fence for such use. The barrier fence shall not impinge on the common area white fence in any way. Damage to the white fence from the barrier fence will be the individual lot owner's financial responsibility for repair. The HOA will contract the repairs and bill the lot owner. Failure to pay the bill will result in referral to legal for collection and lien action. *March 31, 2003*

Access for Corporate entity owner of lots/ bank owned lots and lots in the foreclosure process is as follows:

6. Contact information sheet must be on file with the board clearly designating a person who is in charge of the property for maintenance, etc.
7. Access will be granted during business hours with approval of the HOA board.
8. The Board will be notified 48 hours prior to workers being allowed access. Names and telephone numbers of the workers will be provided to the HOA in addition to a valid worker's compensation policy being on file with the HOA and valid liability insurance also on file with the HOA. A representative of the board will give access through the gate keypad system for all maintenance of the lot.
9. No real estate agents will be given a gate code for the main gate. If the lot is to be shown, 48-hour approval is needed from the board. The realtor's name and telephone number must be given to the board. Under no circumstance is the realtor to allow access to Trailside without being present in person. A representative of the board will give access through the gate keypad system for all showings of the lot.
10. No clicker or codes will be issued for bank or corporate owned lots.

REAL ESTATE AGENT ACCESS/RULES

1. Real Estate Agents will not be given gate codes or gate clickers to gain entry to access Trailside HOA.
2. Agents must coordinate with the lot owner 36 hours prior to showing off the lot. Lot owner will provide the agent and prospective buyers with remote access through the gate.
3. No prospective buyers may view the properties without the accompaniment of Real Estate Agent. Unaccompanied persons will be considered trespassers and the Martin County Sheriff's department will be called.
4. Real Estate agents shall supply the names and numbers of prospective buyers to visit Trailside to the HOA Board upon request.
5. Real Estate signage shall not exceed 24" x 36" in dimension. The signage shall not encroach on the common area in any way. Signage may not be attached to the white fence or extend over the white fence.

6. Real Estate signage is not permitted either inside or out of the main gate to Trailside HOA. IF the signage does appear on Trailside Common Area property, the sign will be removed and the lot owner for whom the signage applies will be billed for the maintenance expense of removal and repairing the area of the signage, including but not limited to: cost of removal, filling of any holes and replacing sod.

RESPECT

Please respect your neighbor's rights. We all chose to live here at Trailside. Please be respectful of each of our privacy and enjoyment of the environment.

SIGNS

All signs: construction, permit, etc should be placed inside the white PVC fence line and not attached to the white fence. *November 18, 2003*

All signs shall not be larger than eighteen inches horizontally and twelve inches vertically. Smaller signs shall be proportionally consistent to the dimensions specified herein. All signs shall be lettered professionally. The color of the signs shall have a green background with white lettering. Any ACC Member or Board member may cause removal of such sign not conforming to the rules.

SPEED LIMIT

Please adhere to the posted speed limits. Persons are exceeding the speed limit excessively. Remember, at any point an animal may appear in your path. Also, we like to ride our bicycles, horses and walk in the common area. Please be respectful of all lot owners being able to enjoy Trailside. Also, lot owners need to remember they are responsible for their guests and workers behavior within Trailside. Excess speed damages the roadways especially running off the road. If an individual is observed damaging the road in any form, they will be responsible for the repair bill and any legal fees to correct the issues.

TREES

Each lot is required to install a live oak tree every two hundred feet within 20 feet of the drainage easement inside of the lot owners white fence. No additional trees shall be planted outside of individual lots white fences into the common area without Board Approval.

Trailside maintains the trees with fertilization and trimming as needed. In the event of the death of a tree currently in the common area, the HOA will cut the tree at the ground level for the safety and well being of the membership and equestrian usage of the bridle path. Dead or dying trees will be removed. The HOA will not be obligated to put in another tree. No trees shall be removed from the common area by a lot owner without written approval from the Board of Directors. If the individual lot owners wish to replace dead or dying trees, the lot owner shall contact the board for approval. The lot owner shall be responsible for supplying appropriate plant material after Board approval in addition to either personally or financially being responsible for appropriate watering and fertilizing of the new tree(s). The overall size of the tree, caliper, spread and appearance of the tree must be approved by the ACC and the BOD prior to the Board hiring an installation contractor. The Board of Directors will hire a contractor to install the trees purchased by individual lot owners to ensure that no damage occurs within the common area and that the bridle path and common areas remain safe and usable.

USAGE OF THE LOTS WITHIN TRAILSIDE/LEASES

The lots are deemed Residential usage. No commercial activity is allowed per the Declaration.

This included leasing of the lots for a commercial purpose. Lot owners are allowed cattle leases to provide a bona fide agricultural exemption. All leases must be prior approved by the Board. A

Background check performed by the Board is required on residential leases of all lots, payable to the Trailside HOA by the person leasing the lot. The lessee is required an interview with representatives of the Board who will issue final approval. Lease will be considered voided if any of the rules of Trailside are violated. Lessee and Lessor must provide proof of adequate liability insurance including Declaration pages of said insurance. Lessor needs to provide liability insurance holding Trailside HOA harmless for any event that may happen within the confines of Trailside but outside of the leased property. Lessee also needs to have Trailside noticed if their liability insurance is cancelled for any reason. Also, if horses will be stabled on said property, all vaccination records and proof of Coggins must be provided prior to any animals being moved onto the property. Requested documents must be provided yearly or at any change of insurance or equine health event. Lot owner is responsible for all actions their Lessee takes within the confines of Trailside. Lot owner is responsible for any and all maintenance on the lot. Lot owners remains responsible for dues and violations. Lessee will not be noticed.

VIOLATIONS

September 18, 2006 ACC report- ACC recommends- when someone violated the ACC guidelines, we would propose in the absence of fines (which we do not favor at this time), that the Board Liaison for the ACC or a designated individual in his/her absence contacts the party who has violated the guidelines with a cease and desist order. If the homeowner fails to respond

within 72 hours from contact or continues to proceed with the work in violation, the Board ACC liaison or designee will then call whoever may be denoted to have conversations with the attorney. A formal TRO (cease and desist) will be sent from the attorney. This was voted on and added to the Rules and Regulations by the 2006 Board of Directors.

March 7, 2007. Violations will be done with consistency. If one lot owner is noticed, everyone with the same violation will be noticed. The type of violations to be noticed will be fence line trimming, trailers of work variety, boats and tractors within view of the common areas as delineated by the Restrictive Covenants. In addition, the corrective action for violations will be to shield from view with vegetation. Another solution is to build an equipment barn to store the items.

March 24, 2007. Time frame for correction of violations is 14 days. Failure to do so will result in the work being contracted by the HOA with the individual lot owners being responsible for the bill.

May 20, 2008. One violation notice will be given to lot owner. No additional notice will be sent. If the work is not completed in the time limit, the HOA will contract it to be done. A bill will be sent for said work to the lot owner. If the bill is not paid within 15 days, it will be sent to the attorney for collection.

WETLANDS

We, the property owners are expected to maintain the wetlands on our individual properties. Trailside performs a Wetland survey each year to ensure compliance with Martin County Growth Management requirements and SFWMD requirements. Each lot owner with wetlands participates in the fees for the Wetland survey. Each lot owner is required to maintain their wetland below 5% of exotics. Lot owners are encouraged to remove ALL exotic material from the entirety of their lots to continue to minimize the spreading of the exotic material onto common areas and adjacent lots. Failure to have your lot in compliance by the deadline provided by the HOA Board will result in the HOA contracting the work on your behalf. You will be billed for the expense. Spraying the Brazilian pepper trees is not acceptable. The trees must also be removed. SFWMD provides us with an updated list of exotics to be removed from the lots on a yearly basis.