

HOLIDAY TRUST, INC.
RESOLUTION OF BOARD ACTION ADDRESSING
SAFETY ISSUES IN SUBDIVISION

WHEREAS, Paragraph 3 of the Holiday Club Consolidated Trust named the Trust responsible for the maintenance of the streets and other Trust property in good repair and order; and

WHEREAS, the Plats of The Holiday Club Unit #1, The Holiday Club Unit #2 and The Holiday Club Unit #3, as recorded in Plat Book 7, Page 119, on February 28, 1963; Plat Book 8, Page 31, on July 20, 1964; and Plat Book 8, Page 67, on July 14, 1965 respectively, in the Public Records of Pasco County, Florida, define the private street and roads dedicated to the Trust as twenty-five (25) feet on either side of the center line reflected on the Plat; with said Plats further showing the common areas for swimming, boating, skiing, fishing and tennis; and playgrounds; and

WHEREAS, each set of Restrictions and Covenants for The Holiday Club (“Restrictions”), as amended, provide that the Trust is responsible for the maintenance of the Subdivisions Private Roads, as described within the aforesaid Plats, and the entity responsible for the enforcement of covenants and restrictions relating to common areas within The Holiday Club Residential community; and

WHEREAS, by reason of certain events which have occurred beyond the control of the current Board of Directors, individual owners have been allowed to make alterations, additions and modifications beyond their lot lines, which alterations encroach on Trust owned Road Right of Way areas, resulting in the inappropriate taking of Trust owned Property for individual use and in some cases, presenting a safety issue for individuals lawfully traversing on the roads within the subdivision; and

WHEREAS, as a result of the foregoing, there presently exist a number of safety issues which must be immediately addressed by the Board of Directors in order to meet its contractual and statutory duties and obligation to maintain a safe passage by individuals using the roads within the subdivision, and in doing so, the board is hereby adopting standards for such installation in the future, in an effort to balance the needs to provide safe passage and the desire to maintain the uniqueness of the community which has developed over the period of time the subdivision has been in existence.

NOW, THEREFORE, be it resolved by the Board of Directors as follows:

1. The above recitations are incorporated herein and made a part hereof by reference.
2. As of the effective date hereof (the date upon which this Resolution is approved by the Board), no stepping stones, pathways, pavers, decorative rocks, landscaping materials or any other related improvements or items may be installed, or may otherwise be permitted to exist, within the Road Right of Way, unless such installation shall be consistent with the following criteria:

- a. Temporary: Any item located within the road right of way must be of a temporary nature, defined for purposes herein, as not permanent; used for the time being; and capable of removal without digging or otherwise affecting the road right of way for the purpose for which it is intended. Examples of temporary installations permitted by this criteria, are poured concrete driveway aprons, flat pavers, stepping stones, gravel or other flat landscaping materials such as mulch and crushed shell so long as such installations do not extend above the lowest grade of the adjacent Lots. Examples of installations that would not meet this criteria, and are thus prohibited, are fences, shrubbery, trees, decorative rocks, protruding landscaping material and sporting equipment such as an in-ground basketball goal. The foregoing examples are not all inclusive of permitted or prohibited items, but rather used for illustration purposes only;
 - b. Proximity: No such improvement or item(s) meeting the foregoing criteria and lying within the fifty foot (50') road right of way may extend within ten (10) feet of the edge of the paved roadway, as the paved roadway may exist, from time to time; and
 - c. Incompatibility: At no time shall any such improvement or item be allowed to remain if the Board of Directors determines it is appropriate or necessary to re-route or widen the existing paved roadway to facilitate safe passage through the subdivision, which determination shall be in the sole discretion of the Board of Directors.
3. The Board of Directors is aware of several installations and additions which were installed on the Trust Road Right of Way in violation of the Corporation's governing documents, and by adoption of this Resolution, action will be taken to ensure that all such installations and/or additions are immediately removed from the Road Right of Way, unless meeting the foregoing criteria. If formal legal proceedings become necessary to ensure compliance with this Resolution, in addition to the relief requested, the board shall seek to hold the violating lot owner responsible for attorneys' fees and costs of such action, as may be permitted by law.

IN WITNESS WHEREOF, the Board of Directors has adopted this Resolution on this 15th day of January, 2020.

THE HOLIDAY TRUST, INC.

BY: Bryant A. King Pres.
(Signature)
BRYANT A. KING
(Printed name)