

***SAWGRASS PLANTATION
OF KILLEARN
HOMEOWNERS
ASSOCIATION, INC.***

2002 HANDBOOK

**SAWGRASS PLANTATION of KILLEARN HOMEOWNERS’
ASSOCIATION HANDBOOK**

Welcome to *Sawgrass Plantation of Killearn* on behalf of the Board of Directors, and other Sawgrass Plantation of Killearn homeowners and residents. For many, living in a garden-home type community will be an experience which might require some adjustment for some residents. We hope you handbook will be helpful to answer most of your question. If you have any additional questions, please contact our Association Manger, listed on the last page of your homeowners’ guide.

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ASSOCIATION DOCUMENTS

Each seller had the responsibility to supply the buyer with a copy of the Association Documents and Handbook. At a minimum, each homeowner should have in her/his possession: a copy of the Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions, the Bylaws, and the Rules and Regulations. However, many homeowners have not received the documents. A complete set of the following documents can be obtained from the Association Manager:

Articles of Incorporation
Declaration of Covenants, Conditions and Restrictions
Bylaws
Minutes of Board Meetings
Rules and Regulations

These documents are available for homeowner inspection during normal working hours, and can be copied for a nominal fee.

FEES

Maintenance or Association fees are due on the first day of each month, and are considered delinquent on the tenth day of each month a \$5.00 fee must be included with any payments made after the tenth of each month. After 90 days, the delinquent account will be forwarded to an attorney for collection and possible foreclosure action on the property. Monthly association fees may be paid quarterly, semi-annually or annually; but all installments must be made by the first day of the date due. Payments may be made by check and payable to: *Sawgrass Plantation of Killearn Homeowner' Association*. Payments could be sent to the Association Manager (see last page of your handbook for the address). Please note the address of the residence on your check.

KEYS

The *Sawgrass Plantation of Killearn Homeowners' Association* does not maintain keys for any home, or for the mailboxes for the homes. Homeowners and residents are responsible for their own keys.

CLUBHOUSE

Sawgrass of Killearn Homeowners' Association maintains a clubhouse for the use and benefit of all of its members (homeowners). Currently the clubhouse is available to any homeowners for a small fee of \$20.00, plus a deposit of \$80.00. The fee is used to offset utility and operational costs. The deposit is fully refundable upon return of the clubhouse keys to a designated Board Member; and following an inspection to ensure the clubhouse was cleaned and there was no damage to the clubhouse. Clubhouse rental requires submission of a rental form shown on page of the Handbook, and the delivery of \$100.00 deposit/rental fee to the Property Manager.

MAINTENANCE REQUESTS

Each homeowner is responsible for her or his own home maintenance. Currently the Association's Board of Directors acts as the Architectural Control Committee and may instruct an owner when certain exterior repairs and/or painting is required, Any problem affecting two or more homes must be resolved by the affected homeowners. The Covenants and Restrictions document states homeowner responsibilities for those repairs. Any repairs or concerns on Common Grounds should be reported to the Association Manager, including such things as street repair or inoperable streetlights.

TERMITE BOND

Part of the monthly homeowner dues includes funds to pay for a termite protection program for homes in *Sawgrass Plantation of Killearn*. The termite protection program contains both repair and retreatment guarantees should termites damage a home, and reduces homeowner concerns about damage encroaching from a neighboring, unprotected unit. The protection includes a bond of up to \$250,000.00 to cover discovered termite damage. Homeowners and residents should contact, **TERMINEX** at (850) 576-5888 when termites are suspected to be present in the home.

ARCHITECTURAL CONTROL

In accordance with Association documents, any homeowner must obtain approval of the Architectural Control Committee PRIOR to beginning any work modifying the exterior of her/his home. Currently, the Board of Directors is serving as the Architectural Control Committee. Actions requiring Committee

Approval would include, but not be limited to: new construction, additions or modifications of exterior surfaces, replacement or modification of decks, re-roofing, repainting exteriors, additions of exterior doors and installation of exterior lighting. When considering proposed modifications, the Architectural Control Committee will need details, pictures or drawings of the proposed exterior changes to enable the Committee to make an informed decision.

INSURANCE

The Association does not ensure any homes, and it is the responsibility of each homeowner to arrange insurance coverage on a structure or contents of a home. The Association does maintain insurance coverage on common areas.

GUEST PARKING

Parking is limited at Sawgrass Plantation of Killlearn. For homeowners requiring parking for three or more vehicles, street parking may become necessary. Residents are NOT to park on the opposite side of a street from another parked vehicle, since this practice narrows a roadway and may prohibit access by emergency vehicles. Parking is restricted near intersections.

TRASH AND REFUSE

Residents must place trash and recyclables in their assigned containers. Containers should not be left near the curb beyond the day of collection. Homeowners can obtain a calendar for dates of refuse collection or arrange for large items to be collected by calling the City of Tallahassee at 891-5250.

ENFORCEMENT OF RULES AND REGULATIONS

In the event of violation of the provisions of the Covenants and Restrictions and/or the Rules and Regulations, the Association may take legal action to remedy the problem as it may deem appropriate. When violations occur, homeowners/residents are encouraged to notify the Managing Agent/Association Manager and/or *Sawgrass Plantation of Killearn* Board of Directors by telephone and in writing.

Additionally, homeowners/residents are encouraged to notify the Tallahassee Police Department (891-4200) or the Leon County Sheriff (922-300) of any noise or other city/county ordinance violations. Also, homeowners/residents may seek mediation services with the Neighborhood Justice Center (921-6980) when two or more neighbors need assistance in resolving a dispute or dealing with violations of city ordinances. A written follow-up with the Association Manager/managing agent should be completed, including the incident or police report number.

RULES AND REGULATIONS FOR OWNERS AND TENANTS SAWGRASS PLANTATION OF KILLEARN HOMEOWNERS' ASSOCIATION

As and Owner, Tenant, or Guest at *Sawgrass Plantation of Killearn*, you are privileged to be living at what we believe to be Tallahassee's finest townhouse development. The purpose of these rules and regulations is to ensure that the development lives up to that potential. They are based on the golden rule, courtesy and respect for one's neighbor, and simple common sense. It is our hope that the occasions for enforcement of these rules and imposition of sanctions for their violations will be few.

These Rules and Regulations are binding upon each present and future homeowner/Association member, their guests and tenants under the "Declaration of Covenants, Conditions and Restrictions", the "Articles of Incorporation of the Sawgrass Plantation of Killearn Homeowners' Association, Inc.", and "Bylaws of the Sawgrass Plantation of Killearn Homeowners' Association, Inc.", copies of which are available to any Association member upon payment of a reasonable photocopy charge to KRM Management, Inc., the Association Manger.

It is the responsibility of each homeowner to ensure that his tenants and guests abide by these Rules and Regulations. Sanctions for violations of these Rules and Regulations by any guest or tenant may be imposed upon the owner (sometimes referred to as the "responsible owner"). Each owner, guest and tenant is charged with constructive notice of the Rules and Regulations. It is suggested that these Rules and Regulations be appended to and made a part of any lease between an owner and his or her tenants and that violations of these Rules and Regulations be deemed a material breach of the lease.

We hope these simple rules will help make your stay at Sawgrass Plantation of Killearn and enjoyable one.

- **PARKING**

Each townhouse or other such free-standing building as may be constructed will be constructed with a "parking pad" for the use of all of the owners of the homes

within the building. Each homeowner within each building shall have a non-exclusive easement for himself, his agents, invitees, heirs and assigns for access and parking over and across the parking pad constructed as a part of the building of which his home is a part.

Any boats kept on the property shall be stored on the parking pads only. No boats shall be stored on the property that exceeds fifteen feet (15') in length. No non-operable motor vehicles shall be parked on the property in excess of seven (7) consecutive days. No owner shall be entitled to use more than one (1) parking space for a boat, motorhome or travel trailer or other vehicle not used for regular day to day transportation. No homeowner may use a parking space for a boat, motor vehicle, trailer or other motor vehicle if the household of the homeowner utilizes more than one motor vehicle on a regular basis.

- **OTHER VEHICLE RULES**

The speed limit on all roads throughout Sawgrass Plantation of Killlearn is 25 miles per hour.

Rapid acceleration or deceleration of vehicles, particularly of a nature to cause excessive noise, is strictly restricted.

Vehicle repairs of a potentially nuisance or hazardous nature, such as breaking down engines, changing of oil without a proper receptacle, changing gasoline tanks, etc., are strictly prohibited within the physical confines of Sawgrass Plantation. Violations of this provision shall subject the vehicle owner or responsible home owner to legal action or other permissible sanctions without a first violation warning.

- **DISPOSAL OF TRASH AND APPEARANCE OF HOMES**

Trash in bags or other containers will not be left outside any home except in garbage containers supplied by the City.

Each home occupant shall maintain a neat and acceptable appearance for his home, free of trash, debris and other unsightly items. Conformity to this standard

shall be subject to the approval of the Board of Directors.

The maintenance of non-common grounds and property shall be the responsibility of the appropriate home owner.

- **ANIMAL CONTROL**

Tallahassee City Code requires that dogs and other domestic pets be kept on a leash. All provisions of the Tallahassee Code (as presently constituted and as amended from time to time in the future) relating to animals and fowl are incorporated in these Rules and Regulations by reference, and violation thereof shall subject the responsible homeowner and/or the occupant or guest to the sanctions set forth in the City Code and/or in these Rules and Regulations.

Dogs and other animals shall not be left unattended to run free within Sawgrass Plantation of Killlearn.

Leashed animals shall be walked in areas away from traffic, walkways, and other homes. A dog or other pet shall not be permitted to soil the non-common property of another homeowner or occupant. Three pet walk areas have been provided at Sawgrass. One is just west of the clubhouse/pool area; and the other two are near the mailbox areas. Residents are encouraged to use these areas and pooper scoopers provided in those areas.

Homeowners shall be responsible for any damage or unsightly soiling caused by their pet(s) or the pet(s) of their home's occupant(s) or guest(s). Pooper Scoopers are provided at several locations around the community and pet owners are encouraged to use them.

- **NOISE**

Noise of a level to cause discomfort to one's neighbor is prohibited at any time.

Excessive noise after 11:00 P.M. is prohibited.

Blowing of horns and screeching of tires is strictly prohibited.

All provisions of the Tallahassee Code (as presently constituted and as amended from time to time in the future) relating to noise are incorporated in these Rules and Regulations by reference, and violation thereof shall subject the responsible homeowner and/or the occupant or guest to the sanctions set forth in the City Code and/or in the Rules and Regulations.

- GENERAL RULES

The homes shall be used only for residential purpose and to provide temporary lodging.

Common elements shall not be obstructed, littered, defaced or misused in any manner.

Nothing shall be hung or displayed on the outside of walls of a building and no sign, awning, canopy, shutter or radio, television or satellite antenna shall be affixed to or placed upon the exterior walls or roof, or any other part of the buildings except with the approval of the Board of Directors.

Complaints regarding maintenance shall be made in writing to the Board of Directors.

There shall not be kept in any home, flammable, combustible or explosive fuel, material, chemical or substance except for normal residential or office use.

Affixing of notices or other items on any mailboxes, fence posts, or other structural items at Sawgrass Plantation, is strictly prohibited. A bulletin board is provided near each mailbox area for the use of homeowners.

- SANCTIONS

Except where otherwise specifically indicated in the Rules and Regulations, a first violation of any rule shall subject the offending party (and if applicable, the offending party's responsible homeowner) to a written notice of violation from

The Board of Directors. The Board will issue such notice upon a showing of probable cause of such violation following reasonable inquiry.

Upon a second and any subsequent violation of any Rule or Regulation, the Board shall convene in an open general or special meeting to, among other matters, address the violation. The offending party shall be provided with reasonable notice of the meeting and shall have the opportunity to appear in person or through counsel before the Board to present their defense. If the offending party chooses not to appear, guilt may be determined and sanctions may be imposed in his or her absence. Guilt shall be determined upon a preponderance of the evidence, but the Florida Rules of Evidence shall not apply to any rule violation proceeding, in keeping with the lay nature of the Board of Directors. The sanctions shall include all those contained in the Bylaws of the Association and/or otherwise legally available to the Association. In addition, damages to the common property resulting from the conduct of a homeowner, tenant or guest will subject the responsible owner to a special assessment for the actual value of repair of that damage, and may subject the party damaging the common property to prosecution.

- **AMENDMENTS**

These Rules and Regulations may be amended by resolution at an open general or special meeting of the Board of Directors or by majority vote of the Association members at the annual meeting. No rule or regulation shall be amended by the Board before written notice of any proposed change is made available to the homeowners and they have been given a reasonable opportunity to present their views to the Board of Directors.

**SAWGRASS PLANTATION OF KILLEARN HOMOWNERS ASSOCIATION
SWIMMING POOL RULES**

DEFINITIONS:

ADULT- A person at least 18 years of age.

PATIO- The area in back of and on the same ground level as the clubhouse, inside the pool enclosure.

POOL DECK- The unobstructed area around the outside of the pool and on the same ground level , inside the pool enclosure.

RESIDENT- Adult tenant or homeowner.

NO LIFE GUARD ON DUTY – Persons use this facility at their own risk and in conformance with the following:

RULES:

- Day visitors and children under 14 must be accompanied by an adult resident or owner.
- No pets within the pool enclosure.
- No glass containers within the pool enclosure.
- No running or horseplay within the pool enclosure.
- No diving at any time.
- No scuba or river float gear (tubes or floats) within the pool enclosure.
- Radios, etc. should be played at low volume.
- Guest limit- 4 per household.
- Pool hours- 9AM until dusk.
- Alcoholic beverages prohibited in pool area.

NOTE: The above rules were adopted by the Board for your guidance. Voluntary compliance is requested and your cooperation will be appreciated.

THE HEALTH DEPARTMENT REQUIRES THE FOLLOWING RULES:

- **NO ANIMALS IN POOL OR ON DECK**
- **NO FOOD OR DRINK IN POOL OR ON POOL DECK**
- **SHOWER BEFORE ENTERING POOL**
- **BATHING LOAD: 15 PERSONS**

CAUTION: DO NOT PLAY WITH THE LIFE LINE, SHEPARD'S HOOK OR LIFE SAVING RING. THESE ITEMS ARE REQUIRED FOR SAFETY.

**SAWGRASS PLANTATION OF KILLEARN HOMEOWNERS ASSOCIATION, INC.
ARCHITECTURAL CONTROL REQUIREMENTS**

The Board of Directors is the Architectural Control Committee.

If you want to erect or maintain any addition to building, fence, wall or other structure, and/or change or alter the shape, color or appearance of the exterior of existing improvements, you must first, before any work can be done:

- Submit and Exterior Alteration Application with plans and specifications showing the nature, kind, shape, height, materials, color, location and all other details;
- Obtain Architectural Control Committee's approval in writing;
- Have adequate insurance to protect the Association against and liability which may arise from work;
- Have obtained all permits required by law.

POLICIES

- Maintenance of windows, screens and exterior light fixtures attached to and serving only on homeowner are the responsibility of the homeowner but replacements must be consistent with the style and color of all other homes currently located at Sawgrass Plantation of Killlearn.
- Front and back doors, screens doors and patio gated shall be compatible with the design, color and character of the original building and be maintained by the homeowner.

GUIDELINES

GENERAL

- The committee will consider only written requests.
- If a request is rejected, the applicant may ask for reconsideration and is encouraged to present new or additional information which might clarify the request or demonstrate its acceptability.
- The committee will act on a request as promptly as possible. If the committee fails to reply to the applicant within 60 days then the request is considered to have been approved.
- An application describing the proposed improvement should be sent to the President of The Board of Directors, together with the plans and specifications
- The description of the project should include all information necessary for the Committee to take action. Necessary data would include the height, width, length, size, shape, color and location of the proposed improvement. Photographs or sketches of similar completed projects would aid in the Committee's consideration. If the alteration affects the existing drainage pattern, the proposed drainage pattern must be included.

BUILDING ALTERATIONS AND ADDITIONS

- Any addition to an existing building or any exterior, modification or change to an existing building must have the written approval of the Committee before any work is undertaken. Examples of such projections include a deck, fireplace, air vents or patio.

COMMON ELEMENT ALTERATIONS

- No homeowner shall plant any tree or shrub on common property except after written approval of the Architectural Control Committee.
- No homeowner shall add to, change or alter any part of the common elements of the association property except following written approval by the Architectural Control Committee of the application showing the nature, kind, shape, height, materials, color, location and all other details of the same.
- Alterations made without prior written approval may be removed by the association at the homeowner's expense upon the committee's recommendation and concurrence by The Board of Directors.

**SAWGRASS PLANTATION OF KILLEARN HOMEOWNERS ASSOCIATION, INC.
EXTERIOR ALTERATION APPLICATION**

Please mail or deliver to:

Sawgrass Plantation of Killearn Homeowners Association
431 Waverly Road
Tallahassee, Florida 32312

From: (Type or Print)

NAME: _____
ADDRESS: _____
PHONE: _____

Description of changes desired: give full details of purpose and/or reason, type and color of materials to be used, and location on the property:

If the request is for a change in paint color, attach a sample and model number of the paint or stain color. If the request is for a structural change, ground planting (over 35% of the unimproved area), fencing, rearrangement, etc., attach a sketch or architectural plan, etc.

ACKNOWLEDGEMENT OF ADJACENT PROPERTY OWNERS

This acknowledgement indicates an awareness of the intent and does not constitute nor indicated approval or disapproval.

NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Signature: _____	Signature: _____

NOTES: _____

- Nothing herein contained shall be construed to represent that alterations to land or building in accordance with these plans, shall not violate any of the protective covenants nor any of the provisions or Building or Zoning Codes, to which the above property is subject. Further, nothing herein contained shall be construed as a waiver or modification of any such restriction.
- I understand and agree that no work on this request shall commence until written approval of the Architectural Control Committee has been received by me.
- I understand that applications usually take no longer than 60 days for complete review and action once sufficient documentation has been provided.
- A copy of this application shall be returned to me after action by the Architectural Control Committee.
- I represent and warrant that the proposed changes requested herein conforms to the appropriate Architectural Guidelines and that these changes shall be made in conformance with them.
- I understand and agree that the work must be started within 45 days of approval and completed within 30 days of the commencement of the work.

OWNER SIGNATURE(S) _____ DATE _____

Draw a simple sketch or include clipping or picture in space below. Please limit attachments to 81/2x11.

REMARKS: _____

ACTION: _____

**ASSOCIATION DOCUMENT UPDATE
LOCATION OF FENCES & STORAGE BUILDING GUIDELINES**

Over the years homeowners have been very concerned about location of fences and the type of Storage Buildings that are allowed. The Declarations were amended in April of 2000 to read as follows:

FENCES: No fences shall be allowed in the front of any home. Backyard fences may extend to no more than 2.5 feet from the back lot line. Backyard fences on homes may extend to no more than 2.5 feet from the side lot line on which no building is attached. If there is a door on the side of the unit, fences may come toward the front of the building (from the back of the unit) no further than to enclose the door within the fenced area. If there is no door then the fence may come no further forward from the back of the house than 15 feet back from the front of the unit. No fence shall be placed so as to prevent the use of easement for the purpose of which the easement was established. In addition, all fences must be constructed of wood, no more than 6 feet tall and must have and must have a finished side facing out. Notwithstanding anything in this paragraph to the contrary, consent of the Board of Directors of the association must be obtained provided for in the Declaration of Restrictive Covenants before any fence is constructed by any unit owner.

In addition, the Board has passed the following:

GUIDELINES FOR STORAGE BUILDING APPROVAL

The Board of Directors does not want to encourage the construction of storage sheds at Sawgrass Plantation but realizing that many homeowners may find the need to have a place to store lawn and garden tools, bicycles, toys and the likes and realizing that storing them inside of a unit may be more attractive than storing them use in the yard, the Board may consider storage sheds that meet the following criterion:

- No commercial metal sheds will be considered or accepted.
- Shed that are no larger than 8 feet by 8 feet and no taller than 8 feet at the peak of the roof will be considered.
- Exteriors of any sheds considered must be constructed of a material that is in harmony with the home to which it belongs. (If the home is

- masonry then the exterior of the shed must also be masonry, if the exterior of the home is hardy board then the exterior of the shed must also be hardy board.)
- Roofs of any sheds considered must be constructed of the same material that is used on the home of which it belongs. (Thus the roof must be shingled.) In addition, the roof must have a reasonable slope.
- In order to be considered a shed must be located so that it does not negatively impact on any neighbor either to the side or behind a unit and must not be visible from the street. (They can be careened by a fence.)

These guidelines are not to be construed to prohibit homeowners from placing relatively small one piece molded storage units inconspicuously in their back yards.

These are guidelines only and they are set out to aid in homeowners more quickly obtaining approval for a storage building. In all cases, however, prior written approval of any storage building or one piece molded units must be applied for in writing from the Board of Directors and no building.

IMPORTANT TELEPHONE NUMBERS

EMERGENCY 911

FLORIDA POISON CONTROL INFO CENTER 1-800-222-1222

TMH POISON CONTROL 431-5411

SUICIDE PREVENTION 1-800-273-8255 (TALK)

FLORIDA ABUSE HOTLINE 1-800-962-2873(VOICE)

NON-EMERGENCY

Tallahassee Fire Department 891-4310

Tallahassee Police Department 891-4200

TDD/Hearing Impaired 891-4375

Crime Stoppers 891-4357

Leon County Sherriff 922-3300

TDD/Hearing Impaired 922-3380

Tallahassee Memorial Healthcare 431-1155

Tallahassee Community Hospital 656-5000

American Red Cross 878-6080

Big Bend Hospice 701-1300

Leon County Health Department 606-8000

CITY SERVICES

City of Tallahassee

Water/Electric/Solid Waste 891-4968

TDD/Hearing Impaired 891-8169

COUNTY SERVICES

Animal Control 606-5400

Human Resources 606-5366

Legal Aid 222-3004

EMERGENCY SHELTERS

Senior Citizen's Center 1400 North Monroe St.

Mormon Church 3717 Thomasville Road

Gilchrist Elementary School 695 Timberlane Road

