

EXTERNAL DEED RESTRICTION STANDARDS VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11

Purpose: The purpose of these External Deed Restriction Standards is to supplement and further clarify those items identified and/or defined in the Declaration of Restrictions for those properties located within the boundaries of the Village Community Development District No. 11 (“District”) and to identify, clarify and interpret the adopted Rule to Bring About Deed Compliance (“Rule”) relating to the exterior appearance or use of real property within its the boundaries. The following are general interpretations of the Rule for the District:

Air Conditioners – Window air conditioners are prohibited and only central air conditioners are permitted.

Alterations, Modifications, and Changes

The District is responsible for approving alterations, changes, or modifications to Homesites and the exterior appearance and structure of the Home. No after-market change should be made to any Homesite or Home without first obtaining District approval. This includes but is not limited to: arbors, trellises, pergolas, pools, patios, screen cages, decks, awnings, fences, walls, enclosures, landscaping, driveway additions, re-paintings and room additions to the home. District approval may be via an Architectural Review Hearing Officer created by District Resolution or inter-local agreement in furtherance of the architectural review process.

Community Standards Department – The department responsible for carrying out deed compliance for certain exterior deed restrictions as described in the Rule.

Complainant - An individual who makes a complaint and starts the deed compliance process.

Deed Compliance Staff – Members of the District Community Standards Department who are charged with making calls, inspecting property, and carrying out departmental duties.

Deed Restrictions – Are those deed restrictions adopted by the Rule.

External Noise - External noise refers to sounds being made outside of the home, for example, lawn mowers or lawn equipment, radios, amplified music, etc., which must be kept to a moderate level. Quiet hours are from 10:00 p.m. until one hour before daybreak.

Fence – Fences include, but are not limited to, vertical structures or dividing instrumentalities.

Garbage/Trash – Some restrictions state that all garbage shall be contained in plastic bags and placed curbside no earlier than the day before scheduled pickup. The day before scheduled pickup shall mean garbage/trash shall not be placed curbside earlier than 5:00 p.m.

Hedges – Hedges are defined as a contiguous grouping of shrubs.

Inoperable Vehicles – The term is defined as vehicles incapable of operation, junk vehicles or vehicles that are not licensed and/or validly registered, or a vehicle with flat or missing tire(s).

Lawn Ornaments – Lawn ornaments, or yard art, generally refers to manmade decorative objects used to make a yard more attractive and which are located anywhere outside the structure or footprint of the Home. However, pots and planters designed and constructed for plant use are permitted so long as they are used for their intended purpose. The inclusion or attachment of flowers or plants to a man-made ornament, not originally constructed for plant use, does not change the item from a lawn ornament to landscaping. The word 'lawn' includes areas that are mulched, concreted, sodded, rocked, landscaped, bare earth, or any other material outside the structure (footprint) of the home. The following is intended as a partial reference list of lawn ornaments: any man-made statue or figure (including religious symbols), wind chimes, plastic or silk flowers, windmill, pinwheels, train sets, deer, geese, flamingos or any other animal or human figures.

Lighting – Exterior lighting must be attached to the home or screen cage and shaded so as not to create a nuisance to others. Low voltage landscape lighting is permitted but their positioning may not result in light shining or glaring into an adjacent residence.

Maintenance - Maintenance shall mean the exercise of reasonable care to keep buildings, homes, landscaping, lighting, lawns and other related improvements and fixtures in good condition. Maintenance of landscaping is defined as the exercise of generally accepted garden-management practices necessary to promote a healthy, weed-free environment for optimum plant growth. The Rule's requirement to mow includes the requirement to weed. Grass is overgrown when any portion exceeds 8" in height, or when shrubbery is up to soffit and/or rain gutters or if shrubbery is obstructing entry to the front door. If the lawn is required to be sodded, any turf grass such as St. Augustine, Bahia, Empire Zoysia, Bermuda, or others may be used and shall be void of any bare or dead spots exceeding approximately 1 ½ ft in diameter. Although Florida-Friendly ground cover is permitted as a substitute for sod, rock or artificial turf (whether silk, plastic, or other material) is not an approved substitute for sod.

Homes and lots are expected to be kept free of external unused items, construction materials, and other debris. External garage/yard sales would violate the Rule. Each Home is to have either a paved or concrete driveway. Where appropriate, if concrete

and driveway coatings are permitted, that design and coating should be harmonious with the subdivision.

Owner – Owner shall mean the owner(s) of record according to the Property Appraiser’s records in the county in which the violation exists. The owner(s) may or may not be the person living in the home.

Painting -

In regards to home repainting it is not considered an alteration, modification, or change requiring ARC approval if the chosen color is the original color at the time of construction. If the chosen color is not the original color at the time of construction ARC approval is required, along with color swatches and photographs of the home and neighboring homes.

Please refer to the District’s Architectural Review Manual for District 11 for additional information in regards to home repainting.

Signs – No sign of any kind shall be displayed to public view on a Homesite or any dedicated or reserved area without prior written consent, except customary name and address signs and one sign advertising a property for sale or for rent which shall be no larger than twelve (12) inches wide and twelve (12) inches high and which shall be located wholly within the Home and only visible through a window of the Home with the following exceptions:

- **Security:** Small decals or small signs may be placed on doors, windows, and planting beds next to the house.
- **Lawn Care:** State law allows for a sign to be placed on newly treated lawns until dry.

Trucks, Boats, and RV Parking – No trucks in excess of 3/4 ton size*, boats, or recreational vehicles shall be parked, stored, or otherwise remain on any Homesite except for (a) service vehicles located thereon on a temporary basis while performing a service for a resident or (b) vehicles fully enclosed in garages located on the Homesite.

*The tonnage of a vehicle describes the hauling capacity and not the weight of the vehicle. Example: A Ford F150 is classified as a 1/2 ton vehicle, Ford F250 is a 3/4 ton size vehicle, and a Ford F350 is a 1 ton vehicle. Anything larger than the F250, for example, Dooley or a Fifth-wheel, is considered in excess of 3/4 ton and would not be allowed to remain on the Homesite.

- Due to conservation and recycling of waste, vehicles in the process of being washed may be parked on the grass or lawn for a temporary period while being washed but must be removed immediately following the washing.
- Conversion vans with hook-ups for electricity and water on the rear or side are considered recreation vehicles.
- RVs, boats, and trucks over ¾ ton are prohibited on the Homesite.

- Inoperable Vehicles – The term is defined as vehicles incapable of operation, junk vehicles or vehicles that are not licensed and/or validly registered, or a vehicle with flat or missing tire(s).

The following does not constitute parking:

- **Campers, Winnebago's, and other RVs** are allowed on the driveway not to exceed 72 hours (3 days) provided they are not plugged in or inhabited. This allowance is made in an effort to accommodate the packing and unpacking of the RV.
- **Vehicle Repair**, making minor repairs such as flat tire repair, tire inflation or detailing; however, under no conditions shall major vehicular repairs be made in the driveway.

EXTERNAL DEED RESTRICTIONS AND FINE SCHEDULE FOR DISTRICT #11

NOTE: Any Repeat Violation may be fined up to \$500 per day.	UNIT																VILLAS		
MAINTENANCE & MODIFICATIONS	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	104	105	106	
<p>■ 2.2 No building or structure shall be constructed, erected, placed or altered on any Homesite until the construction plans and specifications and a plan showing the location of the building or structure have been approved by the architectural review committee. Each Owner shall ensure that any construction on the Homesite complies with the construction plans for the surface water management system pursuant to Chapter 40D-4, FAC, approved and on file with the Southwest Florida Water Management District.</p>	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■				
<p>■ 2.4a There shall be only one Home on each Homesite. All Homes must have garages and be of at least 1240 square feet, exclusive of any garage, storage room, screen room or other non-heated and non-air-conditioned space. All Homes must be constructed with at least a 6" in 12" rise and run roof pitch.</p>	■	■																	
<p>■ 2.4a There shall be only one Home on each Homesite. All Homes must have garages and be of at least 1050 square feet, exclusive of any garage, storage room, screen room or other non-heated and non-air-conditioned space. All Homes must be constructed with at least a 4" in 12" rise and run roof pitch.</p>	■	■																	
<p>■ 2.4a There shall be only one Home on each Homesite. All Homes must have garages and be of at least 2300 square feet, exclusive of any garage, storage room, screen room or other non-heated and non-air-conditioned space. All Homes must be constructed with at least a 6" in 12" rise and run roof pitch.</p>				■	■														
<p>■ 2.4b The Home shall be a conventionally built Home and which must be placed on the Homesite and constructed by the Developer, or its designee, of a design approved by the Developer as being harmonious with the development as to color, construction materials, design, size and other qualities. Each Home must have eave overhangs and gable overhangs, and all roofing materials shall be approved by the developer, including the roof over garages, screen porches, utility rooms, etc., and all areas must have ceilings. Screen cages over patios and pools are allowed. The home shall be placed on a Homesite in conformance with the overall plan of the Developer. The Developer shall have the sole right to build the home on the Homesite and designate the placement of the access to the Homesite, at the sole cost and expense of the Owner.</p>							■												
<p>■ 2.5 After the Home has been constructed, no reconstruction, additions, alterations, or modifications to the Home, or in the locations and utility connections of the Home will be permitted except with the written consent of an architectural review committee. No Owner, shall undertake any such work without the prior written approval of the plans and specifications thereof an architectural review committee. The architectural review committee shall grant its approval only in the event the proposed work (a) will benefit and enhance the entire Subdivision in a manner generally consistent with the plan of development thereof and (b) complies with the construction plans for the surface water management system pursuant to Chapter 40D-4, FAC approved and on file with the District.</p>	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■				
<p>■ 2.7/2.8 In an effort to protect limited natural resources, all Homesites shall remain finished with the same quantity and style of water-conservative, drought-tolerant sod and landscape as originally provided by the Developer. Notwithstanding, Owners are encouraged to and may add landscape that is more water-conservative and drought-tolerant than originally provided, however, any such alterations to areas visible from roadways or golf courses must receive prior written approval from the architectural review committee. Each Home and Homesite must contain a concrete driveway, and a lamppost must be erected in the front yard of each Homesite.</p>	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■				
<p>■ 2.9a All outside structures for storage or utility purposes must be permanently constructed additions in accordance with Section 2.4 and of like construction and permanently attached to the Home.</p>	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■				
<p>■ 2.12a Owners shall keep their Homesites neat and clean and the grass cut, irrigated and edged at all times. The Homesite Owner shall have the obligation to mow and maintain the unpaved area between an adjacent roadway or walkway located in the road right of way and the Owners Homesite. Persons owning Homesites adjacent to a land use or landscape buffer or wildlife preserve, shall have the obligation to mow and maintain all areas between their Homesite lot line and the land use or landscape buffer, and between their Homesite lot line and the board fence on the adjoining wildlife preserve, even though they may not own that portion of land. The Owners of Homesites subject to a Water Feature Landscaping Easement and Owners of Homesites subject to a Special Easement for Landscaping shall perpetually maintain the easement area and will not remove or destroy any landscape or fencing thereon originally installed by the Developer without the Developer's advance written approval, and will promptly replace all dead foliage located therein. If an Owner does not adhere to this regulation, then the work may be performed on behalf of the Owner and the cost shall be charged to the Owner.</p>	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■				

EXTERNAL DEED RESTRICTIONS AND FINE SCHEDULE FOR DISTRICT #11

NOTE: Any Repeat Violation may be fined up to \$500 per day.	UNIT																		VILLAS		
	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	104	105	106			
MAINTENANCE & MODIFICATIONS (cont'd)																					
■ 7.1(a) Subject to these restrictions, each Owner shall, at his sole cost and expense, repair his residence, other than as otherwise provided for herein, keeping the same in condition comparable to the condition of such residence at the time of its initial construction, excepting only normal wear and tear. Each Homesite Owner shall be responsible for maintaining in a mowed, edged, neat and clean manner: (i) the portion of his Homesite not subject to side yard or driveway easements (ii) his side yard easement area, driveway area and driveway, whether on his Homesite or on an adjacent Homesite, reserved area, or dedicated area. (iii) the unpaved area between an adjacent roadway or walkway located in the road right of way and the Owner's Homesite. (iv) Owners of Homesites subject to a Special Easement for Landscaping, as shown on the Plat or described in Article IV, shall perpetually maintain the vegetation located thereon, consistent with good horticultural practice. No owner of a Homesite which is subject to a Special Easement for Landscaping shall take any action to prevent Landscaped Buffer from complying with those provisions of the Lake County Subdivision regulations requiring Landscaped Buffer areas.																	■	■	■		
■ 7.1(b) Owners shall be responsible for all wall and fence maintenance not assumed by the District in Article II, Section 1. Subject to these restrictions each Owner shall paint and keep clean all fences and walls. The gate on the gate fence or wall shall be maintained by the Owner enjoying the use of the adjacent side yard area. Owners shall be responsible for maintenance and repair of the structural integrity of all walls and fences serving the Owners' Homesites whether on the Owner's Homesite or on an adjacent Homesite, reserved area, or dedicated area. Where a wall or fence serves more than one Home site, the cost of maintaining and repairing the structural integrity of the wall or fence shall be shared among the respective Owners served by the wall.																	■	■	■		
■ 7.1(b) The Owners of Homesites 11, 21, 27, 41, 42, 45, 56, 57, and 68 shall clean and paint the exterior portion of the wall or fence upon their Homesites facing the adjoining road right of way or parking area																	■	■	■		
■ 7.1(b) The Owners of Homesites 10, 11, 21, 22, 27, and 28 shall also clean and paint the interior portion of the security wall or fence upon and adjacent to the Homesites and shall mow and maintain in a neat and clean manner, the area located between such Owners Homesites and the centerline of the unpaved right of way adjoining each Homesite.																	■				
■ 7.1(b) The Owners of Homesites 9, 24, 30, 43, 57, 58, and 69 shall clean and paint the exterior portion of the wall or fence upon their Homesites facing the adjoining road right of way or parking area																	■				
■ 7.1(b) The Owners of Homesites 9, 10, 24, 25, 30, and 31 shall also clean and paint the interior portion of the security wall or fence upon and adjacent to the Homesites and shall mow and maintain in a neat and clean manner, the area located between such Owners Homesites and the centerline of the unpaved right of way adjoining each Homesite.																	■				
■ 7.1(b) Owners of Homesites 1 through 7 are not obligated to maintain the fence located adjacent to the rear of those Homesites.																		■			
■ 7.1(b) The Owners of Homesites 14, 20, 29, 36, 45 and 54 shall clean and paint the exterior portion of the wall or fence upon their Homesites facing the adjoining road right of way or parking area																			■		
■ 7.1(b) The Owners of Homesites 13, 14, 19, 20, 29 and 30 shall also clean and paint the interior portion of the security wall or fence upon and adjacent to the Homesites and shall mow and maintain in a neat and clean manner, the area located between such Owners Homesites and the centerline of the unpaved right of way adjoining each Homesite.																			■		
■ 7.1(b) The Owners of Homesites on the perimeter of the Subdivision who must maintain the exterior of the fence on their Homesite are encouraged to do so in a cooperative and uniform manner with other adjacent Homesite Owners so as to present to the public a uniform well maintained appearance of the Subdivision as a whole.																			■		
■ 7.1 / 10.1(b) All gates, walls, and fences must be of a uniform color and type of paint. Owners intending to paint must contact the Declarant or the District for paint specifications																	■	■	■		

**RULES OF THE
VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11**

CHAPTER I

THE RULE TO BRING ABOUT DEED COMPLIANCE

Section 1. AUTHORITY: The Board of Supervisors is responsible for the adoption of rules, pursuant to Chapters 120 and 190, Florida Statutes, for the conduct of the business of Village Community Development District No. 11 (“District”) and in conjunction with the requirements of the law. Pursuant to §190.012(4), Florida Statutes, (“Statute”), the District is authorized to enforce certain deed restrictions within its boundaries in accordance with the Statute and upon adoption of this rule, The Rule to Bring About Deed Compliance, which includes Appendix A and B (“Rule”). The District may by resolution adopt standards by which this Rule may be interpreted.

Section 2. PURPOSE: The purpose of this Rule is to establish certain guidelines, operating policies, and procedures relating to the enforcement of certain deed restrictions within the boundaries of the District. The District’s Board of Supervisors (“Board”) has determined that it is in the best interests of the District and the landowners residing therein, that this formal Rule establishing the operating policies, procedures, and guidelines relating to the enforcement of those certain Deed Restrictions, as described herein, be adopted by the Board.

Section 3. CONDITIONS PRECEDENT: The District meets all the conditions precedent required by the Statute necessary to adopt this Rule:

- A) The District was in existence on the effective date of the Statute.
- B) The majority of the Board has been elected by qualified electors pursuant to the provision of section 190.006, Florida Statutes.
- C) Less than 25 percent of residential units are in a homeowners’ association.
- D) The declarant in all applicable declarations of covenants and restrictions has provided the Board with a written agreement that this Rule may be adopted and a memorandum of the agreement has been recorded in the public records and is attached hereto as **Appendix “A,”** and incorporated hereby.
- E) There are no existing homeowners’ associations within the District boundaries having respective enforcement powers.

Section 4. PROCEDURES FOR COMPLIANCE, DEED RESTRICTIONS, COMPLIANCE MECHANISMS & ENFORCEMENT REMEDIES:

A. Definitions. For purposes of this Rule the following terms shall have the following meanings:

- (i) Compliance Mechanisms - the method(s) of bringing about compliance with the Deed Restrictions.
- (ii) Deed Restrictions - means those covenants, conditions, restrictions, compliance mechanisms and enforcement remedies contained in

any applicable declarations of covenants and restrictions, including any amendments thereto, as recorded in the Public Records of Lake County, Florida, that govern the use and operation of real property within the District and are subject to consideration per the Statute for adoption by this Rule that may be enforced by the District.

- (iii) Homesite and/or Lot - shall mean and refer to any plot of land shown upon a plat which bears a numerical designation, but shall not include tracts or other areas not intended for a residence within the District's boundaries. The terms "Homesite" and "Lot" are used interchangeably.
- (iv) Order of Enforcement – the final document issued by the Board at the conclusion of the deed compliance Public Hearing consisting of findings of fact, conclusions of law, the required corrective actions and fine imposition, if any.
- (v) Owner - shall mean the record owner, whether one or more persons or entities, of fee simple title to any Homesite which is subject to the Deed Restrictions.

B) Procedures for Compliance of External Deed Restriction Limitations.

The Board hereby adopts by this Rule, detailed Procedures for Compliance of External Deed Restrictions for the District ("Procedures") which are attached hereto as **Appendix "B"** and incorporated herein by this reference. In sum, the Procedures provide, among other things, a process for initiating and receiving complaints regarding Deed Restriction violations, time frames for coming into compliance, fine schedules, and for the recording of the Order of Enforcement in the Public Records of Lake County, Florida.

C) Deed Restrictions. The Board hereby adopts by this Rule portions of the applicable Deed Restrictions that relate to limitations or prohibitions that apply to the external appearances or uses of Homesites or that are consistent with the requirements of a development order or regulatory agency permit. A detailed list of the exact Deed Restrictions being adopted by this Rule for possible enforcement by the District is included in the Procedures for Compliance of External Deed Restrictions and Schedule for Fines, attached as Appendix "B".

D) Fines/Attorneys' Fees/Costs. Fines may be imposed for violations of this Rule. In addition, the Board shall require that each Owner reimburse the District for attorneys' fees and costs incurred by the Board in enforcing the Deed Restrictions against the Owner. The Board hereby adopts the Procedures for Compliance of External Deed Restrictions and Schedule for Fines, included within attached Appendix "B", to be followed when imposing fines for violations of the Deed Restrictions adopted by this Rule. The Deed Compliance Hearing Officer shall make all final decisions regarding the imposition of fines, if any, at a Public Hearing. The Board finds that the fines are reasonable and are correlated to the costs associated with deed compliance such as but not limited to the costs of inspections, site visits, notice costs, and costs of related meetings and hearings.

E) Compliance Mechanisms. The Board hereby adopts by this Rule, which includes Appendix “B,” all the Compliance Mechanisms contained in the Deed Restrictions that apply to the external appearances or uses of Homesites, including the requirement for Owner’s to reimburse the District for attorneys’ fees and costs expended by the District in enforcement of such Compliance Mechanisms. Such Compliance Mechanisms include but are not limited to:

- (i) if the Owner does not adhere to the Deed Restrictions regarding keeping the Homesite neat and clean and the grass cut and edged then the work may be performed on behalf of the Owner by the District, but the District shall not be obligated to perform such work, and the cost shall be charged to the Owner as a fine as indicated on the schedule of fines. Said fines shall not be imposed until a Public Hearing is held.
- (ii) the District’s approval over external structural alterations (including but not limited to fencing, sheds, arbors, or similar items), re-paintings, additions, repairs, or improvement of residences/Homesites. Said approval may be granted via an architectural review committee or Architectural Review Hearing Officer, as determined by the District by resolution or interlocal agreement.

F) Enforcement Remedies. The District shall have the right but not the duty to enforce the Deed Restrictions adopted by this Rule. In accordance with the Statute, the District has the right to enforce this Rule and the fines imposed thereby in circuit court through injunctive relief. The Statute also provides that the District can adopt by rule all or certain portions of deed restrictions that relate to enforcement remedies that apply to the external appearances or uses of Homesites. The Board hereby adopts by this Rule all the enforcement remedies that apply to the external appearances or uses of Homesites found within the Deed Restrictions adopted herein. Such enforcement remedies include but are not limited to the District’s right to seek injunctive relief, to collect any imposed fines, attorneys’ fees and costs, and to recover damages or any property charges for such violations. The Board also hereby adopts those portions of the Deed Restrictions requiring that the prevailing party in any legal proceeding or action be entitled to reimbursement of its reasonable attorneys’ fees and costs.

G) Final Enforcement Decision. The Deed Compliance Hearing Officer shall make all final decisions regarding which enforcement remedy to seek, if any, at a public hearing. The affected Owner shall be noticed of the date, time and location of the public hearing via certified mail sent to the address on record at the property appraiser’s office and any other known addresses of the Owner. If the mail is returned non-deliverable, then notice of the hearing shall be posted on the property. At the public hearing:

- (i) the Owner shall be allowed to present testimony, evidence and witnesses on their behalf, and cross examine witnesses in regard to the allegations, fines and charges against the Owner.

- (ii) parties that will be substantially and directly affected by the outcome of the Board's decision shall be heard.
- (iii) upon conclusion of all testimony and submitted evidence, the Deed Compliance Hearing Officer, taking into consideration staff's recommendation, shall determine whether the Owner is in violation of the Rule. If the Deed Compliance Hearing Officer finds that the Owner is in violation of the Rule, the Deed Compliance Hearing Officer shall issue an Order of Enforcement. The Order of Enforcement shall include a finding regarding non-compliance, provide a reasonable time for the Owner to come into compliance with the Rule, impose fines, if any, and require reimbursement of the District's attorneys' fees and costs, in accordance with the adopted fine schedule. The Order of Enforcement shall also direct district staff to record the Order of Enforcement in the Public Records of Lake County, Florida, whereby the Order of Enforcement shall then become a lien against the property. The Deed Compliance Hearing Officer may also order continued maintenance of the property. The Order of Enforcement may include direction to District Counsel to seek all available legal remedies including injunctive relief against the Owner and any other directive deemed necessary by the District's Board of Supervisors allowed by Statute.

Section 5. BEST INTERESTS OF THE DISTRICT. The Board finds that the adoption of this Rule is beneficial to the Owners and that enforcement by the District is appropriate.

Section 6. NOTICE. Within sixty (60) days after this Rule takes effect, the District shall record a notice of rule adoption stating generally what rules were adopted and where a copy of the rule may be obtained.

Section 7. AMENDMENTS. This Rule may be amended from time to time by rule of the Board upon public notice and at least one (1) public hearing.

Section 8. EFFECTIVE DATE. This Rule shall become effective upon its approval by the Board of Supervisors of the Village Community Development District No. 11.

SPECIFIC AUTHORITY: Chapters 120 and 190, Florida Statutes, as amended.

HISTORY: New March 2023
Amended and Restated November 16, 2023

Appendix B

Procedures for Compliance Of External Deed Restrictions and Schedule for Fines for Village Community Development District No. 11

I. PURPOSE AND INTENT:

The purpose and intent of the deed compliance enforcement process is to provide and promote the health, safety, welfare, and property value of this community. The purpose of this procedure is to provide a clear, systematic, and consistent process for the investigation, notification, and conformance with the Rule. The intent is to seek voluntary compliance with the provisions of the Rule, which provides for the maintenance of a high quality of life in the community. Please note the deed compliance process outlined herein does not address complaints for property or situations that occur within the confines of the home.

II. PROCEDURE FOR COMPLIANCE:

Step 1. Complaints

Complaints of possible Rule violations may be made by residents or any other person. Complaints may be received by phone, fax, mail, electronic mail, or in person.

If the contact information of the complainant is known, it is logged and retained for future follow-up and becomes part of the case record, which is a public record. However, complaints may be accepted anonymously.

Step 2. Inspection

Within three (3) business days of receiving the complaint, deed compliance staff is sent to the address identified in the complaint to check and verify the alleged violation. If the alleged violation is not substantiated, the complainant, if known, is notified and the process ends.

Step 3. Notification

Once a violation is confirmed with the exception of violations that unreasonably endanger the health, safety, or welfare of District residents or Re-Occurring and Repeat Violations, which are addressed separately below, all three of the following activities, if necessary, occur within three (3) business days or as soon as possible:

- A. A **Deed Restriction Reminder Notice** is issued to the Owner. This is the first written notice that is either hand delivered to the Owner, occupant or left at the door if no one is home.

- B. A **telephone call** is made by deed compliance staff to the owner of record according to the County Property Appraiser's records at their local phone and any other known phone number.
- C. An **initial letter** is sent to the Owner of record of the property according to the County Property Appraiser's records in which the violation exists and any other known address. The letter shall identify the Rule violation and at a minimum shall also include the following:
- i. The required action to remedy the violation.
 - ii. A prescribed time allotment to remedy the violation which shall be between 3 and 15 business days depending on the type of violation.
 - iii. Photographs of the violation.
 - iv. A request to call the Community Standards Department office when the violation has been remedied.

If additional time is necessary to bring the violation into compliance, the Owner or the Owner's representative shall request additional time. All requests shall be in writing or documented by deed compliance staff. Any request shall include the amount of additional time needed and the reason for said request. The request may be granted by the deed compliance staff, depending on the type of violation and extenuating circumstances such as illness, death, or the like. A telephone call is made to the complainant to advise them of the compliance process if contact information is known.

Step 4. Second Notification

After the allotted time, deed compliance staff revisits the property to verify if the violation has been remedied. If the violation has NOT been remedied, staff shall send a **2nd letter** to the Owner of record of the property according to the County Property Appraiser's records in which the violation exists and any other known address which shall include, at a minimum:

- i. The date of the last letter.
- ii. The violation to be corrected.
- iii. Required action to remedy the violation in order to avoid a possible fine.
- iv. Time allotment of 15 days in which to comply for all violations except for violations pertaining to parking or lawn ornaments. The compliance time allotment for parking or lawn ornament related violations shall be 3 business days.
- v. Possible fine amount.
- vi. Requirement to call the office once complete for verification of compliance.

If the violation has been remedied, the complainant is called if contact information is known and the case is closed.

Step 5. Third Notification / Notice of Public Hearing

On the 16th day, as identified in the second notification, a site visit is made, photographic evidence taken, and if the violation still exists, a **3rd letter** is sent to the Owner of record of the property according to the County Property Appraiser's records in which the violation exists and any other known address by regular and certified mail return receipt requested, which shall include at a minimum:

- A. The date, time and location for the public hearing, to be held before the Deed Compliance Hearing Officer, to hear the facts of the case.
- B. A statement advising that the Owner has the right to attend, present testimony, evidence and witnesses, cross examine witnesses on their behalf in regards to the allegations, fines and charges against the Owner.
- C. A statement advising that staff may recommend, and the Deed Compliance Hearing Officer may find the Owner in violation of the Rule, impose fines, or continued maintenance of the property with additional fines imposed and/or seek other legal remedies including injunctive relief against the Owner.
- D. For Re-Occurring and Repeat Violations this notice shall include supporting documentation thereof.

Step 6. Notification for Re-Occurring Violations

The term "Re-Occurring Violation" means a violation of a provision of the Rule by an owner who has been previously notified to have violated the same provision of the Rule within twelve (12) months prior to the current violation, notwithstanding the violation occurred at different locations. If the Community Standards Department staff receives a complaint regarding a Re-Occurring Violation, staff is not required to give the owner a reasonable time to correct the violation. Instead, staff shall follow the procedure of compliance as outlined above with the exception of Steps 3 and 4. With regards to Step 5, the case may be presented to the Deed Compliance Hearing Officer even if the Re-Occurring Violation has been corrected prior to the Public Hearing and the notice shall so state. If the Re-Occurring Violation is brought into compliance prior to the Public Hearing, the Deed Compliance Hearing Officer may make a finding of guilt but shall not impose a fine.

Step 7. Notification for Repeat Violations

Repeat Violations - The term "Repeat Violation" means a violation of a provision of the Rule by an Owner who has been previously found by the Deed Compliance Hearing Officer, to have violated the same provision of the Rule within twelve (12) months prior to

the current violation, notwithstanding the violations occurred at different locations. If the Community Standards Department staff receives a complaint regarding a Repeat Violation, staff is not required to give the Owner a reasonable time to correct the violation. Instead, staff may follow the Procedure of Compliance as outlined above, with the exception of steps 3 and 4. The case may be presented to the Deed Compliance Hearing Officer even if the Repeat Violation has been corrected prior to the Public Hearing, and the notice shall so state. Repeat Violations may be fined up to \$500 and the Deed Compliance Hearing Officer may impose a \$500 daily fine until the property is brought into compliance.

Step 8. Notification for Violations that Unreasonably Endanger the Health, Safety, or Welfare of District Residents; Emergency Procedure; Summary Enforcement.

In cases of emergency, where delay in abatement of the violation required to complete the procedure and notice requirements as set forth in Steps 3 through 5 above will permit a continuing violation that unreasonably endangers public health, safety, or welfare, the Deed Compliance Hearing Officer may order summary enforcement and abatement of the violation. To proceed with summary enforcement, a deed compliance officer or other designated official shall determine that a violation exists or is being maintained on property in the District and that delay in abatement of the violation will unreasonably endanger the public health, safety, or welfare of District residents. The officer or designated official shall notify the Owner of the property in writing of the nature of the violation, whether the public health, safety, or welfare will be unreasonably endangered by delay in abatement of the violation required to complete the procedure set forth in Steps 3 through 5 above and may order that the violation be immediately terminated or abated by the Owner. If the violation is not immediately terminated or abated by the Owner, the Deed Compliance Hearing Officer may order summary enforcement and abate the violation by entering an Emergency Order of Enforcement/Claim of Lien against the Owner at its next Board meeting.

Step 9. Enforcement

If the property is still in violation two (2) days prior to the noticed Public Hearing, as indicated in the third notification or if it is a repeat violation, the Public Hearing will take place as noticed. At the Public Hearing the Deed Compliance Hearing Officer considers evidence and testimony related to the violation from the Owner, District staff, and parties that will be substantially and directly affected by the outcome of the Deed Compliance Hearing Officer's decision. The Deed Compliance Hearing Officer may render a decision to dismiss the case, grant a continuance, find the Owner in violation of the Rule, provide a reasonable time to come into compliance, impose fines, order continued maintenance of the property, any other remedial action deemed necessary to bring the property into compliance and/or direct District Counsel to seek injunctive relief or other legal remedies as appropriate against the Owner. Any Order of Enforcement/Claim of Lien entered by the Deed Compliance Hearing Officer shall require that the Owner reimburse Village Community Development District No. 11 for its reasonable attorneys' fees and costs

incurred in prosecuting the matter against the Owner and shall also require that the Order of Enforcement/Claim of Lien be recorded in the Public Records of Lake County, Florida.

Step 10. Notification of Entry of Order of Enforcement/Claim of Lien

When an Order of Enforcement/Claim of Lien is entered against real property under Step 9 above, and after the time period to correct the violation has expired, District staff shall notify the Owner, in writing, that the Order of Enforcement/Claim of Lien will be recorded in the Public Records of Lake County, Florida, and become a lien against the Owner's property, ten (10) days from the date of the notification. District staff shall also advise the Owner that should the Owner choose to appeal the recording of the Order of Enforcement/Claim of Lien because the property was brought into compliance as required by the Order of Enforcement/Claim of Lien, the Owner must do so within the ten (10) day time period provided in the written notification to the Owner, by mailing a request for a hearing to appeal the Order of Enforcement/Claim of Lien. The request for a hearing must be made in writing and delivered to VCCDD – Community Standards, 984 Old Mill Run, The Villages, FL 32162. If the Owner properly requests a hearing to appeal the Order of Enforcement/Claim of Lien, the appeal will be brought before the Board of Supervisors or Deed Compliance Hearing Officer for the District at the next available meeting. The hearing on the appeal shall only be held to determine whether the Owner brought the property into compliance, as required by the Order of Enforcement/Claim of Lien. If the Board of Supervisors finds that the property was not brought into compliance as required by the Order of Enforcement/Claim of Lien then the Order of Enforcement/Claim of Lien shall immediately be recorded in the Public Records of Lake County, Florida. If the Board of Supervisors finds that the property was brought into compliance as required by the Order of Enforcement/Claim of Lien then the Order of Enforcement/Claim of Lien shall not be recorded in the Public Records of Lake County, Florida. If the Owner fails to request a hearing as provided herein then the Owner's right to a hearing shall be deemed as being waived and the Order of Enforcement/Claim of Lien shall be recorded in the Public Records of Lake County, Florida, and it shall act as a lien against the Owner's real property until the real property is brought into compliance with the District's Rule to Bring about Deed Compliance and all fines, fees, and costs are paid in full.

III. GENERAL PROVISIONS:

1. Mowing / Edging – If a property is found in non-compliance of the Rule's mowing and edging requirements, the Deed Compliance Hearing Officer may at the respective public hearing order continued maintenance of the property by the District at a re-occurring cost to the Owner in accordance with the Fine Schedule.

2. Pressure Washing / Hedging – If a property is found in non-compliance of the Rule's pressure washing and/or hedge/shrubbery trimming requirement, the Deed Compliance Hearing Officer may at the respective public hearing order maintenance of the property to bring the property into compliance with the District's Rule. Such maintenance may include: (a) pressure washing a home, driveway, walkway, fences, or walls; and/or (b) trimming hedges and shrubbery off the soffit and/or rain gutters of the home, and entry to

the front door. The cost of any such maintenance shall be borne by and charged to the property owner and shall include the actual cost of maintenance plus an administrative fee in accordance with the Fine Schedule.

3. The District is responsible for approving alterations, changes, or modifications to the Homesite and exterior appearance and structure of the Homesite. No after-market change should be made to the Homesite without first gaining written approval. This includes but is not limited to: arbors, trellises, pergolas, pools, patios, screen cages, decks, awnings, fences, walls, enclosures, landscaping, driveway additions or coating/pavers, exterior re-painting and room additions to the home.

The District approval may be via an Architectural Review Hearing Officer created by district resolution or interlocal agreement.

4. Compliance Public Hearings will be held on a monthly basis.

5. The information collected during the enforcement process is public information. If a resident wishes to find out who made a complaint against their property and that information is available, then it will be provided in accordance with Section 119.07 of Florida Statutes.

STATEMENT OF PURPOSE

Village Community Development District No. 11 (“District”) proposes an amendment and restatement of Chapter I of its rules establishing The Rule to Bring About Deed Compliance (“Rule”) within the boundaries of the District.

The purpose of the Rule is to adopt those deed restrictions pertaining to the external use, appearance, and operation of real property deemed by the District to be generally beneficial for the District’s landowners for which enforcement by the District is appropriate. The Rule also establishes certain guidelines, operating policies and procedures, compliance mechanisms, and a schedule of fines correlated to the costs associated with the deed compliance process relating to the enforcement of the adopted deed restrictions within the District. The Rule provides for the health, safety, welfare, and value to the landowners of the District.

The purpose of this amendment and restatement of the Rule is to:

- Establish procedures for Notification of Violations that Unreasonably Endanger the Health, Safety, or Welfare of District Residents; Emergency Procedure; Summary Enforcement.
- Establish procedures for Notification of Entry of Order of Enforcement/Claim of Lien.
- Remove ARC requirements for tree removal in Home Units.
- Establish a fine schedule for properties that hinder maintenance per an Order of Enforcement.

RESOLUTION 2024-02

A RESOLUTION OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11, AMENDING AND RESTATING CHAPTER I OF VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11'S RULE ENTITLED "THE RULE TO BRING ABOUT DEED COMPLIANCE", WHICH INCLUDES AMONG OTHER THINGS, A MATRIX OF THE ADOPTED EXTERNAL DEED RESTRICTIONS THAT MAY BE ENFORCED AND A DETAILED PROCEDURE FOR COMPLIANCE OF THOSE EXTERNAL DEED RESTRICTIONS AND FINES FOR VIOLATIONS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Village Community Development District No. 11 ("District") has advertised its intent to amend and restate its Rule to Bring About Deed Compliance ("Rule") for the District in accordance with §190.012(4), Florida Statutes, and has held a public hearing for such adoption in compliance with all applicable statutes and rules; and

WHEREAS, the District Board of Supervisors in a public hearing on November 16, 2023, considered public input and all input of staff and has determined it is in the best interests of all persons and entities to be served by the District to amend and restate the Rule.

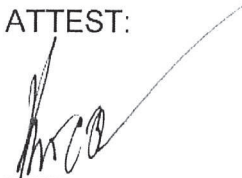
NOW, THEREFORE, BE IT RESOLVED by the Village Community Development District No. 11, as follows:

1. The Rule to Bring About Deed Compliance within Village Community Development District No. 11 is hereby amended and restated as provided in the document attached.
2. The Rule shall become effective December 1, 2023.

APPROVED AND ADOPTED THIS 16TH DAY OF NOVEMBER, 2023.

VILLAGE COMMUNITY DEVELOPMENT
DISTRICT NO. 11

ATTEST:



Secretary

By: 

Don Brozick, Chairman