

# ***Discovery Pointe Homeowners Association***

## ***Rules***

The following is a summary of Discovery Pointe's rules and regulations. The complete version will be found in the Declaration of Covenants and Restrictions. Copies can be obtained through TMG Management and also at [www.discoverypointehoa.com](http://www.discoverypointehoa.com).

***Parking*** is not allowed on the roadways of Discovery Pointe.

Street parking subjects all owners to a serious liability if state and city laws are not complied with. An unobstructed 24-foot right-of-way is required by the city. Our roadways are exactly 24- feet wide. Thus, there is no space for parking. Also, it is costly to replace sod and sprinkler heads damaged by cars. In the past, Discovery Pointe Homeowners' Association has spent in excess of \$40,000 in grounds maintenance (this amount does not include the lawn contract or tree maintenance).

Vehicles parked on the street or on grass will be issued a warning sticker. Any vehicle issued more than two stickers within a two-month period will be subject to towing at the owner's expense. Violators will be towed without another warning sticker.

Homeowners or residents are responsible for instructing their guests about the proper places to park. Autos belonging to guests are subject to these rules. These procedures obviously exempt deliveries, loading and unloading.

***Use of Property:*** Homes may be used for residential purposes only. No trade or business may be conducted. (The City of Deerfield Beach does not allow businesses to be operated out of homes).

***Leasing of Unit:*** Homeowners may lease their units. A copy of the lease is to be provided to the Association via TMG Management. Lessees must adhere to all Discovery Pointe Homeowners' Association rules and regulations. It is the responsibility of the owner to provide copies of Discovery Pointe rules to the tenants.

***Garages*** are to be used for the storage of personal cars. Other items may be stored in garages as long as the garage still holds a vehicle. The conversion of a garage that prevents the storage of a vehicle or storage of items preventing the parking of a vehicle is prohibited.

***Pets:*** Each unit may have one pet, not to exceed 40 pounds. All pets must be carried or kept on a leash when outdoors. It is the responsibility of the owner to pick up animal waste immediately. It is against the law to leave animal waste; it is not healthy, and it creates an unpleasant atmosphere for others.

***Signs:*** Only real estate signs advertising a unit for sale may be used. They must be displayed in a window, one per unit. Villa "Horizon" units may display a sign in the bathroom window. Signs on the lawns are not allowed. "For Rent" signs are not allowed.

***Garbage, Trash, Recycling:*** Household garbage is picked up Tuesday and Fridays. All garbage must be in containers or closed plastic bags. Garbage may be put out no sooner than 7:00PM the night before pickup and trash cans must be put back by 7:00PM the day of pickup.

***Trash*** – Large items such as furniture, appliances, large boxes or Christmas trees will be picked up on Wednesdays. Place on your curb no earlier than 7:00PM Tuesday evening.

***Recycling*** items are picked up on Fridays. The City of Deerfield Beach picks up newspapers in either paper bags or tied with string. Also, glass - clear, green or brown, plastic - number 1, 2 or 3, aluminum, steel and tin cans, and milk, and juice containers. Place your recyclable items in a recycling bin and

place on the curb no earlier than 7:00PM Thursday night. Recycling bins must be picked up by 7:00PM Fridays. If you need a recycling bin, call the City of Deerfield at 954-480-4478.

**Motorcycles (including Gopeds, motorized skateboards, scooters and similar vehicles)** are not allowed in Discovery Pointe without the permission of the Board of Directors. If approved, they must be kept in a garage.

**Commercial Vehicles** and commercial equipment may not be parked in Discovery Pointe. If you have a commercial vehicle that you drive home, it must be kept in your garage.

**Garage Sales:** Individual garage sales are not permitted in Discovery Pointe. A community wide garage sale is sanctioned and sponsored by the Homeowners Association usually in March each year.

**Solicitations:** The documents of Discovery Pointe (along with the City of Deerfield Beach) prohibit solicitations within the development. If you are receiving solicitations on your doorstep please notify TMG Management.

**Outside Storage of Personal Property:** Personal property may not be stored outside your unit's structure. This includes picnic tables and lawn chairs on the grass.

**Alterations, Additions and improvements:** No alterations may be made to the outside of your unit without written approval from the Board of Directors. Complete a change form or send a descriptive letter with a sketch of the proposed change to the Board in care of TMG Management. You may not put up antennas, clotheslines or window air conditioning units. Additional lighting, other than in locations provided by the builder, which is to be attached to the building, must have the approval of the Board. Clothes or towels may not be put outside to dry.

**Hurricane Shutters** are allowed only with the prior approval of the Board of Directors. Please submit your request in writing with a picture or sketch to TMG Management.

**Window Coverings:** The documents of Discovery Pointe allow a seven-day grace period for new residents to provide appropriate window covers. Sheets, blankets and towels, etc. are not appropriate window coverings.

**Nuisances and Annoyances:** No interference with the peace and comfort of the residents of the community will be tolerated.

**Pool and Recreation Area:** Pool area hours are 7:00AM to 11:00PM.

**NO** – Animals are allowed in the pool or in the recreation area.

**NO** – Food or drink is allowed in the pool or on the pool deck within four feet of the edge of the pool.

**NO** – Children under 12 years old are allowed in the pools or in the recreation area without being accompanied by an adult.

**NO** – Bicycles, skateboards or skates are allowed in any part of the recreation center- this includes the pool deck and the tennis courts.

**NO** – Glass is allowed in the recreation area.

**NO** – Diving is allowed.

- Suntan lotion and oil must be showered off before entering the pools.
- A four-foot area around the swimming pool should be kept clear of chairs and tables for passage.
- Swimsuits must be worn in the pools. No cutoffs, jeans or shorts.

**RULES AND REGULATIONS OF  
DISCOVERY POINTE HOMEOWNER'S ASSOCIATION, INC. hereinafter referred to as  
DISCOVERY POINTE  
EFFECTIVE NOVEMBER 12, 1986**

**USE RESTRICTIONS:**

- A. **NO TRADE OR BUSINESS.** No trade, business, profession, or commercial activity, or any other non-residential, use, shall be conducted upon any portion of the SUBJECT PROPERTY or with any LOT or UNIT.
- B. **LEASING.** All leases of a UNIT must be in writing and specifically be subject to the the DECLARATION, the ARTICLES and the BY-LAWS, and copies delivered to the ASSOCIATION prior to occupancy by the tenant(s). Any person(s) occupying a UNIT in the absence of the OWNER shall be deemed occupying the UNIT pursuant to a lease, regardless of the presence or absence of consideration with respect to the occupancy. Notwithstanding the foregoing, an OWNER may permit members of his immediate family to occupy his UNIT as a guest in his absence for periods of less than six (6) months, provided the BOARD is given prior written notice of such occupancy.
- C. **ALTERATION, ADDITIONS OR IMPROVEMENTS.** No OWNER shall make, install, place or remove any alterations, additions, improvements or changes of any kind or nature whatsoever to, in or upon any portion of the COMMON AREAS, the OWNER'S LOT, including the fenced-in area, or the exterior of the OWNER'S UNIT, unless the OWNER first obtains the written consent of the ASSOCIATION to such addition, alteration, improvement or change. Any request by an OWNER for consent by the ASSOCIATION to any addition, alteration, improvement or change shall be in writing and shall be accompanied by plans and specifications or other details as the ASSOCIATION may deem reasonably necessary in connection with its determination as to whether or not it will approve any such addition, alteration, improvement or change. The ASSOCIATION'S approval as to same shall not be unreasonable withheld, but may be withheld based upon aesthetic considerations. All additions, alterations, improvements or changes made by an OWNER shall be made in compliance with all laws, rules, ordinances and regulations of all governmental authorities having jurisdiction, and with any conditions imposed by the ASSOCIATION with respect to design, structural integrity, aesthetic appeal, construction details or otherwise. An OWNER making or causing to be made any additions, alterations, improvements or changes, agrees, and shall be deemed to have agreed, for such OWNER, and the OWNER'S heirs, personal representative, successors and assigns, as appropriate, to hold the ASSOCIATION and all other OWNERS harmless from any liability or damage to the SUBJECT PROPERTY and expenses arising therefrom. Each OWNER shall be solely responsible for and shall maintain all exterior additions, alterations, improvements or changes made by the OWNER or his predecessor in a first class condition and in good working order as not be deemed to prohibit repairs or replacements required to be made by the OWNER, provided such repairs or replacements are in substantial conformity, including materials and colors, with that originally installed by the DEVELOPER or last approved by the ASSOCIATION.
- D. **OUTSIDE STORAGE OF PERSONAL PROPERTY.** The personal property of the OWNER shall be stored inside the OWNER'S UNIT and shall not be left outside overnight, with the exception of the OWNER'S permitted motor vehicles.
- E. **NO TEMPORARY BUILDINGS.** No out-buildings, portable buildings, temporary or accessory buildings or structures, storage buildings, or tents, shall be erected, constructed or located upon any LOT for storage or otherwise, without the prior written consent of the ASSOCIATION.
- F. **GARBAGE AND TRASH.** Each OWNER shall regularly pick up all garbage, trash, refuse or rubbish on the OWNER'S LOT. Garbage, trash, refuse or rubbish that is required to be placed at the front of the LOT in order to be collected may be placed and kept at the front of the LOT for periods not exceeding twelve (12) hours, and except for garden trash and rubbish to be collected, same shall be place in appropriate trash facilities or heavy dutie black plastic trash bags. All containers are to be kept in the garage or screened from view and kept in a clean and

sanitary condition. No obnoxious or offensive odors shall be permitted. Each individual's garbage will be picked up by the City of Deerfield Beach on Monday's and Thursday's, payment for which shall be Common Expense.

- G. AUTOMOBILE AND VEHICLES. Only automobiles, small trucks not exceeding 2,000 pounds, vans and other vehicles commonly used as private passenger vehicles may be parked within the SUBJECT PROPERTY overnight. Other types of vehicles, recreational vehicles, campers, boats and trailers, may not be parked or stored overnight, or for more than four (4) hours in an day. No vehicle shall be parked overnight if commercial equipment or commercial lettering is exposed in or upon the vehicle. The foregoing restriction shall not be deemed to prohibit the temporary parking of commercial vehicles making delivery to or from, or used in connection with providing services to, any UNIT. No motor vehicle shall be stored within the SUBJECT PROPERTY which is not in operating condition, and no major repairs of motor vehicles are permitted within the SUBJECT PROPERTY. Motorcycles are not permitted, except with the prior written consent of the ASSOCIATION which may be withdrawn at anytime, and any permitted motorcycles must be equipped with appropriate noise muffling equipment so that the operation of same does not create an unreasonable annoyance to the residents of the SUBJECT PROPERTY. All allowed motorcycles must be garaged.
- H. ANIMALS AND PETS. No animals, livestock or poultry of any kind shall be permitted on any LOT or in any UNIT except for common household pets. any household pets must not be kept or maintained for commercial purposes and must not be an unreasonable nuisance or annoyance to other residents of the SUBJECT PROPERTY. All household pets must be carried or kept on a leash when outside of a UNIT or in a fenced-in area. Any OWNER will be required to immediately pick up any animal waste deposited by his pet on any portion of the SUBJECT PROPERTY. No unit owner may maintain in his Unit more than one animal, such as dogs and cats, and no allowed animal may weigh more than 40 pounds.
- I. AIR CONDITIONING UNITS. Only central air conditioning units are permitted, and no window, wall, or portable air conditioning units are permitted, except with the written consent of the Association.
- J. CLOTHELINES AND OUTSIDE DRYING. No clothes lines or clothes pole shall be erected, and no clothes-drying is permitted which is visible from the exterior of the LOT.
- K. NUISANCES AND ANNOYANCES. No nuisances shall be permitted within the SUBJECT PROPERTY, and no use or practice which is an unreasonable source of annoyance to the residents within the SUBJECT PROPERTY or which shall interfere with the peaceful possession and proper use of the SUBJECT PROPERTY by its residents shall be permitted. No offensive or unlawful action shall be permitted, and all laws, zoning ordinances and regulations of all controlling governmental authorities shall be complied with at all times by the OWNERS.
- L. OUTSIDE ANTENNAS. No outside antennas are permitted.
- M. SIGNS. No signs are permitted which are visible from the exterior of any LOT without the written consent of the Association.
- N. WINDOW TREATMENTS. Window treatments consisting of draperies, blinds, decorative panels, or other tasteful window covering treatments are permitted, except for periods not exceeding one (1) week after an OWNER or tenant first moves into a UNIT or when permanent window treatments are being cleaned or repaired.
- O. SURFACE WATER MANAGEMENT. The surface water management system for the SUBJECT PROPERTY shall be installed, operated and maintained in accordance with all permits and approvals issued by any controlling governmental authority. Furthermore, the surface water management system shall not be adversely interfered with, changed or altered, except pursuant to permits or approvals issued by the controlling governmental authority.
- P. MAINTENANCE. Except for portions of the SUBJECT PROPERTY to be

maintained by the ASSOCIATION as elsewhere provided, each OWNER shall maintain, in a first class condition, his LOT and his UNIT and all other improvements existing upon his LOT from time to time.

- Q. WAIVER. The ASSOCIATION shall have the right to waive the application of one or more of these restrictions, or to permit a deviation from these restrictions, as to any LOT where, in the discretion of the BOARD, circumstances exist which justify such waiver or deviation. In the event of any such waiver or permitted deviation, or in the event any party fails to enforce any violation of these restrictions, such actions or inactions shall not be deemed a waiver of any of the restrictions contained herein as same may be applied in the future.
- R. GARAGES. Garages shall be used as parking spaces only. There shall be no modification of existing garage space which shall interfere with that use. Garage Doors shall be kept closed when not in use.
- S. IMPROVEMENTS. No improvements, alterations or changes to the exterior of any residence in DISCOVERY POINTE are allowed without the written consent of the Board of Directors.
- T. LANDSCAPING. No changes, additions or deletions in the landscaping of any residence or common area of DISCOVERY POINTE can be effected without the written consent of the Board of Directors.) All areas not covered by buildings, structures or paved parking facilities shall be maintained as green areas and shall be maintained to the pavement edge of any abutting streets or to the waterline of any abutting lakes or canals. No stone, gravel or paving of any type shall be used as a lawn unless approved as part of the landscaping plan.
- U. RESIDENTIAL USE. The use of each residential unit is restricted to one (1) family and shall be used for private residential purposes only, and for no other purposes, and no business of any kind whatsoever shall be operated, carried on, permitted or conducted in any unit, although the foregoing shall not be construed as preventing the leasing of a unit to tenants for residential purposes. Notwithstanding the foregoing, ZAHN ATLANTIC DEVELOPMENT CORPORATION, or successors shall be permitted to use any unit or units owned by it as models in connection with its Sales Program.
- V. CHILDREN. A maximum of one (1) child per bedroom per residence shall be allowed.
- W. YARDS. The YARD adjoining each unit shall be under the exclusive control of the unit owner. No construction of any structure or appurtenance shall be allowed without the consent of the Board of Directors of DISCOVERY POINTE. No parking of any vehicles, boats, recreational vehicles, motorcycles, trucks or similar items shall be allowed in the YARD of any unit. No swimming pools or playground equipment or like shall be built or placed on any yard.
- X. WALLS AND FENCES. No wall, fence or shrubbery hedge shall be constructed on any lot or parcel other than the original landscaping plan approved by the Board of Directors of DISCOVERY POINTE.

DISCOVERY POINTE  
RECREATION CENTER RULES AND REGULATIONS

GENERAL

1. Hours open - 7AM to 11PM. Locked at all other times.
2. Each residence is given one key to the Entrance Gate, the self-locking doors of the indoor racquetball court and to the exercise room. Replacement key is \$5.00.
3. Guests - May use the Recreation facilities ONLY when accompanied by a resident. Guests should be kept to a minimum.

SWIMMING POOL AND HEATED WHIRLPOOL

1. State of Florida Chapter 100-5, Florida Administrative Code, provides:
  1. No animals in pool or on pool deck.
  2. No food or drink in pool or on pool deck or on wet pool deck area within four feet of the pool curb.
  3. Sun-tan lotion MUST BE SHOWERED OFF before entering pools due to damage to filter system.
  4. No diving. Our pool does not have approved diving bowl configuration.
  5. Pool decks shall have an unobstructed wet area with a minimum of four feet. (Keep area free of chairs & tables.)
  6. No children under 12 years of age are allowed in the pool or whirlpool without an adult (18 years or older).
  7. Proper bathing attire - no diapers, jeans, cut-offs, etc. are allowed.
  8. No unicycles, bicycles, tricycles, roller-skates, etc, are allowed.
  9. No floating devices in the pools.

TENNIS COURTS

1. Only tennis shoes or athletic shoes are to be worn.
2. No food or beverage.
3. No animals.
4. No bicycles, etc.
5. Time limited to one hour for doubles, 45 minutes for singles, if others are waiting.
6. Adults have priority after 5PM weekdays and weekends.
7. No children under 12 years of age are allowed in the tennis court area without an adult (18 years or older).

INDOOR RACQUETBALL COURT AND EXERCISE ROOM

1. Appropriate soft-soled shoes are to be worn.
2. Regulation balls must be used.
3. Use of the court is limited to 1 hour (1 1/2 hour with Walleyball), if others are waiting.
4. No children under 12 years of age are allowed in the court or exercise room without an adult (18 years or older).
5. No food or beverage at any time.

BOATS

1. Only electric motor boats, sail boats and manually operated boats are permitted. No gas powered boats.
2. No ground storage of boats or boat trailers within DISCOVERY POINTE.
3. No boat or engine repair work is permitted within DISCOVERY POINTE.

## RESOLUTION

Whereas, the Telecommunications Act of 1996 was intended to eliminate unnecessary restrictions on antenna placement and use while minimizing any interference to community associations in performing their required functions; and

Whereas, the Rules adopted by the FCC pursuant to the Act protect the right of a property owner with exclusive control of the property to receive video programming signals from direct broadcast satellites (DBS), multichannel multipoint distribution (wireless cable) providers, and television broadcast stations (TVBS), within limitations set forth in the Rules; and

Whereas, the Rules adopted by the FCC pursuant to the Act allow Association to enforce restrictions which do not impair reception as well as restrictions needed for safety; and

Whereas, Association is responsible for the general health, safety and welfare of its members as they relate to the use of the real property (both the common areas and the individual living units located within the development); and

Whereas, Association is located in South Florida, an area well known for the destructive nature of hurricanes and for the high incidence of lightning strikes; and

Whereas, Association has a non-exclusive interest in the roof system over the living units within the development, is required to contract for the repairs and replacements of the roof systems within the development and is responsible for ongoing maintenance and procedures in order to preserve the warranties which may exist on the roof systems from time to time; and

Whereas, Association is responsible for the aesthetic harmony of the exterior of the living units and of the common areas; and

Whereas, Association desires to implement a policy for the placement of antennas and satellite dishes consistent with the safety and aesthetic concerns protected by the Act.

**NOW THEREFORE, BE IT RESOLVED that:**

1. Notwithstanding any prohibitions or limitations which may be contained in the recorded documents or in any previously adopted Rules and Regulations of the Association, the following provisions shall govern and shall be paramount.

2. Association shall appoint a committee which shall have the power to approve or disapprove the placement of antennas in accordance with this Resolution on an expedited basis. There shall be no application or approval fee for this service.

3. Inasmuch as Association has a continuing concern for the safety of its residents and for its financial responsibilities in preserving the warranties on the Association-maintained roof system, no antenna or satellite dish installation will be permitted on any portion of the roof system.

4. Prior to the installation of an antenna or satellite dish by any Owner or resident on any other portion of the Lot, the Owner or resident shall submit to the committee (through Association's management agent) a survey or sketch of the property indicating the proposed location of the installation, including measurements from all property lines and from the ground. The drawings submitted shall include both an overhead view as well as an elevation view and shall include as exhibits:

- a. the manufacturer's specifications of the antenna or satellite dish;
- b. the original color of the antenna or satellite dish and any proposed modified color;
- c. the proposed method of anchoring the antenna or satellite dish; and
- d. any proposed landscaping to shield the installation.

No application shall be deemed complete until all of the required information has been submitted.

5. Within five (5) business days of receipt of all of the required information, the committee shall notify the management agent that it has either:

- a. approved of the proposed installation;
- b. disapproved of the proposed installation for safety reasons; or
- c. conditioned its approval upon such terms as may be required to protect the interests of Association without undue expense to the applicant, while permitting an equivalent and acceptable signal quality.

The applicant shall contact the management agent not sooner than six (6) business days after submitting all of the required information to determine the status of the application. Failure of the committee to exercise its options within the five days shall be deemed an approval of the proposed installation.

6. Notwithstanding any approval which may be given, Association is not an engineer and does not warrant that the proposed installation is mechanically acceptable to withstand hurricane forces or to avoid lightning strikes.

7. The Owner of the Lot (whether or not the applicant) shall indemnify and hold Association harmless from any and all claims, demands, causes of actions and judgments which may be made as a result of the installation of any antenna or satellite dish.

ADOPTED by the Board of Directors on the 11<sup>th</sup> day of November, 1996.

Katharine L. Summer, Sec. Treas.  
Secretary  
(CORPORATE SEAL)

# DISCOVERY POINTE, HOA

## REGULATIONS GARBAGE, RECYCLING, AND BULK

As stated in the Declaration of Covenants and Restrictions - garbage, recycling and bulk items are to be placed outside for pickup NO SOONER than 7:00 P.M. the night before the pickup. Garbage cans and recycle containers are to be put away NO LATER than 7:00 P.M. on the day of pickup. The schedule for the various pickups is as follows:

**GARBAGE:** Garbage is picked up on Tuesdays and Fridays. All garbage MUST be in closed plastic bags or proper garbage containers.

**RECYCLING:** Recycling items are picked up on Fridays. The City of Deerfield Beach picks up newspapers in either paper bags or tied with string. Also, glass (clear, green or brown), plastic (number 1, 2 or 3), aluminum, steel and tin cans, and milk and juice containers will be picked up when in a recycling bin. If you need a recycling bin, call the City of Deerfield at 480-4478.

**BULK ITEMS:** Bulk pickup is on Wednesdays. Bulk items include furniture, appliances, large boxes, Christmas trees, etc.

Please be sure that the above items are not put out for pickup any earlier than the above stated times. Everyone should be concerned about the appearance of the property, and having garbage outside for days or empty containers left out for days after pickup is very detrimental to the property. The Declaration specifically states that all garbage containers must be kept in the garage or screened from view.

The cooperation of all residents is appreciated.