

## THE MANORS AT FOUNTAIN LAKES, A CONDOMINIUM INITIAL RULES AND REGULATIONS

The Rules and Regulations hereinafter enumerated as to the Association Property, Condominium Property, the Common Elements, the Limited Common Elements, and the Units, shall be deemed in effect until amended by the Board of Directors of the Association, and shall apply to and be binding upon all Unit Owners. The Unit Owners shall at all times obey said Rules and Regulations and shall use their best efforts to see that these Rules are faithfully observed by their families, guests, and invitees, servants, lessees, and persons over whom they exercise control and supervision.

Definitions:

**Common Elements:** Common elements include all the land and the building structures. Common elements are owned by all the unit owners together and are for the use and enjoyment of all. Everyone must be considerate in their use of common areas. Common elements are generally referred to as “from the drywall out”. The Association is responsible for replacement of drywall in the event of a structural failure. Drywall damage incurred by owner act or owner negligence is the responsibility of the condo owner.

**Limited Common Elements:** Areas reserved for the exclusive use of a specified unit. Examples are the garages, the private courtyards on first floor end units, the lanais,, the air conditioning equipment located outside the unit building (maintained by the unit owners) and the attic areas above the second story units.

**Units:** The individually owned area inside of the shell structure to include tile, carpeting, appliances, cabinetry and all personal property. Unit owner responsibility is generally referred to as “from the paint in”. Unit owners are responsible for all doors, windows and screens, including those in the garages. (\*see exception below) It is recommended that each unit owner carry personal insurance to cover their individual unit contents as defined above.

- Door responsibility exception: Due to substandard quality and installation issues, the Association has agreed to replace the personnel entry doors to the garages (not the overhead doors) as they rust and deteriorate. Approximately half have been replaced with a non-corroding fiberglass door and the remaining doors will be replaced on an as needed basis until all have been replaced. Once the fiberglass doors are installed, responsibility reverts back to the unit owner.

The Rules and Regulations are as follows:

1. **Building Appearance and Maintenance**
  - a. The streets, sidewalks, driveways, walkways and entrances must not be obstructed or encumbered or used for any purpose other than ingress and egress to and from the Units, nor shall any carriages, toys, bicycles, wagons, shopping carts, chairs, rafts or other flotation devices, skateboards, roller blades, benches, tables, plants or statues, or any other object of a similar type and nature be left therein or thereon. No benches, tables, chairs, bird feeders, wind chimes, flags or wind socks are permitted on stairways, balconies or railings. No flag poles or support brackets may be affixed to the buildings. Satellite dishes (or any other antenna-like device) may not be affixed to the building at any location other than inside the individual unit lanai. Any damage to the common areas caused by a unit owner or their guest, tenant, employee, contractor or pet shall be repaired at the expense of the unit owner.
  - b. Personal property of Unit Owners shall NOT be stored outside their Units. Unit Owners may keep normal outdoor furniture on their lanais.

- c. No garbage cans, supplies, containers, or other articles shall be placed in or on the walkways, hallways, balconies and entryways, nor shall any linens, cloths, clothing, curtains, rugs, mops, or laundry of any kind or other articles be shaken or hung from any of the windows, doors, walkways, balconies or entryways, or exposed on any part of the Limited Common Elements or Common Elements; and the Limited Common Elements and the Common Elements shall be kept free and clear of refuse, debris and other unsightly material.
  - d. No Unit Owner shall allow anything whatsoever to fall from the windows, walkways, balconies, entryways or doors of the Unit, nor shall an Owner sweep or throw from the Unit any dirt or other substances outside of the Unit or on the Limited Common Elements or Common Elements of the Condominium.
  - e. Refuse and garbage shall be properly stored and deposited only in the area provided for scheduled pickup. All garbage must be bagged. Bulky items including furniture must be scheduled for special pickup through the property management company and are not to be left in the garbage enclosures without arranging for special pickup.
  - f. No Unit Owner shall make or permit any disturbing noises by the Unit Owner, their family, servants, employees, agents, visitors, or licensees, nor do or permit anything by such persons that will interfere with the rights, comforts or convenience of other Unit Owners. No Unit Owner shall play or permit to be operated a stereo, television, radio or musical instrument in such a manner as to unreasonably disturb or annoy other occupants of the Condominium.
  - g. No barbecuing or outdoor cooking is permitted on walkways, balconies, courtyards or lanais or any portion of the buildings to include the courtyards and garages. It is intended that outdoor cooking be done at the facilities provided in the picnic area behind the Manors buildings or at the Fountain Lakes club house area. Charcoal or electric grills (no propane) can be used in the parking area, but not on the walkways or balconies.
  - h. No sign, advertisement, notice or other similar material shall be exhibited, displayed, inscribed, painted or affixed, in or upon any part of the Units, Limited Common Elements or Common Elements by any Unit Owner or occupant without written permission of the Association.
  - i. No inflammable, combustible or explosive fluid, chemical or substance, shall be kept in any Unit or Limited Common Element, except those necessary and suited for normal household use. Estero Fire Code prohibits the storage of propane containers in any structure, including garages.
  - j. Unit Owners, residents, their families, guests, employees, agents, or visitors shall not at any time, or for any reason whatsoever, climb onto the roofs of any of the buildings, including the garages.
2. **Alteration of Condominium**. Unit Owners are specifically cautioned that their right to make any addition, change, alteration, or decoration to the exterior appearance of any portion of the Condominium is subject to the provisions of the Declaration of Condominium. For example, no Unit Owner may apply any type of film or covering to the inside or outside of window or door glass without the prior approval of the Association. All such additions, changes or alterations must be presented in writing to the Board of Directors for approval, accompanied by written plans or drawings and specifications. The Board of Directors shall

approve such requests only if the Association is protected against or indemnified as to mechanic's liens and/or claims arising from such work.

3. **Emergencies in Owner's Absence.** In order that proper steps and procedures may be taken in a minimum amount of time during an emergency situation, the Association may retain pass-keys to all Units. If a Unit Owner changes a lock, the Owner shall provide the Association with a duplicate key.

Any Unit Owner who plans to be absent from their Unit for an extended period of time must prepare the Unit prior to their departure in the following manner:

- a. By removing all furniture, plants and other objects from the lanai and
- b. By designating a responsible caretaker to care for the Owner's Unit should their Unit suffer any damage caused by storms, hurricanes, winds or other violent acts of nature. The management company (if applicable) and the Association shall be provided with the name of each Unit Owner's aforesaid designated caretaker. Such caretakers will notify the Association prior to making any entry to the Unit during the Owner's absence.

4. **Pets:** The Owner of each Unit may keep not more than two (2) small breed (under 20 pounds) pets of a normal domesticated household type (such as cat or dog) in the Unit. The pet must be leashed or carried under the Owner's arm at all times while on the Condominium Property outside of the Unit. No reptiles, amphibians, poultry or livestock may be kept in the Condominium, but tropical fish or caged birds are permitted in the Unit (but not on lanais as to caged birds). The ability to keep such a pet or animal is a privilege, not a right, and the Board of Directors is empowered to restrict the keeping of such pets and may order and enforce the removal of any such pets which become a source of annoyance to other residents of the Condominium. All pet excrement is to be picked up immediately and disposed of every time the animal is walked.

NOTE: Tenants or guests of owners are NOT allowed to have pets in their units whether or not the owner approves.

- 5 **Parking.** Each unit is provided with a garage for the purpose of parking one vehicle. In addition there are outside spaces at each building sufficient for one additional car per unit. Any vehicle parked outdoors must display a mirror tag, identifying the vehicle as owned by a Manors unit owner. Only one mirror tag is provided for each unit. Cars parked outside without mirror tags are subject to being towed at the owner's expense. Since there are no "guest parking" spaces, consideration for one's neighbors is paramount. Using the garage for storage of personal belongings is not an acceptable reason to park more than one vehicle outside. Provisions have been made with the Fountain Lakes Master Association to allow Manors residents to park a guest vehicle on a short term (overnite) basis at the Tennis Court parking lot at Fountain Lakes. A dash permit must be obtained at the Fountain Lakes Office to display for any cars that are left there overnight.

No commercial vehicle, work vehicle, or any vehicle with more than two axles or disabled vehicle shall be permitted to be parked or stored on the Condominium Property unless kept fully enclosed within a garage at all times. No vehicle shall be parked anywhere but on paved areas intended for that purpose or in garages. Parking on lawns or landscaped areas is prohibited. No vehicle shall be used as a domicile or residence, either permanently or temporarily. Work vehicles are generally described as vehicles used in the operation of a business or service, usually windowless and without rear seating capability and/or having ladder racks, etc. Mini-vans are permitted as long as they are not used in the operation of a business or service.

- 6. Use of Fountain Lakes Facilities.** Owners and tenants of The Manors are entitled to use the recreational facilities at Fountain Lakes. Yellow participation tags are provided for each unit and must be worn when these facilities are used. These tags are available at the Fountain Lakes Office. All rules and regulations as posted at the Fountain Lakes facility are to be followed by all Manors owners and tenants.
- 7. Recharging of Electric Vehicles.** In the event an owner acquires an electric vehicle or a plug-in hybrid vehicle, a separate electrical service will have to be installed in the garage at owners' expense. Charges for existing outlets in the garages are covered by the Association, not the owners and the current wiring will not accommodate the power load.
- 8. Rental of Units.** No unit may be leased more than 5 times in any calendar year, or for a period of less than 30 days. (See Declaration of Condominium) Prior to occupancy, an application for lease must be submitted to the Association along with a \$100 processing fee and a copy of the lease. The Association has 5 days to approve or disapprove the lease.
- 9. Transfer of Ownership.** New buyers of a unit must submit an application for purchase/sale along with a \$100 processing fee to the Association prior to closing. Copies of the documents can be obtained by going to the Fountain Lakes website: [www.fountainlakesestero.com](http://www.fountainlakesestero.com). Input the user name Fountain and the password: 2010. The Manors tab contains the application, the rules and regulations and the condo documents. Effective April 1, 2014, Fountain Lakes has adopted a Capital Contribution Fee of \$300, payable by the buyer to Fountain Lakes Community Association. This will be handled via estoppels through Guardian Property Management and will be collected at closing.

*Rules and Regulations Approved by The Manors Association Board of Directors on April 15, 2014*