INSTR # 2015000109810, Doc Type RES, Pages 13, Recorded 05/21/2015 at 09:32 AM, Linda Doggett, Lee County Clerk of Circuit Court, Rec. Fee $112.00 Deputy Clerk CMASSEY

Prepared by and returned to:

Becker & Poliakoff, P.A.
Gregory W. Marler, Esquire
4001 Tamiami Trail North, Suite 410
Naples, FL 34103

Recording Fee: **$112.00**

CERTIFICATE OF RECORDATION

ARCHITECTURAL CONTROL COMMITTEE ("ACC") GUIDELINES, RULES AND REGULATIONS

CYPRESS COVE A AT GRANDEZZA HOMEOWNERS ASSOCIATION, INC.

I HEREBY CERTIFY that the attached Architectural Control Committee ("ACC") Guidelines, Rules and Regulations, were duly adopted by a unanimous vote of the Board at the duly noticed Board of Directors meeting of the Association on the 29th day of October, 2014. The original Declaration of Covenants, Conditions, and Restrictions is recorded at O.R. Book 3529, at Page 1328 *et seq.*, of the Lee County Public Records. The property encompassed by the Declaration of Covenants, Conditions, and Restrictions is further described at Plat Book 67, Page 15, of the Lee County Public Records.

The Architectural Control Committee ("ACC") Guidelines, Rules and Regulations of the Association are attached as Exhibit "A". The Architectural Control Committee ("ACC") Guidelines, Rules and Regulations may also be further amended without recordation of said changes in the public records. The current version of the Architectural Control Committee ("ACC") Guidelines, Rules and Regulations are available from the Association for interested parties.

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WITNESSES:
(TWO)

Signature

Chris Jordan
Printed Name

Signature

Christine L. Carlson
Printed Name

CYPRESS COVE A AT GRANDEZZA HOMEOWNERS ASSOCIATION, INC.

BY: Cedric L. Anderson
Cedric L. Anderson, President

Date: 03-23-2015

ATTEST: Beverly Pickens
Beverly Pickens, Secretary

Date: 3-23-15

(CORPORATE SEAL)

STATE OF FLORIDA)
) SS:
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 23 day of March 2015, by Cedric L. Anderson as President of Cypress Cove A at Grandezza Homeowners Association, Inc., a Florida Corporation, on behalf of the corporation. He is personally known to me or has produced (type of identification) Fl. Drivers license as identification.

STACEY L HENSON
MY COMMISSION # EE848229
EXPIRES October 31, 2016
(407) 398-0153 FloridaNotaryService.com

Stacey L Henson
Notary Public

Stacey L Henson
Printed Name

My commission expires: October 31, 2016

ACTIVE: C06868/095692:6776107_2

LAW OFFICES
BECKER & POLIAKOFF, P.A.
4001 TAMIAMI TRAIL NORTH • SUITE 410 • NAPLES, FL 34103
TELEPHONE (239) 552-3200

Architectural Control Committee ("ACC") Guidelines, Rules and Regulations

Cypress Cove A at Grandezza Homeowners Association, Inc.

Adopted on October 29, 2014

Background and Purpose

The Board of Directors of the Cypress Cove "A" Homeowners Association has the responsibility to protect and preserve the property values of the neighborhood. The intent of this document is to provide homeowners with clear policy, working rules and regulations in order to maintain a consistent architecture, home appearance and landscape design throughout the neighborhood.

The following guidelines, rules and regulations adopted by the Board of Directors on October 29, 2014, are designed to augment and clarify some areas in our "Neighborhood Declaration of Protective Covenants and Restrictions for Cypress Cove A" and "Master Association Documents for Grandezza". The guidelines contained in this document are not meant to be all inclusive but rather to clarify the most common architectural control requirements for the neighborhood. The Cypress Cove A Board of Directors may make changes to this document from time to time consistent with our "Neighborhood Declaration of Protective Covenants and Restrictions for Cypress Cove A" and "Master Association Documents for Grandezza".

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Architectural Control Committee (ACC)

The Board of Directors of Cypress Cove "A" are the members of the Architectural Control Committee (ACC). Any and all changes to the exterior of a home and landscape areas must be submitted by the homeowner, reviewed and prior approved by the ACC. No work of any kind may be performed until written approval is gained from the ACC. This process ensures that any changes made are done in strict conformance to our guidelines which will ensure a high level of aesthetic quality, and protect property values.

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Scope of Policy

The features, activity and uses which are controlled and regulated by the ACC and require ACC prior approval include, but are not limited to, any improvements or additions on the exterior of each dwelling; any landscaping changes around the exterior of each dwelling (includes shape and size of landscape beds, types of plants, bushes, shrubbery, trees, flowers, mulch and lawn grass/sod), all uses and appearance of Association property, exterior painting of dwelling (body and trim colors), satellite dishes, driveways, walkways, mailboxes, roofs, gutters/downspouts, lanai screening, lanai size or

structure change , lanai wall painting color, windows/screens , storm shutters (doors, windows and lanai), garage doors, decorative front doors, exterior lighting, outside decorative ornaments/items, propane tanks, swimming pools, hot tubs/saunas, solar panels, signs, drainage pipes and lot grading.

****

How to Request ACC Approval

1. All requests for improvement or alteration shall be made in writing (please use the attached "Request for Improvement Alteration or Addition"). It is self-explanatory and should be completely filled out.

a) Detailed Modification/Addition Explanation.

b) Plot Plan

c) Elevation View

d) Materials List

e) Evidence of Contractor Insurance

f) Indication of Building Permit and

g) Duration/Completion Date.

h) Owner Signature, Phone, FAX, E-Mail, Mailing Address

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Procedure for Processing "ACC Improvement or Alteration Approval Request"

1. Owners shall complete the "Improvement or Alteration Approval Request" form and mail or deliver to the Cypress Cove A Management Company for processing;

2. When the ACC Request form is received at the Management Company, it will be date stamped and given to the Cypress Cove A Property Manager for review;

3. The Property Manager will deliver/notify the Board of receipt of the ACC approval request;

4. The ACC will have fourteen (14) days to review the ACC approval request in accordance with the Neighborhood Covenants and applicable guidelines set forth herein;

5. There may be a need for an ACC Member and Property Manager to meet with the homeowner

for more clarification;

6. After the ACC reaches a decision (Approval or Denial), the Owner shall be notified by the Property Manager and the ACC form will be filed with the Association records.

****

Homeowner Responsibilities

1. Maintenance and replacement of doors, windows, screens, exterior light fixtures, roofs, driveways, walkways, lanai screening, all plants within the lanai screening, lanai structures, exterior dwelling painting, caulking, stucco, swimming pools, pool equipment, hot tubs/saunas, air conditioning equipment, building walls, gutters/downspouts , garage doors and mail boxes are the responsibility of the homeowner. Replacements and repairs must be consistent with the architectural style and color of the homeowners dwelling and all other dwellings currently located within Cypress Cove A. The cost of such maintenance, repair or replacement shall be the responsibility of the homeowner and not the Association.

2. Cleanliness of driveways, walkways, exterior building walls, windows, roofs, lanai screening, lanai surface and pool are the responsibility of the homeowner. This includes the timely removal of weeds, debris, mold or other unsightly issues for such areas. The cost of such cleaning shall be the responsibility of the homeowner and not the Association.

3. A homeowner may at his expense make changes, improvements or additions to the exterior or exposed parts of his home if such changes (including paint) are in general keeping with the existing architectural style and design, but only upon prior written approval by the Architectural Control Committee provided, however, the homeowner shall be responsible for upkeep, repair and maintenance of such improvements.

4. A homeowner may at his expense make changes, improvements or additions to landscaped areas (beds) if such changes are in general keeping with the existing architectural style and design of the neighborhood beds, but only upon prior written approval by the Architectural Control Committee.

5. Every January and July, the Cypress Cove A Property Manager will perform a physical review of each home. This includes the inspection of the roof, walkways, driveways, building walls, gutters, windows and lanai screening. The purpose is to determine if the surfaces are clean and in good repair. If any surface is found to be in disrepair or in need of painting or cleaning, then the Property Manager will send a letter to the homeowner and inform the Board of Directors. In addition, the Property Manager will inspect each lot for items contained herein. The homeowner is given four (4) weeks to comply with correcting the deficiencies discovered during the inspection. If the homeowner fails to do the work within the timeframe provided and to the

satisfaction of the Property Manager, then the Property Manager shall notify the Cypress Cove A Board for further action.

****

Association Responsibilities

1. The Association is responsible for landscape maintenance which includes lawns/sod, beds, plants, shrubs and trees. Maintenance includes removal and replacement of dead sod, plants, shrubs, or trees. Replacement will be as clarified in paragraph 4 "Landscape Changes" on page 6 contained herein.

2. Lawns will be mowed weekly (every other week in dry season). Hard areas driveways, walkways and curbs will be edged weekly (every other week in dry season). Soft areas (beds) will be edged every other week.

3. Bed and lawn maintenance includes edging, fertilization, disease control, and trimming of shrubs, pruning of small trees on a monthly basis. Mulch will be replenished in beds as required.

4. Hardwood trees and palm trees will be trimmed yearly.

5. Irrigation water to each home site is provided from our lakes. The Association is responsible for the pumps, water filtration system, pipes, filters, sprinkler heads and timer systems for each home.

   Monthly wet checks of each home site are conducted. Wet checks verify adequate water coverage at each station (each yard has 4 or 5 station zones for water coverage of beds and lawn). Broken Irrigation heads, broken pipes, bad filters and bad timer control units are replaced as required.

6. Common areas including the Cypress Cove entry sign, our cul-de-sac, street and curb maintenance are maintained by the Association.

****

Guidelines, Rules and Regulations

1. **Exterior Painting:** This includes the body, trim, garage doors, front doors and gutters. If the home is to be repainted with the exact same colors, then no approval is necessary (The Cypress Cove A Property Manager has a complete listing of the original Sherwin Williams color codes painted by the builder for each home address). However, if any aforementioned item is to be repainted and the color is changed, the formal approval by the ACC Committee is required. In no event shall adjacent homes be the same or very close in color. Trim and body colors should

be compatible with roof tiles. All homes shall be two-toned, whereas the body and trim shall be different in color and compatible. The Board has adopted a general theme of Sherwin Williams "earth tones" for color selections. Any paint color selected (body and trim) must be compatible with surrounding homes. The acceptable range or scale of color and sheen is between medium and light on the Sherwin Williams color chart.

Garage doors shall be the same color as the body of the home. If front doors are painted, they shall be the trim color. If front doors are of natural wood, then they shall be compatible with the color of the home. The gutters shall match the trim color and downspouts shall match the color of the material it is mounted to.

2. **Signs:** Security signs are permitted within Cypress Cove A as long as the sign is placed within 10 feet of the front door measured horizontally and within the landscape area, not within a grass surface. Security signs shall not exceed a maximum size of 10 inches high by 10 inches in width. The overall height of the sign shall not exceed 24 inches above the ground surface. The sign shall be a maximum of two colors and attached to a metal, wooden or plastic post painted in the same color as the background. Security signs mounted on windows are not allowed.

Real Estate "For Sale" signs must meet the specifications the same as in our Grandezza Master Association Documents.

No other sign of any kind or advertisement may be displayed on any property. No signs of any kind may be displayed in windows.

3. **Hurricane storm shutters:**

Permanent: These are permanently mounted to the house and either electrically or manually controlled, such as roll down shutters (metal or fabric) and accordion shutters. Fabric mesh shutters are approved for installation at the rear of the home only. Permanent shutters at the rear and front of the home can be closed for an extended period (May 01 through November 30) "hurricane season" but must return to the open position no later than November 30.

Temporary: Clear shutters. These types of shutters can be installed over windows during the threat of storm or for an extended period (May 01 through November 30) "hurricane season" but otherwise must be removed for the remaining periods. Painted (Mill Finish) Aluminum Panels must be painted the body color of the home. If painted the body color of the home, these can be installed at the back of the home for an extended period (May 01 through November 30) "hurricane season." These painted shutters cannot be installed on the front or side of the home for any extended period (only for the duration of a **storm and removed 10 days after the passing of a storm). Unpainted (Mill Finish) Aluminum Panels may** be installed only for the duration of a storm and removed 10 days after the passing of a storm.

Hurricane Shutter Reference Guide:

FRONT OF HOME	
Clear Panels	May 1 - Nov 30th or Storm Warning
Roll Down	May 1 - Nov 30th or Storm Warning
Mill Finish Painted	Storm Warning Only
Mill Finish Non-Painted	Storm Warning Only

REAR OF HOME	
Fabric	May 1 - Nov 30th or Storm Warning
Clear Panels	May 1 - Nov 30th or Storm Warning
Roll Down	May 1 - Nov 30th or Storm Warning
Mill Finish Painted	May 1 - Nov 30th or Storm Warning
Mill Finish Non-Painted	Storm Warning Only

SIDE OF HOME	
Clear Panels	May 1 - Nov 30th or Storm Warning
Mill Finish Painted	Storm Warning Only
Mill Finish Non-Painted	Storm Warning Only
Accordion	Storm Warning Only

4. **Landscape changes:** All beds throughout the neighborhood are constructed in a consistent and uniform manner. Front beds have a least two layers (rows) of shrubbery in a tiered fashion to the house. This level of coverage shall be maintained throughout the neighborhood; however, any owner requests for additions or changes in landscaping on the exterior of dwellings and lanai areas shall be prior approved by the ACC. The owner wishing to make an addition or change within a bed shall submit a drawing showing the area to be affected with dimensions and with the proposed new plantings. The type and size of new planting shall be specified on the drawing. Landscaping shall mean, but be not limited to, grassed areas, mulched areas, plants, shrubs, bushes, trees, flowering plants, flowers, driveway, exterior lighting, mailbox and drainage features. Our landscape contractor maintains a listing of plants, shrubs, flowers and trees approved for use in Cypress Cove A. The owner will be restricted to those plants, shrubs, trees, flowers on the approved list (Appendix A).

The Association is not responsible for the maintenance or replacement of exotic plants or any plants not listed on the approved plant list (Appendix A). The Association will offer a suitable replacement for any trees affected by diseases that prevent palms from being replaced at the

same location. For trees, palms and plants that are an Associations' responsibility to replace, the Association will replace it with a similar species and commensurate with new construction. If a homeowner prefers a more mature plant, tree or palm to be installed, then the cost difference for doing so would be at the homeowners' expense.

5. **Height of bushes and shrubs:** The height of bushes and shrubs along the perimeter of a home shall not exceed 6 feet, while the height along the screened lanai may not exceed 9 feet.

6. **Fruit Trees:** Fruit trees are prohibited within the grounds maintained by the Association and outside of lanai screening.

7. **Exterior Building features:** Any additions or changes to the exterior appearance, features or size of a dwelling shall be first approved by the ACC. The owner wishing to make an addition or change shall submit a drawing showing that portion of the building to be changed or that portion to be added. The exterior appearance or features of a dwelling shall mean, but be not limited to, paint, paint color, trim color, roof, siding, windows, windows coverings, siding, doors, garage door, stucco, gutters, and downspouts. Second story additions will not be permitted.

8. **Gutters and Downspouts:** Any owner wishing to add or replace gutters and/or downspouts to a dwelling shall receive approval from the ACC prior to doing any work

9. **Driveways and Walkways:** All repairs or changes to driveways and walkways within Cypress Cove A shall be paver bricks of the same kind and color as what presently exists in the neighborhood.

10. **Mailboxes:** In an effort to maintain uniformity, the Association may paint and/or replace mailboxes on a multi-year schedule if budgeted and funds are available. However, notwithstanding above, the Owner remains responsible for any damage to the base support including the mailbox if it is knocked down, damaged, etc. Reflective tape and items hanging from mailboxes are not permitted.

11. **Parking:** All resident and guest vehicles shall be parked in the garage or the driveway. Commercial vehicles may be parked on the street while providing service to a dwelling. It is strictly prohibited to park any vehicles on grass or landscaped areas. At no time may an owner keep or park a work truck or commercial vehicle on the property. Campers, motor homes, boats, trailers, RV's, motor cycles, oversized vehicles or inoperable vehicles shall not be parked or stored on driveways or on the owners" property at any time. Storing covered vehicles on driveways or on the owners property is also prohibited. Resident and guest vehicle parking is not permitted in the street for extended time periods and by no means overnight.

12. **Lanai:** The maintenance and repair of a Lanai structure, screening, exterior dwelling walls, lanai flooring/decking, swimming pool, spa or any other improvement within the enclosed lanai area

is the responsibility of the homeowner and not the Association. Alterations or additions within the lanai area involving a change of color are subject to the approval of the ACC.

13. **Hot tubs:** All hot tubs/saunas or spa's within Cypress Cove A are to be built-in and integral parts of the in ground swimming pool within the lanai area and are not to be movable above ground appurtenances.

14. **Satellite Dishes:** Are permitted but must be less than 25" in diameter and no more than two per dwelling. Dishes shall be mounted on the side of the dwelling to not be easily viewed from the street. ACC prior approval is required.

15. **Solar Panels:** Are permitted on the side roofs of dwellings to be not easily viewed from the street. They are not permitted on the front or back of a dwelling. ACC approval is required.

16. **Trash:** Garbage Containers and Recycle Containers must be stored out of sight. These containers may be placed on the curb no earlier than 5:00 P.M. the night before pick up and must be removed from the curb no later than 5:00 P.M. the day of pickup.

17. **Garden Hoses/Container Boxes:** These should be stored out of sight. Hose should be rolled up and stored properly when not in use.

18. **Screen Doors:** ACC approval is required for the installation of a front screen door. Screens are not allowed on garage doors. In general, the screen, door and frame should be invisible from the street.

19. **Exterior Decorations**: No lawn ornaments, statues or sculptures shall be displayed on any lot. This includes baskets or other objects hanging from mailboxes and trees.

    Multiple door wreaths, including flower pots, ornamental pots or decorative pots, if visible from the street are not allowed. These items must be compatible with the surrounding décor of the street. These items are not allowed in landscape beds or over sod.

    All paver brick areas (driveways and walkways) should be clean and uncluttered. Other exterior ornaments such as wall accents, benches, tables, and chairs that can be viewed from the street will require ACC approval.

20. **Holiday Decorations:** Temporary holiday decorations may be permitted, and must be removed one (1) week after the Holiday is over.

21. **Fountains:** ACC approval is required for all fountains outside of the screened lanai.

22. **Flags and Flagpoles:** Yard mounted flag poles are not permitted. Owners may attach American flag, not to exceed 4' by 6' to the corner of the house or garage (using a small standard) without

ACC approval.

23. **Exterior Lighting Standards:** Will not require ACC approval as long as it small, conservative and has a light source with low intensity directed at the dwelling, trees within the beds and does not cause a nuisance to neighbors. Modest temporary holiday lighting (as long as it is taken down soon after the holidays) is permitted. Again, the same standards above apply. Prohibited items are spotlights, floodlights or very bright lighting.

24. **Not permitted features and structures:** This includes (a) outside lawn fences, (b) outside antennas, (c) mini-barns (d) storage sheds (e) metal or fiber glass awnings (f) above ground swimming pools (j) basketball goals or any exterior sports appurtenance (k) bird feeders (l) bird houses (m) clotheslines (n) wall mounted air conditioners, (o) wind chimes. This list is not all inclusive and subject to the ACC Committee.

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Enforcement of Rules and Regulations

The Cypress Cove Property Manager is responsible for notifying the owner of any violation and the need for corrective action. The Owner will be notified of any deficiency found during an inspection by a certified letter. The Owner will have two (2) weeks from receipt of the certified letter to respond to the Property Manager. Failure of the owner to respond to the letter will result in the violation to be turned over to the Associations' legal counsel for remediation.

Appendix A

Landscaping "Approved" for replacement by the Association

Palms

Christmas
Cabbage
Queen
Sabal
Triple Pigmy
Sago
Saw Palmetto

Canopy Trees

Shady Lady (Black Olive)
Southern Live Oak

Shrubs (Border Plants)

Cocoplum
Viburnum
Indian Hawthorne
Ficus
Arbicola
Juniper
Gold Mound
Allamanda

Flowering and Cover Plants

Crotons
Mexican Petunias
Jasmine
Ixora (Standard and Dwarf)
Bougainvillea
Green Island Ficus

Grasses

Fakahatchee
Flax Lily

Small Trees

Hibiscus
Bougainvillea
Gardenia
Holly
Crepe Myrtle