

King's Gate Association, Inc.

RULES AND REGULATIONS

ADOPTED APRIL 7, 2014

Amended on April 9, 2018

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King's Gate Park

Rules and Regulations

These Rules and Regulations were adopted by the Board of Directors
on April 7, 2014 and was amended on April 9th, 2018
They shall supersede any and all other Rules and Regulations previously issued.

Preamble

King's Gate Park, known legally as King's Gate Association, is a 55plus park and a deed restricted park, as defined by Florida law. In order to maintain tranquility, harmony and congeniality among its members, who are living in close physical proximity to one another, and to protect the value of both the individual condominium sites and the common elements, the members have agreed to operate as a condominium in accordance with the Florida Condominium Act.

In addition to the laws of Florida and other applicable governmental bodies, the Association is governed by three legal documents duly recorded in Sarasota County, Florida. These are The Declaration of Condominium, which states our intent to operate under the provisions of the Condominium Act of Florida; the Articles of Incorporation, which defines how the Board of Directors is to be elected, their powers and their responsibilities to make decisions on behalf of the owners; and the Bylaws, which further define the officers and committees of the Association, their powers and limitations to act on behalf of the owners, and the types of meetings that are allowed in order for owners to express their thinking on issues before the Board.

The Rules and Regulations contained in this document were approved by the Board of Directors on April 7, 2014 in accordance with the following sections of the recorded documents of the King's Gate Association and are therefore legally binding on all members.

The Declaration of Condominium Section 3.22: **"Rules and Regulations** means those rules and regulations promulgated by the Board of Directors, governing the use, occupancy, alteration, maintenance, transfer and appearance of Units, Common Elements and Limited Common Elements, and the operation and administration of the Association, subject to any limits set forth in the Declaration of Condominium."

The Declaration of Condominium Section 16: **"RESTRICTIONS, EASEMENTS AND APPURTENANCES."** This section stipulates 16 specific restrictions which may be interpreted by the Board of Directors, but cannot be violated unless the Declaration of Condominium is first amended by vote of 2/3 of the owners as specified in Section 21 of the Declaration of Condominium.

The Declaration of Condominium Section 23.5: **"Interpretation.** The Board of Directors is responsible for interpreting the provisions of the Declaration of Condominium, the Articles of Incorporation, the Bylaws and the Rules and Regulations of the Association. The Board's interpretation shall be binding upon all parties unless wholly unreasonable. A written opinion rendered by the Association's legal counsel that an interpretation adopted by the Board is not wholly unreasonable shall conclusively establish the validity of such interpretation."

The Bylaws Section 7: **"RULES.** The Board of Directors may, from time to time, adopt rules and regulations governing the details of the operation and use of the condominium Property, the Units, Limited Common Elements and the Common

Elements, and such other rules. Such rules shall not be inconsistent with the Condominium Act, the Declaration of Condominium, Articles of Incorporation or Bylaws. However, if at least one third (1/3rd) of the Association's voting interests sign and submit a written petition to the Association's Board of Directors challenging a Board adopted rule, the President, or in his or her absence, the Vice President, will call and convene a special membership meeting within sixty (60) days of the Association's receipt of the petition. At the special membership meeting the Board adopted rule will be rescinded upon the affirmative vote of a least fifty-one percent (51%) of the Association's total voting interest. If a quorum is not obtained or if less than fifty-one percent (51%) of the Association's voting interests vote to rescind the rule, then the Board adopted rule will remain in effect."

The Bylaws Section 8. "**FINES**" This section gives the Board the authority and outlines the procedure for assessing fines to anyone who violate the rules.

King's Gate Park consists of a group of owners who agree to live together as a community. It operates best when each owner is willing to consider actions that place the common good ahead of his/her own special interests and are willing to contribute time and talent to promote the common good. We are much more than a group of independent individuals who happen to live in the same geographic area.

Under these documents and Florida law, by buying in this Park, each owner has agreed to abide by the provisions of all legal documents of the Association, whether recorded or not, and that he/she will abide by any future changes to those documents made in accordance with the provisions and restrictions in those documents. All agree to live by majority rule regardless of their personal views on any individual issue. Florida law provides this so that people living in very close proximity to each other may live in harmony and enjoy the privileges of this life style. These documents apply not only to each owner but to their family members, guests and renters, when present in King's Gate Park.

The Rules and Regulations of the King's Gate Park

- 1) The Park Model or Manufactured Home
 - a) Prior to the purchase and installation of a Park Model, Manufactured Home or other permanent structure, the owner shall submit an "Exterior Modification Form" including a drawing and all required information to obtain approval by the Board of Directors. Copies of all permits must be delivered to the manager before unit is placed on the site.
 - b) The manager and the Board are supportive of any activity that upgrades the units in the Park. However, it is important that they be informed and involved in all stages of planning and development to ensure compliance with all Park rules.
 - c) When altering an existing unit or installing a new unit, all County requirements are to be met and all required County permits must be obtained. Copies of each permit must be given to the manager before work is begun.

- d) Any unit of at least 400 square feet may be placed on a lot providing the outer walls of any structure do not extend into the 5 foot setback, do not encroach onto common ground nor are closer than 10 feet to any adjacent unit in accordance with Sarasota County Code.
- e) No unit over 10 years old may be placed on any site without Board approval.
- f) There must be a full cement pad under the unit. This pad, by County code may extend up to 18" into the setback.
- g) No walls may extend into the setback, however, the roof and gutter system are permitted to extend up to 24" into the setback by County code.
- h) A cement pad under the front or back steps may extend into, but not beyond, the owner's setback. Steps into a side entrance may not extend into the side setback.
- i) To maintain the safety and beauty of the grounds, no outdoor antenna may be placed on the property without Board approval.
- j) Each unit is to display the number of the unit on the building with letters at least three (3) inches high as required by the Sarasota County Fire Department.
- k) No signs of any kind may be displayed other than a nameplate or an approved for sale sign.
- l) Any modification of the exterior of the unit, or tapping into water and sewer lines of the Association, must receive Board approval by submitting an Exterior Modification Form.(Permits from Sarasota County may also be required.) This includes but is not limited to:
 - (i) Replacement of siding.
 - (ii) Replacement or upgrading of windows.
 - (iii) Modifications to accommodate handicap access to the building.
 - (iv) Replacement of entrance steps.
 - (v) Construction of decks.
 - (vi) Replacement of an existing roof.
 - (vii) Replacement of an existing air conditioner.
 - (viii) Changing the exterior color of the unit.

2) Site Maintenance

- a) In order to maintain an attractive Park, the Board may require owners to repair, power wash, weed or otherwise maintain the appearance of their unit in accordance with written Park Policies. Members are responsible for the overall appearance of their site. Landscaping plants must be kept trimmed and weeded in accordance with written park policies. Other than mowing of the grass, care of all other plants is the responsibility of the owner. Failure to respond to a request from the Board may result in the Board taking action against the owner as permitted in the Declaration of Condominium (Section 23).
- b) Board approval is needed to enlarge existing or create new planting areas, to install border materials around plantings on owner's site or for any other activity that removes any part of the existing lawn. This is accomplished via an External Modification Form. The goal is to maintain an attractive park and to not impede the activity of the mowers.

- c) It is suggested that concrete borders be placed around planting areas to protect them from damage by the mowers. If not protected, the mowing crew is not responsible for any damage to the plantings.
 - d) Changing plants within existing planting areas is permitted without Board approval.
 - e) Mowing, maintenance and repair crews need access to all areas of the Park. Any plants or other landscaping materials in a side setback (even though they have Board approval) that interfere with such access may be driven across for repair or maintenance purposes. The repair of any damage to plants or landscaping materials resulting from such activities is the responsibility of the owner.
 - f) All items left outside the unit are to be secured or removed when the owner leaves for an extended period. This is especially important in hurricane season.
 - g) Small fences are permitted with Board approval but they cannot block easy access for emergency personnel and equipment.
 - h) The owner is responsible for any sewer line that becomes clogged prior to joining the main line.
 - i) The owner is responsible for all maintenance and repairs of the water line once it passes through the owner's shut off valve and back-flow regulator, of the electrical line once it passes through the meter and of the sewer line from the first joint after the sewer line comes out of the ground except as noted in h above. The park is responsible for maintaining the back flow regulator and adjacent shut off valve and the stands on which the electrical meters are located.
 - j) Lawns and gardens may be hand watered within the restrictions imposed by Sarasota County in times of drought. No in-ground irrigation or sprinkler systems may be installed on an owner's property. No hose should be allowed to run more than 20 minutes in one spot and must be turned off if significant amounts of excess water start to flow down the street.
 - k) Trimming of trees and other plants on the owner's property is the responsibility of the owner.
 - l) Planting of trees in the common area adjacent to the owners property is permitted with written permission using an Exterior Modification Form. It is the owner's responsibility to maintain those plants. The Association is responsible only for the trees it plants in the common area.
 - m) Special rules apply to planting or removing trees located on the banks of the creek and prior approval may be required from the County Conservation Commission.
 - n) Air Conditioning units may not be placed in the side setback area.
 - o) The Board may allow exceptions to these rules based on site specific soil conditions, drainage and access for maintenance.
- 3) Patios, patio blocks, decks and poured concrete
- a) All construction or alterations of patios, patio blocks, decks or poured concrete require the submission of an Exterior Modification Form and Board approval before proceeding.
 - b) A concrete pad is required under a home or on any RV pad and it may extend up to 18 inches into the setback.
 - c) No other poured concrete is allowed in the side setback area. Poured concrete patios are allowed in the front or rear setbacks of the owner's property. They may not extend into common areas.

- d) No driveway shall exceed twelve (12) feet in width.
 - e) No entry way to units may extend into the side set back area or into common ground.
 - f) No sheds or carports are allowed on any lot.
 - g) Only one storage cabinet, not to exceed 50 cubic feet, may be kept at each unit and it must be in the back. It must be secured during hurricane season.
 - h) Construction materials are not to be placed in the dumpsters in the park. The owner and/or their contractor are responsible for removing all construction materials and refuse from the Park.
 - i) A deck is allowed in the rear setback of a unit but it may not extend into common areas and must meet Sarasota County code.
 - j) With Board permission, patio blocks may be placed only behind or in front of a unit. They may not extend into the side set back. With permission of the Board, they may extend into the common area behind the unit for no more than 10 feet. If the Association needs access to the area to repair or maintain sewer or water lines, they may remove these patio blocks to provide access. The owner is responsible for replacing any disturbed patio blocks in the common areas.
 - k) The Board may allow exceptions to these rules based on site specific soil conditions, drainage and access for maintenance.
- 4) Recreational vehicles on the site.
- a) Recreational vehicles placed on an empty lot are restricted to motor homes, 5th wheels and travel trailers at least 20 feet in length. A recreational vehicle on an empty lot must be hooked up to sewer and water. No other type of unit is permitted.
 - b) If the Board determines that a recreational vehicle does not meet the written standards of the park the owner may not bring the unit into the park in the future.
 - c) A recreational vehicle must be placed so that no part of it, including slide-outs and awnings, extend beyond the concrete pad on the site. And, at least 10 feet of open space must exist between the recreational vehicle and a neighboring unit.
 - d) ***Any recreational vehicle left unoccupied or cannot be relocated during the hurricane season must be tied down.**
 - e) All items must be removed from the site during the hurricane season if the unit is unoccupied.
 - f) One storage cabinet, not to exceed 50 cubic feet, may be placed on the site, but only if it is located behind the recreational vehicle. It must be removed when the recreational vehicle leaves for the season.
- 5) Occupancy
- a) Owners and anyone else occupying a site must register at the office when they arrive or leave the park for extended times.
 - b) Overnight guests may stay in a unit when the owner is present in that unit. However, no one under the age of 18 may stay for more than 14 days per calendar year.

*This amendment of the rules was duly adopted at the King's Gate Association Board of Directors meeting on August 7, 2017.

- c) Occupants who may remain in a unit when the owner is not present in that unit:

- i) Any parent, sibling, child, grandchild, their spouse and/or children may stay in the unit, providing that one of the occupants is over age 18
- ii) Any other guest of the owner may stay in the unit in the absence of the owner as long as one of the guests is over age 18. However, each guest is limited to a maximum stay of 14 days per calendar year.
- iii) Any relative or guest under the age of 18 must be under the direct supervision of an adult at all times.
- d) An owner may rent their unit for any length of time, but at least one of the occupants must be over age 55 and the owner must have owned that unit for at least 2 years.
- e) If an individual holds record title ownership for more than one unit, all the above rules apply to occupancy of the second unit whether or not the owner is present in the park.

6) Rental Policy

1. If an owner offers his Kings Gate Park unit (including RV pads) for rent, the owner must notify the Kings Gate Association Office in writing that this unit is to be considered as a rental unit.
2. An owner may rent their unit after they have owned the unit for two (2) years.
3. At least one of the occupants must be age 55 or older.
4. Whenever an owner rents a unit, the owner must submit a "Request for Approval to Lease Property" 30 days prior to date rental is to begin, accompanied by a \$75.00 (US) processing fee.
5. The Board of Directors of Kings Gate Park Association shall require a background investigation of any proposed renter. A personal interview may be conducted, unless said renter has rented in the Park within the last 36 months.
6. It is required that the owner provide the renter with a copy of the Rules and Regulations of Kings Gate Park prior to their arrival. The renter's signature on the "Request for Approval to Lease Property" will indicate that renter has received the aforementioned Rules, and further that they agree to abide by the Rules.
7. Upon arrival, at least one of the individuals listed on the "Request for Approval to Lease Property" must provide the Kings Gate Park Office with proof that at least one renter is age 55 or older. This can be accomplished with a valid driver's license, passport, or any other government issued photo ID.
8. Guests may stay in the rental unit when the renter is present under the same restrictions found in Section 5(b). No guests are allowed to stay in the rental unit in the absence of the renter.
9. Only an owner may rent a unit. Renters are not allowed to sublease a unit.

10. Should the renters have an RV or utility trailer they wish to store in the Kings Gate Park storage area OR have a boat they wish to place in the marina, the owner of the unit forfeits all rights to use those areas while they are being utilized by the renter.
11. The Kings Gate Park Association recommends that owners desiring to rent their units consider renting for a minimum 30-day period, and no more than 3 times in a calendar year.

7) Sale

- a) When an owner decides to offer their unit for sale, they must complete an Intent to Sell Form with the manager. King's Gate Park does not participate in any way with sales agreements.
- b) No sale is final until it has received Board approval. This is to insure that the new owner understands the restrictions to ownership in a Deed Restricted Park and agrees to abide by them. When a sale is completed using a lawyer or transfer agent from outside of Florida, they may not be aware of this requirement. Regardless of any legal transfer of ownership agreement that may take place between individuals, it is not considered legally complete until a signed approval has been given by the Board.
- c) As part of the Board approval process, the unit and property offered for sale are to be inspected by the Board. If the unit is in poor condition, the Board may require that it be removed and replaced as a condition of the sale. They may require that repairs be made on the unit or the grounds upgraded, if they deem that in its present condition it detracts from the appearance of the park. This may include, but is not limited to a requirement to remove weeds or to power wash the unit.
- d) It is recommended that the manager be notified at least 14 days prior to the closing date so that the approval process can be expedited.
- e) All buyers, regardless of past ownership or familiarity with the Park, must complete an interview process which includes an explanation of how the Park is governed and all Rules and Regulations. Each new owner must sign a document that they understand the rules regulating this Park and agree to abide by them and to any other future rule changes approved by the Board or the owners that are made in accordance with our documents.
- f) No person or owner may hold record title ownership or any ownership interest in more than two condominium units. (See Section 16.16 of the Declaration of condominium for more details.)
- g) The previous owner is required to provide the new owner with :
 - i) A copy of the four recorded documents that govern the Park.
 - ii) A copy of the current Rules and Regulations of the Park.
 - iii) Any other documents normally provided in the King's Gate Park Document Book.
 - iv) Two devices that open the front gate.
 - v) One "all-doors" key.

8) Recreation Facilities

- a) Pool rules
 - i) Pool use is restricted to owners, renters and their guests.
 - ii) Pool hours are from 7 am to 10 pm.

- iii) No lifeguard is on duty – Swim at your own risk.
- iv) Children in the pool under age 16 must be accompanied by and supervised by an adult.
- v) No one in diapers or who is not toilet trained is allowed in the pool.
- vi) Pool load is 70.
- vii) Please shower to remove suntan lotion and body oil before entering the pool.
- viii) No food or beverages (either alcoholic or non-alcoholic) are allowed in the pool area. This is essential to prevent an infestation of ants and other insects. However, drinking water is permitted, but only in plastic or metal containers – absolutely no glass containers are allowed.
- ix) No pets (excluding registered service dogs) are allowed.
- x) No smoking is allowed.
- xi) No rough play or splashing of others is allowed in the pool.
- xii) No roller skates, roller blades or other wheeled devices are allowed in the pool area.
- xiii) No diving or jumping into the pool is permitted
- xiv) When present, lap swimmers should be allowed unencumbered access to the marked lap areas of the pool except during Aquacise classes.
- b) The laundry and exercise areas are provided for the use of owners, renters and guests only.
- c) No individual under 16 years of age is permitted in the billiard room unless accompanied and supervised by an adult. Bathing suits, food or drink are not allowed in this room.
- d) The shop and the craft room, and the equipment therein, are available only to the owners and renters in the park. Use of power tools is restricted to those who have signed the appropriate waiver. The shop committee, with Board approval, may further restrict its use.
- e) The tennis court is restricted to only owners, renters and their guests in accordance with written tennis court policy.
- f) Use of any of the recreational facilities may be reserved by park residents for limited usage through the Program Chairperson of King's Gate Court, in accordance with the written rules and restrictions established by the Court.
- 9) Vehicles and parking
 - a) Pedestrians have the right-of-way on all roads and sidewalks.
 - b) The speed limit in the park is 15 m.p.h.
 - c) No overnight parking on the street is permitted.
 - d) No car or truck may be parked on the grass except in designated areas.
 - e) No vehicle larger than a pick-up may be parked in the Park except service vehicles, while providing a service to an owner.
 - f) Mechanical or body repairs on any vehicle are prohibited in both the common areas and on private property.
 - g) Trailers and recreational vehicles may remain at an owner's site for no more than 72 hours for the purpose of loading or unloading.
 - h) Trailers and recreational vehicles may be stored only in the storage area in accordance with the written policies of the storage area committee.

- i) Any vehicle or trailer in the storage area must have a valid license, have wheels and be road worthy.
- j) No trailer or recreational vehicle may remain in the storage lot more than 10 months per year without approval of the Board of Directors.
- k) No one under 16 may operate a golf cart in the park unless under the direct supervision of an adult.
- l) Golf carts must display the owner's lot number on the cart, in numerals not less than three (3) inches high.
- m) Gasoline or diesel fuel may not be stored in any unit.
- n) Gas powered golf carts or other gas powered vehicles other than cars and trucks are not allowed beyond the leased area. Motorcycles must be parked only in those clearly marked area(s) that have been designated by the Board. They may not be housed on the owner's property.

10) Pets

- a) Pets may be kept only on Lots 244 through 300 and they are restricted to a dog, a cat or a bird only.
- b) No owner may keep more than one pet.
- c) Pets may be taken to visit other units with permission of the other unit's owner, but no animal may stay overnight.
- d) Dogs and cats must be on a leash at all times and under the control of the owner when outside their own unit. Staked leashes are not permitted and no animal may be left unattended outside the unit.
- e) All pets must be vaccinated and comply with all other County regulations.
- f) Dogs may be exercised in the common areas immediately behind lots 244 through 300, on the service road east of the Leased Area and on the south half of Bainbridge Drive.
- g) Pets may be transported on the roads throughout the park in a car, truck, golf cart or bicycle. When on a golf cart or bicycle, they must be leashed securely to the vehicle.
- h) The owner must maintain control of the animal at all times, clean up after their pet and may not leave any mess on the common elements or on any lot.
- i) Pets are specifically not allowed in the Leased Area. However, if the service gate is locked, dogs may be walked down the service road and through the mail box area to the main gate in order to enter or leave the park.
- j) If a pet becomes obnoxious to other owners, by barking, displaying aggressive behavior, etc., the Board may require that the owner permanently remove the pet from the Park.

11) Boats and boat trailers

- a) No more than one boat and one boat trailer may be stored in the park by any owner.
- b) All boat trailers must have wheels and a current license.
- c) All boats must have a current Florida permit.
- d) Boats and boat trailers may be stored only in the marina or the back storage area in accordance with the written Park Policies.

12) Other Rules

- a) Quiet hours are to be maintained from 11p.m. to 7 a.m.
- b) Radios, televisions and other sources of noise must not be so loud as to annoy neighbors at any time.

- c) Smoking is prohibited in all of the Leased Areas and in all activity rooms and offices.
- d) No business (as defined in Section 16.1 of the Declaration of a Condominium) may be conducted anywhere in the park
- e) Gate cards and electronic gate openers can be purchased from the manager at cost.
- f) All clutter must be removed from any site.
- g) Laundry lines are not permitted on sites but are provided in the laundry area. A temporary clothesline for bathing suits and towels is permitted in the rear of the dwelling while items are drying. The line may not be attached to a tree.
- h) Garbage cans are not permitted on lots. All garbage and recyclables are to be taken to the dumpster. Items may be left in the dumpster area for pick up in accordance with County regulations.

13) Final Comment

These Rules and Regulations do not cover all conceivable situations. If a situation arises not covered in these documents, upon petition of an owner, the Board has the authority to settle any issue as long as the decision follows the spirit of the restrictions outlined above and is not intended to circumvent these restrictions. Such decisions are considered to carry the same authority of any other Rule or Regulation. Therefore, all such decisions must be documented in the Board Minutes, made available to all owners and can be rescinded by the owners in the same manner as any other Rule or Regulation of the Park.