

June 1, 2017

Property Owners & Address

Dear Property Owner:

Our Community is striving to continue to be a first class residential community in which to reside harmoniously with our neighbors. It is the obligation of Rotonda West Association, Inc. to ensure that each Lot/Tract Owner in our Community is adhering to the Deed Restrictions, as we are all bound to conform to them. The Association endeavors to address violations of the Deed Restrictions in an amicable manner and, as such, would like to bring your attention to the following violation that exists on the property located at _____, Rotonda West, Florida 33947:

Trailer in yard (the “Violation”). A letter was sent on December 2, 2016 Trailer in yard. **This is considered an ongoing violation of the same Deed Restriction which needs to be corrected to avoid fining. If the violation is not corrected, the Association will be compelled to begin fining.**

The foregoing is a violation of the following provision of the Deed Restrictions:

Section 23. VEHICLES & PARKING:

(a) Vehicles are defined as, but not limited to, automobiles, pick-up trucks, vans, sport utility vehicles (SUV), trucks, tractor-trailer rigs, motor homes, trailer homes, campers, trailers, boats, motorcycles, all terrain vehicles (ATV), golf carts, recreational vehicles or other types of transportation devices that may be defined as vehicles at the sole discretion of the Association and without regard to any other definition established by any government authority or the manufacturer.

(b) All vehicles, other than automobiles, pick-up trucks, SUVs, vans, motorcycles or other vehicles as may be approved from time to time at the sole discretion of the Grantor/Developer or Association must be parked in a fully enclosed garage. Any vehicle containing any commercial advertising signage parked on a driveway overnight cannot exceed four wheels. Box trucks are prohibited.

(c) No vehicle may be parked on any lawn, road right of way, easement or vacant Lot/Tract, except on a temporary basis, not to exceed 12 hours, and only for the necessary construction, repair or maintenance of an Improved Lot/Tract or Unimproved Lot/Tract.

(d) Any vehicle not required to park in a garage must park on a driveway. A driveway is defined as a concrete surface including paver bricks that provides continuous access to a garage except for expanded driveways as herein provided. Circular driveways of concrete construction may be permitted in line with New Construction Guidelines and Residential Modification Guidelines.

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(i) Existing single lane driveways leading to an existing one-car garage in a single-family residence may be expanded with a concrete or paver bricks driveway with the written approval of the RMC. All driveways must be constructed of concrete or paver bricks.

(ii) As to Dwellings where a single car garage and a non-expanded single lane driveway co-exist, additional vehicles may only be parked in one single lane wide strip on the front lawn immediately adjacent and parallel to the existing driveway.

(iii) Existing two lane driveways leading to a two-car garage in a single-family residence may be expanded with concrete or paver bricks by one lane that is no wider than nine (9) feet in width up to the entrance of the garage with the written approval of the RMC. The expanded lane shall not exit onto the street.

(iv) As to Dwellings with a two (2) car garage and/or two (2) car wide driveways, parking off the driveway is prohibited.

(v) Unregistered and/or inoperable vehicles must be stored in a garage.

(vi) Any vehicle repair and maintenance exceeding three (3) hours in length must take place in a garage.

(vii) No vehicle may be used as a domicile or residence even on a temporary basis.

1. The Association hereby demands that you remove this violation within fourteen (14) days from the date of this notification. If the Violation is brought into compliance prior to the Compliance Committee meeting on July 17, 2017, no further action will be taken on this Violation.

2. If the Violation is **not** remedied within fourteen (14) days from the date of this notification, this matter will be brought before the Rotonda West Compliance Committee (the "Committee"), an impartial committee of non-Board owners, on **Monday, July 17, 2017, at 10:00 AM at the Rotonda West Community Center** located at 646 Rotonda Circle, Rotonda West, Florida 33947. At such meeting, the Committee will consider whether to approve the imposition of a fine of \$20.00 per day per violation, up to \$5,000 in the aggregate for a continuing or repeat violation, as authorized by Section 34 of the Deed Restrictions and the Deed Restriction Violations Fining Structure.

You have a right to attend the hearing to respond, to present evidence, and to provide written and oral argument. You shall have an opportunity at the hearing to review, challenge, and respond to any material considered by the Association. You also have a right to be represented by counsel at the hearing. If you intend to appear with counsel, please notify the Association no later than seven (7) days prior to the hearing so that the Association has sufficient time to arrange for its counsel to be present. **Any future violation of the same Deed Restriction will result in a fine of \$100.00 per day which will be assessed on the first day of the subsequent violation and each subsequent day that this same violation is observed and recorded by us until the violation is remedied.**

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Please note that you are not required to attend nor present evidence. However, if you or your attorney fails to appear at the hearing, or fails to provide an alternative, mutually acceptable date and time for the hearing in advance, the hearing will proceed without you and the Committee may still make a recommendation based on the evidence presented at the hearing.

3. In the event that the Committee authorizes a fine be imposed, the Board of Directors will thereafter vote whether to implement that fine at the Board Meeting to be held on **Thursday, July 20, 2017, at 2:00 PM at the Rotonda West Community Center** located at 646 Rotonda Circle, Rotonda West, Florida 33947. If the Board does impose the fine, you will receive written notice of said decision.

As an aside, Section 34 of the Deed Restrictions also allows the Association to enforce the terms of the Restrictions through an action for damages or for injunctive relief, or both and the Association hereby reserves the right to do so at any time regardless of whether a fine is imposed as set forth herein. If legal action is commenced, the Association will seek an award of costs and reasonable attorneys' fees as permitted by Section 34 of the Deed Restrictions.

We look forward to working together in the continuing effort to keep our Community beautiful and protect the property values of all our neighbors' homes. If you have any questions or concerns about the above matter, please do not hesitate to contact us at 941-697-1780.

Sincerely,

Holly Carr

Rotonda West Association, Inc.

cc: File

Enc: Photo