

FAIRWAY BEND HOMEOWNERS' ASSOCIATION

RULES AND REGULATIONS

Effective May 17, 2021

1. RULES and REGULATIONS:

- (a) Violations should be reported to the Board of Directors and the management company.
- (b) Violations will be called to the attention of the violating owner by the Board of Directors and the Board of Directors will also notify the appropriate committee of the Board of Directors, if any.
- (c) Disagreements concerning violations will be presented to and be judged by the Board of Directors who will take appropriate action.
- (d) Homeowners are responsible for compliance by their guests or lessees with these Rules and Regulations.
- (e.) Sellers have the responsibility of passing on current Association documents to their new buyer, guests, or if leasing your home, to the renters.

2. FACILITIES:

The facilities of the Fairway Bend property are for the exclusive use of homeowners, their lessees and guests. Any damage to the buildings, recreational facilities or other common areas or equipment's, caused by any homeowner or his guest or lessee, shall be repaired in a first class, workman-like manner, at the expense of the homeowner.

3. USE:

- (a.) No immoral, improper, offensive or unlawful use shall be made of any home, the Fairway Bend property or of the Common Elements or any part thereof, and all laws, zoning ordinances and regulations of all governmental authorities having jurisdiction thereof, shall be observed.
- (b) Each homeowner shall not permit or suffer anything to be done or kept in his home which will obstruct or interfere with the rights of other homeowners or annoy them by unreasonable noises, odors or otherwise. Generators may be used during emergency situations and must be placed in a location that causes minimal disturbance to your neighbors. The homeowner shall not commit or permit any nuisance, immoral or illegal act in or about the Fairway Bend property.
- (c) No person shall use the Common Elements or any part thereof, nor a home, or the Fairway Bend property or any part thereof, in any manner contrary to or not sanctioned by these Rules and Regulations, or amendments thereto as may be, from time to time, adopted by the Association.
- (d) The use of all facilities upon the Common Elements shall at all times be governed by the Rules and Regulations stated herein or as adopted and amended from time to time by the Association, or such Rules and Regulations as may be posted, from time to time, in and about such facilities by the Association.

(e) Common Elements and Limited Common Elements shall only be used for the purposes intended and shall not be used for the hanging of garments or other objects or for the cleaning of rugs or other items.

4. OBSTRUCTIONS:

All Common Elements shall be kept open and shall not be obstructed in any manner. No sign notice or advertisement shall be inscribed or exposed on or at any window or any part of the home, except such as shall have been approved in writing by the Association, nor anything be projected out of any window in the home without similar approval. No radio, television aerial, or antenna satellite dish shall be attached to, or hung from the exterior of the home without the approval of the Association. All furniture should be stored inside when not in use. All owners should move lanai furniture inside when not in residence as a Hurricane Precaution.

5. CHILDREN:

Reasonable adult supervision must be exercised when children are playing on or in the common areas. Children under the age of 16 should not be allowed to operate, without adult supervision, motorized vehicles such as golf carts, motorized scooters, and go-carts on the street of Fairway Bend.

6. APPARATUS AND ALTERATIONS:

(a.) No clothesline shall be allowed on any portion of the common areas and home's lanai.

(b.) No homeowner shall cause improvements or changes to the Common Elements or Limited Common Elements, or the exterior of their home, or in any manner change the appearance of any portion of the home that would negatively affect the aesthetic nature of their home without the prior written consent of the Association. ARC form filled out.

(c.) Television, radios, musical instruments and other instrumentalities of sound reproduction or amplification must be used at such times as will not disrupt the quiet enjoyment of the premises by other homeowners.

(d.) Only standard "Vines" "for sale" signs may be placed, one in the front and one at the rear of any home. No homeowner shall affix any other "for sale" or "for rent" signs or any other kind of notice to the exterior of the home, nor in any way allow any signs to be visible to the general public from within the home.

7. DESTRUCTION OF PROPERTY:

Neither homeowners, their lessees, nor their guests shall mark, mar, damage, destroy, deface or engrave any part of the common areas. Homeowners shall be held responsible for any such damage and the appropriate repair thereof.

8. EXTERIOR APPEARANCE:

The exterior of the home and all other areas appurtenant to the home shall not be painted, decorated or modified by any homeowner in any manner without the written approval of the Board of Directors. Homes shall be painted, and roofs will be washed on a rotating schedule determined by the Board of Directors. Any awnings, window guards,

light reflective material, ventilators, fans or air conditioning devices that would change the exterior appearance of the home must have prior approval of the Board, which approval may be withheld on purely aesthetic grounds within the sole discretion of the Board of Directors. Outside adornments such as garden statuary, fountains and flagpoles must receive prior approval of the Board. The Fairway Bend Association will mulch all homes in a uniform manner; therefore, other materials should not be put down without approval of the Board. Driveways and sidewalks are to be kept clean. Painting of driveways and sidewalks is not permitted. Clear sealers are permitted.

9. CLEANLINESS:

All garbage and refuse from the home shall be deposited with care in garbage containers, intended for such purpose. All non-food waste items shall be securely wrapped in plastic garbage bags. All recyclable material such as tin cans, bottles, plastic containers, etc., should be placed by the curb in the blue container provided by the County for that purpose.

10. STORAGE AND GARAGE AREAS:

Homeowners are responsible to see that nothing is placed in the storage areas, outside areas, and garage areas, which would create a fire hazard or be subject to infestation or spoilage.

11. BIRD FEEDERS: No bird feeders are allowed.

12. BICYCLES:

Bicycles must be placed or stored in garages or other designated areas, if any.

13. ROOFS:

Roof repair and replacement is an owner's responsibility.

14. SOLICITATION:

There shall be no solicitation by any person anywhere in the Fairway Bend property for any cause, charity, or for any other purpose whatsoever, unless specifically authorized by the Board of Directors.

15. PETS:

Domestic pets, i.e., dogs, cats, etc., must be kept on a leash, in accordance with Lee County law, when in the common areas; each owner shall be responsible for cleaning up after their animal and proper disposal of same. Each homeowner owning a pet shall assume full responsibility for personal injuries or property damage caused by their pet, and each homeowner hereby agrees to indemnify the Association and all other homeowner's and hold them harmless against any loss, claim or liability of any kind whatsoever arising from, or growing out of any harm, injury, or damage caused by such homeowner's pet. A determination by the Board of Directors that a pet or animal creates

a nuisance to other homeowners shall be conclusive and binding upon all homeowners. 2 pets are allowed per household. Dogs are limited to 80 lbs.

16. ASSOCIATION:

(a.) No homeowner or occupant shall direct, supervise or in any manner attempt to assert any control over any of the employees or contractors of the Association, nor shall homeowner attempt to send any of such employees or contractors on private business of such homeowner or resident, such employees and contractors are to be directed only by officers of the Association or the management personnel engaged by the Association.

(b.) The use of all Common Elements shall be governed by these Rules and Regulations, as they may be amended from time to time by the Association and shall be governed by such other Rules and Regulations as may be posted from, time to time in or about such Common Elements by the Association.

17. PARKING:

Homeowners and lessees must park in their garages and/or on their driveway. No vehicle, which cannot operate on its own power, shall remain on the home's property for more than twenty-four (24) hours, and no repair of vehicles shall be made within the Fairway Bend property. No motor homes or trailers may remain within the Fairway Bend property overnight. Vehicle parking for periods of more than ninety-six (96) hours on driveways or in guest parking area so as to constitute "storing" is not permitted and are subject to towing. Overnight parking on the street is strictly prohibited.

18. POOL RULES:

As stated at the pool these rules are for residents, guests and Lessee's. Warning no lifeguard on duty, use at your own risk. An adult must accompany children under 12. No animals, or pets in the pool area. No food, drink or glass on the pool deck. Shower before entering pool. Bathing load 20 persons. No diving, no pushing, no swimming under the influence, no electrical devises, no swimming during rain or thunder showers. Pool hours are dusk to dawn. No excessive noise or loud music. Pool depth is measured in feet. Please call 911 in case of an emergency.

Any person who is incontinent or not fully potty trained must wear appropriate waterproof clothing when entering or being carried into the pool.

19. STORM SHUTTERS:

Any homeowner or occupant desirous of installing storm shutters must have the same approved by the Board of Directors prior to installation thereof and with regard to type, style, size, material and color of said storm shutters.

20. MAILBOXES:

Mailboxes are provided and maintained by the Fairway Bend Homeowner's Association and no other mailboxes are permitted. Owners are responsible for the cleaning of the mailboxes and posts. No plantings or decorations are permitted without Fairway Bend HOA approval.

21. PLANTS, TREES, SHRUBS, FIXTURES:

Planting and/or removal of plants, trees, and shrubs by owners requires an ARC form and the approval from the board of directors. Fruit trees are not permitted. Invasive and poisonous plants and vines are not permitted. Potted plants and flowers not exceeding two feet in height are permitted.

They may be displayed in the front area of the unit, at either side of the garage door and on windowsills. All such plants are to be maintained by the homeowner. Potted plants on the sidewalk are not permitted for safety concerns. Display of potted plants or fixtures in or next to FBVHOA plant beds is not permitted.

22. COMPLIANCE BY HOMEOWNERS:

Homeowners and occupants shall comply with the foregoing rules and regulations, and any and all rules and regulations, which may, from time to time, be adopted by the Association. Failure of a homeowner or occupant to comply with the foregoing may subject the homeowner to the imposition of a fine (upon notice and hearing) and to possible legal remedies including, but not limited to, suits for money damages, injunctive relief, or any combination thereof.

23. RELIEF

The Board of Directors shall have the power, but not the obligation, to grant relief to one or more homeowners under the particular circumstances involved from the provisions of specific restrictions contained in the Rules and Regulations upon written request thereof and for good cause shown in the sole opinion of the Board.