

**THE RETREAT AT SEABRANCH**  
**RULES AND REGULATIONS**  
**EXHIBIT E (in documents)**

The definitions contained in the Declaration of Covenants, Conditions and Restrictions for The Retreat at Seabbranch are incorporated herein as part of these Rules and Regulations.

1. The owners and lessees of each Lot shall abide by each and every term and provision of the Declaration of Covenants, Conditions and Restrictions, and each and every term and provision of the Articles Incorporation, and By-Laws of the Association found in Green Book. (Owners should provide a copy to lessees)
2. Animals and Pets. Pets shall not be permitted in any of the Common Areas unless under leash. Each pet owner shall be required to clean up after his or her pet. These regulations mirror Martin County guidelines.
3. No bicycles, tricycles, scooters, baby strollers or other similar vehicles or toys shall be allowed to remain in the Common Areas. The walkways, sidewalks, and streets shall not be obstructed.
4. Any damage to the Common Areas, property, or equipment of the Association caused by any Owner, his family member, guest, invitee or lessee shall be repaired or replaced at the expense of such Owner.
5. An Owner will not park or position his vehicle so as to prevent access to another Lot. The Owners, their families, guests, invitees, licensees, and lessees will obey the posted parking and traffic regulations installed for the safety and welfare of all Owners.
6. Parking and Garages. Vehicles shall be parked only in the garages or in the driveways serving the Units or in the appropriate areas in which parking may be assigned, and then subject to the reasonable Rules and Regulations adopted by the Board. Vehicles shall not be parked overnight on roads or swales. BOD meeting of July 9, 2013 identified **overnight as midnight to 6:00AM**.
7. No motorcycle, truck, trailer, boat, van in excess of 17 feet in length, camper, motor home, bus, commercial vehicle of any type (i.e., any vehicle which has any exterior lettering or logo, or has tools or equipment), non-passenger van (i.e. any van which does not have a rear seat and side windows), or similar vehicle shall be parked on any part of the Common Areas or any Unit driveway, or designated parking space within the Retreat at Seabbranch except: (1) within a garage, (2) commercial vehicles, vans or trucks delivering goods or furnishing services temporarily during daylight hours, and (3) upon such portions of the Retreat at Seabbranch as the Board may in its discretion, allow. Vehicles over eighty inches (80") in height, or those vans or trucks which do not have windows completely circling the vehicle's exterior (similar to windows around a station wagon), and permanent installed seating for four or more passengers, shall be

considered to be a prohibited vehicle, van, or truck. Therefore all trucks with open beds must be covered with a rigid bed cap that results in glass windows all the way around such bed. The Association shall have the right to authorize the towing away of any vehicles in violation of this rule with the costs and fees, including attorney's fees if any, to be borne by the vehicle owner or violator.

8. No garage doors shall be permitted to remain open except for temporary purposes, and the Board may adopt further rules for the regulation of the opening of garage doors.

9. No Owner shall do or permit any assembling or disassembling of motor vehicles except within his garage. Each Lot Owner shall be required to clean his driveway of any oil or other fluid discharged by his motor vehicle.

10. Complaints regarding the management of the Association property, or regarding the actions of other Owners, their families, guests, or lessees shall be made in writing to the Association and shall be signed by the complaining Lot Owner.

11. All lakes, canals, and water bodies within the Committed Lands shall be primarily surface water retention areas. There shall be no boating, swimming, playing, or use of personal floatation devices. Owners may use remote-controlled battery-operated toy model boats for recreation. Owners and guests while accompanied by owner may fish in the lakes, understanding that all fish are to be thrown back. The Association shall not be responsible for any loss, damage, or injury to any person or property arising out of the authorized or unauthorized use of lakes, canals, or water bodies within the Committed Lands.

12. Except as may be permitted in accordance with the Declaration, no transmitting or receiving aerial or antenna shall be attached to or hung from any part of a Lot or the Common Areas.

13. All garbage and refuse from the Lots shall be deposited with care in each Owner's private garbage containers, which shall be placed so they are not visible from the Roads or from adjoining Units. No garbage or refuse shall be deposited in any Common Area for any reason, except on the correct days of the week for pickup and removal. No littering shall be done or permitted on the Association Property.

14. Tree, Fruit/Citrus Tree, Vegetable Plant Policy (4/6/2005, rev. 9/2010)

a) No fruit/citrus trees, patio or dwarf are to be planted in the ground at a residence within the Retreat. An exception is those addresses that applied for and received Architectural Control Committee (ACC) permission to plant prior to 2006. As to conditions stated at the time, these trees must be totally, including branches, within homeowner boundaries. Any fruit that drops must be picked up immediately. A fine of \$100.00 per tree is automatically levied by the Association if the landscape company has to clean up the fruit/citrus. These trees are to be pruned and sprayed at the homeowner's expense. In late 2006 the Board of Directors (BOD) and the ACC followed a policy that because of rodents, animals, birds and the like, that NO fruit/citrus trees could be planted within the owner's property at all. Trees could be potted and kept

on the rear slab within a screen enclosure where it would not be affected by the above. These trees should be certified canker- and disease-free and tagged accordingly.

b) Vegetable plants have the same problems with wildlife and therefore any type or size of exterior/outside vegetable garden is not permitted. Potted vegetable plants and potted fruit trees are allowed only within a rear house approved screen porch.

c) Large trees in the rear of homes have to be replaced with a minimum size of a 5-foot tree or bush from the approved Retreat plant list. The rear planting bed can contain 2 large trees and a 5-foot+ bush and should contain low shrubs similar to those planted by DiVosta.

d) The overall planting scheme by DiVosta must be adhered to in all front yards. ACC approval is needed for any and all changes in these planting beds. Plant types can be changed in these beds.

e) Seasonal plantings are allowed without ACC approval. These plants must be cut back or removed after their flowering season. Plantings are allowed within existing plant beds only. New or extension of plant beds requires ACC approval.

6. Front yard large trees are not to be removed. If diseased, they must be replaced with the same or similar types in the approximate position of the lost tree. Any changes must be approved by the ACC. Any damaged smaller shrubs need to be replaced so the planting area is full.

7. No trees, shrubs, plants of any type are allowed to be placed on Common Land, in the preserve or in any upland plant area by a Lake or a hedge or property dividing upland plant area.

15. Bird feeders in any way, shape, or form are banned from the community. (9/26/2012)

16. All Owners shall comply with the Use Restrictions as set forth in the Declaration of Covenants, Conditions and Restrictions.

17. For purposes of the Rules and Regulations and Article XII (Use Restrictions) of our Declarations, "side yard" shall be defined as beginning behind (away from the street) an imaginary line extending perpendicular from the corner of the house which is at the widest section of the house closest to the street; this imaginary line ends at the lot line. In cases where two Capris face each other, this imaginary line shall extend from this same house corner, representing the widest section of the house closest to the street, to the corresponding corner of the facing Capri.

18. Any consent or approval given under these Rules and Regulations by the Association may be revocable at any time by the Board.

19. These Rules and Regulations may be modified, added to, or repealed in accordance with the By-Laws of the Association.

*By Resolution of the Board of Directors  
of The Retreat at Seabranh Homeowners Association, Inc.*

The Retreat at Seabranh HOA  
Exhibit E Addendum  
Construction Rules & Regulations

### Overview

These rules and regulations address potential exterior construction projects in the Retreat. These regulations do not grant permission to the Homeowner, but are standards for our community. *These projects, and any exterior modification or addition or removal needs to be approved by the ACC (via application process) prior to beginning construction.*

### Construction Guidelines

1. Building materials delivered to the site should be moved out of sight within 48 hours.
2. The Retreat Landscape Maintenance Contractor must be brought in to identify and mark sprinkler system components within the construction area, relocate or remove involved components. And replace after construction is complete. Any cost incurred to relocate or service irrigation system is the responsibility of the homeowner.
3. Any damage to common areas including sidewalks, trees, grass, pavers, etc. shall be the responsibility of the homeowner and must be repaired within 72 hours.
4. Areas between the adjacent homes shall be restored to original condition upon completion of construction.

### Carriage Lights (8/13/2015)

The standard for exterior fixed lighting (e.g., garage, rear door, Capri front entrance) is a Seagull Model 8765-12 carriage light. They can be purchased online or ordered through Home Depot.

### Fence Standard (revised February, 2012)

These written fence standards have been compiled to assist residents that may wish to fence a portion of side and/or rear yard or perhaps only install a short fence with a gate. The basic fence is to be constructed of white aluminum only, stands 4 feet high, has approximately  $\frac{3}{4}$  inch square vertical pickets with 2 inch square vertical support posts. It has a straight, flat horizontal top rail that is 1-1 $\frac{1}{2}$  inches wide with a duplicate bottom rail. The vertical pickets shall be spaced 4 inches on-center and should be consistent with existing fences. (See office for diagrams.)

#### Acceptable Variations

1. Decorative white finials may be incorporated on the yard gate section only. Finals not to exceed 3 inches.
2. The gate only may have an arched or rounded top rail design with or without 3 inch high white finials.
3. A second horizontal top rail located 4 - 8 inches below the top rail is permitted.

#### Additional Guidelines

4. Decorative finials are to be incorporated ONLY at the gate areas; not on the entire surrounding fence sections.
5. Fencing specifications shall be included with ACC application.
6. No monograms, scroll designs, thatch designs, silhouette figures etc. may appear anywhere on the fence. No plantings, pots, or vines may be attached to any fence.
7. Depending on the configuration, a minimum 5 foot wide gate is required for mower access when riding mower access was accessible before installation of the fence. On wider or easement lots double gates or wider removable fence sections may be required for work or emergency vehicle access. Please check with the office as to YOUR lot requirements.
8. Gates may not contain any locking mechanism.
9. Depending on the lot, front and rear pass-through gates may be required. Please check with the office if you're in doubt about your lot. All removable pieces must be labeled so.
10. Physical attachment of any fence, gate, or fence component to the neighboring lot home is not permitted.

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11. All anchoring posts must be set in concrete. The Homeowner shall repair any damage to the fence caused by fences placed on party fence (privacy wall) then removed.
12. All fences approved by the ACC *must be within property boundaries not on common ground or neighboring properties!*
13. A 3½ foot wide removable fence section should be installed through the "Zero Lot Line Easement," and the removable section should be supported by PVC sleeves installed a minimum of 2 ft. below grade and with the top near flush with grade level. (Caution is advised when digging to avoid sprinkler piping and domestic water supply piping.)

**Garage Door Screens (7/7/2011)**

The screen should retract into a housing unit that is white in color and is mounted on the underside at the top of the garage door opening. The screen mesh should be a type that affords privacy to limit a view into the garage, and must be imprinted with an image having a similar appearance as the original garage door that is mounted on the house. Set-back or relocation of the existing garage door is not allowed. Garage door screen specifications shall be included with ACC application.

**Generator Rules**

1. Architectural Change Form must be completed and submitted to the Architectural Control Committee (ACC) for their approval.
2. No installation shall commence until a returnable deposit of \$2,000.00 has been posted with the Homeowners Association for any Common Area deficiencies created. Should no Common Area deficiencies exist upon completion of installation, the entire amount will be refunded. If Common Area deficiencies exist, the deposit monies will be used to cure the deficiency, and any monies remaining after completion of repair will be returned to the Homeowner. Existence of Common Area deficiencies to be determined by Property Manager/Board of Directors.
3. All permanent generators and tanks must be installed 15 feet from any property owner's house, in rear of unit.
4. Permanent generator must be installed on a cement pad and must be surrounded by approved concealed landscaping.
5. Any type of fuel tank installation must be at least 10 feet from the generator, 15 feet from the house, and be buried below ground level.
6. Full compliance with Martin County regulatory code must be met by a Certificate of Approval.
7. Cycling of generator may meet Manufacturer's recommendations and can only be run during the week between the hours of 8AM and 6PM.
8. As a common courtesy it is recommended that you discuss generator installation with your neighbor.
9. Generator specifications shall be included with ACC application.
10. Any costs to service or relocate irrigation system is at the expense of the homeowner.

**Home Addition Conditions of Approval (10/20/2006)**

The ACC works on behalf of all residents to help safeguard against unauthorized, nonconforming, and unsightly construction.

The following conditions should not be construed as being all-inclusive. The ACC, with the approval of the Board of Directors, reserves the right to make any changes as deemed necessary at any time.

Pre-construction Phase

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1. All applications to the ACC for building additions shall be submitted with one complete set of architectural construction drawings, stamped and approved by a licensed architect, for ACC review and approval.
2. Architectural plans must include sufficient detail on plot plan, elevation views, and attachment to existing building, for ACC to visualize the appearance of the completed project
3. A Construction bond in the amount of \$2,000 must be posted with the HOA.
4. Construction must meet all State, County, and Community Building Codes and regulations, and all required permits as required by law must be obtained. Applicant must submit a copy of the Building Permit(s) along with the ACC application and a statement from the Architect that the proposal meets the HOA regulations.
5. Use only Florida/Martin County licensed contractors.
6. Complete all construction and restoration within 6 months of start of project and upon completion provide a copy of the Certificate of Occupancy to the Retreat's Management Company.
7. Building additions will be limited to a one-time expansion having a total area not to exceed 7% of the original Divosta-constructed building footprint under A/C.
8. The roof shall be of the same construction materials, methods, and color as the existing structure.
9. Roof height, slope and design shall be consistent with the existing structure.
10. Exterior walls shall be of approved masonry and finished with the same colors and materials as the original structure, including trim.
11. Exterior openings shall be consistent with those used in the original home and any deviation will require special review and approval of the ACC.
12. Floor elevation must match the existing dwelling.
13. Applicant will warrant that addition will not exceed the requirements of the existing HVAC system, which must be arranged to adequately service the new area.
14. Applicant will warrant that addition will not exceed the requirements of the electrical service as originally installed.
15. Soffit, fascia, and gutters will match the existing structure.

Construction Phase

16. Adequate drainage of land must be provided.
17. Silt fences must be provided and maintained during construction.
18. Construction will be permitted only during normal business hours.
19. Building materials delivered to the site must be moved off common property, and out of public view from the street, as much as possible, within 48 hours of delivery.
20. Prior to the start of actual construction The Retreat Landscape Maintenance Contractor must be brought in to identify and mark or relocate sprinkler system components within the construction area. Upon completion of construction they should be brought in to restore equipment to full working order. Any cost incurred to relocate or service the irrigation system components will be at the expense of the homeowner.
21. Any damage to common areas including sidewalks, trees, grass, etc. must be repaired within 72 hours.
22. Areas between the adjacent homes shall be restored to original condition upon completion of construction.

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**Lanai Extension / Enclosure (9/26/2010)**

Any lanai extension or enclosure shall be constructed only to original building plans offered by Divosta to Retreat Homeowners. Plans are available for your contractors through our Property Manager. Basic Rules include:

1. A Martin County building permit is needed
2. The floor must be raised to house level.
3. There must be an air conditioning duct/return vent in the extended lanai.
4. Electrical outlets should be installed as required by building permit.
5. Window and door types must match those installed by Divosta.
6. Project specifications and material specifications shall be included with ACC application.

Note: Existing Divosta plans cannot be followed exactly; anyone contemplating this change should check with the Property Manager for ideas/assistance. Additionally, it is not a good idea to create a room with two sets of doors as this can cause a large buildup of heat.

**Satellite Dish (9/26/2010)**

1. Dish size is not to exceed 36" diameter
2. The dish may not be located on the zero lot line wall or within that 3'1" area.
3. It can be mounted to home interior privacy wall or on a pole cemented in the ground with height not to exceed four feet (4') above ground level.
4. Any installation must be completely hidden from view by approved landscaping provided at the homeowner's expense.
5. Must not be visible from the street; preferable located in the homeowner's rear yard.
6. Must not block riding lawn mower passage to property.
7. No overhead wiring. All wiring must be underground for standalone installations (pole mounting).
8. Sprinklers must be repositioned and/or additional heads installed by the Retreat's irrigation contractor. Any cost to relocate or service irrigation system will be at the expense of the homeowner.
9. Satellite dishes must be installed on the requesting party's property within surveyed property lines. They are not allowed on Common Area or the adjoining property.
10. Satellite dish specifications shall be included with ACC application.

**Screening Installation for Carlyle Front Porch (1/18/2006)**

1. Architectural change form must be completed and submitted to the Architectural Control Committee for their approval.
2. A non-refundable \$50.00 application fee is required.
3. All exterior aluminum must be white and all screening must be charcoal in color.
4. All vertical supports must be 2" X 2" aluminum and be placed behind the large white columns with the exception of the two supports, one on each side of the screen door.
5. The top horizontal supports must be at least five inches above the four archways and also on the inside.
6. The kick-plate support horizontal bar cannot exceed 16" from the tile floors.
7. It is also strongly suggested to get approval from any homeowner that looks directly at your porch.
8. Project specifications shall be included with ACC application.

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**Shutters**

Shutters are to conform to the original Divosta design and color as included on your individual home. The shutters are either black, white or green. Note that green shutters are black shutters painted green; the designated green is Sherwin Williams 6195 Rock Garden.

**Solar Panel (9/26/2010)**

One of the goals of the Architectural Control Committee (ACC) is to preserve the appearance of our community. Large, black, roof-mounted solar panels will compromise the appearance of the Retreat. The ACC respectfully requests installing solar panels that closely match the color of your roof tile.

All plans for solar panels for 1) electric 2) solar hot water 3) solar pool heat must be submitted to the ACC for prior approval.

Panels should be placed where they will not be observed from the street if at all possible even though some additional expense may be incurred by the homeowner.

Project specifications shall be included with ACC applications.

**Swimming Pool or Lap Pool Installation (9/26/2010)**

1. Architectural Change Form must be completed and submitted to the Architectural Control Committee (ACC) for their approval.

2. A non-refundable \$50.00 application fee is required.

3. No installation shall commence until a returnable deposit of \$2,000.00 has been posted with the Homeowners Association for any Common Area deficiencies created. Should Common Area deficiencies exist, the deposit monies will be used to remedy the deficiency and any monies remaining after completion of repair will be returned to the homeowner. Common Area deficiencies will be determined by the Property Manager/Board of Directors.

4. Our Retreat irrigation contractor must be utilized as the vendor to remove and replace sprinkler systems. All financial arrangements should be made directly with them by the homeowner. Any costs involved with the irrigation system will be at the expense of the homeowner.

5. It is the responsibility of the homeowner to see that:

a) All dirt piles are covered with tarp.

b) Roadway and Common Areas are kept clean and free of debris at all times.

c) Property and Common Areas are re-sodded in a timely manner. (Minimum twice during construction process or at the Association's discretion.

6. It is suggested no property owner sign a contract for pool installation before meeting with the Architectural Control Committee to discuss past pitfalls regarding pool installation.

7. Project specifications shall be included with ACC application.

**Swing and Play Set Standards**

All installed exterior recreational equipment (swings sets, slides, etc.) must have Architectural Committee approvals.

The following is a set of minimum standards each installation must meet:

1) The unit must be free standing (not attached to any other structure, or tree) and entirely within the Homeowner's property.

2) Shall not exceed a height of 9 feet (ground line to highest point).

3) Only commercial wooden structures will be permitted.

4) Total ground foot print shall not exceed 17 feet by 17 feet.



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- 5) No equipment installed for a child's use such as swing, play sets and or slides shall be placed or installed within the front yard of any lot. The unit shall only be installed in the Homeowner's rear yard, space permitting. Any equipment which (by permission of the ACC) is placed outside of the back yard must be screened from view by approved landscape materials.
- 6) The applicant must submit written documentation from a reliable source, that the unit as installed has met the county's wind standards for outdoor structures.
- 7) The Retreat at Seabranh HOA shall be held harmless for granting permission to erect swing/play sets.
- 8) Project specifications shall be included with ACC application

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**CERTIFICATE  
OF  
RECORDING THE RULES AND REGULATIONS FOR  
THE RETREAT AT SEABRANCH**

The undersigned, the President and Secretary of The Retreat at Seabbranch Homeowners Association, Inc., do hereby certify that the attached Rules and Regulations for the Retreat at Seabbranch were duly adopted by the Board of Directors of the Retreat at Seabbranch Homeowners Association, Inc., at the Board Meeting held on MAY 2, 2016. The adoption of the Rules and Regulations appears in the minutes of the meeting.

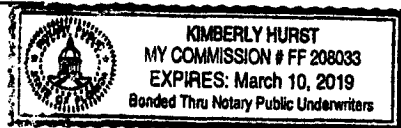
IN WITNESS WHEREOF, the undersigned has caused these presents to be signed in its name by its President, its Secretary and its corporate seal affixed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

**WITNESSES AS TO PRESIDENT:**

**THE RETREAT AT SEABRANCH  
HOMEOWNERS ASSOCIATION, INC.**

[Signature]  
Printed Name: Robert Hewitt  
[Signature]  
Printed Name: CHESTER A. KING III

By: [Signature]  
JOHN CLIFFORD, President



STATE OF FLORIDA  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me on May 2nd, 2016, by John Clifford, as President of The Retreat at Seabbranch Homeowners Association, Inc. [ ] who is personally known to me, or [X] who has produced identification [Type of Identification: R Driver License].

**Notarial Seal**

[Signature]  
Notary Public

**WITNESSES AS TO SECRETARY:**

**THE RETREAT AT SEABRANCH  
HOMEOWNERS ASSOCIATION, INC.**

[Signature]  
Printed Name: Robert Hewitt  
[Signature]  
Printed Name: CHESTER A. KING III

By: [Signature]  
GREG STRAHM, Secretary

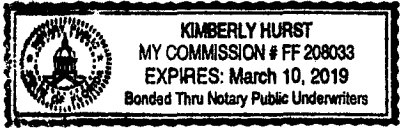
**CORPORATE  
SEAL**

STATE OF FLORIDA  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me on May 2nd, 2016, by Secretary, as Secretary of The Retreat at Seabbranch Homeowners Association, Inc. [ ] who is personally known to me, or [X] who has produced identification [Type of Identification: R Driver License].

**Notarial Seal**

[Signature]  
Notary Public



INSTR # 2576917 DR BK 2856 PG 646 RECD 05/26/2016 11:37:14 AM  
(10 Pgs)  
CAROLYN TIMMANN MARTIN COUNTY CLERK  
DEED DOC \$0.00, MTG DOC \$0.00, INTANGIBLE \$0.00