

CFN 20170286561

DR BK 29276 PG 0844
RECORDED 08/08/2017 12:54:41
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0844 - 849 (6pgs)

This Instrument Prepared by and Return To:
Kravit Law, P.A.
Mallory Goldsmith, Esq.
1801 N. Military Trail, Suite 120
Boca Raton, FL 33431
Tel: 561-922-8536, Fax: 561-405-3155
File No. 185.0029C

**NOTICE OF RECORDING AMENDED EXHIBIT "C" TO DECLARATION OF
COVENANTS AND RESTRICTIONS FOR ESTANCIA**

The undersigned of Estancia Homeowners Association, Inc. c/o Oasis Community Management, 6574 N. State Road 7, #280, Coconut Creek, FL 33073 certify that Exhibit "C" entitled Architectural Planning Criteria of the Declaration of Covenants and Restrictions for Estancia (the "Declaration"), recorded in Official Records Book 2402, Page 121 of the Public Records of Palm Beach County, as amended from time to time, has been amended as set forth in Exhibit C Architectural Planning Criteria attached hereto. The Declaration affects the following real property in Palm Beach County, Florida:

All of ESTANCIA, according to the Plat thereof as recorded in Plat Book 30, at Pages 169 and 170, of the Public Records of Palm Beach County, Florida.

The amendments were adopted pursuant to the Architectural Planning Criteria and Article VII of the Declaration.

NOW, THEREFORE, the undersigned hereby certify that the attached Exhibit C Architectural Planning Criteria reflects a true and correct copy of the Architectural Planning Criteria as amended by the Board of Directors on February 21, 2017.

ESTANCIA HOMEOWNERS ASSOCIATION, INC.

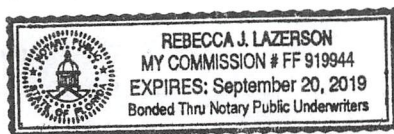
By: Carolyn Gosdorfer
Carolyn Gosdorfer, President

By: Ursula Johnson
Ursula Johnson, Secretary

STATE OF FLORIDA)
COUNTY OF BROWARD)

THE FOREGOING instrument was acknowledged before me this 10 day of July, 2017, by Carolyn Gosdorfer, the President and Ursula Johnson, the Secretary of ESTANCIA HOMEOWNERS ASSOCIATION, INC., who upon being duly sworn acknowledged to me that he/she signed the foregoing document and who is personally known to me or produced a driver's license as proof of identity.

WITNESS my hand and official seal at the County and State aforesaid this 10 day of July, 2017.



Rebecca J. Lazerson
Notary Public
My commission expires: Sep 20, 2019

EXHIBIT C

Architectural Planning Criteria

Updated February 2017

Words underlined are added and words stricken through are deleted.

1. Building Type. No building other than a guest house, accessory structure, cabana house or similar structure shall be erected, altered placed or permitted to remain on any Lot other than one detached single-family dwelling containing not less than two thousand (2,000) square feet of liveable enclosed floor area (exclusive of open or screen porches, terraces and garages), not to exceed thirty-five (35) feet in height and having a private and enclosed garage for not less than two (2) nor more than four (4) cars. Unless approved by the ARB as to use, location and architectural design, no guest house, cabana house, accessory building, or garage, tool or storage room building may be constructed separate and apart from the residential dwelling.

A. Criteria for Guest House or Cabana House:

- i. Construction of a guest house or cabana house may be permitted but must receive specific written approval of the ARB and the Board of Directors.
- ii. This type of improvement will be submitted as a building addition only.
- iii. The guest house or cabana house shall match the finish and roofing material of the existing house and must conform to the current government standards.
- iv. The ARB reserves the right to inspect the guest house or cabana house after completion, and may require additional landscaping and lighting modifications if not improved as approved in application.
- v. Guest houses and cabana houses cannot have kitchens.

B. Criteria for Accessory Structures

- i. Accessory structures, including but not limited to, outdoor kitchens, play structures and temporary structures may be permitted but must receive specific written approval from the ARB and the Board of Directors and may require additional landscaping.
- ii. Any structure that requires anchoring or cementing into the ground must be approved by the ARB and Board of Directors and may require additional landscaping.
- iii. Landscape structures, such as pergola or gazebos may be permitted, but Owner of the Lot must receive prior written ARB and Board of Directors approval first and applications for

approval of such landscape structures, including pergola and gazebos, must include a description of their use.

iv. Play structures that are more than four (4) feet in height need ARB and Board of Directors approval and are discouraged from being other than in the rear of the building and not visible from the street. Larger temporary play structures in height, such as trampolines, jump houses, et. need prior written approval of the ARB and Board of Directors and must be removed with a hurricane warning is issued.

v. Applications for approval of all structures must include a description of the use of the structure.

2. Layout. No foundation for a building shall be poured, nor shall construction commence in any manner or respect, until the layout for the building is approved by the ARB. It is the purpose of this approval to assure that no trees are unnecessarily disturbed and that the home is placed on the lot in its most advantageous position.

3. Exterior Color Plan. The ARB shall have final approval of all exterior color plans and each Owner must submit to the ARB a color plan showing the color of the roof, exterior walls, shutters, trims, etc. The ARB shall consider the extent to which the color plan is consistent with the homes in the surrounding areas and the extent to which the color plan conforms with the natural color scheme of and for Estancia.

4. Roofs. Flat roofs shall not be permitted unless approved by the ARB. Such areas where flat roofs may be permitted are Florida rooms, porches, and patios. There shall be no flat roofs on the entire main body of a building; provided that, the ARB shall have discretion to approve such roofs on part of the main body of a building, particularly if modern or contemporary in design. No built-up roofs shall be permitted.

5. Garages. In addition to the requirements stated in paragraph 1 hereinabove, all garages shall have a minimum width of twenty-two (22) feet for a two-car garage, thirty-three (33) feet for a three-car garage, or forty-four (44) for a four-car garage; measured from the inside walls of the garage. All garages must have either a single overhead door with a minimum door width of sixteen (16) feet for a two-car garage, or two (2) sixteen (16) feet for a four-car garage, or two (2), three (3), or four (4) individual overhead doors, each a minimum of eight (8) feet in width, and a service door. Garage doors shall be operated by an electric door opener.

6. Driveway Construction. All dwellings shall have a paved driveway of stable and permanent construction of at least sixteen (16) feet in width at the entrance to the garage. Unless prior approval is obtained from the ARB, all driveways must be constructed with concrete or asphalt. Where curbs are required to be broken for driveway entrances, the curbs shall be repaired in a neat and orderly fashion acceptable to the ARB.

7. Dwelling Quality. The ARB shall have final approval of all exterior building materials. Eight-inch (or larger) concrete block shall not be permitted on the exterior of any building or detached structure unless prior approval is obtained from the ARB. The ARB shall discourage the use of imitation material for facades and encourage the use of front materials such as brick, four or five-inch block, stone, wood, and stucco, or a combination of the foregoing.

8. Signs. No sign of any kind shall be displayed to the public view on any Lot except for the following:

- A. The exclusive sales agent for the original builder of a single-family residence on any Lot(s) may place one professional sign advertising the property for sale.
- B. Homeowners shall not display or place any sign of any character including "for rent" or "for sale" signs except that a sign displaying the word "open", not to exceed five square feet, may be displayed during any time the homeowner or his representative is in attendance.

The size and design of all signs shall be subject to approval by the ARB.

9. Games and Play Structures. All basketball backboards and any other fixed games and play structures shall be located at the rear of the dwelling, or on the inside portion of corner Lots within the setback lines. No platform, dog house, playhouse or structure of similar kind or nature shall be constructed on any part of a Lot located in front of the rear line of the residence constructed thereon, and any such structure must have prior approval of the ARB.

10. Fences and Walls. The composition, location and height of any fence or wall to be constructed on any Lot shall be subject to the approval of the ARB. The ARB shall require the composition of any fence or wall to be consistent with the material used in the surrounding homes and other fences, if any.

11. Landscaping. A basic landscaping plan for each Lot must be submitted to and approved by the ARB. All Lots are required to have installed a standard underground sprinkler system. The entire Lot, including that portion of the Lot between the street pavement and the right-of-way line, shall be irrigated and maintained. Sod shall be required in the front and side yards. Seeding and/or sprigging will be allowed in the rear yard. It shall be the goal of the ARB in the approval of any landscape plan and layout plan to preserve all existing trees where possible. No restructuring or modification of the landscaping plan for each lot may be made without prior approval of the ARB.

12. Swimming Pools and Tennis Courts. Any swimming pool or tennis court to be constructed on any Lot shall be subject to the requirements of the ARB, which include, but are not limited to, the following:

- A. Composition to be of material thoroughly tested and accepted by the industry for such construction;
- B. The outside edge of any pool wall may not be closer than four (4) feet to a line extended and aligned with the side walls of the dwelling;
- C. No screening of pool area may stand beyond a line extended and aligned with the side walls of the dwelling unless approved by the ARB;
- D. Pool screening may not be visible from the street in front of the dwelling;

E. Location and construction of tennis or badminton courts must be approved by the ARB;

F. Any lighting of a pool or other recreation area shall be designed so as to buffer the surrounding residences from the lighting;

G. All swimming pool areas must be enclosed, in compliance with County and State requirements.

If one owner elects to purchase two (2) adjoining Lots and use one for recreation purposes, the Lot used for recreation purposes must be adequately screened by landscaping and/or walls or fences on both the front and side as required by the ARB. It shall be the intent of the ARB to screen any such use from public view.

13. Garbage and Trash Containers. No Lot shall be used or maintained as a dumping ground for rubbish, trash or other waste. All trash, garbage and other waste shall be kept in sanitary containers and, except during pickup, if required to be placed at the curb, all containers shall be kept within an enclosure and out of view. No trash, garbage or vegetation clippings shall be placed on the curb before 5:00 P.M. of the day prior to pick up.

14. Temporary Structures. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other out building shall be used on any Lot at any time as a residence.

15. Removal of Trees. In reviewing building plans, the ARB shall take into account the natural landscaping such as trees, shrubs and palmettos, and encourage the Owner to incorporate them in his landscaping plan. No trees of two (2) inches in diameter at one (1) foot above natural grade shall be cut or removed without approval of the ARB, which approval may be given when such removal is necessary for the construction of a dwelling or other improvement.

16. Mechanical Units. All external mechanical units, including but not limited to air conditioning units, pool heaters, sprinkler pumps, and solar panels, shall be properly hidden from view.

17. Mailboxes. No mailbox or paperbox or other receptacle of any kind for use in the delivery of mail or newspapers or magazines or similar material shall be erected on any Lot unless and until the size, location, design and type of material for said boxes or receptacles shall have been approved by the ARB. If and when the United States mail service or the newspaper or newspapers involved shall indicate a willingness to make delivery to wall receptacles attached to dwellings, each property owner, on the request of the ARB, shall replace the boxes or receptacles previously employed for such purpose or purposes with wall receptacles attached to dwellings.

18. Sight Distances at Intersection. No fence, wall, hedge or shrub planting which obstructs sight lines and elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner Lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) from the intersection of the street lines, or in case of a rounded property corner, from the intersection of the property lines extended. The same sight-line limitations shall apply on any Lot within ten (10) feet from the intersection of a street property line with

the edge of a driveway or alley pavement. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight-lines.

19. Utility Connections. Building connections for all utilities, including, but not limited to, water, electricity, telephone and television shall be run underground from the proper connecting points to the building structure in such a manner to be acceptable to the governing utility authority.

20. Fire Pits. Fire pits may be permitted but must receive prior, specific written approval of the ARB and Board of Directors.

21. ~~20.~~ ARB Reports. The ARB's approval or disapproval as required in the foregoing Architectural Planning Criteria shall be delivered in writing to the Board of Directors of the Association and to the Lot Owner submitting same. In the event the ARB fails to approve or disapprove plans and specifications within thirty (30) days of submission thereto, approval will not be required and the related criteria shall be deemed to have been fully complied with.