

Mizner Pointe of Boca Homeowners Association, Inc.

APPLICATION TO PURCHASE OR LEASE

Revised 4.2.2025

Please return this form to:

Kelly Toledano

561.293-3634

Kelly@superiormgmt.net

By Hand or Mail:

Superior Association Management

20283 State Rd 7, suite 219

Boca Raton, Florida 33498

Notes: You must allow up to 30 days for processing, longer if international processing is required. Additional fees apply to all international background checks; call for pricing. Processing time is calculated from the date we receive a complete application. You will be notified if additional information is required. Payment must be made by check or money order. All fees are non-refundable. Association documents are not provided to applicants. All association documents must be obtained from the unit's current owner. All residents over the age of 18 are considered applicants even if they are not a party to the contract or lease. All applicants must be interviewed.

PLEASE PRINT LEGIBLY. WE CAN'T PROCESS WHAT WE CAN'T READ.

Property Address
(number and street)

8553 Via Serena, Boca Raton FL 33433

Please check one:

Purchase ☒

Lease ☐

Renewal ☐

Applicant 1
Name

Cell Phone

Email Address

Applicant 2
Name

Please check one:

*I am Applicant 1's spouse

Yes ☐ No ☐

Cell Phone

Email Address

Current Owner's
Name(s)

Marcia Bayer

Use additional sheet to include additional applicants.

APPLICATION CHECKLIST

- ☐ Application Fee of \$100 per applicant and/or married couple **made payable to Mizner Pointe Homeowners Association, LLC**
NOTES: *Proof of marriage may be required.
- ☐ Application Fee of \$125 per applicant and/or married couple **made payable to Superior Association Management**
NOTES: *Proof of marriage may be required.
- ☐ Background Check Fee of \$100 per applicant and/or married couple **will be charged directly through Tenant Evaluation.**
NOTES: *Proof of marriage may be required; **International background check, if needed, will require additional fees., call for a quote**
- ☐ Copy of executed contract of sale or lease
NOTES: No more than one lease per year (12-month period); **No leases permitted during first year of ownership.**
- ☐ Copies of valid driver's licenses for all applicants
- ☐ Copies of all vehicle registrations
- ☐ Please initial to indicate that you acknowledge that you have received, or will receive all association documents from the unit owner, including all rules and regulations.

Use additional sheets if necessary.

Please feel free to include your broker's business card, or a copy of it, if you wish.

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Applicant 1

Present Address

Rent ☐

Own ☐

Years there

Present Employer

Work Phone

Applicant 2

Present Address

Same as above ☐

Rent ☐

Own ☐

Years there

Present Employer

Work Phone

List all additional occupants, their ages, and relationships to the applicants.

All occupants over the age of 18 are considered applicants and must submit their information and pay all applicable fees.

Name _____ Age _____ Relationship _____

Name _____ Age _____ Relationship _____

Name _____ Age _____ Relationship _____

In case of emergency, please notify:

Name _____ Phone _____ Relationship _____

Address _____

Your Pet(s) (list all)

Breed _____ Weight _____

Breed _____ Weight _____

Use additional sheets if necessary.

PLEASE NOTE

- It is the buyer's responsibility to request all keys and automatic clickers for garage doors and front gate, if applicable, from the Seller. This includes the house key, pool key and any clickers that may be in the possession of the current owner.
- ADT provides basic monitoring for all the homes. It is your responsibility to contact Devcon Security at (888) 279-8848, and advise them of your purchase. They will send you a form to complete and schedule an appointment to reset your own alarm code. **Please contact Devcon Security to determine the charge for this, as it is billed directly to the homeowner.** All home alarm systems must be registered with Palm Beach County. Please call (561) 688-3695 to register your alarm.
- **The application process will begin once all paper documentation is submitted. If the information is not submitted in full, your application will not be processed. Please allow thirty (30) days for the processing of the application.**

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In making the foregoing application, I represent to the Board of Directors that the purpose for the purchase or lease of a unit at Mizner Pointe of Boca is as follows:

- I hereby agree for myself, and on behalf of all persons who may use the home which I seek to lease or purchase.
- I will abide by all of the restrictions contained in the By-Laws and Rules and Regulations, and restrictions which are or may in the future be imposed by the Mizner Pointe of Boca Homeowners Association, Inc.
- I understand that any violation of the terms, provisions, conditions and covenants at Mizner Pointe of Boca Homeowners Association, Inc. documents provides cause for immediate action.
- I have received a copy of the Articles of Incorporation, Declaration of Covenants and By-Laws and Rules and Regulations of the Mizner Pointe of Boca Homeowners Association, Inc.
- I understand that acceptance for purchase of a home at Mizner Pointe of Boca is conditioned upon the truth and accuracy of this application, and upon approval of the Board of Directors. Occupancy prior to approval is prohibited.
- I understand that the Board of Directors of Mizner Pointe of Boca Homeowners Association may cause to be installed, an investigation of my background, as the Board may deem necessary. Accordingly, I specifically authorize the Board of Directors, and their agents to make such investigation, and agree that the information contained in this, and the attached application may be used in such investigation, and that the Board of Directors and Officers at Mizner Pointe of Boca Homeowners Association, Inc., and their agents shall be held harmless of any action or claim in connection with the use of the information contained herein or any investigation conducted by the Board of Directors.
- In making the foregoing application, I am aware that the decision of Mizner Pointe of Boca Homeowners Association, Inc. will be final. I agree to be governed by the determination of the Board of Directors.

I/We declare the above information to be true and correct. I/We authorize Superior Association Management to process a background check for each applicant.

SIGNED _____ **Date** _____

SIGNED _____ **Date** _____

Use additional sheets if necessary.

Mizner Pointe Of Boca Homeowners Association, Inc.

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RULES AND REGULATIONS ACKNOWLEDGEMENT FORM

I (We), the undersigned, do hereby acknowledge receipt of Mizner Pointe of Boca Homeowners Association, Inc. Documents and Rules and Regulations, attached hereto. Please keep that copy for your records.

In addition, I (We) have read and understand same and hereby agree to abide by said Rules and Regulations of Mizner Pointe of Boca Homeowners Association, Inc.

Applicant Signature

Co Applicant Signature

Date

Background Check - Release Authorization

I hereby authorize your company or any agent of your company, to contact any of my references, previous employers, companies, credit bureaus, corporations, law enforcement agencies, persons and educational institutions to supply any information concerning my background and criminal History. I also hereby release any of the above from liability, including the managing agent for the above, from responsibility arising from their doing so. Applicant acknowledges that false information herein may constitute grounds for rejection of this application, termination of right of occupancy and/or forfeiture of deposit and may constitute a criminal offense under the laws of this state. I believe to the best of my knowledge that all information I have provided is accurate and that I fully understand the terms of this release.

Photocopies of this authorization form may be made to facilitate multiple inquiries. In the event you do receive a photocopy of this authorization, it should be treated as an original and the requested information should be released to facilitate my/our application for residency.

Applicant Name: _____

Social Security #: _____ - _____ - _____ Date of Birth: ____ / ____ / ____

Street Address: _____

City/State/Zip: _____

Sex: _____

Applicant Signature: _____ Date: ____ / ____ / ____

Co-Applicant Name: _____

Social Security #: _____ - _____ - _____ Date of Birth: ____ / ____ / ____

Street Address: _____

City/State/Zip: _____

Sex: _____

Co-Applicant Signature: _____ Date: ____ / ____ / ____

Mizner Pointe of Boca Homeowners Association, Inc

SUMMARY OF RULES AND REGULATIONS

**This document is a description of these rules and regulations without involving the legal language found in Rules and Regulations.

PLEASE KEEP THIS COPY FOR YOUR RECORDS.

By taking ownership of a property in Mizner Pointe the owner becomes a member of the Mizner Pointe of Boca Homeowner Association, Inc. As a member you agree to follow the rules and regulations.

This document is a description of these rules and regulations without involving the legal language found in other documents defining the same rules and regulations. While we try to keep this document current, rules are added, removed, and changed on an on-going basis. When in doubt, consult the property manager. It is the homeowners' responsibility to ensure that they have the most recent rules.

If anything is unclear to you, or you have any questions about the content of this document, please consult the property manager.

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INTRODUCTION

The enclosed Rules, Regulations and Guidelines, have been approved by the Board of Directors.

Upon receipt of these Rules and Regulations from the Board of Directors, we, as homeowners, are re-affirming our agreement to abide by them. As a homeowner, you are responsible for compliance from all members of your household and guests. If you rent your property, you the owners, will be responsible for any violations by your lessee(s).

This is not an all-inclusive list of Rules, Regulations and Guidelines; additional restrictions may be found in the Declaration of Covenants for Mizner Pointe of Boca (Article XVI Prohibitive Uses). The Board may add, delete or modify these Rules and Regulations.

Penalties and Fines will be imposed for any, and all violations of our Community's Rules and Regulations, and/or documents. An official warning will be issued prior to the imposition of any penalties or fine under Clubhouse Rules & Regulations. A Compliance Committee will be available to resolve any dispute of violations. By statute, fines up to \$100.00 per day/per occurrence will be assessed, until violation is rectified. Fines can reach a cap of \$1,000.00 for an on- going violation.

GENERAL COMMUNITY RULES

ANIMALS - Dogs must be on a leash at all times, when off your property. Dog droppings must be picked up, and disposed of, immediately and properly.

NO PIT BULLS ALLOWED - Including, but not limited to American Pitbull Terrier, American Staffordshire Terrier, and Staffordshire Bull Terrier.

BUSINESS - No trade, business, or any commercial use, shall be conducted in or from any Parcel.

CONTRACTORS - Other than food deliveries and emergencies, contractors will not be allowed entry into our community on Sundays, Holidays, and before 8am, and after 5pm from Monday - Saturday.

DELIVERIES - Delivery trucks are allowed Monday- Friday 7am - 8pm, and weekends 8am - 8pm.

FIREWORKS- Fireworks will not be allowed on Mizner Pointe of Boca Association Property.

GARBAGE - Garbage and trash shall be put out no earlier than dusk, the day previous to collection, and containers taken in by dusk, the day of collection. Garbage cans and recyclable bins must be stored in garages. Recyclable bins are to be put out on Wednesday nights or Thursday mornings.

GUTTERS - All stand-alone gutters on the dwelling must be of same size. Gutters must be aluminum, K-style in 8 inch width. Color should be white or match the house color.

HURRICANE SHUTTERS - Hurricane Shutters shall be installed when the National Weather Service issues a hurricane watch, which is approximately 48 hours in advance of a potential storm. Shutters shall be removed within one week, after the storm has passed. In the event of extraordinary weather circumstances, exceptions to this rule will be posted on Channel 63.

MOTORIZED SCOOTERS- Go-carting/ATV's or any motorized scooters, or motorized type recreational, and/or motorized type vehicles are prohibited on Mizner Pointe of Boca property.

RAMPS - Ramps are not permitted anywhere on Mizner Pointe of Boca property streets, sidewalks, clubhouse parking lot, etc. Ramps must be confined to a homeowner's yard, and/or driveway.

UNLAWFUL USE - No improper, offensive or unlawful use shall be made of any Parcel, and all valid laws, zoning ordinances and regulations of all governmental bodies having jurisdiction, shall be strictly observed.

VEHICLES - Cars may be parked overnight only in driveways and garages. Any car parked illegally in the street overnight, (between 2:00 AM. and 6:00 AM.), will be ticketed as a first warning. After one warning, the vehicle is subject to being towed away. Other restrictions are as follows:

- No Parking in front of mailboxes at any time.
- No commercial vans, trailers, RV's, Mobile Homes, boats, or commercial vehicles with lettering, are permitted at any time anywhere on Mizner Pointe streets or driveways overnight. Such vehicles must be parked in the garage or off premises. This Rule applies to the Clubhouse parking lot as well.
- No vehicle repairs or maintenance shall be allowed in the community.
- No vehicles of any nature shall be parked on any portion of the community, except on the surfaced parking area thereof.
- No parking on the lawn or sidewalks.
- All owners and their guests must obey, without limitation, all speed limit signs, stop signs and other traffic signs.

All costs and reclamations will be at Owner's expense without recourse. One warning will be issued. Special situations, i.e. driveway repairs, pressure cleaning and sealing, etc., will require a permit from Management to be placed on car(s) for that occasion, and the vehicle may be parked in the Clubhouse parking lot.

WILDLIFE - Feeding of ducks and other wildlife are prohibited.

CLUBHOUSE RULES

1. The Clubhouse hours are from 5:00 A.M. until 11 :00 P.M., except during specialevents or private functions.
2. All persons using the facilities, shall follow all the Rules & Regulations regarding theuse of the facilities, and the priority and length of time of use of the facilities, as set forth below. Our private guards reserve the right to remove violators from the clubhouse premises.
3. The Chairman of the Club-House Committee or Management Company will handlethe scheduling of clubhouse activities.
4. Rules and Regulations that are posted in any particular area, room, or facility will control the use thereof, and shall be deemed supplemental to the Rules and Regulationsherein enumerated.
5. The facilities shall not be used by any club, group or association without consent ofthe Association.
6. Food, beverages, and alcoholic beverages are not permitted in any room in theclubhouse, without Association approval. Mizner Pointe of Boca Clubhouse is a non- smoking facility.
7. Owners and Renters are responsible for their Guests and are expected to apprisethem of the Rules and Regulations for the use of the facilities. Other than a private party,the number of guests allowed at the clubhouse, or the pool is limited to 15 per family.
8. Shoes and shirts are required in the clubhouse and card room. Bathing suits are not permitted anywhere in clubhouse except lavatories.
9. Where Owners, Renters, or their Guests have caused damage, the Owner and/orRenter will be held responsible for the cost of the damage.
10. The Association has the right to suspend the privileges of any person who violatesthe Rules and Regulations of the Mizner Pointe of Boca Clubhouse.
11. No pets or animals may be brought upon, or into the clubhouse or its facilities,except Seeing Eye dogs or Service Animals.
12. Car washing, polishing, and repairs are not permitted on Mizner Pointe of BocaClubhouse property or the parking lot.
13. Cars may be parked overnight in clubhouse parking lot when necessary, with a Special Permit.
14. Overnight parking of commercial trucks, commercial vehicles, trailers, or boats arenot permitted in clubhouse parking lot.
15. Roller blading, roller skating, scooters, biking, skate boarding, etc., are strictly prohibited in the Clubhouse, Tennis Court, Pool Area, and other recreational areas. Therewill be zero tolerance for any intentional or destructive behavior in or on the Clubhouse facilities.
16. Card playing is permitted in the clubhouse when no functions are scheduled. Pleasecheck with Management or Clubhouse Chairman/Committee for availability. A monthly calendar will be posted on the Community Bulletin Board website. Please see Regulation Re: Food, Beverage, in card room, clubhouse, and exercise room, etc. (All other facilities}.
17. No unusually loud music and/or noise are permitted in or on clubhouse property,including parking lot and pool area, except during an authorized event/function.
18. Children under 14 years of age must be supervised by an adult (someone 18 yearsor older} in clubhouse, pool, poolside, spa, exercise room and card room.

****All persons using Mizner Pointe of Boca clubhouse facilities will do so at their own risk, including, but not limited to pool, pool side, exercise room, card room, spa, tennis court, tot lot, parking lot, etc. Loitering in and around clubhouse, clubhouse parking area or pool, after hours is prohibited.**

Please call Security Guard if any problem arises.

POOL RULES

1. Swimming is permitted in pool from Dawn to Dusk.
2. Children under three (3) years of age must use disposable swimming trunks. No children in diapers are permitted in the pool.
3. An adult must supervise all children less than fourteen (14) years of age.
4. No ball playing in pool, or the entire pool area.
5. There is no jumping or diving into the pool for safety reasons.
6. Food and non-alcoholic beverages are allowed no closer than 12 feet from the pool's edge. No alcoholic beverages or glass are allowed anywhere in the fenced pool area.
7. Only Aqua Shoes are permitted in the pool. No sneakers, river sandals, jellies, flipflops, etc., are permitted.
8. No "horseplay" is permitted in the pool. This includes throwing anyone, carrying someone on your shoulders, etc.
9. Only Two Guests allowed per each owner's address.
10. Owners must be present at the pool with their guests.
11. There is to be no running on the pool deck. This is for safety reasons.

****Please report any accidents to our private guards.**

SPA RULES

Open from Dawn to Dusk

1. Children under 5 years of age are not permitted in the spa.
2. An adult must directly supervise all children under the age of 14 years.
3. Suggested stay is not to exceed ten (10) minutes, in order to avoid dehydration, or elevated blood pressure.
4. No shoes other than Aqua Shoes are permitted in spa.
5. Do not immerse your head under water to avoid heat exhaustion.
6. No "horseplay" permitted in the spa.
7. No food, drinks or alcoholic beverages are permitted in the spa and pool area.
8. Bathing attire must be worn at all times, when in the spa.

FITNESS ROOM RULES

Open from 5AM until 12 Midnight

1. No one under eighteen (18) years of age is allowed in the fitness room.
2. All gym users must bring a towel with them and use it to wipe off equipment.
3. Proper attire must be worn at all times. This includes closed shoes (sneakers), shorts/pants, and a shirt. Bare chests are not permitted.
4. Personal radios are prohibited in this area. Only radios with headphones/earphones can be used.
5. Time limit on treadmills is thirty (30) minutes. Please be courteous to all others who are waiting.

**** Please do not abuse the equipment. Equipment needs to be used in a responsible manner.**

TENNIS COURTS RULES

1. Courts will be open from 8:00 a.m. to 10:00 p.m. Lights should be turned off by players.
2. Only Mizner Pointe residents and their authorized guests are permitted to use the courts.
3. Games are limited to one hour unless no one is waiting. Courtesy and consideration for other players must be maintained at all times.
4. These courts may not be used for any purpose other than a game of tennis, or tennis lessons.
5. Proper tennis attire with closed and proper shoes must be worn.
6. No walking on courts until the end of the play.
7. Pets, food, beverages, loud music, or unnecessary noise will not be permitted on courts.
8. Children under fourteen (14) years of age must be supervised by an adult or a person eighteen (18) years of age or older.
9. No lessons are allowed unless the instructor shows proof of license, insurance and signs a waiver releasing Mizner Pointe of any liability. No lessons are allowed Monday thru Friday between the hours of 5:00PM to 7:00PM.
10. When using multiple balls on the court, the balls should be contained on the lesson court and not interfere with play on other the other court.
11. Sign -in log may be used for weekends, holidays, and play on weekdays after 6:00PM.

** The use of these courts by Owners, or Renters and their Guests is at their own risk.

** Please report any accident to our private guards.

HOME AND PROPERTY MAINTENANCE

Each owner shall be responsible for maintaining his/her unit, in a neat and clean condition at all times. Such maintenance shall include, but not be limited to, cleaning, painting, repairs, and general care.

In the event the exterior of said Lot and Unit is damaged in such fashion, so as to create a health or safety hazard to adjoining Lots and Units, or deteriorates in such a way as to create a nuisance or to be unsightly, and not keeping with the standards of the community, as determined by the Architectural Committee in its sole discretion, and such damage is not repaired within thirty (30) days from the occurrence or written notification from the HOA, then in such an event, the Association shall have the right to make reasonable repairs to the exterior of such Lot and Dwelling Unit.

If any owner fails or refuses to care for, maintain or make repairs to that Owner's unit, the HOA shall have the right and power to care for, maintain, and make repairs and maintenance. The Owner of such Unit shall be responsible for all fees and expenses plus a 10% handling fee, including reasonable attorney's fees, if any are incurred by the HOA in connection therewith.

The HOA shall have a lien on the Unit to secure payment of all such amounts, which shall be perfected, and enforced in the same manner as a delinquent assessment.

RENTAL/RESALE SCREENING PROCESS

The HOA has adopted a rental/resale screening process, which shall provide, that no Owner may rent its entire unit, and no more than one time per fiscal year (not more than one time in a 12-month period) and provide for screening of potential tenants by the Board.

Effective April 28, 2022 and thereafter, new purchasers may not lease their home until, after one year of ownership, calculated from the closing date of the purchase.

Each owner shall have the right to lease his/her Unit, provided that such lease is in writing, and provides that the tenant shall be bound by, and obligated to the governing documents and Rules & Regulations at Mizner Pointe, and that the failure to comply with these documents, shall be a default under the lease.

Any Owner desiring to sell or rent his/her Unit shall deliver to our property management company: (a) a completed Application, (b) a \$100.00 check made payable to Mizner Pointe of Boca, HOA, and \$125.00 for each person over 18 (married couples are considered one person), to Superior Association Management, and (c) a copy of the fully executed lease/sales contract at least thirty 30 days prior to the date such a sale, lease or rental agreement is to become effective.

Any Owner who shall lease or rent a Unit, shall be responsible for assuring compliance with all governing documents. Failure of an Owner to accomplish compliance within 10 days after receipt or written demand to do so from the Board, shall entitle the Association, to take any, and all such action, including the institution of proceedings on behalf of such Owner against his/her Lessee. **The Association will conduct an in-person interview with all prospective lessee(s) and or buyer(s), prior to occupying the premises.**

Any expense incurred by the Association, including attorney's fees and cost of suit, shall be repaid to it by such Owner. Failure by such Owner to make such repayment within 30 days after receipt of written demand, the Board may resort to any and all remedies of the Association, including placing and enforcing a lien on such Unit.

ARCHITECTURAL COMMITTEE (AC)

MISSION

The mission of the Architectural Committee is to ensure and protect the community's appearance and property values.

PURPOSE

The purpose of these policies and guidelines is to establish community and landscape themes, and standards that will ensure a quality community, protect, and enhance property values.

INTRODUCTION

Mizner Pointe has been planned as an attractive, up-scale place to live in Boca Raton, Florida. Homeowners are concerned with their property values, and our natural environment. The establishment of an architectural review process is essential to maintain high community standards and establish reasonable procedures and guidelines to attain these standards.

ARCHITECTURAL COMMITTEE

The Declaration of Covenants establishes an Architectural Committee (AC), that is appointed by, and reports directly to the Board of Directors. The AC is authorized to promulgate written architectural standards, regulations, procedures, and guidelines governing the construction, location, height, size, dimension, material design improvements, structures, landscaping, etc.

GENERAL GUIDELINES

Construction of any structure, improvement on any lot, or any exterior changes to the property, requires specific prior approval by the AC, and will be approved or disapproved based on compliance with the Declarations, the Guidelines, and/or the aesthetic discretion of the Committee. The AC has sole discretion in approving or disapproving specific proposals.

PROJECT REQUESTS

No improvements, alterations, repairs, excavations, or other work, which in any way alters the exterior appearance of any property within Mizner Pointe, shall be made or done without the prior written approval of the AC. Each request must be submitted in writing to the AC for approval prior to beginning any work. An AC Request Form is available at our Property Manager's Office

Request Forms should be completed with a detailed explanation of the proposed project, including the property plat with present and proposed structures, relevant surrounding features, landscaping plans, irrigation plan (if applicable), sketches with dimensions, and color samples. The AC will consider any possible influence on surrounding properties and will concentrate on maintaining the architectural style. The AC considers requests within 30 days of submission.

**Requests must comply with the provisions of the Declaration, these Guidelines, and with the applicable requirements of Federal, State, County, and local law.

ARCHITECTURAL GUIDELINES

INTRODUCTION - The following guidelines are provided for assistance in planning projects, making any material changes to the exterior of your home, and submitting requests. The AC reserves the right to approve or disapprove projects that vary from the Guidelines or are aesthetically inconsistent with the overall community standards. These Guidelines are not all-inclusive. All changes to the exterior of a home shall require approval by the AC. The location of a project will be carefully considered regarding the surrounding properties, and the visual impact it has upon the community. The AC may require landscaping of sufficient height and density to minimize the view of the structure.

Approvals do not indicate a review of, or comment upon the structural soundness, safety or compliance with any government's standards and regulations. The property owner is responsible for obtaining any necessary building permits, variances, exceptions, inspections, or other approvals before starting any work. Approved projects must be completed within one month from the date of approval. The AC may consider a written request for extension of the time limit.

Approved applications are only valid for one year. Security checks are deposited.

WHAT IS AN AC APPLICATION?

An AC Application is a document that authorizes you to do specific activity, whether you do the work yourself or hire a contractor. It also ensures that the work you do, as well as the work others do, will be safe and aesthetically pleasing.

WHAT HAPPENS IF I WORK WITHOUT AN AC APPLICATION?

Working without an approved AC Application may result in a Stop Work Order being issued on your project. A Stop Work Order is a document specifying that the project has no AC Application on file, and no work is to be done until an approved AC Application is issued from the AC. You may also be visited by a member of the AC or by the Property Manager. You will be asked to stop working until you submit an AC Application and get an approval from the AC.

Costs involved with pursuing compliance will be added to the resident's account according to provisions in our documents and guidelines and billed as a special individual assessment. These costs include costs in providing non-compliance notices, and attorney and legal costs.

WHAT IF MY PROJECT WAS COMPLETED WITHOUT AN AC APPLICATION?

Your project is considered to be out of compliance with our documents and guidelines, without an approved AC Application on file. You will need to submit an AC Application for the already-completed project to the AC, in order to be in compliance. If any part of the project does not meet the requirements of our documents, you will be responsible for making the necessary corrections before you can receive an approval from the AC.

GUIDELINES **ANTENNAE**

Antennae will be mounted on a single pole and will be ten feet or less in height. It will be moderate and unobtrusive in size.

AWNINGS

In general, exterior awnings will be prohibited, unless it is clearly compatible with the architectural design and qualities of the home and screened from view of adjoining neighbors.

At the sole discretion of the AC, if approved, awnings must meet the following criteria:

- They must be a plain design without decorative features.
- The colors must be solid that are compatible with the color scheme of the house.
- They should be consistent with the visual scale of the house to which attached.
- Structure supports should be painted to match the trim or dominant color of the house.

BASKETBALL GOALS

Particular to basketball goals mounted on poles placed in the ground, the pole must be set in concrete and should be located at least 15 feet from the street. Backboards may not be attached to the house. The goal must be placed so that play occurs on the owner's property. No more than one basketball goal permitted on any lot. This includes portable backboards as well.

CLOTHESLINES

Clotheslines or similar apparatus for the exterior drying of clothes shall be prohibited.

CONSTRUCTION PROJECTS

The following guidelines apply to all construction projects:

APPLICATION

A written application signed by the property owner containing a description of the planned project must be provided to the Architectural Committee. The application must be submitted on a Request for Architectural Approval Form and contain the following information, as applicable:

Drawing or Diagram, Height, Roof Design & Material, Exterior Finish & Color, location on Lot, and Irrigation Analysis (if applicable).

DURATION

Construction projects should be completed within 30 days of start day unless not feasible due to the magnitude of the job in which an extension period will be granted.

PERMITS AND BUILDING CODES

It is the property owner's responsibility to make certain that exterior improvements comply with local zoning ordinances and building codes and to acquire all appropriate permits.

EMERGENCY GENERATORS

Generators are permitted for use by homeowners, A maximum of 20 gallons of fuel can be stored in an approved DOT container. Do not store your gas fuel in the garage.

EXTERIOR AIR CONDITIONERS

Individual air-conditioning units extending from windows are prohibited.

EXTERIOR DECORATIVE OBJECTS

Though we encourage individual choices, the AC must approve exterior decorative objects to preserve the aesthetics of the community. These include, without limitation, bird houses, bird baths, driftwood, weathervanes, sculptures, fountains, free standing poles, mailboxes, house identification numbers, and any items attached to approved structures.

EXTERIOR LIGHTING

Lighting which is a part of the original structure may not be altered or added to without the prior approval of the AC. Proposed replacements or additions must be compatible in style and scale with the applicant's house and applications must include their location, number, style and wattage, Recommended fixtures include low voltage, ground-mounted styles that may be concealed by plantings. Colored bulbs designed to repel insects may be

installed only in lighting fixtures at the rear of the house. Proposed lighting shall not be approved if it will otherwise result in adverse visual impact to any other property.

EXTERIOR COLORS

All exterior painting, including trims and doors requires architectural review approval. No neighboring houses may use the same base color. Front doors and garage doors are recommended to be painted in a lighter trim color.

The decision whether to approve each application will be based on a judgment as to whether the proposed change would be noticeably inconsistent or visually incompatible with the new scheme of color palettes and tonal ranges.

Use of color combinations from our defined color scheme does not automatically grant approval.

FENCES

AC approval is required for installing fences. Fencing may be installed on the perimeter property lines as allowed by surveyors within Palm Beach County to enclose the rear yard of single homes. Other locations will be considered for some corner, or irregular shaped lots. The style, color, height and material will be consistent with other fences installed at Mizner Pointe.

FIREWORKS

Fireworks will not be allowed on Mizner Pointe of Boca Association Property. It shall be a violation if fireworks are set-off. A fine will be levied against any homeowners, residents, family, or guests.

FLAGPOLES

Permanent, free-standing flagpoles must be approved by the AC. The height, color, location, and design must be consistent with the overall theme of the community. The AC will approve American flags and poles attached at an incline to the exterior wall of the home.

GARAGE SALES

Garage Sales shall not be permitted.

HEDGES

Hedges may be considered fences and require review and approval by the AC. No hedges will be allowed on lake front properties.

HOSES AND HOSE REELS

Hose Reels are permitted provided they are placed in or attached to an inconspicuous location.

LAKEFRONT PROPERTIES

The Declaration of Covenants, Article XV has provisions regarding specific restrictions. In addition, any structure, permanent, semi-permanent, or temporary that obstructs the lake view, or result in adverse visual impact to your surrounding neighbors, shall not be permitted.

LANDSCAPING AND GARDENS

Significant landscaping, including vegetable, flower or rock gardens, or lawn ornaments is considered an exterior modification and must receive prior approval. Approval is required for all trees, regardless of size or location and for other plantings intended to form a hedge or natural screen that will attain a height of more than two feet. **The owner must replace any permanent landscaping that dies or needs replacement (trees, shrubs, hedges, etc.) on his/her property.**

MAILBOXES AND NEWSPAPER TUBES

The addition of tubes or other containers for delivery of newspapers or magazines is prohibited. Mailboxes may be replaced only with units similar in size and style to those installed by the builder, and may not be painted, finished covered in any color or pattern other than the original installation.

PATIOS

Patios may be constructed of materials compatible with the existing structure. Visual impact on surrounding properties will be taken under consideration prior to approval.

PAVERS

Brick Pavers shall be maintained in its natural condition. They may be pressure cleaned and clear sealant may be used without AC Approval. Painting or staining of pavers will not be allowed. The use of color sealant or "special stains" requires AC approval.

RECREATIONAL AND PLAYGROUND EQUIPMENT

Recreational and playground equipment will be considered by the AC based on location, style, material, and color. Generally, such equipment should be placed in rear yards. The equipment should be compatible with lot size. The design and any visual screening are additional considerations in evaluations, whether or not there will be an adverse visual impact.

REPAIRS, GENERAL

Repairs that do not change the exterior appearance, does not require architectural approval. Any change to the current exterior of your home requires prior approval.

ROOF REPAIR AND REPLACEMENT

Approval is required for roof replacement. No approval is necessary for roof repair, as long as the repair matches the color of your current roof.

SATELLITE DISHES

Direct TV or other satellite dishes may not be greater than 18 inches in diameter and must be placed where they are not readily visible from the street unless this placement would not permit reception of an acceptable quality signal.

SHUTTERS

Shutters may be permitted based on location, materials, style and color.

SIGNS

Advertising signs, leaflets, petitions, or other written material shall not be distributed on the premises without the Association's approval. Only signs advertising a property for sale or rental may be displayed. Such signs must meet applicable County regulations with respect to size, content, and removal, and must be in compliance with our By-Laws. Signs may only be placed in the front yard of the subject property. No sign is allowed to be placed on Common grounds, including the entrance to the Community.

SOLAR PANELS

Solar Panels may be installed and shall be flush mounted. Panels will be boxed-in and finished to blend with the color of the roof. Piping and electrical connections will be located directly under and within the perimeter of the panel.

SPORTING EQUIPMENT

All sporting equipment is to be placed 15 feet from the street on the owner's property. No equipment may be placed in the street.

STORAGE SHEDS

Because sheds not specifically designed or located for consistency with each neighborhood's architectural style can detract from an otherwise visually harmonious residential environment, the installation of prefabricated or free-standing sheds are prohibited.

SWIMMING POOLS, SPAS, AND HOT TUBS

Pools, spas, and hot tubs will be located to minimize the visual effect on surrounding properties. Landscaping and fencing will be submitted with the request. The lot size, topography, location of equipment, and the design, color, material, method of installation will be carefully considered. Above Ground Pools are not permitted, with the exception of "kiddy pools."

TEMPORARY STRUCTURES

No temporary or permanent utility, building, tent, structure or improvement shall be constructed, or maintained without the prior approval of the Architectural Committee.

ENFORCEMENT OF RULES AND GUIDELINES

The board of directors of the homeowners' association has the statutory authority ("Florida Statute Section 720.305") to enforce the governing documents and the rules of the association when a violation occurs. It is absolutely essential that the covenants and the rules be uniformly enforced and applied against all of the members of the Association.

The Association may impose reasonable fines against any member, tenant or guest violating the rules. A fine of \$100.00 may be levied on the basis of each day, or per occurrence of a continuing violation, except that the total fine cannot exceed \$1,000.00 in the aggregate.

The following is the procedure in processing alleged violators:

- The Owner will be notified in writing of the alleged violation.
- If the violation or problem is not corrected within a specified time given in the notice, a hearing will be held with the Compliance Committee affording the alleged violator an opportunity to be heard on the issue.
- The Committee will then determine if the problem is a violation and whether a fine or other action permitted by state statute or governing documents should be imposed.
- If the Owner fails to appear for the hearing (held one evening per month), then the Committee will proceed to make a determination based on the evidence before it.
- Fines shall be collectible as assessments and the Board may assert liens for failure to pay any fines or assessments.
- The Owner will be notified in writing regarding final resolution. Should no response be received, the matter may be forwarded to the Association's legal counsel.
- A letter from our attorney is then sent to the homeowner.
- Finally, the Association may be forced to seek injunctive relief and will request reimbursement for all legal fees.
- If a member is more than 90 days delinquent in paying any fee, fine, or other monetary obligation due to the association, the association may suspend the rights of the member, or the member's tenant, guest, or invitee, to use common areas and facilities until the fee, fine, or other monetary obligation is paid in full. This includes deactivation of the homeowner's vehicle(s) barcode decal for entry via the resident gate, entry to the community will only be via the guest gate.
- An association may suspend, for a reasonable period of time, the right of a member, or a member's tenant, guest, or invitee, to use common areas and facilities for the failure of the owner of the parcel or its occupant, licensee, or invitee to comply with any provision of the declaration, the association bylaws, or reasonable rules of the association. This includes deactivation of the homeowner's vehicle(s) barcode decal for entry via the resident gate, entry to the community will only be via the guest gate. A fine or suspension levied by the board of administration may not be imposed unless the board first provides at least 14 days' notice to the parcel owner and, if applicable, any occupant, licensee, or invitee of the parcel owner, sought to be fined or suspended and an opportunity for a hearing before a committee.