

## RULES AND REGULATIONS

Kirkwood

A. As to common areas. The Board of Directors may, from time to time, adopt or amend previously adopted administrative Rules and Regulations governing the details of the operation, use, maintenance, management, and control of the common areas and any facilities or services made available to the townhome owners.

B. As to townhome units. The Board of Directors may, from time to time, adopt or amend previously adopted Rules and Regulations governing and restricting the use and maintenance of the townhome units.

C. Rules and Regulations. The Rules and Regulations hereinafter set forth shall be deemed to be in effect until amended by the Board of Directors, and shall apply to and be binding upon all townhome owners. Owners, tenants, contract purchasers and all other persons or entities are hereby notified of their affirmative obligation to enquire of the Board of Directors regarding any changes or amendments to these rules subsequent to the date of recording. The townhome owners shall at all times obey said Rules and Regulations and shall use their best efforts to see that they are faithfully observed by their families, guests, servants, lessees and persons over whom they exercise control and supervision. The Rules and Regulations are as follows:

1. No nuisance shall be permitted to exist upon any property so as to be detrimental to any other property in the vicinity thereof or to its occupants. No owner or lessee or any guest or agent of an owner or lessee shall create or permit any disturbance that will interfere with the rights, comforts or convenience of others.

2. Pets shall be restricted to no more than two pets per dwelling. The term "pet" shall mean a cat or a dog. Should any litigation arise therefrom, the prevailing party shall be entitled to recover reasonable attorney's fees and costs incurred in any legal proceedings.

3. Pets shall be on a leash at all times as is required by the leash law of Palm Beach County or any other applicable ordinance. Pets found running loose shall be reported to the appropriate governing authority, as applicable, and will be picked up and impounded. The owner of each pet shall be required to clean up after the pet in order to properly maintain the common areas. If, after receipt of written notice by the Association that an owner's pet is violating the provisions of this paragraph, the owner does not correct such violations within the time specified by the Association, the Association shall have the right to impose a fine of \$50.00, per occurrence, on said owner. In the event that any fines are not promptly paid, then the Association shall also have the right to seek appropriate legal action against the owner in order to obtain payment of the fine and, in addition, shall be entitled to a judgment for all attorney's fees and costs incurred in such action.

4. Trash shall be placed in the receptacles furnished. For sanitary reasons, all trash, except newspapers, shall be placed in plastic bags and tied securely before being placed in the trash receptacles. All boxes and cartons are to be flattened; and gardening debris is to be cut into suitably sized pieces before placing them in plastic bags. All bulk items not picked up by the sanitation service shall be removed from the premises at the owner's expense.

Toxic or hazardous waste products, such as poisons, paints, petroleum products, cleaning fluids, etc. shall not be placed in trash receptacles or otherwise disposed of in or around Kirkwood. All such toxic or hazardous waste products must be properly disposed of according to city, county, state and federal law.

5. Barbecue grills and similar devices shall be used in courtyards only.
6. No clothes or similar articles shall be hung on balconies or outdoors for any purpose whatsoever, except that they may be hung within courtyards and below the height of the courtyard fence.
7. Bicycles, toys or clutter shall not be left outside courtyards at any time. Bicycles, toys or clutter so left shall be impounded by the Association. On the first occurrence the owner will be given a warning. In the event of any subsequent violations by the same owner or lessee [or children of said owner or lessee], the owner may be assessed a fine.
8. There shall be no assembling or disassembling of motor vehicles within Kirkwood, except for ordinary maintenance such as the changing of a tire or a battery. For the purposes of this rule, ordinary maintenance does not include the changing of oil, lubricants or any other fluids of a motor vehicle or boat.
9. Notwithstanding any restrictions on commercial vehicles, passenger motor vehicles bearing the insignia of and actually used by the Florida Highway Patrol, Palm Beach County Sheriff's Department or any police department, fire department or an emergency medical facility, fully authorized to operate in Palm Beach County, Florida, may be parked in Kirkwood, subject to the same terms and conditions governing the parking of private passenger motor vehicles.
  - a. Parking is permitted on designated paved or posted parking areas only. Driving, or parking on grassy areas, except where designated, is not allowed at any time for any reason. Vehicles shall not be parked so close to trash receptacles so as to prevent waste collection.
  - b. Motorized vehicles that cannot operate under their own power shall not remain on the property for more than twenty-four hours.
  - c. All vehicles must bear a valid, current license tag. Those vehicles not bearing current, valid tags shall be towed from Kirkwood at the owner's expense.
  - d. Damage done to the common areas, including but not limited to the pavement as a result of oil leaks, motorcycle kick-stands, etc., shall be the responsibility of the owner and the lessee of the unit who himself, a family member, guest or visitor created said damage.
  - e. All vehicles must be equipped with appropriate noise muffling devices in accordance with county and city ordinances. The Association shall be

authorized to bar from Kirkwood any motorcycle or other motor vehicle that operates so as to disturb others.

- f. Motorcycles shall not be parked or placed in any area other than in the designated parking areas. No motorcycle shall be allowed to be driven upon common areas other than roadways or parking areas.

11. Parents, whether owners or lessees, shall be responsible to the Association for any property damage to the common areas which is caused by their children.

12. No signs of any kind may be displayed on any exterior portion of a townhome, a courtyard, or in any of the common areas.

13. No exterior radio, television antennae, or other electronic devices are permitted.

14. Pool:

- a. All bathers must shower before entering the pool.
- b. Glass containers and food are prohibited in the pool area and the tennis courts.
- c. Children under 12 must be accompanied by an adult.
- d. Recreation facilities are for use of owners and guests only.
- e. Trespassers will be prosecuted.
- f. Pool gate must be closed at all times.
- g. Bathing attire only in the pool -- no cutoff -- Babies must wear rubber pants, No diapers, please!!
- h. No guests unless accompanied by a unit owner or renter.
- i. No diving, jumping in, running, or pushing, ball or frisbee playing in the pool area.
- j. Pool hours are from dawn to dusk only.
- k. No pets in pool area.

15. Tennis Courts:

- a. Tennis shoes only on tennis courts.
- b. Weekend play on the tennis courts is limited to one and one half (1 1/2) hours or two sets if others are waiting.
- c. Be courteous to your neighbors living near the tennis courts -- please refrain from noise before 7:30 a.m.
- d. When leaving the tennis courts, the gate must be locked.
- e. No pets are permitted on the tennis courts.

D. The Board of Directors shall have the power and authority to enforce the Rules and Regulations of the Association, in accordance with the provisions of these By-Laws, and the Declaration of Covenants, Conditions and Restrictions of Kirkwood. In any legal proceedings arising out of a violation of the Rules and Regulations, the By-Laws or Declaration of Covenants, Conditions and Restrictions, the Association shall be entitled to recover its expenses, including reasonable attorneys' fees.