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**CERTIFICATE OF RECORDING BOARD RESOLUTION
REPUBLISHING USE RESTRICTIONS**

*Pursuant to Chattel Shipping and Investment, Inc. v. Brickell Place
Condominium Association, Inc., 481 So. 2d 29 (Fla. 3d DCA 1985)*

WE HEREBY CERTIFY THAT the attached Resolution of the Board of Directors of Villagio Del Mar Homeowners' Association, Inc. was duly adopted at a meeting of the Board of Directors on November 13, 2018 republishing the Use Restrictions contained in Sections 9.1, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19, 9.22, 9.24 and 9.26 of Article 9 of the Declaration of Covenants, Conditions, and Restrictions for Villagio Del Mar as originally recorded at Official Record Book **20369** at Page **260** et. seq. in the Public Records of Palm Beach County, Florida (the "Declaration"),

IN WITNESS WHEREOF we have affixed our hands this 13th day of November, 2018, at Hypoluxo, Palm Beach County, Florida.

Walter R. Rosen

Witness No. 1

David E. Rosen
(PRINT NAME)

Gale R. Rosen

Witness No. 2

Robert Routhier
(PRINT NAME)

**VILLAGIO DEL MAR HOMEOWNERS'
ASSOCIATION, INC.**

By:

F. O'Neill 11-13-18
Francis O'Neill, President

Attest:

Joseph Bilotta 11/13/18
Joseph Bilotta, Secretary

STATE OF FLORIDA:
COUNTY OF PALM BEACH:

The foregoing instrument was acknowledged before me this 13th day of November, 2018, by Francis O'Neill and Joseph Bilotta, as President and Secretary respectively, of **Villagio Del Mar Homeowners' Association, Inc.**, a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me, or have produced _____ as identification and did take an oath.



[Signature] (Signature)

(Print Name)
Notary Public, State of Florida at Large

**RESOLUTION OF THE BOARD OF DIRECTORS OF
VILLAGIO DEL MAR HOMEOWNERS' ASSOCIATION, INC.**

On the 13th day of November in the year of 2018, the Board of Directors held a duly called Special Meeting of the Board. All formal notice requirements were met.

Whereas, Sections 9.1, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19, 9.22, 9.24 and 9.26, of the Declaration of Covenants, Conditions and Restrictions (the "Declaration") for Villagio Del Mar contain the following language:

Section 9.1. Nuisances. No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

Section 9.4. Signs. No sign or emblem of any kind may be kept or placed upon any Lot or mounted, painted or attached to any Lot, fence or other improvement upon such Lot so as to be visible from public view or mounted on any vehicle or trailer parked or driven in Villagio Del Mar or by any other means displayed within Villagio Del Mar without the prior written approval of the Board of Directors, which approval may be arbitrarily withheld, even for aesthetic reasons. Provided, however, nothing contained herein shall prohibit signs or billboards erected and maintained by Declarant.

Section 9.5. Campers, Boats and Recreational Vehicles. No campers, pick-up trucks, boats, boat trailers, recreational vehicles, vans, buses, motorcycles, mobile homes or similar types of non-passenger vehicles, equipment, implements or accessories may be kept on any Lot unless the same are fully enclosed within the garage located on such Lot, and said vehicles and accessories are in an operable condition. The ARC as designated in this Declaration, shall have the absolute authority to determine from time to time whether a vehicle and/or accessory is operable and adequately screened from public view. Upon an adverse determination by the ARC, the vehicle and/or accessory shall be removed and/or otherwise brought into compliance with this paragraph. No maintenance, dismantling or assembling of motor vehicles, boats, trailers, recreational vehicles, or other machinery or equipment shall be permitted in any driveway or yard adjacent to a street. No commercial vehicle bearing commercial insignia or names shall be parked on any Lot except within an approved enclosed structure which prevents such view thereof from adjacent lots and streets, unless such vehicle is temporarily parked for the purpose of serving such Lot.

Section 9.6. Animals, Pets, Livestock and Poultry. No animals, livestock or poultry of any kind shall be raised, bred or kept on any Lot, except that cats, dogs or other generally recognized domestic household pets may be kept in a Unit, provided that they are not kept, bred, or maintained for any commercial purpose; and provided further, that no more than one (1) adult animal weighing not more than twenty-five (25) pounds, may be kept on a single Lot. All such animals shall be kept in strict accordance

with all local laws and ordinances (including leash laws) and in accordance with all rules established by the Association. Under no circumstances shall any pit bulls, or other dogs deemed potentially dangerous, as determined by the Association, in its sole and absolute discretion, be permitted in Villagio Del Mar, including as a pet of a Lot Owner. It is each Lot Owner's responsibility to immediately clean up all pet waste from the Property.

Section 9.7. **Garbage and Refuse Disposal.** No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. No cans, bags, containers or receptacles for the storing or disposal of trash, garbage, refuse, rubble, or debris shall be stored, kept, placed or maintained on any Lot where visible from any street except solely on a day designated for removal of garbage and rubbish and on which days only such cans, bags, containers, and receptacles may be placed in front of a residence and beside a street for removal but shall be removed from view before the following day.

Section 9.8. **Parking.** No vehicles, trailers, implements or apparatus may be driven or parked in the Common Areas not intended for vehicular access or on any easement unless in use for maintaining such Common Areas. No vehicles, trailers, or other apparatus may be parked overnight, other than in a garage on a Lot, within Villagio Del Mar. No on-street parking or parking on lawns shall be permitted.

Section 9.9. **Business, Commercial or Institutional Use.** No trade, business, profession, or commercial activity, or any other non-residential use, shall be conducted by a Lot Owner or resident of a Lot, if in connection therewith customers, patients, deliveries, or the like come to the Lot or if such nonresidential use is otherwise apparent from the exterior of the Lot. The foregoing shall not apply to construction offices, model homes and sales offices of Declarant as set forth in this Declaration, and shall not preclude Declarant's activities associated with the construction, development and sale of Lots within Villagio Del Mar.

Section 9.14. **Window Treatment.** All window or door coverings within a Lot which are visible from the exterior of the improvements, the Common Areas or any other portion of Villagio Del Mar shall be white two inch (2") blinds which shall conform to the standards provided by the Declarant, unless otherwise approved in writing by the Association. No sheets, paper, aluminum foil, reflective film or similar treatment shall be placed on windows or glass doors.

Section 9.15. **Lighting.** No exterior lighting shall be permitted except as originally installed by the Declarant or otherwise approved by ARC.

Section 9.16. **Bicycles and Personal Property.** All bicycles and personal property shall be kept, stored and placed in an area not visible from outside the dwelling.

Section 9.17. Garages and Garage Doors. No garage shall be permanently enclosed or converted to use other than the purpose intended. All garage doors shall be kept closed at all times except when opened to permit vehicles to enter and exit the garage.

Section 9.18. Awnings. No awnings, canopies or shutters, including hurricane or storm shutters, shall be attached to or affixed to the exterior of any building unless such awnings, canopies or shutters have been approved by the ARC.

Section 9.19. Artificial Vegetation. No artificial grass, plants or other artificial vegetation, or rocks or other landscape devices, shall be placed or maintained upon the exterior portion of any Lot, unless approved by the ARC.

Section 9.22. Sports Equipment, Athletic and Recreational Facilities. Outdoor athletic and recreational facilities such as basketball goals, swing sets and sport courts of either a permanent or temporary nature shall not be placed on any Lot in Villagio Del Mar, unless approved in writing by ARC. No permanently installed basketball poles and backboards are permitted. No portable basketball backboards may be kept outside of a Lot overnight or when not in use.

Section 9.24. Exterior Holiday Decorations. Lights or decorations may be erected on the exterior of Lots in commemoration or celebration of publicly observed holidays provided that such lights or decorations do not unreasonably disturb the peaceful enjoyment of adjacent Owners by illuminating bedrooms, creating noise or attracting sightseers. All lights and decorations that are not permanent fixtures of the Lot which are part of the original construction or have been properly approved as permanent improvements by the ARC shall be removed within thirty (30) days after the holiday has ended. Christmas decorations or lights may not be displayed prior to November 15th of any year. For other holidays, decorations or lights may not be displayed more than two (2) weeks in advance of the holiday. The Association shall have the right, upon thirty (30) days prior written notice to enter upon any Lot and summarily remove exterior lights or decorations displayed in violation of this provision. The Association, and the individuals removing the lights and decorations, shall not be liable to the Owner for trespass, conversion or damages of any kind except intentional misdeeds and gross negligence.

Section 9.26. Maintenance of Premises and Landscaping. No weeds, underbrush, or other unsightly growth shall be permitted to grow or remain upon any Lot, and no refuse or unsightly objects shall be allowed to be placed or suffered to remain upon any Lot. All lawns, landscaping and irrigation systems, and any property, structure, improvement and appurtenance shall be kept in good, safe, clean, neat and attractive condition. All areas not covered by structures, walkway or paved parking facilities shall be maintained as lawn or landscape areas, with underground irrigation systems, to the pavement edge of any abutting streets and to the water line of any abutting lakes, canals or water bodies. No stone, gravel, or paving of any type shall be used as a lawn unless approved as part of the final landscape plan.

Whereas, the foregoing restrictions may not have been previously enforced uniformly by the Association.

Whereas, the Board of Directors desires to make clear, and place all owners on notice, that the restrictions contained in Sections 9.1, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19, 9.22, 9.24 and 9.26 of the Declaration remain in place, and that said restrictions shall be strictly and uniformly enforced from this point forward.

It is hereby resolved that the Board of Directors has voted and approved the republication of Sections 9.1, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 9.14, 9.15, 9.16, 9.17, 9.18, 9.19, 9.22, 9.24 and 9.26 of the Declaration of Covenants, Conditions, and Restrictions for Villagio Del Mar.

It is hereby further resolved that this Resolution shall be recorded in the official records of Palm Beach County, Florida.

0 The Board of Directors for the Association approved by a vote of 3 For and Against the adoption of the above resolution.

13th IN WITNESS WHEREOF, this Resolution has been approved and executed this day of November, 2018.

**VILLAGIO DEL MAR HOMEOWNERS'
ASSOCIATION, INC.**

By: 
Francis O'Neill, President

Attest: 
Joseph Bilotta, Secretary