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AMENDMENT TO THE RULES AND REGULATIONS

OF

JOGGERS RUN PROPERTY OWNERS ASSOCIATION, INC.

A corporation not for profit under the  
laws of the State of Florida

WHEREAS, the JOGGERS RUN PROPERTY OWNERS ASSOCIATION, INC., is a corporation not for profit under the laws of the State of Florida, with Articles of Incorporation filed in the office of the Secretary of State on June 7, 1983, and

WHEREAS, the Association was organized for the purpose of owning and operating certain lands, and personal property located in Palm Beach County, Florida, which lands and personal property are to be used in common with the members of the Joggers Run Property Owners Association, Inc., which members shall all be property owners at Joggers Run, and

WHEREAS, such operation by the Association includes the management of Joggers Run in keeping with the terms and conditions as set forth in the Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions of Joggers Run, as recorded in the Public Records of Palm Beach County, Florida in Official Records Book 3983, Page 2, and as thereafter from time to time may have been amended, and the By-Laws of Joggers Run, (the Governing Documents), and the enforcement of such Governing Documents, and

WHEREAS, pursuant to ARTICLE 2, Paragraph 20, of the Declaration, the following amendment to the Rules and Regulations of the Association has been duly adopted by the Board of Directors of the Joggers Run Property Owners Association, Inc.

ARTICLE II

LOTS, COMMON AREA COVENANTS AND RULES AND REGULATIONS

9. MOTOR VEHICLES, BOATS, AND BOAT TRAILERS

9.1 No motor vehicles of any type or nature, trailers, recreation vehicles of any type or nature, trailers, recreation vehicles, campers, vans, commercial vehicles, boats, or boat trailers may be parked upon any swale area within the real property described in Exhibit A attached

hereto, except commercial vehicles and the like may be parked briefly for delivery purposes only. No trucks commercial vehicles, recreation vehicles, campers, vans, boats, or boat trailers may be parked in any driveway or upon any Lot or in any carport, if applicable, provided, however, the same may be kept in a garage upon a Lot, if such truck, recreation vehicle, commercial vehicle, trailer, boat, boat trailer, camper, or van fits in said garage and such garage contains full garage door and such garage door is kept closed. No repair work to any type of motor vehicle or boat or boat trailer shall be conducted on any Lot other than very minor repairs.

9.2 Exceptions to Section 9.1 above: The following vehicles shall not be subject to the parking restrictions contained in Section 9.1 above, and shall be entitled to park subject to restrictions contained in Sections 9.3 through 9.14, below:

- (1) Vehicles, regardless of classification, necessary for the maintenance, care or protection of the Common Property.
- (2) A vehicle(s), if any, owned by the Association and used in connection with maintenance and operation of the Association and the Common Property.

(3) Official emergency or police vehicles, regardless of classification.

9.3 Definition of Truck and Van / Commercial Vehicle: The most current edition of the N.A.D.A. Official Used Car Guide shall determine the classification of whether a vehicle is in fact a truck or van, or whether same is a passenger automobile. If said Guide does not contain reference to a particular vehicle, then the manufacturer's classification shall control. If publication of such Guide shall be discontinued, an equivalent publication shall be selected by the Board of Directors to be used to determine vehicle classifications hereunder. Except as otherwise provided in this Section 9, a State registration and/or title classification shall have no bearing on determination of the classifications hereunder.

A commercial vehicle is any car, truck, van, panel truck, or any other vehicle used for the conduct of business or commercial purposes, except passenger cars used solely for the transportation of people, and not for the transportation of any goods, supplies, tools of a trade or business products if these items are visibly exposed.

9.4 All motor vehicles must be maintained as to not create any eyesore in the community.

9.5 Each owner and resident must park in his or her driveway or garage. No vehicle

shall be parked on the grass or within posted no parking zones.

2.6 All owners and their guests must comply with the Traffic Regulations of the State of Florida and The Traffic Regulations as posted throughout the community. The Board of Directors of the Association has the right and authority to prohibit vehicles on the property for any offenders.

2.7 No person without a valid driver's license, under the age of sixteen (16), may drive any motorized vehicle on the roads within Jogger's Run.

2.8 Except for safety measures, horns shall not be used or blown while a vehicle is parked, standing id or driving through driveways and/or parking areas. Racing engines, loud exhausts and noisy mufflers shall be prohibited. No vehicle shall be parked with its motor running.

2.9 No motorized vehicles with the exception of lawn maintenance equipment shall be driven or allowed over walkways or on any grass area. No motorized vehicle shall be operated anywhere within the Property except on streets or roadways and then only if street legal and appropriately licensed. This prohibition shall apply to all-terrain-vehicles (atv, atc, etc.), dirt bikes, go-carts or other off road recreational vehicles.

2.10 No self-powered vehicles which appear to be unable to operate on its own power shall remain within Joggers Run for more than twenty-four (24) hours, and no repair (including changing oil) of a vehicle shall be made within Joggers Run except for minor repairs necessary to permit removal of a vehicle. All vehicles must bear a valid, current license tag. Those vehicles not bearing current, valid tags shall be towed from Joggers Run at the owner's expense. Any vehicles in violation of this provision shall be deemed a prohibited vehicle.

2.11 Remedy of Towing. If an offending vehicle owner does not remove a prohibited or improperly parked vehicle from Joggers Run, as violative of the recorded covenants, or these rules, the Association shall have the option and right to have the vehicle towed away at the vehicle owner's expense. By this provision, each unit owner and vehicle owner provides the Association with the necessary consent to effect the tow. In the event that the Association is incurs expenses for the removal of a vehicle, that vehicle's owner shall be responsible to reimburse the Association for any such expense. If the owner refuses to pay such costs upon demand, the Association shall have the right to collect said charge(s) through a Court of

competent jurisdiction. The unit owner shall be liable for damage caused by or fines levied against himself/herself as the owner of the vehicle, or against his/her family, lessees, guests, employees or visitors. In addition, the Owner shall be liable for simple interest on the amount of such damages owed or fines levied at the rate of 12% per annum thereon, along with costs and attorneys fees.

9.12 Unit Owners are strictly responsible to ensure that their representatives, employees, agents, lessees, guests, visitors, etc. or any occupants of their units comply with this Section 9; and as such, are responsible and liable to the Association for violations of same by their representatives, employees, agents, lessees, guests, visitors, etc. or any occupants of their units.

9.13 Alternative/Concurrent remedies. Whether or not the Association exercises its right to have the vehicle towed, the Association shall nonetheless have the right to seek compliance with this Section 9 by injunctive and other relief through the Courts; and/or any other remedy conferred upon the Association by law or the Declaration, Articles of Incorporation or By-Laws. The Association's right to tow shall in no way be a condition precedent to any other remedies available to the Association incident to the enforcement of this Section 9.

9.14 Any violation of these Rules and Regulations shall entitle the Association to the same remedies allowed in the Articles of Incorporation, the Declaration and the By-Laws, as to violation of the covenants or Rules & Regulations for Joggers Run and any additional remedies provided for by law. Furthermore, the Association shall be entitled to reasonable costs and attorneys fees incident to the enforcement of these Rules and Regulations.

22. FINES. In addition to all other remedies, including those set forth in these Rules & Regulations, the Declaration and the By-Laws, in the sole discretion of the Board of Directors of Joggers Run Property Owners Association, Inc., a fine or fines may be imposed upon an Owner for failure of an Owner, his family, guests, invitees, tenants, or employees to comply with any covenant, restriction, rule or regulation contained in the Declaration of Covenants and Restrictions or By-Laws of Joggers Run or Rules and Regulations promulgated pursuant thereto, including any amendments, provided the following procedures are adhered to:

- a. Notice: The Joggers Run Property Owners Association, Inc., shall notify the Owner of the infraction or infractions. Included in the notice shall be

- the date and time of the next Board of Directors meeting at which time the Owner may present reasons why penalty(ies) should not be imposed.
- b. Hearing: Evidence of noncompliance shall be presented to the Board of Directors after which the Board of Directors shall hear evidence and reasons why penalties should not be imposed if offered by the Owner. A written decision of the Board of Directors shall be submitted to the Owner by not later than twenty-one (21) days after the Board of Directors' meeting.
- c. Penalties: The Board of Directors may impose individual assessments as fines against the property owned by the Owner not in excess of Fifty (\$50.00) Dollars for each occurrence.
- d. Payment of Penalties: Fines shall be paid not later than thirty (30) days after notice of the imposition or assessment of the penalties.
- e. Collection of Fines: Fines shall be treated as an individual assessment otherwise due to the Joggers Run Property Owners Association, Inc. and may be collected as such or through an action at law if said fines are determined by any court of competent jurisdiction that said funds may not be treated as an individual assessment.
- f. Application of Penalties: All monies received from fines shall be allocated as directed by the Board of Directors.
- g. Nonexclusive Remedy: These fines shall not be construed to be exclusive, and shall exist in addition to all other rights and remedies to which the Joggers Run Property Owners Association, Inc., may be otherwise legally entitled; however, any penalty paid by the offending Owner shall be deducted from or offset against any damages that the Association may otherwise be entitled to recover by law from such owner.

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All other Rules and Regulations of Joggers Run Property Owners Association, Inc., not in conflict herewith shall remain, unchanged.

THE FOREGOING AMENDMENT, was adopted according to the governing documents  
of the Joggers Run Property Owners Association, Inc., a corporation not for profit under the laws  
of the State of Florida, by affirmative vote of the Board of Directors of the Joggers Run Property  
Owners Association, Inc., on the 9TH day of MARCH, 1994.

Witness us to all:

JOGGERS RUN PROPERTY OWNERS  
ASSOCIATION, INC.

[Signature]

[Signature]  
President / Director

MICHAEL McCurdy  
Director's Name Typed or Printed

[Signature]

[Signature]  
Vice President / Director

RICHARD E. TURCOHE  
Director's Name Typed or Printed

[Signature]  
Treasurer / Director

PAUL FINLEY  
Director's Name Typed or Printed

[Signature]  
Secretary / Director

KATHLEEN K. EMES  
Director's Name Typed or Printed

STATE OF FLORIDA

COUNTY OF PALM BEACH

SS:

I HEREBY CERTIFY that on this day, before me, a Notary Public duly authorized in the  
State and County aforesaid, to take acknowledgments, personally appeared: MICHAEL McCurdy

RICHARD E. TURCOHE  
KATHLEEN K. EMES

PAUL FINLEY

to me known to be Officers and Directors of Joggers Run Property Owners Association, Inc., and  
they acknowledged, upon oath, before me that they each signed (their) names to the foregoing  
document for the purposes therein stated.

WITNESS my hand and official seal in the County and State aforesaid this 9TH day  
of MARCH, 1994.

[Signature]  
Notary Public  
ROBERT R. ROSSI  
Notary's Name Typed or Printed

My Commission Expires: 4/4/97

OFFICIAL NOTARY SEAL  
ROBERT R. ROSSI  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC274068  
MY COMMISSION EXP. APR. 4, 1997