

AMENDED AND RESTATED

EXHIBIT E

TO ORE 8166 Pg 804

THE AMENDED & RESTATED DECLARATION OF COVENANTS
AND RESTRICTIONS FOR THE
BOCA LANDINGS HOMEOWNERS' ASSOCIATION, INC.

RULES AND REGULATIONS

1. The Common Areas and facilities shall not be obstructed nor used for any purpose other than the purposes intended therefore; nor shall any carts, bicycles, carriages, chairs, tables, or any other similar objects not belonging to the Association be stored therein.
2. The personal property of Owners must be stored in their respective dwelling units.
3. No garbage cans, supplies, milk bottles, or other articles shall be placed on the exterior portions of any dwelling unit or lot, and no linens, clothes, clothing, curtains, rugs, mops or laundry of any kind, or other articles shall be shaken or hung from or on the dwelling unit, the lot, or any of the windows, doors, fences, balconies, patios, or other portions of the dwelling unit or lot, except that laundry may be hung from umbrella-type dryers not visible from the public right of way and which must be removed when not in use and/or at dusk.
4. No owner shall permit anything to fall, nor sway or throw from the dwelling unit any dirt or other substance onto the lot or common areas.
5. No noxious, offensive, or unlawful activity shall be carried on within Boca Landings nor shall anything be done therein which may be or may become an annoyance or nuisance to other owners.
6. Employees of the Association are not to be sent out by Owners for personal errands. The Board of Directors shall be solely responsible for directing and supervising employees of the Association.
7. No vehicle which cannot operate on its own power and be driven legally on the public roadway shall remain anywhere in Boca Landings for more than twenty-four hours, and no repair of vehicles shall be made therein other than minor repairs to the Resident's vehicle.

8. No owner shall make or permit any disturbing noises in the Common Areas and facilities by himself, his family, servants, employees, agents, visitors, tenants or licensees, nor permit any conduct by such persons that will interfere with the rights, comforts, or conveniences of other Owners. No Owner shall play or permit to be played any musical instrument, nor operate or permit to be operated a phonograph, television, radio or sound amplifier or any other sound equipment in his Residential Unit or on his lot or in the Common Areas or facilities in such a manner as to disturb or annoy other residents. No owner shall conduct nor permit to be conducted, vocal or instrumental instruction at any time which disturbs other residents. Owners are herein made specifically responsible for the actions of any tenants, family members, servants, employees, agents, or visitors, either on the lot, in the dwelling unit, or in the Common Areas.
9. No sign of any kind shall be displayed to the public view, in Boca Landings, except only one sign of not more than one (1) square foot used to indicate the name of the resident or one sign of not more than two (2) square feet advertising a lot for sale or for rent, or any sign used by a builder to advertise the company during the construction and sales period will be permitted. All other signs require the prior written approval of the Architectural Control Committee.
10. No oil drilling, oil development operations, oil refining, quarrying, or mining operations of any kind shall be permitted on, upon or in the Common Areas, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in the Common Areas. No derrick or other structure designed for use in boring for oil, natural gas or minerals shall be erected, maintained or permitted upon any portion of Boca Landings.
11. No obstruction to visibility at street intersections or Common Area intersections shall be permitted.
12. No commercial vehicles shall be permitted to be parked or to be stored at any place in Boca Landings outside of a dwelling unit. This prohibition of parking shall not apply to temporary parking of commercial vehicles, such as for pick-up and delivery and other commercial services. No on-street parking shall be permitted.

Any commercial vehicle parked in violation of these rules and regulations or other restrictions contained herein or in the foregoing Declaration, as they may be amended, may be towed by the Association at the sole expense of the Owner of such vehicle, if such vehicle remains in violation for a period of 24 hours from the time a notice of violation is placed on the vehicle. The Association shall not be liable to the Owner of such vehicle for trespass, conversion, or otherwise, nor guilty of any criminal act, by reason of such towing and once the notice of violation is posted, neither its removal or failure of the Owner to receive it, shall be grounds for relief of any kind.

A commercial vehicle for purposes of this section shall be defined as any motor vehicle and/or attachment thereto which mainly is used for business purposes and/or is registered in a business name and which a) carries business lettering on its exterior and/or b) is used to transport business equipment, tools, or materials on the exterior of the vehicle. In addition, any vehicle considered to be a commercial vehicle under Florida law shall be considered a commercial vehicle for purposes of this section.

Further, all motor vehicles which show neither letter in nor business or commercial contents or contents holders (e.g., those covered by tarpaulins) when kept on a lot overnight shall not be considered commercial vehicles for purposes of this section.

13. No tent, trailer, shed, or other structure of a temporary character shall be permitted in Boca Landings at any time for more than 24 hours. No mobile home or recreational vehicle in Boca Landings shall be used at any time as a residence, either temporarily or permanently except during a declared disaster. Any boat or recreational vehicle owned by a resident shall be kept out of view, behind a gate, in the lot's fenced rear or side yard.
14. No exterior antenna shall be permitted on any lot or improvement thereon, or in the Common Areas, except as otherwise provided.

Satellite dishes may be installed only under the following conditions, and with the prior written approval of the Architectural Control Committee.

- a. Devices installed must not exceed 10 feet from ground height.
- b. Devices cannot be mounted or attached to dwelling units.
- c. Devices must be set back from property lines by a minimum of 3 linear feet.
- d. Devices must be hidden with appropriate plantings which shield its view by contiguous neighbors and from the public street. Planting must be done within 2 weeks of device installation.
- e. When a device is to be installed on a lake- or canal-front lot, prior written consent of not less than 2/3 of existing homeowners whose lots also abut the same lake or canal shall be a prerequisite for ACC approval. A letter of intent must be generated by the ACC and delivered to all lake- /canal-front property owners described above by certified mail 30 days prior to review by the ACC. The expense of said mailing shall be borne by the homeowner-applicant.

f. All devices installed prior to November, 1992, shall be grandfathered in to these rules; however, all requirements as to

surrounding plantings must be complied with.

g. All requests to the ACC for a satellite dish shall be made in writing no less than 60 days prior to installation.

h. Any violation of the rules regarding satellite dishes shall constitute a violation under these documents, and should legal action be instituted by either party, the homeowner shall be liable for the Association's reasonable costs and attorney fees.

No electronic equipment may be permitted in or on any dwelling unit or lot which interferes with the television or radio reception of another dwelling unit.

- 16. Awnings, canopies, shutters, enclosures or any other object or projection to attached to or placed upon the outside walls, doors, balconies, windows, or roof of the dwelling unit or on the lot, require written approval by the Architectural Control Committee.

Approval shall not be required for holiday/seasonal decorations as long as they are put on no longer than 4 weeks prior to the holiday and removed no later than 2 weeks after the holiday. In addition, no approval shall be required for religious or hospitality symbols installed on the exterior door or door post, of a dwelling unit, which measure less than 1 square foot.

- 17. No flammable, combustible, or explosive fluids, chemicals, or substances shall be kept in any dwelling unit, on a lot, or on the Common Areas, except for use in barbecuing, or in the lawn care of that lot or required for the maintenance of the dwelling unit.

18. [Deleted]

19. [Deleted]

- 20. No garbage, refuse, trash, or rubbish shall be deposited except as permitted by the Association; the requirements of Palm Beach County for disposal or collection of waste shall be complied with, and violation thereof shall be considered a violation of these Rules and Regulations. All equipment for the storage or disposal or collection of such material shall be kept in a clean condition. Containers other than recycling bins must be well sealed. Such containers may not be placed out for collection sooner than 24 hours prior to scheduled collection, and must be removed no later than 24 hours after collection.

21. [Deleted]

- 22. Air conditioning units may be mounted through windows or

walls with the prior written approval of the Architectural Control Committee. No building shall have any aluminum foil placed in any window or glass door.

23. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot, other than household pets as defined below. Household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose, and provided that they do not become a nuisance or annoyance to any other owner. No household pet shall be permitted outside of the resident's lot unless attended by an adult and on a leash not more than (6) six feet long.

In no event shall said household pets ever be allowed to be walked or taken on or about any recreational or Common Area. All Florida laws and Palm Beach County Codes regarding cleaning up of excretions shall be complied with. No dogs or other pets shall be permitted to have excretions on any Common Areas, and pet owners shall be responsible to clean up any excretions.

In addition, adult pets will be permitted outside the dwelling unit at any one time, in a confined area, without the presence of the resident as per Palm Beach County requirements. An adult pet is herein defined as one older than 6 months of age.

For purposes hereof, "Household Pets" shall be defined as only the following: dogs, cats, household birds, fish, rabbits, gerbils, mice, and non-poisonous snakes.

Specifically excluded from the definition of household pet are the following: pigs, pigeons, goats, and poisonous snakes, and any other dangerous species.

Pets shall also be subject to all other applicable rules and regulations.

24. All persons using any pool or other recreational facility on the Common Areas shall do so at their own risk. All children under (12) years must be accompanied by a responsible person of 16 years of age or over. Bathers are required to wear foot wear in any recreation facilities. Glass objects may not be utilized in the recreation area. Pets are not permitted in the recreation area under any circumstances.
25. Children will be the direct responsibility of their parents or legal guardians including full supervision of them while within Boca Landings and including full compliances by them with these Rules and Regulations and all other Rules and Regulations of the Association.
26. Every owner and occupant shall comply with these Rules and Regulations as set forth herein any and all Rules and Regulations which from time to time may be adopted, and the provisions of the Declaration, Bylaws and Articles of Incorporation of the Association, as amended from time to time.

Failure of an owner or occupant to so comply shall be grounds for action which may include, without limitation, an action to recover sums due for damages, injunctive relief, or any combination thereof, including costs and attorney fees. The Association shall have the right to suspend voting rights and use of recreation facilities in the event of failure to so comply. In addition to all other remedies, in the sole discretion of the Board of Directors of the Association, a fine or fines may be imposed upon an owner for failure of an owner, his tenants, family, guests, invitees, or employees, to comply with any covenant, restriction, rule or regulation herein or in the Declaration, or Articles of Incorporation or Bylaws, as provided in the Declaration.

27. [Deleted]

28. Fences - If any owner desires to construct a fence on his lot, the owner shall submit a plot plan to the Association showing the proposed location of the fence upon the lot, which must be approved by the Association. In any event, no fence may be constructed on the portion of any Lot between the front of the Lot and the front of the unit constructed upon the Lot, and any fence constructed upon a Lot must be located in strict conformance with the plot plan approved by the Association. All fences must be approved by the Association, and must comply with the following requirements, unless the Association consents to the contrary in writing.

28.1 All fences shall be a maximum of 6 feet in height.

28.2 All fences require the prior written approval of the ACC.

28.3 All shadow box planks and posts shall be of cedar or pressure treated wood, and planks shall be installed vertically. All planks shall be a maximum of 6 inches in width and one inch in depth, nominal.

28.4 All shadow-box fence wood may be coated with a natural clear sealer, or a wood stain, or a color approved by the ACC.

28.5 Wood fences must be constructed with galvanized nails or other rust-proof fasteners.

29. Zero Lot Line Restrictions - It is acknowledged that some or all of the Residential Units within Boca Landings may be developed as zero lot line units, meaning one the exterior walls of the Unit may be constructed on or within 4 feet of any side Lot line, which exterior wall is hereinafter referred to as zero lot line wall. The Owner of a zero lot line wall shall have the right to enter into the lot contiguous to the zero lot line wall, as may be reasonably necessary in connection with the maintenance of the zero lot line wall, and the owner of the contiguous lot shall not place any landscaping or other improvement so close to the zero lot line wall such that same would unreasonably interfere with the maintenance of the zero lot line wall. If any fence or wall is constructed between a zero lot line wall and a unit on a contiguous lot, then a gate approved by the Association must be

constructed within a reasonable distance as determined by the Association, from the zero lot line wall. No such gate shall have any padlock or other type of lock unless a key, lock combination, or other unlocking device for the lock is deposited with the Owner of the unit continuing the zero lot line wall, in order to afford such Owner access to maintain the zero lot line wall. No fence shall be connected directly to a zero lot line wall. The owner of a lot shall not do anything which causes damage to a zero lot line wall on a contiguous lot, and if the owner does anything which causes such damage, included but not limited to the discoloration of the paint on any contiguous zero lot line wall due to the irrigation of the Owner's Lot, then the Owner will be liable for such damage to the owner of the contiguous unit.

30. Restrictions on Wells - Wells are permitted within Boca Landings, for irrigation purposes. Such wells shall be permitted with the approval of the ACC, provided however, that in that event, any irrigation system which uses well water must contain, and the owner must use, a treatment system so that iron, rust, or other deposits which cause discoloration do not form on any building walls or other improvements.