

Hamilton Place Townhomes *by Toll Brothers*

Rules and Regulations

The Hamilton Place Townhomes HOA Board of Directors is responsible for ensuring the Declaration, Bylaws and Rules & Regulations of the Association are enacted and enforced. This document will provide owners, lessees and guests with Rules & Regulations intended to help ensure the quality of life and collective investment of Hamilton Place Townhomes homeowners.

Please refer to the Declaration of Restrictive Covenants for the Hamilton Place Townhomes Homeowners Association for other use restrictions in the Hamilton Place Townhomes Community. The Governing Documents, Rules and Regulations and forms may be viewed or downloaded from www.hamiltonplacehoa.com.

Approval of the Architectural Review Committee (ARC), Article IX is required for any improvement or modification that in any way alters the exterior appearance of any structure, lot, or area inside a pool screen. These include but not limited to building or driveway notifications (i.e. windows doors, skylights, painting, roofs, pavers, shutters, fencing, pools, screens, landscaping, parking and house additions).

Applications for Improvements

1. Each Owner is responsible for submitting an application to the ARC Board requesting approval of Plans and Specifications for all projects that modify change or improve the external appearance of their property as outlined in Article VII of the DCCR.
2. An application form for this purpose is attached. Additionally, the Owner applicant must assure compliance with the Architectural Review Requirements section of the Declaration.
3. Owner is solely responsible for damage to irrigation, lawn, landscape, etc. as a result of any modifications requested and performed.

General

1. Outdoor Play Equipment: Unless otherwise approved, must be stored out of sight when not in use. This applies to front, back and side yards.
2. Storage sheds are not permitted.
3. Portable On Demand Storage "PODS" units may be stored on driveways for a period not to exceed seven (7) days in any six month period with proper notification to the property manager.
4. Trash and recycle bins remain in the garage or approved storage area until 6:00 PM the evening before a regularly scheduled collection day and must be stored by 6:00 AM the morning after the collection day.
5. Quiet hours - Contractors and builders are only permitted on the grounds during certain hours. Gasoline, electric and Pneumatic powered tools should not be operated outdoors or in an open garage except as follows: M-F (7am - 6pm) Saturday (7am - 3 pm). Such operation on Sundays and Holidays is prohibited. Those same hours also apply to homeowners and residents use of outdoor power tools. An exception to this rule shall be made for utility vendors (i.e. Comcast, FPL, Teco, Collier County Utilities, etc.). In addition, Toll Brothers will set the rules for their vendors during the development period.
6. Because streets are two-lane, street parking creates congestion and increases an accident. Therefore, only commercial or vendor vehicles may park on the street, during business hours. Residents and guests are limited to garage and driveways with exception for gatherings at residents' where street parking is permitted, provided that side of the street is used and fire hydrants must be kept clear. Since there is no community parking available, residents with extended stay houseguests may request a parking permit for street parking that will exceed one overnight stay. Please contact HOA management for a parking permit.
7. Garage doors must be kept closed when not in use.
8. It is preferred that personal use vehicles are stored in garages when not in use.
9. If homeowner owns more personal use vehicles than the garage can accommodate, then automobile(s) may be parked in the driveway when the garage is filled with vehicles.
10. Automobiles parking on the driveway may not block the sidewalk's walkway. Please park close to the garage to avoid blocking the sidewalk.
11. No commercial vehicle, recreational vehicle, motorcycle, boat, boat trailer or trailer of any kind, camper,

mobile home or disabled vehicle can be parked overnight anywhere within Hamilton Place Townhomes except inside a fully enclosed garage.

12. No vehicle displaying a "for sale" sign shall be parked on a driveway, sidewalk, lawn or common area.
13. Construction materials left on a driveway or in a yard longer than one week require permission from the HOA and may never be stored on the street.
14. Open houses may only be held on Saturdays and Sundays between 12:00 PM and 5:00 PM. Only 1 sign is allowed in the front yard of the home and not in the common areas.

Leases/Renting

1. No Unit Owner may dispose of Unit or any interest by lease without approval of the Association, such approval granted or withheld in the Association's sole discretion.
2. No Owner may lease his/her residence for a period less than ninety (30) days and no more than three (2) times per calendar year, without prior written approval of the Board.
3. Sale and Lease applications for board approval can be obtained by contacting management company or website.
4. Lease must specifically state that the tenant lets the Unit subject to the terms and conditions of Declaration that if the Unit Owner becomes delinquent in paying any monetary obligations of Unit, the Association may demand that the tenant pay to the Association the subsequent rental payments until all the monetary obligations of the Unit have been paid in full to Association.

Landscaping and Other Exterior Guidelines

1. All landscaping changes to original design require ARC review and approval. This includes planter's statuary, birdbaths, garden flags, wind chimes, decorative garden items or similar.
2. Exotic and nuisance plants as defined by Collier County or state of Florida are prohibited.
3. For guidance, please refer to the approved plant list. (please see attached)
4. Homeowners are prohibited from trimming, planting, adding or otherwise working in the common Areas for Hamilton Place Townhomes. Any notifications require ARC approval.
5. Planters/containers wheeled, or stationary are not permitted beyond homeowner's home entryway. These are not permitted in lawns, driveways, sidewalks, or curbside pavers.
6. Exterior planting or displaying of artificial plants and /or flowers is prohibited.
7. Planting around utility boxes and water meters is prohibited. Utility easements are to be respected and treated the same as common areas. Any modifications require ARC approval.
8. A landscape screen of shrubs or other approved hedge material must be installed around all air conditioning units, small propane tanks and other mechanical equipment. (Consult with vendor on plant proximity)
9. Garbage cans must be stored inside the garage.
10. Pets must be always on a leash and under the owner's control when outside the home.
11. Pet waste must be picked up and disposed of by homeowner. Pet waste is prohibited from being disposed of in the common areas or empty construction lots.
12. Front yard foundation shrubbery planted in front of the window sight lines need to be kept to a height not to exceed 5 feet. Tree stakes are to be moved after the tree has been planted for 1 year. Trees/bushes/shrubs that require staking after initial one year period need to be staked at homeowner's expense with Duckbill tree anchors.
13. Summer and winter annuals shall conform to the approved plant list. If plant types other than those on the list are desired, specific approval of these plants must be obtained.
14. At no time may a homeowner plant vegetable or fruit bearing shrubs or trees in the ground, entry ways or driveways. Vegetable or fruit bearing shrubs and trees shall be limited to pots within homeowners back lanai.
15. Landscape bed edging other than ARC approved rocks to contain mulch run off are not permitted, including but not limited to metal, concrete, plastic, rubber or wood.

16. Landscape beds/plants and pavers inside the lanai must be kept free of weeds and maintained at the homeowners' expense.
17. Trimming and pruning of trees and palms over 14 feet tall are the responsibility of the homeowners and at the homeowners' expense. Trimming and pruning of shrubs and bushes over 8 feet tall are the responsibility of the homeowners and at the homeowners' expense.
18. Homeowners that replace, trim, move or otherwise perform maintenance in landscape beds may not hold HOA landscape vendor liable for the condition, performance, or replacement of said materials.
19. It is the homeowner's responsibility to replace and pay for any dead shrubs/plants or trees beyond the warranty period.
20. Yearly "Hard Cuts" will be performed without exception and may not be refused by homeowner. (Ex: such as fire bush, hibiscus, bougainvillea etc.).
21. Irrigation relocation or changes of head heights due to plant growth, installation of generators, changes to landscape design or similar issues are at the sole expense of the homeowner.
22. The routine injection of palms to prevent insect infestation and disease is encouraged, but it is at the sole expense of the homeowner.
23. Trees and plants that are infected with contagious diseases must be promptly removed by the homeowner. The HOA may remove a diseased tree or plant at the expense of the homeowner.
24. Dead sod as a result of homeowners pool overflow will be replaced at the homeowner's expense. This is not limited to individual yards and includes all common areas affected as well.
25. The HOA board reserves the right to trim, relocate or remove any planting that it finds do not represent a neat and attractive appearance after proper written notification is given to correct such violations.
26. The HOA Board reserves the right to modify the landscape guidelines at any time.

Storm Protection

1. All permanently installed storm protection must conform to one of the following two options.
 - a. Colored to match or harmonize with the exterior of the home.
 - b. Clear
2. Non-permanent hurricane shutters made of metal or clear plastic may remain up during the hurricane season of June 1 to November 30. Metal shutters that remain up must be colored to match or harmonize with the exterior of the home.
3. Unpainted metal, plywood, and other protection are permitted only during hurricane watches, hurricane warnings and hurricanes.
4. Package submitted to the ARC for approval must contain a certification that the product, and installation, meets or exceeds the standards set by the Florida State Building Code, current edition, and all applicable Collier county Building codes. This requirement may be met via a statement on the estimate or contract that the product, and installation, meets or exceeds the most recent impact standards of the Florida State Building Code, and all applicable Collier county Building Code.

Painting and Roofs

1. The Association shall be responsible for the maintenance, repairs and replacement of the roof of each unit.
2. The Association shall be responsible for the maintenance, repairs and paint of the exterior units.

Pools

1. Pools are not permitted on individual lots.

Flagpole Policies (Chapter 720.304 (2) Florida Statutes)

1. No permanent flagpole may be installed in "no-plant" zones.
2. Only one (1) flagpole is permitted not to exceed twenty (20) feet in height (permanent or portable) with

up to two (2) flags allowed to be flown.

3. The size of the flags cannot exceed 4-1/2 feet by six (6) feet.
4. Consult the above referenced statute for further details.
5. Prior to any modification where digging grinding or trenching will occur, owner or vendor is required to call NO-CUTS (Dial 811) to have underground lines identified and marked. In cases where a line is severed or in any way causes that utility to be non-operational, the owner will bear the responsibility and cost to make the repair. If the damage affects more than one lot, the Management Office must be advised.

Outdoor Lighting Policies

1. All outdoor lighting and patio lights must be approved by the Association, through an ARC request.
2. Such lighting shall not be a nuisance to adjoining Owners.
3. Such lighting shall not be unsightly or not in keeping with the aesthetics of the surrounding area.
4. No colored rope lighting is allowed.
5. Appropriate holiday adornments will be allowed on Homes each year and must conform to contemporary styles. Adornments such as blow-up characters are not allowed. Adornments are allowed 30 days prior to the holiday and must be removed 7 days following the holiday.
6. All solar landscape lighting must be approved through an ARC request.
7. Prior to any modification where digging grinding or trenching will occur, owner or vendor is required to call NO-CUTS (Dial 811) to have underground lines identified and marked. In cases where a line is severed or in any way causes that utility to be non-operational, the owner will bear the responsibility and cost to make the repair. If the damage affects more than one lot, property manager must be advised.

Signage Policies

1. Real Estate signage is allowed per the community guidelines after approval by the Association to erect such signage.
2. The signs must comply with the HOA design requirements. Contact HOA management for specification and guidance.
3. Open House signs may be placed ONLY in front yard of property. Signs on side yard and back yard are prohibited. Open House signs are not permitted on any common grounds. Owner can be found in violation of sign policy if the above specifications are not followed.
4. The board has approved for alarm signage to be permitted within 8 feet of the entrance of the home and must be in an existing mulch bed.
5. All other signage requires ARC approval.

Fencing

1. Except as initially installed by Declarant, no perimeter fencing of any kind may be constructed or installed.
2. All requests for any other type of fence must be approved through an ARC request.

Structures and Antennas

1. Antennas/Satellite Dishes must follow the federal Over-the-Air Reception Devices ("OTARD") rule and follow the extent permitted by law, no antennas, satellite dish shall be placed without written consent, submitted ARC request prior to installation.

Compliance and Enforcement

Compliance by Unit Owner, Guests, and Tenants

All residents, tenants, and guests are expected to cooperate with the management team and members of the Board of Directors. They must give their name and address number if so requested. The management team and board members have been given full authority to enforce all rules and regulations contained in this document. Challenging, intimidating, and offensive language, gestures, and actions will not be tolerated. All unresolved issues should be brought to the attention of the property management team. (Article XI, Section 1 of the Declaration).

Enforcement

Failure to comply herewith or with such rules and regulations shall be grounds for immediate action. The enforcement of this Declaration may be by proceeding at law for damages or in equity to compel compliance with its terms or to prevent violation or reach of any of the covenants or terms herein. The Declarant, the Association, or any Owner may, but shall not be required to, seek enforcement of this Declaration. Any Owner who seeks enforcement of this Declaration shall, by his actions, be deemed to have indemnified the Declarant and the Association from all liabilities resulting from his actions. In an action to enforce this Declaration, the non-prevailing party shall pay to the prevailing party all costs and reasonable attorneys' fees at all trial and appellate levels. (Article XI, Section 6 of the Declaration).

Architectural Control Authority, Procedures, Policies and Standards

The Board of Directors of the Hamilton Place Townhomes Homeowners Association, Inc. (hereinafter "Association") has the responsibility of administering and enforcing the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HAMILTON PLACE TOWNHOMES HOA (hereinafter "Declaration"). This responsibility includes receiving and approving or disapproving applications that are submitted by Owners for improvements.

The legal authority for Homeowners Associations to enforce requirements, standards and policies over the private property interests of individual lot owners stems from both civil law, deed restricting documents that are recorded in the land records, subdivision documents and plats.

The purpose of this guideline is to identify the "provisions" of Florida Law, the "provisions" of the Declaration and the "provisions" of other authorized documents that address parcel improvements, restrictions, standards and policies.

Hamilton Place Townhomes

APPROVED PLANT LIST

Palms

Acoelorrhapha wrightii Paurotis Palm
Bismarckia nobilis Bismarck Palm
Butia capitata Pindo Palm
Carpentaria acuminata Carpentaria Palm
Caryota mitis Fishtail Palm
Chamaerops humilis European/Chinese Fan Palm
Chrysalidocarpus lutescens Areca Palm
Cocos nucifera Coconut Palm
Pandanus utilis Screw Palm
Phoenix canariensis Canary Island Date Palm
Phoenix dactylifera Date Palm
Phoenix reclinata Reclinata/Senegal Date Palm
Phoenix roebelenii Pigmy Date Palm
Phoenix sylvestris Sylvester Palm
Rhapis excelsa Lady Palm
Sabal palmetto Sabal Palm
Wodyetia bifitracata Foxtail Palm
Vietchia merrillii Christmas Palm/Dwarf Royal
Cyrtostachys renda Lipstick Palm
Coccothrinax crinita Old Man Palm

Trees

Acer rubrum Red Maple
Bauhinia blakeana Hong Kong Orchid
Bucida buceras Black Olive
Bucera Simaruba Black Olive
Callistemon viminalis Weeping Bottlebrush
Coccoloba uvifera Seagrape
Delonix regia Royal Poinciana
Gordonia lasianthus Loblolly Bay
Ilex cassine Dahoon Holly
Lagerstroemia indica Crape Myrtle
Ligustrum lucidum Ligustrum Tree
Magnolia grandiflora Southern Magnolia
Myrica cerifera Southern Wax Myrtle
Peltophorum dubium Yellow Jacaranda
Pinus elliotti Slash Pine
Quercus virginiana Live Oak
Quercus laurifolia Laurel Oak
Swietenia mahogani Mahogany
Tabebuia caraiba Silver trumpet/Yellow Tab
Taxodium ascendens Pond Cypress
Taxodium distichum Bald Cypress
Ilex Vomitoria Weeping Ilex

Medium and Tall Shrubs

Bougainvillea spectabilis Bougainvillea
Chrysobalanus icaco Coco Plum
Codiaeum variegatum Croton

Conocarpus sp. Green and Silver Buttonwood
Crinum asiaticum Crinum Lily
Eugenia myrtlifolia Eugenia
Euphorbia Millii Crown of Thorns
Galphemia gracilis Thryallis
Gardenia jasminoides Gardenia
Hibiscus rosa-senensis Hibiscus
Ilex vomitoria Ilex 'schillings'
Ixora Ixora
Jasmine multiflora Star Jasmine (All Jasmine species except Downy)
Leucophyllum texanum Texas Sage
Ligustrum japonica Ligustrum/Privet
Pittosporum tobira Pittosporum
Plumbago capensis Plumbago
Podocarpus marcrophyllus Podocarpus
Raphiolepis indica Indian Hawthorne
Schefflera arboricola Dwarf from schefflera/ Varietaged
Viburnum odoratissimum Awabuki/Mirror Leaf Viburnum

Groundcovers

Dianella Tasmanica Flax Lily
Juniperus chinensis "parsonii" Parson's Juniper
Liriope muscari Evergreen Giant Liriope/ Aztec Liriope
Ophiopogon japonicus Dwarf Lily Turf
Rhoeo discolor "Bermudiana" Dwarf Oyster
African Iris
Cordgrass
Lantana
Mexican Heather
Muhli Grass
Yesterday, Today and Tomorrow Snow Bush
Alpinia zerumbet variegata Varigated Ginger Lily
Crinum amabile Queen Emma Lily/ Crinum Lily
Dracaena arborea Dracaena
Pennisetum seraceum Fountain Grass
Spathiphyllum clevelandi Peace Lily
Strelitzia nicolai White Bird of Paradise
Strelitzia regina Orange Bird of Paradise
Tripsacum floridanum Fakahatchee Grass
Zamia maritima Cardboard Zamia
Black Magic Dracena
Blue Daze

**Ficus, Mexican Petunias and Citrus Trees/plants are not permitted

Hamilton Place Townhomes

OPEN HOUSE AGREEMENT

Date Submitted: _____

Date/Time: _____ / _____

Lot/Address: _____

Owner Name: _____

Realtor Name: _____

Realtor Phone/Email: _____ / _____

An Open House can only be scheduled on Saturday or Sunday from the hours of 12PM to 5PM. One sign may be placed in front of the home. Open Houses not approved by Property Manager are subject to violations to homeowner.

Approved by: Association Manager

Hamilton Place Townhomes Homeowners Association, Inc.
Phone: 239.330.7533 Fax: 239.234.5285
Email: Info@adg4companies.com
Website: www.hamiltonplacehoa.com

APPROVED SIGN

Attention: _____	Salesperson: <u>House Account</u>	PHONE: 239-594-8444 FAX: 239-514-5049
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NAVY BLUE VINYL

10" x 24" x 1/4" ACM
PALAZZO AT NAPLES REALTY
SIGN FACE & BACK WHITE
WITH 4" X 4" POST PAINTED
BLACK

REBAR

Please consider the environment before printing this proof

Name
Company
Address
City
State
Zip

PROOF

APPROVED

Job No.
Date
Order Date
Estimate No.
Volume
Station

_____ O.K. AS IS

_____ ADD'L PROOF

PLEASE read through your proof carefully. This is a rendering of how your signs will appear; a 10% variance in size and color is possible; speak with your sales rep if exact specifications are needed.
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