

# **Indian Key at Coral Bay Village Association, Inc.**

C/o Benchmark Property Management, Inc.  
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## **Rules and Regulations adopted March 13, 2016**

**It is the purpose of the Association to maintain a well managed community and it is believed that these rules and regulations will aid in this purpose. These rules are made pursuant to the authority given to the Association in Section 4.1(A) of its Articles of Incorporation and are applicable to all owners, renters and guests. These Rules are in addition to the Rules already set forth in the Association's Declaration and not in lieu thereof.**

**Every effort has been made to insure that these rules are in compliance with the Association's governing documents; however, if there is a conflict between the rules and regulations stipulated herein and the governing documents then the governing documents shall take precedence.**

**In consideration of one another's interests and to ensure the general welfare of all, it is advisable that ALL residents and their guests are familiar with and responsible for compliance with the Association's governing documents and rules and regulations; please read them.**

**Pursuant to the Association's Governing Documents, Homeowners are responsible for the actions of their tenants, guests, service personnel etc. Therefore, if you rent your home, it is imperative that you ensure that your tenants and their guests abide by all Association rules and regulations.**

**Please remember that Indian Key is a Homeowner's Association within Coral Bay and that our owners and residents are subject to the governing authority of both Indian Key and the Coral Bay Development District (or CDD). For more information on the CDD please visit [www.coralbaycdd.com](http://www.coralbaycdd.com).**

### **HOMES and LOTS:**

- Basketball hoops and other large play equipment must be stored out of sight on a daily basis.
- Garbage and recycling receptacles may only be placed outside the evening before a scheduled pick up day and should be removed as soon as possible after pick-up on the same day. Receptacles may not be stored in plain view.
- Garage doors should be free of dents, dirt, mold and mildew.
- Mailboxes must be maintained in a neat and attractive condition at all times. Replacement mailboxes may only be in the Association approved style and color (available at Home Depot or Lowe's). The U.S. Postal Service requires that each mailbox and/or post be identified with the house number in a contrasting color. For more information visit Indian Key's area in the HOA's section on [www.coralbaycdd.com](http://www.coralbaycdd.com).

- Exterior surfaces of homes must be maintained in a neat and attractive condition at all times. The exterior of the homes must be in good repair and free of dirt, mold or mildew. Such maintenance includes but is not limited to exterior walls, roof, fences, windows driveways, patios and improvements of the home. Rotted stucco, fascia, wood, or trim on the homes should be repaired or replaced.
- Driveways must be maintained free of dirt, mold and mildew. Regularly treat paver driveways and expansion joints in concrete driveways to prevent weed growth.
- Commercial vehicles are strictly prohibited from parking on the property from 9:00 p.m. to 6:00 a.m. Commercial vehicles include, but are not limited to, the following: i) pickup trucks which are Class 3 and above; ii) vehicles with attached agricultural, construction or industrial equipment; iii) vehicles with racks or similar for carrying cargo, a cargo box located outside of the flatbed, or a hoist or other similar mechanical equipment; and iv) vans which do not have passenger seats behind the driver or which do not have side windows behind the driver or vehicles that display permanent or removable lettering.
- No derelict or inoperable vehicle, or vehicle with an expired license tag, may be parked or kept in the community. This prohibition includes vehicles whose flat tires are left unfixed or which are damaged to such an extent that they are not regularly driven.
- Garden hoses should either be neatly coiled or stored out of view.
- Holiday decorations should be taken down preferably within 14 days after the holiday, but under no circumstances should decorations remain in place longer than 30 days after the holiday.
- A maximum of only one “for sale” or “for Rent” sign is permitted to be displayed. See Article 4 of the Association's Governing Documents for size limitations.

### **Landscaping:**

- All exterior landscaping must be consistently maintained to the association’s standards. Dead landscaping including but not limited to lawns, trees, shrubs and flowers should be removed and replaced.
- Each home’s irrigation system must be maintained in working order. In the event that the system is not operational, owners are expected to hand water their landscaping to ensure that it is properly maintained.
- Shrubbery, turf, and all other landscaping must be regularly maintained in a neat and attractive fashion.
- Landscape borders must be properly installed and maintained in a neat and attractive fashion. Such borders must be clean and straight.
- Landscaping beds should have appropriate ground cover such as mulch, wood chips or rocks.
- Parking is restricted to properly paved driveways and garages only. Vehicles may not park on any landscaped area or any sidewalk or walkways designed for pedestrian ingress and egress.

### **Architectural Modifications:**

While the Association is eager to have residents add upgrades to their home, it is imperative that we maintain a high level of aesthetic continuity. Therefore, please remember that **the Association must approve any work done to the exterior of your home or to your lot.** This includes the installation of hurricane shutters, fencing, landscape features, repainting of homes, etc. Homes and driveways may only painting in approved colors with prior approval (this applies even to homes being repainted in an existing color.) Contact Benchmark Property Management at 954-344-5353. Request an Architectural Approval Form be faxed, mailed, or e-mailed to you. You can also get an Architectural Approval Form from the Coral Bay CDD website ([http://www.coralbaycdd.com/CB\\_CDD\\_HOAs.htm](http://www.coralbaycdd.com/CB_CDD_HOAs.htm)). Carefully follow the instructions on the form to expedite the process. **Any work that is done without prior approval is subject to removal or may have to be re-done at the owner's expense!**

### **Pets:**

- Owners and residents are responsible for maintaining their pets in a responsible manner and in accordance with local codes and ordinances.
- Pet owners must maintain their dogs on a leash at all times whenever outside of your home or fenced in yard.
- Pet owners must clean up after their pets and properly dispose of their waste.
- Pets are not permitted to become a nuisance or disturbance to other residents.

### **Use Restrictions:**

- No audio, visual or other entertainment equipment shall be heard at a level which can create a disturbance to neighbors.
- No substance or material shall be kept upon a home or lot that emanates a foul or offensive smell.
- Homes are not permitted to be used for any business enterprise that may create a nuisance or other negative impact on the community.
- Please remember that homeowner's remain responsible for the actions of their tenants, guests, service personal etc.

While the association expects that most of our homeowners and residents will choose to live in voluntary compliance of the above basic and common sense rules, be advised that the association does have specific enforcement authority set forth in the governing documents to ensure that the rules are adhered to. Such enforcement authority includes the levying of fines against the home, contracting to perform any necessary maintenance and assessing such costs against the home and/or legal action. In the event of legal action, typically the homeowner becomes responsible for the costs incurred by the association in its efforts to compel compliance.

### **Florida State Statue 720.401**

**Prospective purchasers subject to Association membership requirement; disclosure required. (1) A prospective parcel owner in a community must be presented a disclosure summary before executing the contract for sale. The disclosure summary must be in a form substantially similar to the following form:**

DISCLOSURE SUMMARY  
FOR INDIAN KEY AT CORAL BAY VILLAGE

1. **As a purchaser of property in this Community, you will be obligated to be a member of a Homeowners' Association.**
2. **There have been or will be recorded restrictive covenants governing the use and occupancy of properties in this community.**
3. **You will be obligated to pay assessments to the association. Assessments may be subject to periodic change. If applicable, the current amount is \$145 per year. You will also be obligated to pay any special assessments imposed by the association. Such special assessments may be subject to change. If applicable, the current amount is \$0 per year.**
4. **You may be obligated to pay special assessments to the respective municipality, county, or special district. All assessments are subject to periodic change.**
5. **Your failure to pay these Assessments could result in a lien on your property.6. There is not an obligation to pay rent or land use fees for recreational or other commonly used facilities as an obligation of membership in the Homeowners' Association. (If such obligation exists, then the amount of the current obligation shall be set forth.)**
6. **The restrictive covenants cannot be amended without the approval of the Association Membership.**
7. **The statements contained in this Disclosure Form are only summary in nature, and, as a prospective purchaser, you should refer to the Covenants and the Association Governing Documents.**

**These documents are matters of public record and can be obtained from the record office in the county where the property is located.**