

Fellow Owners,

The purpose of this note is to create owner awareness of what appears to be a revisiting and growing violation of a specific restriction contained in our Covenants, HOA Rules and BOD Rules - pick-up truck parking overnight.

Our Covenants are very specific of the restriction and consequence of violation:

8. (g) No automobiles or other vehicles may be parked or stored upon any non-paved area nor upon any right of way (street, sidewalk, drainage swale). No truck, commercial vehicle, trailer, camper, boat or boat trailer may be parked or stored overnight (dusk to dawn) upon any lot unless within an enclosed garage. The Association shall have the right to have removed any vehicle parked or stored in contravention to the above provision, and the Lot owner shall pay the expenses incurred in such removal.

The HOA Rules and Regulations are also specific to the topic;

1. Trucks, commercial vehicles, motor homes, campers, boats, or boat trailers may not be parked or stored overnight in driveways (Overnight is defined as from dusk to dawn), emergencies excepted.

2. Overnight parking of any resident vehicle is strictly prohibited in the common areas, from dusk to dawn including parking spaces at the pool area.

At the time of purchase, each owner signed off their compliance for the VOG Covenants. Furthermore, they also received the same specific VOG BOD approved rule defining "overnight parking" to be dusk to dawn, as a further owner accommodation. Additionally, each owner also provided acknowledgement of their rights that each current BOD has the duty and responsibility to uniformly enforce all of our Covenant and HOA Chartered Rules for the community.

Historically, the HOA has gone over this ground multiple times resulting in enforcement of towing a vehicle(s) and compliance of the rules. Furthermore, we are in possession a legal opinion from our attorney dated 2016 reinforcing the BOD authority to tow vehicles in the community.

As a reference, owners have also historically expressed wide approval for the enforcement of that same Covenant provision as have prospective buyers in our community. If the community wants to change the rules for this provision or any other provision there is a Covenants and FL Statues way to go about it and does not include violating any existing provisions.

Also not included in changing any rules is the BOD using selective enforcement for any provision of our Covenants. Intentional violations do not represent a sign of protest or

diversity of opinion but represent as sign of refusal to use the system in place to change or modify Covenant rules and potentially violation of the rights of other community owners.

If owners want to effect change with pick-up truck parking overnight, then they have only one path per the most recent Covenant amendment and our Articles of Incorporation, Dated 10/28/1983, Article XII, Amendments, Section 2;

"A resolution approving a proposed amendment (e.g. to eliminate the overnight pick -up truck restriction and likely need to include motorcycles) may be proposed by either the BOD or by a member(s) of the HOA. Anyone, (including directors and members) not present at the meeting for the amendment under consideration - present in person or by proxy - may express their approval in writing, providing such approval is delivered to the Secretary at or prior to the amendment meeting. Except as otherwise provided, such approvals not less than 75% of of the entire membership of the BOD (in this case 4 of the 5 BOD), and not by less than 60% of the votes of the membership at the HOA. (in this case 69 votes)."

The above is history. Going forward, until that provision(s) is altered, modified or legitimately changed by the majority of owners and the VOG BOD per our documents. The BOD has no choice but to enforce any provision in both documents or the BOD approved rules.

This represents public notice along with subscribers to the authorized e-mail distribution list that the BOD will re-engage with active enforcement of towing pick-up trucks parked overnight by specific vehicle notification on the windshield with owner of the lot address having responsibility for any charges. This enforcement action will continue until the violations cease or the Covenants / HOA Rules are duly changed. There are a number of alternatives as to where to park pick-up trucks overnight nearby and suggest this as a preliminary solution to what almost always results in a great deal of community conflict.

As a community bound by our mutual agreement to our founding documents (Covenants and Articles Of Incorporation) the BOD seeks everyone's compliance and use of the the approved path to change any of our rules by the majority of the owners after which the BOD members will execute their responsibility bestowed by the community owners.

Thanks for your cooperation.

Gregg Cesario, President on Behalf of the VOG BOD

