

**Wyndtree, Phase V- Village 8 Association, Inc
Glenfield Subdivision**

**Architectural Control and Use Restriction Committee
Statement of Purpose, Procedures, and Policies**

Purpose

The **Architectural Control and Use Restriction Committee (ACURC)** purpose: is to ensure that the Wyndtree Phase V – Village 8 Association, Inc. (Glenfield) neighborhood is maintained in a pleasing, harmonious, and desirable manner that enhances both Glenfield’s appearance and the value of the homes within it.

ACURC is charged with the responsibility of: Protecting and promoting the value of our properties by reviewing and approving changes and modifications to homes and lots. Representing and assisting the Board of Directors in the oversight and enforcement of Glenfield’s Declaration of Covenants, Conditions, and Restrictions (DCCR); Investigating and documenting violations brought to its attention by seeking voluntary compliance from the homeowner before the matter is turned over to the Board of Directors for the institution of fines for noncompliance.

The authority of the Architectural Control and Use Restriction Committee (ACURC) is set forth in Article IX of the Bylaws of the Wyndtree Phase V – Village 8 Association, Inc, as well as in the Declaration of Covenants, Conditions, and Restrictions Article II, Sections 1, 3 and 5; Article III, Sections 3 – 6; Article V, Section 4; Article IX, Section 1 – 21; Article XI, Section 2 and 6. ACURC is responsible for carrying out its duties on behalf of all members of the Association for the benefit of the entire community.

The Duties of the Architectural Control and Use Restriction Committee include, but are not limited: To establish procedures and requirements for governing the submission and description of plans for construction, external modification and improvements by Glenfield homeowners; including, but not limited to, home exteriors, fences, paint colors and landscaping.

Procedures

Application for Approval of Modification(s) to Dwelling or Lot

ACURC will require the following to be submitted and approved before any plans of construction, modifications or alternation of a Lot or Dwelling's within fifteen-days before proposed start date scheduled for work.

Complete the ACURC "Application of Lot Owner for Approval of Modification of Lot or Dwelling form on the Associations website at <http://wyndtree.wix.com/glenfieldhoa>.

Submit two (2) copies of plans and specifications for review and approval along with the above Application of Modification form in advance of construction or alteration, and

(NOTE: Submissions **will not** be reviewed for building code or any governmental agency requirements.)

Violation of Declaration of Covenants, Conditions & Restrictions

The following are the procedures the ACURC will use during the investigation, documentation, and those actions to be followed upon when a violation of the use restrictions, including Architectural Control and prohibited activity restricted by the DCCR and the bylaws are thus reported as in violation:

1. Violation is discovered by a Board Member, Committee Member, or is reported by a homeowner;
2. An ACURC member will investigate and document the violation and open a file. The file will consist of:
 - a. Dated photographs and notes documenting the reported violation,
 - b. Letters of complaint from other homeowner(s) concerning the violation;
 - c. Any certified letter receipts
 - d. All subsequent ACURC, BOD and FRC documented noting or letters.
3. A first letter of violation is sent to the owner in violation
 - a. A copy of the letter is forwarded to the Board of Directors
 - b. A copy of the letter is placed in the ACURC file on the violation
 - c. Owner in violation is given allowable days as stated in the violation letter, to correct the violation, or if the violation is not immediately correctable, such as a lawn, responding with a date to correct the violation.
4. If the violation is not corrected within given allowable days as stated in the violation letter the following steps are to be taken.
5. A second letter of violation is sent to the owner in violation. The owner is given 10 days or "immediately upon receipt of this letter days to comply, and is warned that failure to comply will result in the file being recommended for Board of Directors further action, including the levying of a fine.
 - a. A copy of the letter is forwarded to the BOD
 - b. A copy of the letter is placed in the file on the violation
 - c. Owner in violation has these allowed 10 days for correction of violation

Policies

Committee Responsibilities

The Committee shall consider, approve or disapprove submissions from Glenfield homeowners for requested construction, external modification and improvements, or significant landscaping modifications.

The Committee shall recommend to the Board of Directors, courses of action in response to homeowner's complaints pertaining to violations, architectural, and landscaping issues.

The Committee shall notify the Board of Directors of violations noted by committee members, or of violations brought to the attention of the committee.

The Committee shall have such further powers, duties, authorities, responsibilities, functions, and discretion as the Board of Directors may deem appropriate from time to time.

The Committee members are approved and appointed by the Board of Directors to the ACURC committee staff. Committee members are not permitted to be related, in any way, including marriage, to a member who serves on a committee that investigates and documents an Owner's violation of use restrictions and prohibitions. These restraints protect against the possibility that an ACURC member would depend upon his or her own previous work or the work of a relative when reviewing a violation.

The Committee agrees no member who is more than thirty (30) days delinquent in monies owed to Glenfield or more than ten (10) days delinquent in resolving his or her violation of a use restriction shall be permitted to serve on the Committee.

Committee Communication Guidelines

To ensure proper recordkeeping and clear communication with homeowners, all business of the Architectural Control and Use Restriction Committee, and all correspondence to and from homeowners (including plan submission, together with any approval, disapproval, or request for further information with respect thereto) shall be conducted solely in writing; and retained within ACURC records for proof of communication.

Documents requiring the review or assistance of ACURC may be sent to the official mailing address for the HOA with expressed attention of ACURC upon them.

Wyndtree Phase V – Village 8 Association, Inc is “Wyndtree, Phase V – Village 8 Association, Inc, 1324 Seven Springs Blvd #144, New Port Richey, FL 34655

The Architectural Control and Use Restriction Committee has established an e-mail address of acurcglenfield@yahoo.com to which owners may submit their questions about submission of their plans, violations, and all other matters within the scope of the Architectural Control and Use Restriction Committee functions.

Committee Enforcement

A homeowner in violation shall strictly comply with the terms and conditions of the Declarations of Covenants, Conditions & Restrictions (DCCR) for Wyndtree Phase V – Village 8 Association, Inc and these Guidelines. Failure to comply with any of them will be grounds for enforcement by the Wyndtree Phase V – Village 8 Association, Inc, including 1) levying fines, 2) equitable relief, 3) specific performance or 4) other additional relief.

SIGNIFICANT FLORIDA STATUTES AND SIGNIFICANT ARTICLES OF THE DCCR AND BY-LAWS:

720.3035 Architectural control covenants; parcel owner improvements; rights and privileges.

Sec. (1) The authority of an association or any architectural, construction improvement, or other such similar committee of an association to review and approve plans and specifications for the location, size, type, or appearance of any structure or other improvement on a parcel, or to enforce standards for the external appearance of any structure or improvement located on a parcel, shall be permitted only to the extent that the authority is specifically stated or reasonably inferred as to such location, size, type, or appearance in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants.

Sec. (4) such rights and privileges shall not be unreasonably infringed upon or impaired by the association or any architectural, construction improvement, or other such similar committee of the association. If the association or any architectural, construction improvement, or other such similar committee of the association should unreasonably, knowingly, and willfully infringe upon or impair the rights and privileges set forth in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants, the adversely affected parcel owner shall be entitled to recover damages caused by such infringement or impairment, including any

costs and reasonable attorney's fees incurred in preserving or restoring the rights and privileges of the parcel owner set forth in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants.

Sec.(5) Neither the association nor any architectural, construction improvement, or other such similar committee of the association shall enforce any policy or restriction that is inconsistent with the rights and privileges of a parcel owner set forth in the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants, whether uniformly applied or not. Neither the association nor any architectural, construction improvement, or other such similar committee of the association may rely upon a policy or restriction that is inconsistent with the declaration of covenants or other published guidelines and standards authorized by the declaration of covenants, whether uniformly applied or not, in defense of any action taken in the name of or on behalf of the association against a parcel owner.


DCCR: Article III, Section 3 ("Prohibition of Certain Activities"); Article IX ("Use Restrictions"); Article XI, Section 2 ("Enforcement")

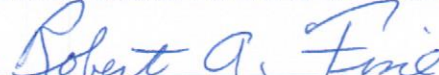
By-Laws: Article IX ("Committees")


This Statement of Purpose, Procedures, and Policies governing the conduct of the Fine Review original draft by Malinda Fusco and Committee was adopted unanimously by the Committee on June 15, 2015. Re-write accommodation made by Chiara DeLosh of FRC collaboration.

Done by

Signatures of the members of the Architectural Control & Use Restriction Committee:


Malinda Fusco


Robert Fine


Chiara DeLosh (FRC) Representative