

THE TOWNEHOMES OF DEER CREEK HOMEOWNERS ASSOCIATION, INC.

NOTICE OF NON-ENFORCEMENT
OF CERTAIN VEHICLE RESTRICTIONS

WHEREAS, The Townehomes of Deerk Creek Homeowners Association, Inc. (the "Association") is the not-for-profit corporation that administers and manages The Townehomes of Deerk Creek (the "Community"), pursuant to the Amended and Restated Declaration of Covenants and Restrictions of The Townehomes of Deerk Creek recorded in the Official Records of Broward County, Florida, as such Amended and Restated Declaration has been amended from time to time (hereinafter the "Declaration"), and the Rules and Regulations of the Association;

WHEREAS, Section 16 of the Declaration provides that each owner and every occupant, guest, agent, employee and contractor shall be governed by the Declaration, as the same may be amended from time to time;

WHEREAS, Section 14.10(a) of the Declaration provides that only vehicles designated primarily to transport passengers, including automobiles, station wagons, sport utility vehicles, non-commercial trucks, motorcycles and vans which have windows on all body panels may park within the Community;

WHEREAS, Section 14.10(b) of the Declaration prohibits certain vehicles from parking within the Community, including, without limitation, commercial vehicles of any type which show or display any commercial, charitable or institutional markings, signs, displays or otherwise indicating a commercial or other non-personal use or used for commercial purposes;

WHEREAS, Section 1.2 of the Declaration provides that it shall be subject to and governed by Chapter 720 of the Florida Statutes which governs homeowners' associations as same shall be amended or renumbered from time to time;

WHEREAS, Section 720.3075(3)(d), Florida Statutes (2024) provides that homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, may not preclude a property owner or a tenant, a guest, or an invitee of the property owner from parking his or her personal vehicle, including a pickup truck, in the property owner's driveway, or in any other area in which the property owner or the property owner's tenant, guest, or invitee has a right to park as governed by state, county, and municipal regulations;

WHEREAS, Section 720.3075(3)(d), Florida Statutes (2024) further provides that the homeowners' association documents, including declarations of covenants, articles of incorporation, or bylaws, may not prohibit, regardless of any official insignia or visible designation, a property owner or a tenant, a guest, or an invitee of the property owner

from parking his or her work vehicle, which is not a commercial motor vehicle as defined in s. 320.01(25), in the property owner's driveway;

WHEREAS, the Board desires to provide notice of the non-enforcement of certain vehicle restrictions as set forth in the Declaration in order to comply with Section 720.3075(3)(d), Florida Statutes (2024);

WHEREAS, at a duly called and noticed meeting of the Board of Directors held on 17 October, 2024, at which a quorum of the Board was attained, this Notice was properly approved by a majority of the Board members present; and

NOW THEREFORE, BE IT RESOLVED by and through the Board THAT:

A property owner or a tenant, a guest, or an invitee of a property owner may park his or her personal vehicle, including a pickup truck, in the property owner's driveway, or in any other area in which the property owner or the property owner's tenant, guest or invitee has a right to park, and the Board of Directors will not enforce any vehicle restrictions as set forth in the Declaration to the contrary.

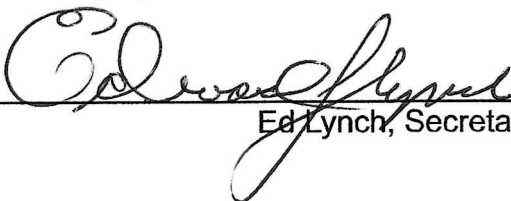
A property owner or a tenant, a guest, or an invitee of a property owner may park his or her work vehicle, which is not a commercial vehicle as defined in Section 320.01(25), Florida Statutes, regardless of any official insignia or visible designation, in the property owner's driveway, and the Board of Directors will not enforce any vehicle restrictions as set forth in the Declaration to the contrary.

Notwithstanding the foregoing, no vehicle may be a visual nuisance. The presence of advertising or commercial insignias or designations on a work vehicle does not constitute a visual nuisance, but a vehicle which is not fully mechanically operable, is in disrepair or is not currently licensed for use, or a vehicle covered with profanity or symbols or language which constitute hate crimes under applicable law does constitute a visual nuisance.

This Notice will be provided to each owner within the Community.



Scott Marks, President



Ed Lynch, Secretary