

Prepared by:
Nancy Licata
Bay Park HOA
P.O. Box 1023
Windermere, FL 34786

Orange Co FL 1997-0309651
082597 03:56:53pm
OR Bk 5315 Pg 4469
Rec 19.50

**CERTIFICATE OF APPROVAL OF
PROPOSED AMENDMENTS TO
ARCHITECTURAL REVIEW BOARD PLANNING CRITERIA
FOR BAY PARK**

The undersigned authorities hereby certify that the Architectural Review Board duly adopted the attached amendments to the Architectural Review Board Planning Criteria, pursuant to Article VIII, Section 3 of the Amendment and Restatement of Declaration of Covenants and Restrictions for Bay Park recorded in the Official Records of Orange County at O.R. Book 4004, Page 4278, at a duly called meeting at which a quorum was present and at which the attached Amendments were approved by the affirmative vote of the Architectural Review Board.

Witness our hands and seals this 20th day of August, 1997.

Attest:

Janet L. Kelley
Print: JANET L. KELLEY

Judith King
Print: JUDITH KING

Architectural Review Board for Bay Park:

By: Nancy A. Licata
Print: Nancy A. Licata

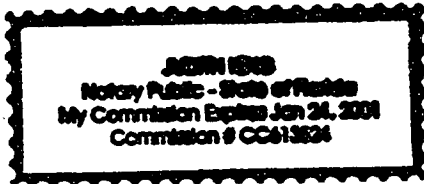
Address: 5601 Craindale Drive
Orlando, FL 32819

State of Florida
County of Osceola

Before me, personally appeared NANCY A. LICATA who attests to be a member of the Architectural Review Board and acknowledged before me that she/he freely and voluntarily executed the same. Sworn to and subscribed before me this 20th day of AUGUST, 1997, by NANCY A. LICATA.

Judith King
Signature of Notary Public - State of Florida
JUDITH KING

Print, type or stamp name of notary
 Personally known
 Produced identification:



After recording, return to:

L. BRUCE SWIREN
ATTORNEY AT LAW
725 N. MAGNOLIA AVE.
ORLANDO, FL. 32803

PROPOSED AMENDMENTS TO
ARCHITECTURAL REVIEW BOARD PLANNING CRITERIA 5315 Pg 4470
OF BAY PARK Orange Co FL 1997-0309651

Additions indicated by **Bold underlining**

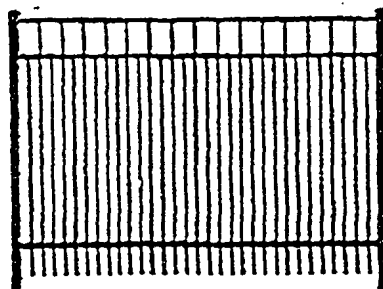
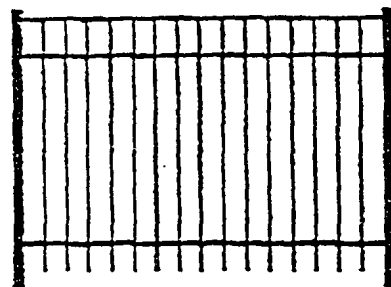
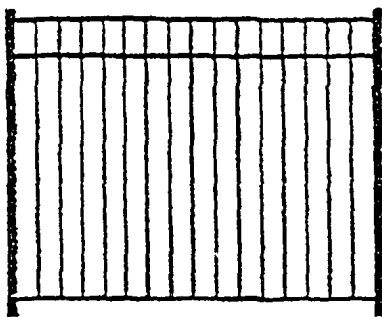
Deletions indicated by ~~Strikethrough~~

8. FENCES AND WALLS Composition, location, and height, and color of any gate, fence or wall to be constructed on any Lot shall be subject to the approval of the ARB. Homeowner shall submit drawing of fence or wall as it relates to their property, including exact specifications, and/or contractor's proposal, to ARB for approval. It is the sole responsibility of the homeowner and/or contractor to adhere to any and all building codes, if applicable, secure any and all permits, if required by law, and to guarantee, through survey of the lot to include placement of stakes to establish location of fence or wall, that placement of any fence, fence post or wall is entirely on homeowners property line and does not infringe on the property lines of neighboring lots. Chain Link, wood and vinyl fences or gates will not be permitted. Landscape materials, such as hedges, when used to create a "natural" wall, are acceptable but must be maintained to avoid overgrowth. The "finished" side of any such fence or wall improved or constructed shall face to the outside of the Lot, so as to be visible as viewed from the property surrounding the Lot upon which it is constructed. ~~Walls will be constructed of concrete block and stucco on both sides, or real brick.~~

- A. All fences and walls shall be constructed in such a way as to allow adjacent lot owners, or the Association, to connect to existing fences or walls, or tie on to said fences and walls without any cost to such lot owners.**
Additionally, lot owner acknowledges that such approval by the ARB shall be conditioned upon lot owners granting such assessments or necessary documentation which would permit neighboring Lot owners to contemporaneously, or subsequently attach to the wall or fence without any cost to such Lot owners. This approval is given by acceptance of any deed in Bay Park, and by acceptance of any approval by the ARB of plans to construct such a wall or fence, and no other guidance or document shall be necessary to guidance such approval.
- B. Walls will be constructed of real brick or of concrete block and stucco on all sides, painted and be consistent and in conformity with the structure built on Buyer's homeowners property, as well as improvements to surrounding lots.**
- 1. Block and stucco walls, which through the attachment of individual lot owner walls, create a continuous "solid" wall, and therefore, serve as a barrier between Bay Park and adjoining non-Bay Park properties, must be painted the color of white, as approved by the Association, on the side which faces out, to maintain visual continuity and consistency when viewed from the properties outside Bay Park. The remaining sides of such walls may be painted to match main color of house or white.**
 - 2. All other block and stucco walls may be painted to match main color of house or white.**
- C. Walls must be consistent in height with any and all adjoining walls and/or other existing walls in Bay Park.**
- D. Fences will be consistent with fencing approved by the ARB, see attachment, constructed of wrought iron or of similar metal construction, (aluminum), be of residential type and gauge, and painted black. Fences must have a top horizontal rail, (no exposed top pickets/spikes/finials), spacing between pickets is to be between 1 5/8" to 3 13/16".**
- E. Fence posts may be of same fence material, 2"x 2", may have ball caps, and must be painted to match fence color. Posts may also be of real brick or concrete block and stucco, painted to match main color of the house or white.**
- F. Height, for any and all fences is 6' (72") to top horizontal rail. Posts may extend no more than 3" above top horizontal rail. If fence is used to enclose a pool that does not have a screen enclosure it must have a self-closing latch which is 40" inches from the ground.**
- G. Gates, may be single or double and match fence type, size, style and color. Steel clad gates are acceptable. Gates, when used in conjunction with brick or concrete stucco walls, must be consistent with guidelines established for wrought iron, (aluminum), fencing and may be painted the color of black, white, the color of the stucco wall, or matching main color of the house.**

**PROPOSED AMENDMENTS TO
ARCHITECTURAL REVIEW BOARD PLANNING CRITERIA
OF BAY PARK**

- H.** Fences or walls must be no closer to the front lot line than a line paralleling the front building wall of the living unit which is closest to the rear property line. In cases where the adjoining house of a neighbor has a different set back, the ARB will review the situation to determine the location of such a fence or wall so as to maintain consistency and continuity in the neighborhood.
- I.** Except for cases where a fence or wall surrounds a pool which does not have a screen enclosure, all fence posts or walls must be flush to installing homeowners rear and side lot lines. However, corner lot owners, such as lots 27, 26, 10, 09, 58, 57, 65 and 72, may not install a fence or wall flush to the side lot line on any side of dwelling which runs parallel to a Bay Park sidewalk. In such cases, the fence or wall must be installed no further than 4' from said side of dwelling.
- J.** Any homeowner that installs a fence or wall is sole owner of and is solely responsible for said fence or wall. This includes fences and/or walls which face to the outside of the Bay Park Community. Fences or walls shall not be allowed to deteriorate and must be properly maintained by the homeowner to continuously reflect original installation appearance and quality. Homeowner must periodically inspect all sides of fence or wall to determine condition. If any side of fence or wall deteriorates, is damaged or is vandalized, it must be repaired and/or painted by the homeowner.
- K.** Adjoining lot owners may not make improvements to, paint or attach any items including, but not limited to, a trellis, lights, brackets, anchors, chains, to any fence or wall, which they did not install.
- L.** Only a single fence or wall may be constructed along the lot line between two adjoining lots. The owner constructing the fence or wall shall be responsible for the care and maintenance of the entire fence or wall.
- M.** Aluminum fence styles approved for installation - DRAWING IS NOT TO SCALE:



OR Bk 5315 Pg 4471
Orange Co FL 1997-0309651

18. Exterior Antennas:

A. Any and all exterior antennas, other than television antennas and satellite dish antennas, are strictly prohibited in Bay Park. No exterior radio, television or electronic antenna or aerial may be erected or maintained on any lot; provided, however, that the ARB may grant temporary permission to erect and maintain television antennas to the Owners which cannot be served by existing cable television facilities because of the present unavailability of such facilities and which do not have sufficient space between the roof of such living unit and the ceiling immediately below such roof, to install an indoor antenna. Such temporary outdoor antenna must be removed at such time as cable television facilities are available to serve such living unit. Notwithstanding the foregoing provisions;

B. Television and Satellite Dish Antennas. One television antenna and/or one satellite dish antenna may be erected or maintained on any lot provided that prior to installation, the installation plans, including, but not limited to, the dimensions of the antenna, and location of the antenna, and landscaping design are submitted for approval of to the ARB. For approval of installation of the satellite dish antenna, the following minimum criteria must be met: (1) the dish diameter must not exceed twenty-four (24) inches; (2) the satellite dish antenna and all of its parts must be installed at ground level; and (3) the satellite dish antenna must not be seen or visible from the street or front of living unit. Satellite dish antennas may be no larger in size than 39" - one meter. The television antenna and/or satellite dish antenna, and/or mast for same, is to be attached on the rear of dwelling or chimney and is not to be visible from the street. If such placement prevents reception, the ARB retains the right to review and challenge placement and can request review of such placement by a qualified technician and/or engineer. In the event of such challenge, the prevailing party will recover all attorney's fees and/or any other fees incurred. If necessary, television or satellite dish antenna masts may be erected, but no higher than 12' above lowest roof level, or 12' above ground level. If mast for television or satellite dish antenna is installed at ground level, it must be located behind the dwelling, so as to not be visible from the street and landscaping may be required to obscure the view by adjoining homeowners. Television and satellite dish antennas may not be attached to any fences or walls in Bay Park. If no privacy wall exists around the rear or side yards of the living unit, then landscaping must be used to obscure the view by others of the satellite dish antenna, if installed at ground level. Satellite dish antennas and television antennas and masts, (if used) shall not be allowed to deteriorate and must be properly maintained, painted and/or repaired by the homeowner.

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Orange Co FL 1997-0309651

Recorded - Martha O. Haynie