

**LAKE SAWYER SOUTH COMMUNITY ASSOCIATION, INC.  
COVENANT ENFORCEMENT RESOLUTION AND NUISANCE POLICY**

**WHEREAS**, the Lake Sawyer South Community Association, Inc. ("Association") is governed by that certain Declaration of Covenants, Conditions and Restrictions for Lake Sawyer South ("Declaration") and Chapter 720, Florida Statutes; and

**WHEREAS**, Article X, Section 38 of the Declaration provides that the Association create new use restrictions governing the use of residential property within the community; and

**WHEREAS**, Article X, Section 38 also states that these restrictions may prohibit activities that create monetary costs for the Association or other Owners, that create a danger to health or safety of other Owners or their family, tenants, guests, or other invitees, that cause offensive odors, that generate excessive noise or traffic, that create unsightly conditions visible outside the dwelling or that create an unreasonable source of annoyance to other Owners, their family, tenants, guests or invitees; and

**WHEREAS**, the Board of Directors believes it is in the best interest of the Association to clarify how nuisances will be addressed in the community; and

**NOW THEREFORE**, the Board of Directors hereby adopts the following Resolution and Nuisance Rule and Enforcement Policy contained in Exhibit "A".

**BE IT FURTHER RESOLVED THAT**, the Association reserves all rights and remedies available to it under its governing documents or Florida law and nothing herein shall be deemed to be a waiver of any such rights.

ADOPTED on the 27<sup>th</sup> day of October, 2020

The undersigned hereby certifies that at its duly posted and noticed Board meeting held on October 27, 2020 at 6:00 p.m. at the community's pool, the foregoing resolutions were approved by a vote of the Board of Directors of Lake Sawyer South Community Association, Inc.

Witnesses:

Lake Sawyer South Community Association, Inc.

Signature: *[Signature]*

Signature: *[Signature]*

Print Name: SHANNON BOE

Print: STEVEN M. MIJESKI  
as the President of Lake Sawyer South Community Association, Inc.

Signature: *[Signature]*

Print Name: MARCUS BONDS

STATE OF FLORIDA )

COUNTY OF ORANGE )



Heather Marie Gambini  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG130126  
Expires 9/25/2021

**DOC # 20200647623**

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Rec Fee: \$27.00

Deed Doc Tax: \$0.00

Mortgage Doc Tax: \$0.00

Intangible Tax: \$0.00

Phil Diamond, Comptroller

Orange County, FL

Ret To: SIMPLIFILE LC

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, on this 2<sup>nd</sup> day of December 2020, by Steve Mikeski as the President of Lake Sawyer South Community Association, Inc. who is personally known to me or who produced a Driver's License as identification and did take oath.



Heather Marie Gambini  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG130126  
Expires 9/25/2021

Heather Marie Gambini  
Notary Public  
My Commission Expires: 9.25.21

Witnesses:

Lake Sawyer South Community Association, Inc.

Signature: [Signature]

Signature: [Signature]

Print Name: SHANNON BOE

Print: 12/21/20 JANELLE SHAY  
as the Vice President of Lake Sawyer South Community Association, Inc.

Signature: [Signature]

Print Name: MARCUS BONDS

STATE OF FLORIDA     )  
  )  
COUNTY OF ORANGE    )

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, on this 2<sup>nd</sup> day of December 2020, by Janelle Shay as the Secretary of Lake Sawyer South Community Association, Inc. who is personally known to me or who produced a Driver's License as identification and did take oath.



Heather Marie Gambini  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# GG130126  
Expires 9/25/2021

Heather Marie Gambini  
Notary Public  
My Commission Expires: 9.25.21

**Exhibit "A"**

**Nuisance Rule and Enforcement Policy**

**NUISANCE RULE**

No portion of the community shall be used, in whole or in part, for any activity that creates a monetary cost for the Association or other Owners, that creates a danger to health or safety of other Owners or their family, tenants, guests, or other invitees, that causes offensive odors, that generates excessive noise or traffic, that creates unsightly conditions visible outside the dwelling or that creates an unreasonable source of annoyance to other Owners, their family, tenants, guests or invitees. No Owner, tenant, invitee, or guest shall or cause any noise or other condition that will or might disturb the peace, quiet, safety, comfort, or serenity of the occupants of surrounding properties. No noxious, illegal or offensive activity shall be carried on upon any portion of the community, nor shall anything be done thereon tending to cause embarrassment, discomfort, annoyance, or nuisance to any person using any portion of the community.

**PUBLIC NUISANCE VERSUS PRIVATE NUISANCE**

For purposes of this policy, private nuisances are nuisances that only impact either one household or a small number of individuals while public nuisances are nuisances that impact the surrounding area at large and have a detrimental impact on the community as a whole.

The Board of Directors shall have sole and absolute discretion in determining what constitutes a public nuisance versus what shall constitute a private nuisance between Owners or neighbors. In the event the Board of Directors determine that a nuisance is a private nuisance, the Association has no obligation to investigate or prosecute the claim.

**REPORTING PROCESS**

If the Association's Manager receives a complaint that the actions of a Member, tenant, invitee or guest are offensive but do not fall under a specific rule and in the opinion of the Management Company or the Board can be classified as a nuisance, the individual will be directed to submit the complaint in writing. At the sole discretion of the Board upon the review thereof, the reported condition(s) or activity may, or may not be determined a public nuisance. If determined a public nuisance of Association concern, then that nuisance will initiate the enforcement or violation process. The Association shall not act upon anonymous nuisance complaints. The complaint, pursuant to Florida Law, may be inspected and reviewed. Sufficient evidence in the form of a dated picture or video may be required to initiate consideration of a public nuisance condition. The Member bringing forward the complaint must sufficiently document its existence. Neither the management company nor the Board will act on verbal complaints.