Welcome to Banyan Trails

Garbage Days: Wednesdays and Saturdays

Bulk Days: Every Wednesday is bulk day. DO NOT place your items out early and remove them if the city does not pick them up. You will receive a violation notice.

Water Services: They will need a copy of the lease or deed with your name.

City of Coconut Creek 954-973-6782

Website: www.creekgov.org

Only open Monday through Thursday.

Electric: Can be opened online for convenience www.fpl.com

FPL: 954-797-5000

Cable Services: Comcast/Xfinity handles your basic service included with property. Basic Service is included regardless should you choose to use another company. Contact Comcast/Xfinity for any boxes that may be needed for the basic service. There is no charge for the first 2 HD boxes and 2 HD basic boxes. Any premium services are your responsibility.

Clubhouse Rental:

The pool is not part of the rental and cannot be utilized (No pool parties)

Clubhouse Hours: 5 AM to 10:30 PM daily. Hours are strictly enforced.

The Clubhouse is available for party use. Fees and agreement are required. An Agreement details current restrictions and costs.

Clubhouse Information:

Clubhouse Hours: 5 AM to 10:30 PM daily. Hours are strictly enforced. Residents may use the facility gym and card room at any time within clubhouse hours. When parties are in attendance respect is provided as you would expect for your party. Gym use is permitted during a party.

BANYAN TRAILS HOA, INC

C/o M&M Property Management

1280 SW 36th Ave #305 * Pompano Beach, Fl 33069 * Office: 954-582-4400 * Web: MMPM.us

Welcome New Owner or Tenant

In this booklet you will find some basics that the Board of Directors has compiled together. The goal is to make your new life at Banyan Trails easier and without concern of what you and the Association expect of one another. Thank you for choosing Banyan Trails.

Your formal homeowner association documents should have been provided to you at this point and if not please contact the owner or owner's representative for a copy as these are the official guidelines to Banyan Trails POA. You are bound by these Documents by law.

- *Architectural Guidelines*. These highlight the purpose, authority and most importantly the responsibilities of the Committee and Owner to complete your desired project. A summary of procedures is provided on the last page of this section.

- *Architectural Standards*. This supplement to the Declaration of Restrictions and Covenants has been put into place to help further clarify some areas of the original documents and to provide further description where not originally provided.

- *Use Guidelines for the Clubhouse and Pools*. This small booklet within itself is very important not just for any individuals' safety, but for the well-being of the community. Many of you are aware the cost of insurance has gone up while the covered items have gown down. It is the Associations duty to provide coverage under the documents. The guidelines provide the basis to make coexistence with each other happy and prosperous.

- *An Entry and FOB Form*. New owners are to be provided with the existing key from current owner or otherwise purchase a new one for Facility access. Tenants need to have this filled out and approved by the current owner for same.

- *Architectural Change Request Form*. Any exterior changes are to be approved under the Documents. The form asks for certain information that must be provided to gain approval. A letter of authorization is required when gaining a permit from the City of Coconut Creek.

- *A copy of the latest HOA Newsletter*. At least once a year the Association likes to address a variety of items. The newsletter may include emergency information, assessment updates, violations, vandalism, and concerns that may affect the community as a whole including general information the Board may feel help your you and your community.

- *A copy of the Annual Budget*. This will provide you with an idea of where your payment each quarter is allocated towards. Each year a meeting is held to determine what if any changes to specific items need to be raised, lowered, or stay the same.

Banyan Trails Property Owner's Association, Inc.
Architectural Control Committee Guidelines

INTRODUCTION

As a Banyan Trails resident, you benefit from the planning and design that is an important part of our neighborhood.

The Architectural Control Committee (ACC) is comprised of Banyan Trails residents who volunteer their time to maintain the ambiance and value of your community.

This set of guidelines is to inform residents about the functions of the Committee, as well as providing guidelines that have been adopted to maintain the standards of design and quality of our community.

As a community, it is vital that we do our best to adhere to the guidelines set forth in this document, and those set forth in the Property Owner Association (POA) documents you were provided when you purchased your home. If, for any reason, you do not have a copy of the POA documents, or would like additional copies, please contact the Association's management company.

If you have any questions about the information within this document, we invite you to attend the Board's monthly meeting currently held on the 3rd Tuesday of the month, check the BanyanTrails.com website announcing the date and time.

Thank you for doing your part to maintain the ambiance and value of our neighborhood.

Please read this document very carefully.

INTRODUCTION TO THE ARCHITECTURAL CONTROL COMMITTEE

PURPOSE

The Declaration of Restrictions and Covenants (Declaration) of the Banyan Trails POA, Inc. (Association) assures each Owner that the quality of BANYAN TRAILS design will be maintained. The Association is responsible for administering these Covenants and providing administrative support to the Architectural Control Committee (ACC).

The ACC ensures that exterior alterations in Banyan Trails comply with the guidelines as shown in ARTICLE IX of the Declaration. ALL requests for exterior alterations MUST be submitted to the ACC for written approval BEFORE they may be undertaken.

The purpose of these guidelines is to inform the homeowners of the Design Requirements for Banyan Trails and the procedures to be followed when requesting an exterior modification to their property. Each application received by the ACC will be evaluated on its own merits with reasonable flexibility for architectural function and creativity.

AUTHORITY

The authority for the ACC is set forth in ARTICLE IX of the Declaration, which was received by all homeowners when they purchased their homes. The Declaration encumbers all of the homes within Banyan Trails**.**

The Declaration is a contract between the homeowners and the Association, wherein, per ARTICLE IX, Section 1, the homeowner agrees to refrain from making any modifications to the exterior of the homes and property without first receiving approval from the ACC.

The ACC is responsible to THE BOARD OF DIRECTORS of the Association. The Board is the ultimate authority for the Banyan Trails Property Association, Inc.

MEMBERS

The members of the ACC shall be selected by the Board of Directors and shall have the right, power, authority, and obligation to select and remove members of the ACC.

RESPONSIBILITIES

On behalf of the Association, the ACC is empowered to adopt, promulgate, amend, revoke, and endorse Design Requirements for the purpose of:

1. Governing the firm and content of plans and specifications to be submitted to the ACC for approval or disapproval:

2. Governing the procedure for submission of plans and specification: and

3. Establishing guidelines with respect to the approval or disapproval of design features, architectural styles, exterior colors and materials, details of construction location and size of any structure, landscaping and all other matters that require approval by the ACC.

LIMITATION OF RESPONSIBILITY

The ACC approval is based only on the aesthetic features of the approval modification. The ACC assumes no liability regarding the structural integrity of any requests. The ACC makes no representation as to the expertise regarding either the structural adequacy, capacity or safety features of the proposed improvement or structure as shown on the submitted plans or on the ultimate construction of the approved modification. The ACC does not assume responsibility for the performance or quality of work of any contractor.

ARCHITECTURAL CONTROL COMMITTEE POLICIES

The ACC does not seek to restrict individual taste or preferences. The aim is to avoid harsh concepts in landscape and architectural themes and to foster thoughtful and harmonious design between neighboring residences. The ACC intends to be completely fair and objective in the architectural review process and to maintain sensitivity to the individual aspects of design. Plans or specifications approved by the ACC shall not be deemed to be a waiver by the ACC of the right to object to any of the features or elements if the same features and elements are included in any subsequent, plans and specifications submitted for approval for use on other Units.

APPROVAL NECESSARY

No structure or improvement of any kind shall be erected, constructed, placed, or maintained on the properties, unless approved in writing by the Architectural Control Committee.

APPROVAL

Upon approval by the ACC, a formal letter of approval will be issued to the applicant. Approval of any application shall be final, and the approval may not be thereafter reviewed or rescinded if there has

been compliance with all conditions of approval. If the request for approval is disapproved by the ACC due to aspects of the request that can be remedied by the applicant, the recommended changes can be made to the request and returned to the ACC for approval.

TIME LIMITATIONS

After approval by the ACC, all improvements shall be completed within (90) days from the commencement of the improvement. Projects which remain uncompleted for long periods of time are visually objectionable and can be a nuisance and a safety hazard for neighbors and the Community. The ACC may establish a more specific time for completion as a condition of its approval.

In the event the ACC fails to approve or disapprove plans and specifications within forty-five (45) days after they have been submitted in writing to the ACC in acceptable form, including all information necessary for their consideration and review, approval by the ACC shall be deemed to have been granted. The ACC shall have the right to request additional information if the information submitted is incomplete or insufficient.

INSPECTIONS

Periodic inspections may be made by the ACC while construction is in progress to determine compliance with the approved plans, specifications, and provisions of the Declaration. The ACC or such agent of the ACC shall not be deemed to have committed a trespass or wrongful act by reason of such inspection.

JOB SITE CONDITIONS

1. All job sites shall be kept in a neat and orderly condition.

2. Construction hours are subject to rules and regulations as established by the ACC and/or the Association from time to time.

3. All construction operations must be performed in accordance with local Governmental ordinances.

VIOLATIONS

If any alteration or modification is made without the required prior written consent of the ACC, the alteration has been undertaken in violation of the Declaration. All unapproved alterations or modifications may be required to be removed. In no event may any alteration or modification be allowed to remain in violation of any of the Covenants and Restriction contained in the Declaration, or in violation of any zoning or building ordinance or regulation.

The ACC is empowered to enforce its policies, as set forth in the Declaration and this Manual, by means specified in the Declaration, including an action in a court of law, to insure compliance. The Association also has the right to levy a fine on Owners for modifications made without the written request and approval of the ACC.

KEY ARCHITECTURAL GUIDELINES

The ACC evaluates each submission based on the individual merits of the application. Besides evaluation of a particular design proposal, this includes consideration of the characteristics of the individual site and lot size, since what may be an acceptable design on an exterior in one instance may not be for another.

The following criterion is general in nature and applies to all the dwelling units in Banyan Trails.

- **Relation to BANYAN TRAILS Open Space**

  Factors such as removal of trees, disruption of the natural topography and changes in rate or direction of storm water run-off may adversely affect Banyan Trails.

- **Conformance with Covenants**

  All applications are reviewed to ensure that the request is in conformance with applicable Covenants and Restriction affecting Banyan Trails as recorded in the Records of Broward County.

- **Validity of Concept**

  The basic idea of the proposed alteration requested must be sound and appropriate to its surroundings.

- **Design Compatibility**

  The proposed alteration must be compatible with the architectural characteristics of the applicants' house, adjoining houses, and the neighborhood setting. Compatibility is defined as similarity in architectural style, quality of workmanship, similar use of materials color and construction details.

- **Location and Impact on Neighbors**

  The proposed alteration should relate favorably to the landscape, the existing structure, and the neighborhood. The primary concerns are access, view, sunlight, and drainage. For example, fences or landscaping may obstruct views or access to neighboring properties; decks or larger additions may infringe on a neighbor's privacy.

- **Scale**

  The size of the proposed alteration should relate well to the adjacent structures and its surroundings. For example, a large addition to a small house may be inappropriate.

- **Color**

  Color may be used to soften or intensify visual impact. Parts of an addition should be matching in color; approval would be required. No approval or permission is required to repaint when utilizing the same paint and same color scheme; however, the same codes used as last time must be used. If these codes are not known, then an ARC must be submitted for approval. Color matching is strictly prohibited, may result in requiring it to be repainted. It is best practice to submit an ARC. This created a record in time in the event an owner sells and new owner desires to paint.

- **Materials**

  Continuity is established by use of the same or compatible materials that were used in the original house.

- **Workmanship**

  Workmanship is another standard which applies to all exterior alterations. The quality of work should be equal to or better than that of the surrounding area. Poor practices, besides causing the owner problems, can be visually objectionable to others.

- **Wetland/Preserve Areas**

  Certain areas within and contiguous to Banyan Trails are designated as wetland and/or preserve areas for which the Association has the ultimate maintenance responsibility. Such areas are protected by various regulatory agencies, and as such may not be disturbed by residents and/or the Association.

SUMMARY OF PROCEDURES

HOW TO MAKE APPLICATION TO THE ARCHITECTURAL CONTROL COMMITTEE

Application for exterior changes may be obtained on the website, www.mmpm.us under forms. Completed applications should be returned to the management office and will be forwarded to the ACC for review at its next scheduled meeting.

SITE PLAN

A site plan or property survey MUST be included with the application showing the location of the existing structures and boundaries. Proposed changes or additions MUST be indicated including dimensions and distances from the home and adjacent property.

MATERIAL AND COLOR

Samples of the materials and colors to be used and an indication of existing colors and materials should be provided, or clearly specified within the application. In most cases, a statement that the proposed wall, for example, is to be painted to match the existing house trim or house color is sufficient. Where materials and/or colors are compatible but different from those of the existing structures, samples or color chips should be submitted for clarity.

DRAWINGS AND PHOTOGRAPHS

A graphic description of the request should be provided. This may be in the form of the manufacturer's. literature or photographs as well as freehand or mechanical drawings. The amount of detail should be consistent with the complexity of the proposal.

PERMITS

After receiving approval from the ACC, a permit may be required from the City of Coconut Creek. The applicant must determine whether this requirement applies to the requested modification.

ARCHITECTURAL STANDARDS, CRITERIA AND DESIGN REQUIREMENTS

SUPPLEMENT TO THE DECLARATION OF RESTRICTIONS AND COVENANTS

NOTE: The following approved standards are not specifically outlined in the Banyan Trails POA, Inc Declaration

1. WINDOWS, DOORS, SCREEN ENCLOSURES AND PATIOS

a. Bright finished or bright placed (other than white) metal exterior doors, windows, window screen, louvers, exterior trim or structural members shall not be permitted. The use of white anodized aluminum to match the original trim is required.

b. All screening must be charcoal and screen enclosures shall be constructed in white anodized aluminum.

c. Only bronze or charcoal non-reflective tint will be considered. The use of reflective tinting or mirror finishes is prohibited.

d. All screen enclosures must have a screened roof. Approved roof types are hip, gable, or mansard.

e. Security bars, windows and doors are prohibited.

2. SOLAR PANELS

Solar water heater panels shall be reviewed on an individual basis, and if approved by the ACC must be installed so as to present the least obtrusive view.

3. EXTERIOR MATERIAL AND COLORS

a. Exterior artificial, simulated or imitation materials, such as stone or brick, may be considered if deemed in harmony with the surrounding architectural design.

b. The use of the following items is appropriate.

- **Stucco –** similar in finishing and color as originally constructed.
- **Metals –** factory finished in durable anodized aluminum in white.

c. Exterior colors that, in the opinion of the ACC would be inharmonious, discordant and/or incongruous to the Banyan Trails Community shall not be permitted.

d. Roof colors shall be an integral part of the exterior color scheme of the building.

e. No change in color or existing roofing material shall be permitted without the approval of the ACC. Wood shake, asphalt, cement or fiberglass shingles shall not be permitted.

f. Roof shapes, styles, design and materials shall match the existing roof. Flat roofs are not permitted. All roof pitches shall be a minimum of 5:12 ratio.

4. GARAGES, DRIVEWAYS, WALKWAYS AND EXTERIOR LIGHTING

a. No curb side parking may be created by extending any portion of the street pavement or curbing.

b. All proposed exterior lighting shall be detailed in a request for architectural modification. No exterior lighting shall be permitted which, in the opinion of the ACC, would create a nuisance to the adjoining property owners.

c. Driveways and walkways shall be constructed of hard impervious material such as concrete or brick pavers. No asphalt drives or walkways will be permitted.

d. Driveway must be brick pavers and may not be widened.

e. Any proposed walkway must be approved by the ACC prior to installation. This includes concrete walkways, stepping stones or brick pavers.

5. HURRICANE PANELS, AWNINGS AND SHUTTERS

a. Bahama shutters and metal fold down awnings do not meet the standards of the community with respect to conformity and harmony of external design and shall not be permitted or affixed to the exterior of any residence. Accordion shutters are permissible with the approval of the ACC and must match the exterior walls or trim of the home.

b. Canvas awnings may be permitted with the approval of the ACC. Design color and fabric will be approved by the ACC to follow the conformity of the community.

c. Temporary metal panels may be used or installed only to protect structures during periods of severe weather conditions. Temporary panels may not be stored on the exterior of the residence and are to be used for a period of time no longer than two weeks.

d. All panels or shutters must meet Miami-Dade wind resistance standards.

6. LANDSCAPING

a. Landscaping alterations must first be submitted to the ACC prior to installation. Proposed landscaping must be shown on a lot survey which includes the house and all existing concrete surfaces and landscaping.

b. Removal of existing landscaping or alteration of footprint must be approved by the ACC.

c. Replacement with similar landscape material does NOT require the approval of the ACC, i.e. annuals, shrubs and ground cover.

d. All landscaping installed must be maintained to the standards as set forth by the Association.
Landscaping material such as annuals that are placed in the swale area must be maintained at a height not to exceed 36 inches.

e. Trees must not be less than 25 feet from the lake or not less than 5 feet from the lake maintenance easement.

f. No landscaping may be placed within any lake maintenance easement, water management tract or utility easement and must not affect surface water runoff.

g. Trees located in the swales areas (grass area between sidewalk and street) are to be maintained by homeowner, which includes tree trimming and fertilization.

7. FENCES

a. Only 4 or 5-foot white aluminum rail fences are permitted on the side and rear of lake front lots.

b. Dry lots may use the 4 or 5 foot white aluminum rail or a 6 foot wood shadow box fence on the rear and side of a home.

c. Fences must be placed inside property lines and not encroach on any lake maintenance easement, water management tract or utility easement and must not affect the surface water runoff.

d. Chain link fences are prohibited.

8. BASKETBALLS HOOPS

a. Basketball hoops shall not interfere with pedestrian or vehicular traffic and must be stored when not in use.

9. SWIMMING POOLS

a. Proposed pools, decking, screen enclosures and landscaping plans with a survey must be submitted to the ACC for review.

b. Above ground swimming pools shall not be permitted. Swimming pools shall not be permitted on the street side of the residence.

c. No decking, screening or landscaping may be installed on any portion of the lake maintenance easement.

d. All pool equipment and heaters must be screened from the view with landscaping bushes/hedges from adjacent properties and roadways.

e. Spas or hot tubs will be permitted only when their placement does not interfere with neighboring homes and will not create a nuisance.

f. All swimming pools, spas and hot tubs that are permitted must also conform to the requirements of the City of Coconut Creek.

g. The swimming pool and other improvements must not adversely affect the surface water run off of the adjacent properties.

10. AIR CONDITIONERS, GARBAGE AND TRASH CONTAINERS

a. Window and/or wall A/C units shall not be permitted.

b. All garbage and trash containers shall be housed in garage during non-pick-up days. ACC may approve hedged area so as not to be seen from the street or adjacent properties. Open storage of refuse is prohibited. All outside storage containers must have a secured lid.

11. ANTENNAS, FLAGPOLES, SIGNS AND MAILBOXES

a. No exterior television or radio masts, tower, poles antennas or aerials may be erected. Satellite dishes shall be permitted with the approval of the ACC to the placement of dish on property.

b. A flagpole for the proper display of the American flag only shall be permitted, subject to ACC approval. Pole in wall mount bracket must not exceed six (6) feet in length and the flag may be larger than 3ft by 5ft. The flag must be replaced when it is torn, tattered or faded.

c. No signs of any type shall be erected or displayed on any unit structure or lot without the written consent of the ACC. The ACC shall determine form, size, color, content, location and time of placement of any sign.

d. Mailboxes have been redesigned and installed for the community by the Board. No modification is permitted. You are responsible to maintain them, this includes cleaning.

12. ACCESSORY STRUCTURES, PLAY EQUIPMENT AND DECORATIVE OBJECTS

a. No structure of a temporary character shall be permitted or used on a unit owner's property at any time without the approval of the ACC.

b. All play equipment shall be placed to the rear of the property and only with approval of the ACC. Location on the lot and screening requirements may be a condition of ACC approval.

c. No decorative objects exceeding 2 feet (24 inches) such as sculpture or birdbaths, fountains and the like shall be placed or installed on the street side of any lot without ACC approval.

d. No clothes lines or similar structures shall be permitted on any portion of a unit owner's property.

e. No religious décor allowed visible from the street side of any lot.

f. During the holiday season, all holiday décor must be removed from home and landscape areas no later Jan 31st.

13. GUTTER AND DOWNSPOUTS

a. Gutters and downspouts must match the exterior walls or trim of the home and be as inconspicuous as possible. Run-offs must not adversely affect the drainage on adjacent properties.

14. PERMANENT BARBECUES

a. Permanent barbecues must be approved by the ACC but should not be a dominant feature on the landscape and should be located so they will blend as much as possible with the surrounding area. Supplemental planting should be provided to soften the visual impact of the barbecue, particularly when little or no natural background or screening is available.

15. MAJOR EXTERIOR ALTERATIONS

a. The design of major alterations should be compatible in scale, materials and color with the applicant's house and adjacent properties.

b. The location of major alterations should not impair the views or amount of sunlight and natural ventilation on adjacent properties.

c. Roof pitch should match the type of the home.

d. New windows and doors should match the type used in the applicant's house and should be located in the manner, which will relate well with the location of the exterior openings in the existing house.

e. If changes in grade or other conditions that will affect drainage are anticipated, they must be indicated. Generally, approval will be denied if adjoining properties are adversely affected by changes in the drainage of the surface water runoff.

f. Construction materials should be stored so that impairment of views from neighboring properties is minimized. Excess material and debris should be immediately removed after completion of construction.

THIS DOCUMENT MAY BE REVISED FROM TIME TO TIME AS NECESSARY

BANYAN TRAILS PROPERTY OWNERS ASSOCIATION, INC.

USE GUIDELINES FOR THE CLUBHOUSE AND POOLS.

July 2003

BANYAN TRAILS PROPERTY OWNERS ASSOCIATION, INC.
CLUBHOUSE RULES AND REGULATIONS

The following Rules and Regulations have been adopted and will be administered by the Banyan Trails Community Association Board of Directors. The Rules and Regulations may be changed at any time by the Board. It is the intent of the Board to limit these Rules and Regulations so that every member will obtain maximum use and enjoyment of the facilities.

Although they place some restrictions on member activities, they *are intended to respect the right of the membership as a whole*. Enforcement of the Rules and Regulations will primarily be placed in your hands and those of the Association.

Any Banyan Trails Homeowner may challenge any user of the Clubhouse Facilities or Pools to produce valid proof of residency. Failure to produce said ID will result in expulsion until such ID can be produced.

GENERAL INFORMATION

The Rules and Regulations of Banyan Trails Clubhouse are designed to protect the rights and privileges of the Banyan Trails residents, their families and guests and to protect the property. The following Rules and Regulations have been formulated to acquaint members of Banyan Trails with the activities available to them and for proper utilization of the facilities. These Rules and Regulations will be reviewed periodically by the Board of Directors and amended as necessary to better serve the community.

HOURS OF OPERATION

- Clubhouse — 5:30 AM to 10:30 PM
- Swimming Pools — Dawn to Dusk
- Tot Lots & Playground — Dawn to Dusk

GENERAL RULES AND REGULATIONS

1. Age requirements - Please refer to the specific activity information on age requirements. All age requirements will be strictly enforced. It is the duty and responsibility of the member to become familiar with these requirements and to cooperate in the enforcement thereof.

2. The Association may require the use of specific facilities from time to time.

3. Rules and Regulations that are posted in any particular area, room or facility will control the use thereof and shall be deemed supplemental to the Rules and Regulations herein enumerated.

4. The facilities shall not be used by any club, group or Association Member without the consent of the Association.

5. Food and Beverages are not permitted in the clubhouse without the approval of the Association. The facility is a non-smoking facility.

6. It is expected that all persons using the facilities shall conduct themselves in a courteous manner with due regard for the rights of others to use and enjoy the facilities. The Association reserves the right to remove violators from the facilities.

7. The Association has the right to deny any person who violates the Rules and Regulations of the Banyan Trails Clubhouse the use of the facilities.

8. Advertising, sign leaflets, petitions, papers and other written matter shall not be distributed or displayed on the premises without the written consent of the Association. Sale of merchandise and fund soliciting are not permitted without the written consent of the Association.

9. Any car parked illegally will be towed and reclamation will be at the owner's expense without recourse. No car washing, polishing or repairs are permitted on clubhouse property.

10. Pool and clubhouse parking lots are for the exclusive use of those using the facilities.

11. Bicycle riding, go-peddling, roller blading, skateboarding and go-carting are not permitted at the Banyan Trails Clubhouse or its grounds. This also includes the pool areas. Violators will be responsible for any damage incurred due to their use.

12. No loud music or noise is permitted on the Clubhouse property except in the event the Association sponsors a function. This includes the parking areas.

13. Dress Code – Proper attire is to be worn at all times in accordance with acceptable practice for the particular facility. Shirt, cover-up and shoes must be worn at all times while in the Clubhouse proper. Appropriate attire and footwear must be worn while in the workout room.

14. Appropriate attire and foot wear must be worn while in the workout room.

15. Parents will be responsible for the conduct of their children at all times.

16. Owners / Tenants will be responsible for the conduct of their guests at all times.

17. Owners / Tenants using the facility are responsible for leaving it clean after its use.

18. The cost of replacing any property that is broken, damaged or removed by an owner, tenant or guest shall be charged to the owner / tenant.

19. Wagering is not permitted while engaging in any activity in the Clubhouse.

20. No pets shall be permitted anywhere in the Clubhouse, tot lots, playground or in or around the pool or on the common areas immediately adjacent to these facilities.

LOITERING I S NOT PERMITTED AT THE CLUBHOUSE FACILITY.

TOT LOT ~ PLAYGROUND

- Banyan Trails Homeowner' s Association, Inc., its members, Board of Directors or Property Management Company and their representatives will in no way be liable for loss, damages or injuries to any resident or guest in connection with use of this facility.
- Fob key must be carried at all times while at this facility.
- Owners, their families and guests shall have the right to use the Tot Lot / Playground at any time they are available. Hours are from dawn to dusk daily.
- No food or drink will be permitted on the lot. The lot is not to be used for any purpose other than to play on the equipment provided.
- Age requirements: Only children eight (8) years old and up may use the tot lot & playground. All children must be directly supervised by their parents.

- Skates are not permitted in the playground.
- Proper shoes must be worn at all times. Bare feet are not permitted.
- Proper attire should be worn at all times. No bare chests and No bathing suits.

CLUBHOUSE BUILDING / EXERCISE ROOM USE

- Work Out Room – Members and guests use the work out room at your own risk. It is strongly recommended that you consult your physician prior to beginning any exercise program.
- Banyan Trails Homeowner' s Association, Inc., its members, Board of Directors or Property Management Company and their representatives will in no way be liable for loss, damages or injuries to any resident or guest in connection with use of this facility.
- Age requirements: Children under eighteen (18) and younger are not permitted in the work out room unless under the direct supervision of their parents. No persons under the age of sixteen (16) may be on the equipment.
- Pets are not allowed under any circumstances.
- Everyone using the work out room is required to bring a towel to wipe the equipment after use.
- All radios, smartphones or music players of any type are required to have a set of headphones when listening to audio programming.
- Tennis or like soft-soled athletic shoes must be worn at all times in the work out room. Bare feet are strictly prohibited.
- Bathing suits are not permitted attire in the work out room. Under no circumstance will bare-chests be permitted in the work room.
- Fob key is required to be carried while using the Fitness Center.
- No food or drink other that water is permitted.
- Do not abuse the equipment. If unsure on how to use the equipment properly, please contact a professional.

POOL

- Banyan Trails Homeowner' s Association, Inc., its members, Board of Directors or Property Management Company and their representatives will in no way be liable for loss, damages or injuries to any resident or guest in connection with use of this facility.
- Members, their families and guests shall have the right to use the Pool at any time it is open. Hours are dawn to dusk daily.
- Fob key is required to be carried while using this facility.
- No diving in the pool.
- No alcoholic beverages allowed at the pool.

- Age requirement: Children under the age of sixteen (16) are NOT permitted in the pool unless under direct supervision of their parents.
- A shower must be taken prior to entering the pool.
- Suntan oils and body lotions clog the pool filter and drain. These products must be removed before entering the pool.
- Towels must be placed on chairs and chaise lounges to protect them when using oils and lotions.
- Towels MAY NOT BE USED TO RESERVE CHAIRS.
- No glass is allowed in the pool or anywhere around the pool or deck.
- No running, pushing or boisterous play is permitted on the pool deck.
- All radios, smartphones or music players of any type are required to have a set of headphones when listening to audio programming.
- Pets are not allowed on the pool deck or in the pool.
- Persons with open sores, cuts or communicable diseases may not enter the pool.
- Diapered age children MUST wear rubber pants in the pool.
- Food or drinks must be kept a minimum of ten (10) feet back from the pool edge and at tables only.
- Floats may only be used if not creating a nuisance for other bathers.

For safety and enjoyment of others, please no excessive noise/screaming or sand/mulch throwing or profanity.

BANYAN TRAILS PROPERTY OWNERS ASSOCIATION, INC

C/O M&M Property Management

1280 SW 36th Ave #305 * Pompano Beach, FL 33069 * Tel: (954) 582-4400 Web: MMPM.us

RECEIPT OF CLUBHOUSE GUIDELINES, KEY AND ENTRY FOB

I hereby acknowledge that I have received a copy of the Banyan Trails Property Owners Associations' "Use Guidelines for the Clubhouse and Pools" and agree to abide by the Rules as stated.

I further understand that in the event my home is sold, the fob must be given to the new owner at time of closing. If this is a rental property, at the end of the lease the fob must be turned over to the present owner.

I understand that I may purchase a replacement and/or second fob for use by my immediate family at an additional cost. Fob cost is $25.00 each.

[ ] I acknowledge receipt of one key fob, **Serial Number** _____ and understand my responsibilities concerning its use.

[ ] I wish to purchase an additional fob(s).

Serial Number: _____ **Serial Number:** _____

Total Paid: _____ Circle One: Cash Money Order Check # _____

Please Print Legibly

FILL IN ALL BLANKS

Name: _____ Relationship to Property: _____

Address: _____ _____
House Number Street Name

Phone: (_____) _____-_____ Alternate Number: (_____) _____-____

Driver's License Number: _____

Signature: _____ Date: _____

Banyan Trails POA, Inc. c/o M&M Property Management
1280 SW 36th Ave #305, Pompano Beach, FL 33069 * Phone: (954) 582-4400 * Web: MMPM.us

Architectural Review Request Form

Property Owner(s): _____

Property Address: _____

Telephone: Daytime #_____Alternate #_____

CONTACT INFORMATION ABOVE AND THE BOX BELOW MUST BE FILLED OUT COMPLETELY. FAILURE TO DO SO MAY RESULT IN REJECTION OR DELAY OF YOUR REQUEST.

Type of Change(s) Sought:		**Application Checklist: MUST BE COMPLETED**
□ Landscape (All Types)	□ Roof	□ Signed and Dated (**Required**)
□ Hurricane Shutters	□ Pool	□ Survey w/ Sketch of work attached (**Required**)
□ Fence	□ Structural	□ Contractor License attached (**If used**)
□ Painting (Include paint codes)		□ Contractor Insurance attached (**If used**)
□ Other _____		□ Copy of Contractors Contract attached (**If used**)

ARE YOU DOING THE WORK YOURSELF? YOU MUST STATE SO. IF YOU USE A CONTRACTOR WITHOUT NOTIFYING THE MANAGEMENT - YOU WILL BE FINED! THE HOA MUST HAVE THE PROPER INFORMATION ON FILE.

DESCRIPTION OF WORK TO BE COMPLETED

Describe the type of architectural change you are seeking approval, and specify any materials and/or colors involved.

- _____
- _____
- _____
- _____
- _____

ACKNOWLEDGEMENT OF APPLICANT

I understand that I must be the property owner to make application to the Association for an architectural Change. I understand that application does not guarantee approval and that any approval must be received, in writing, prior to making the alterations sought in this application. I understand that Architectural Approval is based upon the aesthetics of the proposed changes and does not certify the construction worthiness or structural integrity of the proposed change. I further understand that if I am digging that I, or my contractor, must contact the appropriate utilities prior to digging. I understand that I must follow all local building codes and setback requirements when making a change and that building permits may be required, and if required will be granted prior to starting approved work. I further understand that I may not deviate from the plans submitted and that any variation will require re-application. **DAYTIME CONTACT NUMBER MUST BE ON FORM**.

Date received by Association: _____ □ APPROVED □ DENIED

Date sent to Committee/Board: _____ Approved by:_____

Date Letter sent to Owner: _____ Date approved: _____

The property owner is liable for the repair of any damage to common areas by vendors or contractors the owner may hire. All work completed must meet City and County Codes.