



# **EASTWOOD COMMUNITY**

## **Preserve Policies & Procedures**

### **ASSOCIATION, INC.**

**as of October 29, 2025**

**NOTE:** This document was created by the **Preserve Safety and Access Committee** as a compilation of safety, access, gatehouse, and parking policies and procedures applicable to The Preserve at Eastwood. Be advised the contents of this document are subject to change; therefore, residents are encouraged to frequently visit the Eastwood Community Association website for the latest policies.

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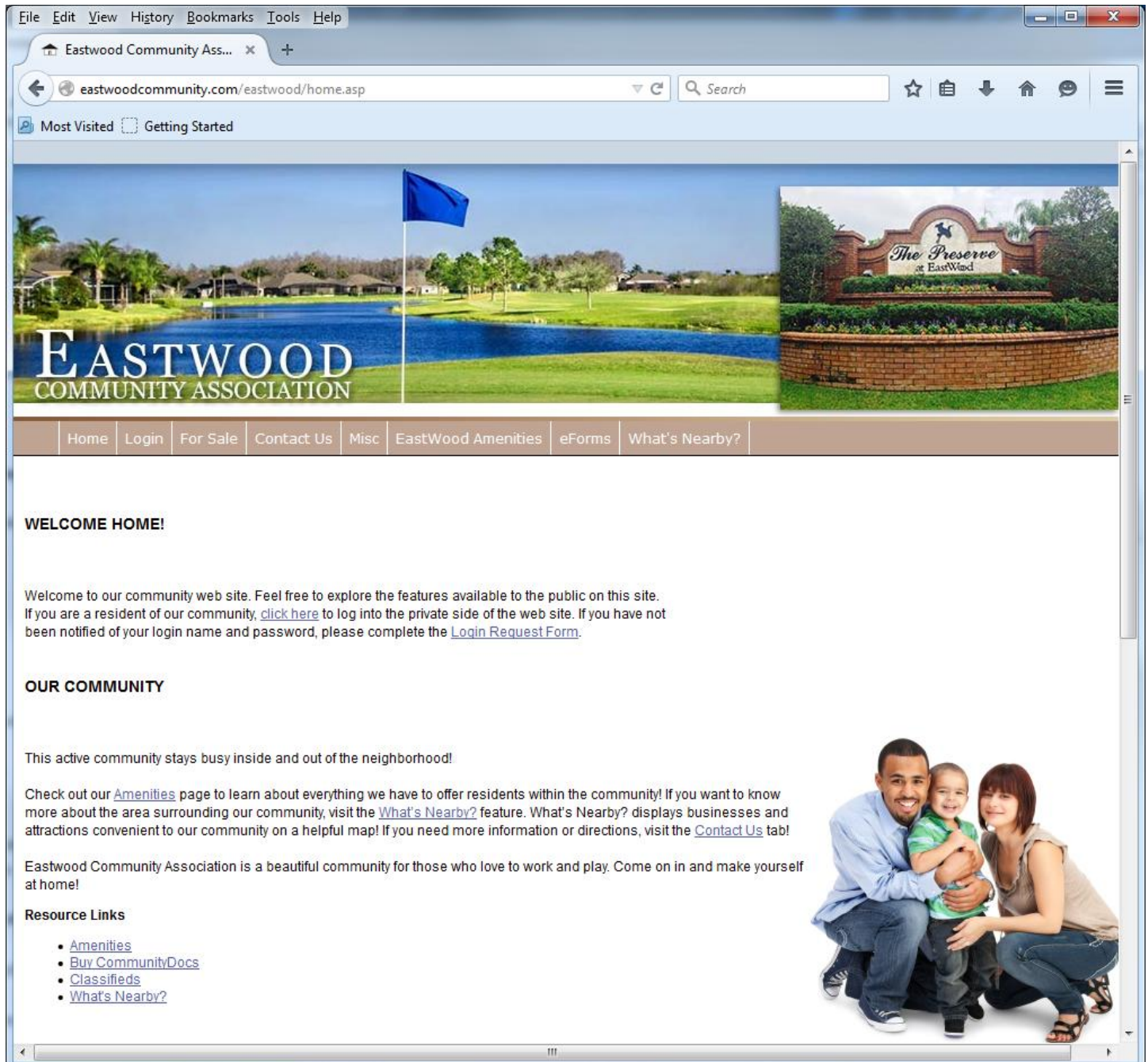
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## **Eastwood Community Website**

The Eastwood Community Association (aka, the ECA) has a password-protected website for homeowners' exclusive use. The name of the site is **Eastwood Community dot com**.

Eastwood homeowners can obtain a password by accessing the website, clicking on the "Homeowner Login" link, and then completing the Login Request Form. After successfully logging into the site, homeowners can access various HOA documents; as well as, the Events Calendar which lists community events and meetings. There is also a Discussion Board for residents to share their thoughts and ideas on any topic.

Website Link > <http://eastwoodcommunity.com>



## **Gatehouse**

The street address of the gatehouse at the entrance to the Preserve at Eastwood is...

**14060 Golfway Boulevard  
Orlando, FL 32828**

The gatehouse at the Preserve at Eastwood is manned by a licensed and insured security officer 24 hours a day, seven days a week. Additionally, the area surrounding the gatehouse is under constant video surveillance. Images from multiple security cameras are saved on a password-protected Digital Video Recorder (DVR) located inside the gatehouse for later review.

The gatehouse has an automated voice-mail attendant for incoming calls. The computerized Access Control System will automatically answer this line 24/7, and then record a resident's message and save that message to the resident's account based upon their Caller-ID and/or the resident's PIN. Be advised the system will recognize up to four Caller-IDs per household.

The telephone number for the automated voice-mail attendant is shown below.

**(407 384-9099)**

The gatehouse has a second phone line primarily for out-going calls. Residents should not call this second number to authorize guests.

**(407-384-7338)**

Be advised that processing residents and their guests at the gate takes priority over answering the phone; therefore, do not be alarmed if the officer in the gatehouse does not immediately answer the phone.

**Both of the above telephone numbers are for the exclusive use of Preserve residents.** If asked, the security officer in the gatehouse will not provide either telephone number to visitors. Likewise, residents should not provide either number to their guests.

## **Access Control Officer (aka, the Gate Attendant)**

As a private, gated community, the Preserve at Eastwood has a licensed and insured security officer monitoring access to the community 24 hours a day, seven days a week. The gatehouse security officer is referred to as the “**Access Control Officer**” to ensure residents understand his or her purpose in the community. The Orange County Sheriff’s Office provides patrols and “security” for residents of the Preserve; whereas, the Access Control Officer merely monitors and controls “access” to the Preserve community.

As of this writing, Access Control Officers for the Preserve gatehouse are provided by RAMCO Protective (<http://www.ramcoprotective.com/> ).

The Access Control Officer has three primary responsibilities:

- 1) Monitoring the entry and exit gates of the Preserve at Eastwood
- 2) Processing and logging visitors using a computerized Access Control System
- 3) Distributing Gate Passes (i.e., 6 hour parking permits)

**Monitoring the Residents Gate is the Access Control Officer’s number one priority, while monitoring the Visitors Gate is priority number two.** The Access Control Officer shall ensure traffic at the Residents Gate is always flowing smoothly, and the Access Control Arms are fully closed after each vehicle enters. The Residents Gate shall never be left in the open position. If there is a backup at both gates, the Residents Gate always takes priority.

Processing residents and guests at the Visitors Gate always takes priority over answering the phone; therefore, answering the phone is priority number 3. Monitoring the Pedestrian Gates is a priority number 4.

Please note it is not the Access Control Officer’s responsibility to patrol the Preserve or to respond to suspicious persons or other criminal activity. Residents should not call the gatehouse to report medical, fire or possible criminal activity. The Access Control Officer in the gatehouse cannot and will not respond. The resident should call either 911 or the Orange County Sheriff’s Office non-emergency line (407-836-4357) for these types of problems.

Additionally, it is not the Access Control Officer’s responsibility to patrol the Preserve or to respond to HOA violations or parking problems. Residents should not call the gatehouse for these incidences. The security officer cannot and will not respond. For these types of problems, the resident should call or write the Eastwood Community Association’s Property Manager.

The Access Control Officer is required to offer the driver of each vehicle entering the Preserve via the Visitors Gate a time-stamped Gate Pass to ensure that visitor can park on the street, if no space is available in the resident’s driveway, for up to six hours, subject to the *Terms of Use* printed on the pass. All Gate Passes expire at 2:00 am regardless of the time issued. If a visitor requires parking either (a) for a period longer than six hours, or (b) overnight, then the resident must contact the Eastwood Community Association’s Property Manager. Access Control Officers cannot and will not issue overnight parking permits.

Any problems or issues with the Access Control Officers should be forwarded to the Eastwood Community Association’s Property Manager. Access Control Officers will be removed for not adhering to HOA-mandated protocols.

## **Gate Info:**

All motorized vehicles needing access to the Preserve must enter via the Visitors Gate or the Residents Gate. Under no circumstances, may any motorized vehicle enter the Preserve by driving on the sidewalks. Vehicle access to the Preserve is controlled via two methods: one method for guests and one method for residents.

### **Method 1: Guest Vehicle Access**

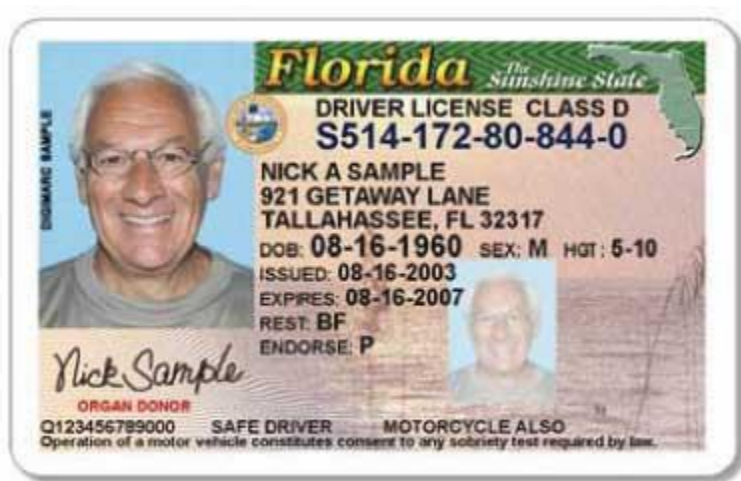
All guest's vehicles are required to enter via the Visitors Gate. Upon arrival at the gatehouse, the vehicle's driver is required to provide a valid driver's license to the on-duty Access Control Officer. The officer will then check the Access Control System database to determine whether that person is authorized to enter.

Special Case: If a resident is a passenger in a guest's vehicle, and the resident provides verbal authorization for the driver to enter the Preserve via the Visitors Gate, then the resident must also provide photo identification. However, only the driver's license of the vehicle's driver shall be scanned into the Access Control System.

NOTE: Unlicensed drivers are not allowed to drive on Preserve roadways under any circumstances. Therefore, any guest or visitor operating a motor vehicle who is unable to provide a current, valid, government-issued driver's license shall be denied access to drive on Preserve roadways.

The Access Control Officer will optically scan the driver's license into the Access Control System.

Florida Statutes Section 322.143 states that a HOA may not "swipe" an individual's driver license, except in certain circumstances. A "swipe" is defined as the act of passing a license through a device that is capable of deciphering the information electronically encoded in a magnetic strip or bar code. Therefore, the Access Control System at The Preserve at Eastwood does not read the magnetic strip or the bar code on a driver's license. The system only performs an optical scan of each driver's license. Below is an example. Additionally, the HOA does not store, sell, or share personal information collected from scanning driver licenses.





Each home in the Preserve has its own Guest List in the Access Control System database. This permanent list can be updated two different ways:

- Using the <https://gateaccess.net> website (Community Code is **PAEST**).
- Using the "ABDI Gate Access" app on a mobile device.

While Access Control Officers cannot make permanent updates to a resident's Guest List, they can add a temporary guest whose access expires at midnight on the date entered. Additionally, residents may either drop-off a temporary Guest List at the gatehouse, or add guests using the automated voicemail attendant. Be advised that residents must show a photo ID when dropping-off a list.

**In case of emergency, call the gatehouse or drop-off a list! Never provide a resident gate opener to a non-resident to allow them to enter the Preserve.**

If a guest arrives at the gatehouse, and the guest's name is displayed on a resident's Guest List, then that guest is allowed to enter without further delay. If the guest is not listed, the Access Control Officer will attempt up to two phone calls to the resident inquiring if the guest should be allowed to enter. Otherwise, the guest will be denied entry into the Preserve.

NOTE: It is imperative that residents have a current, working telephone number displayed in the Access Control System. Both home telephone numbers and cell phone numbers are permitted.

Each identified guest will have their first and last name, along with the vehicle's description and license plate number, logged in the Access Control System by the Access Control Officer. By closely following this protocol, the Access Control System records each driver that enters the Preserve, the vehicle they were driving, and the exact time and date they entered the community. Additionally, the HOA has security cameras surrounding the gatehouse along with a Digital Video Recorder (DVR) inside the gatehouse to provide a video record of each and every entry.

## **Method 2: Resident Vehicle Access**

While any resident may enter the Preserve via the Visitors Gate by showing photo identification, using the Residents Gate is much more convenient and time-saving. Residents may purchase one RFID sticker per vehicle. Each resident gate opener is assigned to a specific vehicle, and is only authorized for use in that vehicle. Refer to the Preserve Resident Gate Opener Policy for more details.

Note: Unlicensed drivers shall not be allowed to drive on Preserve roadways, including residents. Therefore, any resident operating a motor vehicle who is unable to provide a current, valid, government-issued driver's license shall only be allowed entry until the end of the next business day. This exception allows sufficient time for a resident to obtain a replacement driver's license if needed. This exception also allows access for a resident who may have simply forgotten to carry their license. Their entry into the Preserve shall be logged in the Access Control System, and after the end of the next business day, the resident will be denied access while operating a motor vehicle until that resident can provide a current, valid, government-issued driver's license. Please note that the resident is not being denied access to their home; instead, they are being denied the ability to drive on Preserve roadways without a license.

## **Pedestrian Gate Policy**

There are two Preserve Pedestrian Gates: one on the vehicle entry side called the South Gate and another on the vehicle exit side called the North Gate. Generally speaking, both Preserve Pedestrian Gates shall remain closed 24/7.

The Access Control Officer shall monitor each pedestrian gate at least once per hour to ensure the gates are closed, fully operational, not damaged, and not vandalized. The Access Control Officer shall denote the status of the pedestrian gates in the gate logbook at least once per hour.

All motorized vehicles needing access to the Preserve must enter via the Visitors Gate or the Residents Gate. This policy shall apply regardless of whether the vehicle's operator is a visitor or a Preserve resident. Under no circumstances may any motorized vehicle enter the Preserve by driving on the sidewalks.

Any case of a non-Preserve resident entering the Preserve via the sidewalks while operating a motorized vehicle shall be considered trespassing. All incidents of this type will be reported to law enforcement and the vehicle's operator will be prosecuted. Additionally, any case of a Preserve resident entering the Preserve via the sidewalks while operating a motorized vehicle shall be considered as improperly entering the Preserve, and fall under the same guidelines and penalties described in the Preserve Tailgating & Improper Entry Policy.

On schooldays for Orange County Public Schools, the North Gate will be propped-open each morning and each afternoon to accommodate children traveling to and from school. The South Gate shall remain closed 24/7. The North Gate will be propped-open for a maximum of two hours each morning and a maximum of two hours each afternoon.

The on-duty Access Control Officer shall be responsible for the opening and closing the North Gate as per the schedule shown below.

### **Scheduled Opening for the North Gate**

Monday Morning:	from 7:00 AM until 9:00 AM
Monday Afternoon:	from 2:30 PM until 4:30 PM

Tuesday Morning:	from 7:00 AM to 9:00 AM
Tuesday Afternoon:	from 2:30 PM until 4:30 PM

Wednesday Morning:	from 7:00 AM until 9:00 AM
Wednesday Afternoon:	from 1:30 PM until 3:30 PM

Note: Orange County Public Schools release students an hour early on Wednesday afternoon.

Thursday Morning:	from 7:00 AM until 9:00 AM
Thursday Afternoon:	from 2:30 PM until 4:30 PM

Friday Morning:	from 7:00 AM until 9:00 AM
Friday Afternoon:	from 2:30 PM until 4:30 PM



## **Resident Gate Opener Policy**

At the September 25, 2017 Board of Directors Meeting, the Board of Directors decided, based on recommendations from the Preserve Access Committee, to convert all devices to gate Radio Frequency Identification (RFID) stickers. Residents who currently have a card may obtain a new sticker at the on-site office for no additional cost to the Resident. Residents who currently have transponders may keep them. However, because the transponders are also a dated technology, once the transponder battery dies, the replacement will be the RFID sticker. The transition period to obtain a new RFID sticker at no extra cost will be effective immediately until December 31, 2017. After December 31, 2017, the cost will be \$25.

**What to do: Please bring your old devices, whether card or transponder, to the on-site office, along with your valid vehicle registration, so that we may transfer the information. Please note that this provision applies only to those making the transition from card or transponder to sticker.**

The price of the sticker will remain \$25 for sticker replacements and initial device purchases.

While any resident may enter the Preserve via the Visitors Gate by showing photo identification, purchasing a RFID sticker and then entering via the Residents Gate is usually more convenient and time-saving. Although there is no requirement for residents to utilize the Residents Gate, residents use of the Residents Gate significantly reduces backups at the Visitors Gate.

Since the Residents Gate is an amenity supplied by the HOA, the purchase and/or activation of a RFID sticker is prohibited if there are any unpaid monetary obligations (e.g., assessments, fines, legal fees, payment for damages to Association property, etc.) due to the Association. This restriction shall also apply to reactivation of RFID stickers and/or transponders.

Residents may purchase one RFID sticker per vehicle. Each RFID sticker is assigned to a specific vehicle, and is only authorized for use in that vehicle.

**RFID stickers are solely for resident's use; these devices should never be provided to non-residents under any circumstances.**

**NOTE: Due to issues with RVs inadvertently damaging the Resident's Gate, as of July 2014, the Association no longer issues RFID stickers for RVs.**

RFID stickers are available for purchase from the HOA's property management company. Only one type of gate opener is currently available to allow Preserve residents to enter The Preserve at Eastwood via the Resident's Gate. Residents can use transponders previously purchased, but cannot be replaced once the device becomes defective; resident will have to purchase the RFID sticker.

**NOTE: A Preserve resident is limited to one gate opener per vehicle, and the vehicle must be registered to a Preserve resident at a Preserve street address.**

eGo RFID Sticker (\$25) - These devices are the same size and shape as a Sun Pass sticker. Their primary advantage is they work exactly like a Sun Pass sticker. You simply affix the device to your windshield and then when you drive up to the Residents Gate, it opens.



NOTE: If a resident wishes to convert from one type of gate opener to another, the original device will be deactivated, since only one gate opener can be assigned to each vehicle. Be advised the HOA does not buy back gate openers, and there is no trade-in policy.

Since the Residents Gate is a HOA-supplied amenity, before a resident can obtain a RFID sticker, the Preserve Voting Member must be current in their HOA assessments and not have any unpaid debts to the Association. After that prerequisite is met, the Preserve resident must provide a current copy of their vehicle's registration to the HOA's property management company. In the case of renters, a copy of the lease agreement must be supplied to the management company. The management company then ensures the registration is current, the registration lists a Preserve resident's name, and the registration shows a Preserve street address. Next, after collecting money for the cost of the RFID sticker, all of the resident's information is entered in the Access Control System, along with the serial number of the purchased RFID sticker. Management company employees will affix the RFID sticker in the resident's vehicle. Afterwards, whenever that RFID sticker is used to open the Residents Gate, the Access Control System records each driver that entered (including a description of their vehicle) along with the exact date and time.

**Only vehicles with currently-activated RFID stickers or transponders assigned to those specific vehicles in the HOA database are allowed to enter the Preserve via the Residents Gate.**

Be advised the HOA utilizes security cameras surrounding the gatehouse to verify the RFID sticker or transponder used to open the Residents Gate matches the vehicle on record in the

Access Control System. Access Control Officers will report any unauthorized use of a gate RFID sticker or transponder. Examples:

- a known guest's vehicle entering the Preserve using a RFID sticker or transponder
  - a UHAUL or Ryder truck entering the Preserve using a RFID sticker or transponder
  - a contractor entering the Preserve using a RFID sticker or transponder
- \* Each of the above is a violation even if the resident is present in the vehicle

**Because the Preserve at Eastwood is private property, as a security precaution the HOA shall immediately deactivate any RFID sticker or transponder used in a non-assigned vehicle.** Since the primary purpose for the gated entrance is to provide access control, it would be irresponsible for the HOA to allow non-residents or persons/vehicles unknown to the Association to enter the Preserve using a RFID sticker or transponder.

**Exceptions:** As previously mentioned, HOA guidelines state that only vehicles registered to a Preserve resident at a Preserve address are eligible for RFID stickers. The primary purpose behind this guideline is to prevent residents from providing RFID stickers and transponders to non-residents (e.g., friends, family, contractors, etc.). However, the HOA recognizes there may be valid and legitimate reasons why a resident might not be able to register their vehicle to a Preserve street address. The two most common reasons are (1) a resident with a company vehicle, and (2) a homeowner whose primary address is not in the Preserve (e.g. a Snow Bird). Be advised that a homeowner relinquishes their Use Rights for the Residents Gate when they lease their property to tenants because then the tenants may be issued RFID stickers.

Anytime a resident requests an exception to the Resident Gate Opener Policy, it is imperative that the entire process happens in the open and is documented. Therefore, whenever someone requests an exception to the aforementioned guidelines, the following protocol shall apply.

The Association requires two items before considering a RFID sticker or transponder exception. See items #1 and #2 below. For company-issued vehicles, a third item is required. See item #3 below. Each item must be delivered to the Association's property management company.

1. A current copy of the vehicle's registration.
2. A formal written request (email is preferred) from the resident describing why an exception is needed. That request will be placed on the agenda of the next monthly PSA Committee meeting. Below is a sample request. Feel free to use this example as a template.

Subject: Resident Gate Opener Exception Request for <your Preserve street address>  
Date:  
From: <your name & email address>  
To: ECA Property Management Company

I am a Preserve resident that was issued a company vehicle, which I am authorized to drive home each day. Attached you will find an Authorization to Drive Letter from my employer. I am requesting an exception to the Preserve RFID Policy so that I may purchase a RFID sticker and have it assigned to my company vehicle which is registered to my employer's address, rather than my home.

3. An **Authorization to Drive Letter** from either the leasing company or the employer that owns the vehicle. This is a legal document that states the Preserve resident is authorized to drive the vehicle.

Upon receipt of the above items, the request will be added to the agenda of the next Preserve Safety and Access Committee (PSA) meeting for consideration. The petitioning party is encouraged to appear before the PSA Committee to answer any questions. Afterwards, the committee membership approves or disapproves the request, and then documents the process in the minutes of that meeting. Preserve Safety and Access Committee meetings are held once per month. Check the HOA website "Events Calendar" for the exact date and time of PSA meetings.

After a resident has been granted an exception for a company vehicle, a new request is not needed when that vehicle is replaced as long as the company name is the same. However, the Association will require an updated **Authorization to Drive Letter**.

#### Deactivation Policy:

RFID stickers and transponders can be "suspended" for failure to pay HOA dues and other financial obligations. RFID stickers and transponders may also be "suspended" for violations of Preserve policies such as, the RFID Policy, the Tailgating Policy & Improper Entry, the Preserve Reckless Driving Policy, the Preserve Guest List Policy, etc. Additionally, RFID stickers and transponders may be "deactivated" as a security precaution when used in non-assigned vehicles.

#### Reactivation Policy:

**First Offence:** The resident is required to date, sign, and complete in its entirety a **Reactivation Request Form**. Afterwards, the form must be submitted to the HOA's Property Management Company. The request must contain a detailed account of why the gate opener was used in a non-assigned vehicle, along with a statement that moving forward, the member now fully understands all gate openers are assigned to specific vehicles and are only authorized for use in assigned vehicles. The request must also contain an assurance the member's use of a gate opener in an unassigned vehicle will not be repeated. Without the member's aforementioned written assurance, the Property Management Company shall withhold reactivation and refer the matter to the Preserve Gate Violations Committee.

After reviewing the member's written explanation and assurance, the Property Management Company will also require a current vehicle registration for the deactivated gate opener, then (and only then) shall the Property Management Company reactivate said gate opener. A copy of the member's written explanation and assurance will be forwarded to the Preserve Safety and Access Committee, and also a copy will be maintained in the HOA's official records.

**Additional Offence:** Since the member had previously completed the first offence protocol (which included the member's written assurance their use of a gate opener in an unassigned vehicle would not be repeated), reactivation will be subject to the findings of the Preserve Gate Violations Committee, which shall hold a hearing to review the incidents of gate opener misuse during its next regularly scheduled meeting. Any and all deactivated devices shall remain deactivated until the hearing before the Preserve Gate Violations

Committee, and no additional gate openers will be issued. For each additional offense of using a gate opener in a non-assigned vehicle, the Preserve Gate Violations Committee has the option of a fine up to \$100.00 or a suspension of gate opener privileges for up to 90 days. Credit will be given for time the gate opener may have already been deactivated. As a general guideline, there will be a suspension of 30 days for the first additional offence, 60 days for the second, and then 90 for all offences thereafter.

### **Resident Gate Opener Policy (Long Term Guests)**

According to Resident Gate Opener Policy. Preserve residents may purchase one RFID sticker per vehicle. Every RFID sticker or transponder is assigned to a specific vehicle - and that vehicle must be registered to a Preserve street address. This guideline ensures only Preserve residents are using the Residents Gate. Any exception to the aforementioned guideline requires approval of the PSA Committee.

Typically, exceptions may be granted for homeowners with company vehicles and/or homeowners with vehicles registered in their name but to a different address (or vice versa). However, there have been other requests for exceptions as indicated below:

- one homeowner requested a gate opener for his parents, who will be staying with him for three months during the winter
- one homeowner requested a gate opener for a nephew who will be living in her home for a year while finishing school at a local college

At what point does someone go from being a "visitor" to being a "resident". One month? Two months? Six months? And lastly, what proof of Preserve-residency should be required in these instances? The Association believes it should not totally prohibit long-term guests from getting resident gate openers, but at the same time, it should not create a loophole that could be exploited. The following policy has been implemented.

All requests for RFID stickers for long-term guests would require the homeowner and the long term guest to appear at a meeting of the Preserve Safety and Access Committee and be interviewed by the committee. The committee would then vote whether or not to approve the request. Each case will be evaluated on its merits.

- An application form must be submitted to the PSA Committee (and then maintained by the HOA's property management company) detailing the guest's identity and vehicle registration; as well as, the homeowner's acknowledgement that the homeowner is 100% responsible for all actions of the guest.
- A \$50 application fee will be imposed to fund the administrative tasks; as well as, deter frivolous requests.
- Each Preserve address is limited to a single active RFID sticker for a long-term guest at any given time, i.e., limit one device per household.
- The RFID sticker would initially only be valid for 90 days, and then the application would be reviewed by the PSA Committee. Continuation of the device's activation will be at the discretion of the PSA Committee, who would review gate logs and video of the guest's ingress and egress to/from the Preserve to determine if the guest was actually residing in the Preserve - or merely visiting on a frequent basis.
- The PSA Committee shall retain the right to deactivate the gate opener at its discretion without prior notice to the user if any misuse or other improper actions were observed.

- The maximum time a gate opener (for a long term guest) would be valid is 12 months. Afterwards, the entire process would be repeated.

### **Preserve Guest List Policy**

In a proactive effort to avoid long wait times for visitors seeking access to the Preserve neighborhoods, a Guest List is required any time five (5) or more visitors not already listed in the Access Control System are processed for entry by the Access Control Officer within any four (4) hour period.

It will be considered a violation of this policy if the Access Control Officer has to call the same Preserve household five (5) or more times within a four (4) hour period for authorization to admit visitors not already on the resident's Guest List.

Failure to comply will result in the resident being referred to the Preserve Gate Violations Committee for a hearing to determine if a fine or suspension of use rights should be imposed against the resident. If the Preserve Gate Violations Committee determines that a fine or suspension of use rights shall be imposed, then the fines and/or suspension of use rights that shall be imposed are as follows:

**First Offence:** A two week suspension of all resident gate openers for the applicable address.

**Additional Offences:** The length of suspension increases by two weeks for each subsequent violation, up to a maximum of 90 days.

It is also recommended (but not required at this time) that the Preserve household obtains sufficient Parking Permits in advance from the property management company. The reason for not making this a mandatory requirement is that residents may have impromptu gatherings while the property management company office is closed.

The "within any four (4) hour period" references the time-frame in which the visitors arrive; not the time in advance someone must provide a Guest List.

NOTE: This policy only applies to guests not already on the resident's Guest List in the Access Control System.

### **Preserve TV and News Crew Policy**

Absolutely no TV or News crews will be permitted into the Preserve without the permission of the HOA's property management company, Board of Directors, or Preserve Safety & Access Committee, regardless of any member of that crew's status on a resident's Guest List.

If and when a TV or News crew arrives at the gatehouse, the Access Control Officer shall contact the property management company (during normal business hours) or a Board/PSA member (during non-business hours). The purpose of this guideline is to ensure TV or News crews do not show-up uninvited at resident's doorstep and/ or broadcast events from within the community which reflect negatively on the Preserve or its residents.

This policy does not prevent residents from hosting TV or News crews in their homes. The intent is merely to ensure a TV or News crew is an invited guest, rather than trying to ambush a resident with cameras rolling.



## **Parking Info**

As a gated community, the streets and sidewalks of the Preserve are the private property of the Eastwood Community Association (ECA); therefore, the ECA has jurisdiction and control over their use. In May of 2002, an overwhelming majority of Preserve residents voted to prohibit parking on the streets of the community 24 hours a day, seven days a week, 52 weeks a year.

### **Parking Rules and Enforcement:**

In October of 2002, the *Preserve Parking Resolution* went into effect. A copy of this document can be found at the end of this document. In short, the *Preserve Parking Resolution* lists the following parking prohibitions:

- No on-street parking without authorization
- No parking on or across a sidewalk
- No parking on any grassy area (including any portion of a resident's yard)
- No illegal parking (i.e., no parking against state or local codes)

**These prohibitions are enforced 24/7 by towing the offending vehicle.** In accordance with state and local codes, a Tow Away Zone sign is posted at the vehicle entrance to the Preserve. Because the Preserve at Eastwood only has one vehicle entrance, this is the only sign required by law.



The sign is placed by the roadway in accordance with Florida Statutes, which specify not only the location of the sign; but also, the size, shape and lettering on the sign. A Q/R code was added to ensure compliance with Orange County's Towing Ordinance.

Although there is no legal requirement for additional signage, the HOA placed a much larger sign directly in front of the gatehouse. See below.



The HOA has contracted a licensed and insured towing company to perform random patrols throughout the Preserve and remove any vehicle found parked in violation of the *Preserve Parking Resolution*. The towing fee is set by Florida Statute, and is payable to the towing company. The HOA does not pay the towing company for their services, nor receive any portion of the fees collected from drivers whose vehicles have been towed.

By law, the moment a tow truck physically connects to a vehicle, that vehicle is legally considered as being towed. Even if the vehicle is never lifted-off the ground or moved in any fashion, the towing company may legally collect a towing fee up to ½ the rate set by Florida Statute. If the owner of the vehicle does not immediately pay the so-called “drop-fee”, the vehicle will be towed and the full towing fee will be charged. Be forewarned, it takes a tow truck driver less than 30 seconds to connect to a vehicle.



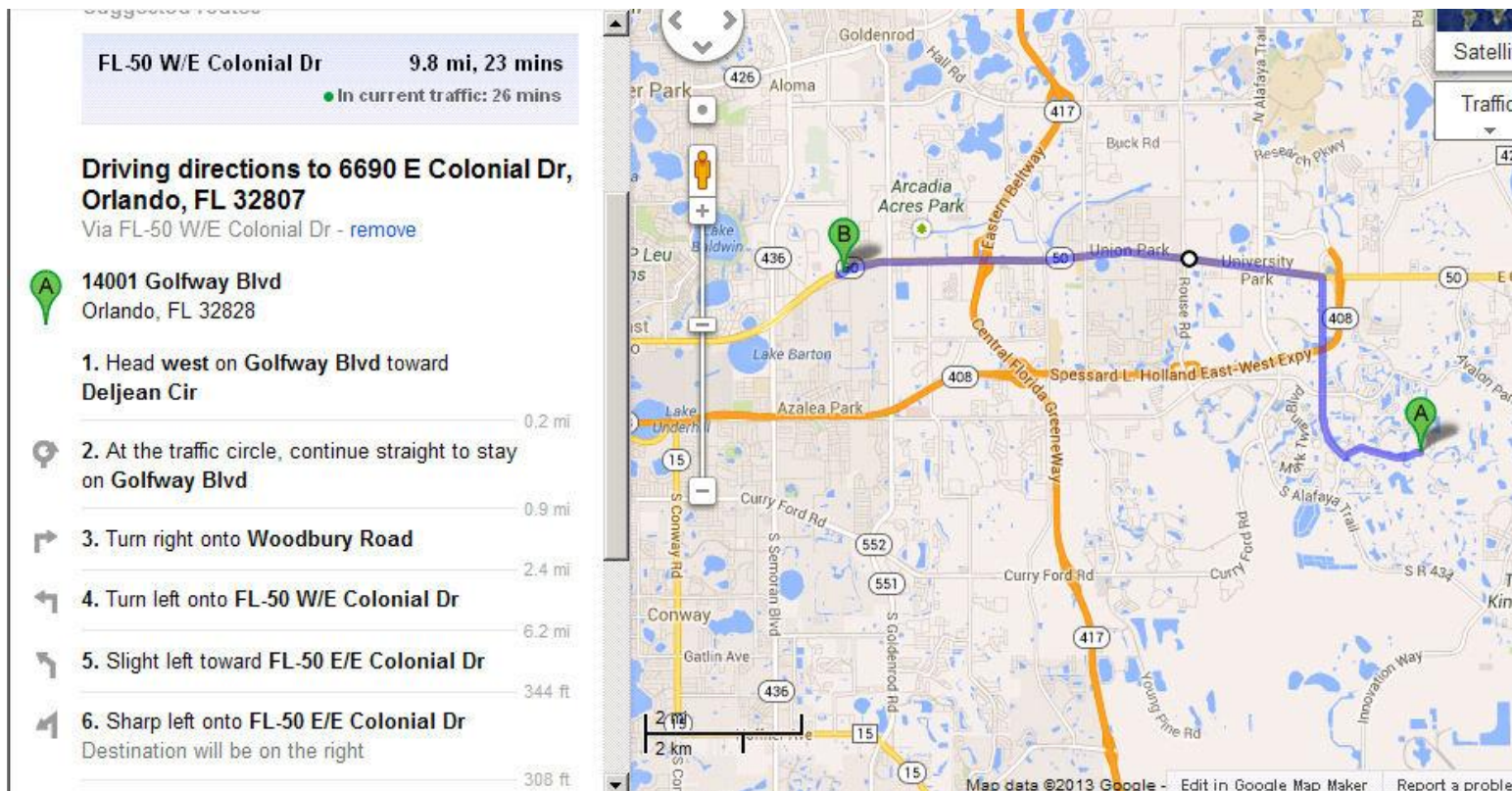
Orange County Ordinance Section 35-36, requires the Property Owner or their "duly authorized agent" to issue an authorization form for each vehicle towed from private property. In the Preserve at Eastwood, the list of "duly authorized agents" includes:

- Property Manager and Property Manager's Assistant
- Any Eastwood Community Association (ECA) District Director
- Any ECA-contracted, Florida-licensed security officer

Vehicles removed from the Preserve are stored at...

Airport Towing Service (<http://www.airporttowing.com/> )  
6690 E. Colonial Drive  
Orlando, FL 32807  
(407 275-8721)

Directions from the Preserve to Airport Towing Service are shown below courtesy of Google Maps...



## On-street Parking Authorization:

The HOA recognizes that from time to time, a resident's need for parking may exceed the capacity of their garage and driveway. Consequently, there is an established process to authorize temporary parking on the streets of the Preserve.

Every non-resident driver that enters the Preserve via the Visitors Gate will be offered a time-stamped **Gate Pass**. This pass is the HOA's authorization to park on the streets of the Preserve for up to six hours, subject to the Terms of Use printed on the pass. Note, all Gate Passes expire at 2 am regardless of the time issued and Gate Passes are only available for issue after 6 am. Please review the Terms of Use printed on the pass before parking in the street!

**NOTE:** Residents may enter the Preserve at Eastwood via the Visitors Gate and request a Gate Pass, but Gate Passes will not be issued to drivers entering via the Residents Gate.

If parking is needed for more than six hours, then a request must be submitted to the HOA's property management company in advance. A **Standard Parking Permit** can be issued that authorizes on-street parking for up to 20 hours on any particular date, subject to the Terms of Use. Similar to Gate Passes, all Standard Parking Permits expire at 2 am regardless of the time issued. Standard Parking Permits are typically used for parties and other large gatherings, and may be requested days or even weeks in advance. There is no limit on the number of these passes that can be issued, but PSA Committee approval may be required. The HOA strongly encourages residents expecting large groups of visitors to obtain Standard Parking Permits. This will significantly reduce the time spent waiting at the gatehouse for each guest.

If overnight parking is needed on the streets of the Preserve, a resident must submit a request to the HOA's property management company in advance for an **Extended Parking Permit**, and that request must include evidence that the resident's need for parking exceeds their capacity. These permits are valid for up to 72 hours and are limited to the number of vehicles that can park directly in front of the home. Typically, no more than two Extended Parking Permits will be issued.

None of the parking passes or permits are renewable. For example, a resident cannot get one Extended Parking Permit for Monday, Tuesday, Wednesday, and then another for Thursday, Friday and Saturday.

## Overview of Parking Permits:

<b>Gate Pass –</b>	available only from the gatehouse limit one pass per vehicle valid for 6 hours max, non-renewable expire at 2 am regardless of time issued
<b>Standard Parking Permit -</b>	available only from the property management company no limit on the number of permits valid for up to 20 hours max, non-renewable expire at 2 am regardless of time issued
<b>Extended Parking Permit -</b>	available only from property management company limited to number of parking spaces in front of residence valid for up to 72 hours max, non-renewable resident must prove all available parking space is utilized

**NOTE:** Extended Parking Permits (aka, overnight parking permits) will not be issued for recreational vehicles or trailers, including, RVs, boats and campers.

### **2-2-2-90 Guideline for Extended Parking Permits**

No more than **2** overnight permits during one 72 hour period without PSA Committee approval, since each vehicle must park directly in front of the requestor's home.

No more than **2** permits within one calendar week (Monday to Sunday) without PSA Committee approval. One weekend Friday, Saturday, Sunday followed by the next weekend Friday, Saturday is allowed; however, since permits are non-renewable, there must be a minimum of 96 hours between the end date and time for permits issued the first week and the start date and time for permits issued the second week.

No more than **2** different 72 hours periods within **90** days. Additional periods may be allowed, but PSA Committee approval is required to ensure a resident is not circumventing the prohibition on overnight parking.

## **Gate Protocol:**

The following pages show the protocol posted in the Preserve gatehouse for the Access Control Officers to follow. Any observed violations of this protocol should be reported to the property management company. Access Control Officers who do not adhere to this protocol will be removed.



# **EASTWOOD COMMUNITY 2016 GATE/PARKING PROCEDURE ASSOCIATION, INC.**

**ALL VISITORS MUST BE STOPPED, AND THEIR ID MUST BE CHECKED, AND ENTERED IN THE GATE COMPUTER (NO EXCEPTIONS)**

**IMPORTANT NOTE:** Never stop or impede an emergency response vehicle with its lights flashing and/or siren blaring. Immediately open the gate and allow the vehicle to enter without delay. Additionally, never stop or impede law enforcement vehicles affiliated with agencies having jurisdiction over the Preserve at Eastwood, such as Florida Highway Patrol or the Orange County Sheriff's Office. Outside agencies, such as the Orlando Police Department, should be stopped.

The Access Control Officer is responsible for greeting all persons in a professional and courteous manner. Every person (whether resident or visitor) arriving at the Preserve Gatehouse should receive a polite and cordial greeting, such as, "Welcome to the Preserve at Eastwood. How may I help you?" Similarly, every caller should hear a similar polite and the cordial greeting, such as, "Preserve Gatehouse. This is Officer Smith speaking. How may I help you?"

i

Every vehicle arriving at the Visitors Gate must be stopped, other than the aforementioned exception of emergency response and local law enforcement vehicles.

After greeting the vehicle's driver, the Access Control Officer must....

- 1) Politely ask the driver of the vehicle for their driver's license.  
NOTE1: The driver of each vehicle entering the Preserve must have a valid, current, government-issued driver's license.  
NOTE2: ID is not required of delivery drivers if they're in a clearly marked delivery vehicle, such as the US Postal Service, Federal Express, or UPS. Conversely, ID is required for food, floral, and other delivery drivers.
- 2) Ask the driver whether they are a resident or visitor.  
If the driver is a visitor, ask what is the name or address of the resident that wish to visit.  
If a resident is a passenger in the vehicle, inform the resident their ID is also needed.  
If the driver is a resident, their address should be displayed on their driver's license.

### **IF DRIVER IS A RESIDENT:**

- a) Locate the person as a resident in the gate computer. If not listed, deny access.
- b) Once found, press "Admit New Guest" while on the correct address screen.
- c) Enter the person's first and last name where indicated.
- d) Press "Admit" and then return the driver's ID.
- e) Open the gate and observe the license plate as the vehicle drives by.
- f) Close the gate.
- g) In the "ENTER THE GUEST TAG NUMBER" window, enter the license tag #.



**IF VISITOR (OR IF A RESIDENT IS A PASSENGER):**

- a) If the visitor does not have a valid driver's license, they cannot be admitted.
- b) Locate the resident or destination address in the gate computer. If not listed, deny access.
- c) Once found, check whether the person is listed on the Guest List.
- d) ALWAYS check to see if the person is barred from admittance into the Preserve.
- e) If not listed or computer indicates "CALL FIRST", call the resident to authorize entry.  
Deny access unless the person is either on the Guest List and/or the resident has authorized entry.

**IF ON GUEST VISITORS LIST:**

- 1) Press the guest's name on the screen.
- 2) Press "Admit Guest" and return ID.
- 3) Ask driver if they will be parking on the street? If yes, then issue a Gate Pass.

Do not ask the driver if they want a Gate Pass, because the driver might not understand that question.

- 4) Open gate & observe the license plate.
- 5) Close the gate.
- 6) ENTER THE GUEST TAG NUMBER.

### **IF NOT ON GUEST LIST:**

- 1) Press "Admit New Guest".
- 2) Enter the person's first & last name.
- 3) Press "Admit" and return ID.
- 4) Ask driver if they will be parking on the street. If yes, then issue a Gate Pass.

Do not ask the driver if they want a Gate Pass, because the driver might not understand that question.

- 5) Open the gate & observe the license plate.
- 6) Close the gate.
- 7) ENTER THE GUEST TAG NUMBER.

### **IF DELIVERY SERVICE/UTILITY/PUBLIC SERVICE:**

- a) If the service is on the below list, locate the "Guardhouse" account in the computer. Select the appropriate service, then press "Admit Guest". If service is not listed, go to step (b).

**Florida Highway Patrol, Orange County Sheriff, Orange County Fire & Rescue  
Orange County School Bus, Orange County Utilities  
Garbage Truck, Recycle Truck, OC Yard Waste Collection  
Federal Express, UPS, DHL, Airborne Express, Peoples Express, US Postal Carrier  
Progress Energy, Peoples Gas, BellSouth, Comcast Cable  
Orlando Sentinel, USA Today, East Orange Sun  
Tropical Décor (HOA landscaper), Estate Management (HOA pond maintenance)**

- b) Locate the resident or destination address in the gate computer. If not listed, deny access.
- c) Once found, call the resident and inform them a delivery service is at the gate.
- d) If the resident's gives authorization, press "Admit New Guest" while on the resident's screen.
- e) Enter the name of the delivery service in the last name field.
- f) Press "Admit".
- g) Open the gate and observe the license plate as the vehicle drives by.
- h) Close the gate.
- i) In the "ENTER THE GUEST TAG NUMBER" window, enter the license tag #.

### **IF REALTOR:**

- a) Locate the "Realtor" account in the computer.
- b) Press "Admit New Guest" while on the "Realtor" screen.
- c) Enter the realtor's first and last name where indicated.
- d) Press "Admit" - and then return the ID to the person.
- e) Ask driver if they will be parking on the street. If yes, then issue a Gate Pass.
- f) Open the gate and observe the license plate as the vehicle drives by.
- g) Close the gate.
- h) In the "ENTER THE GUEST TAG NUMBER" window, enter the license tag #.
- i) If a prospective buyer is following the realtor in a different vehicle, repeat each of the above steps for the second driver. Log the second driver in the "Realtor" account.

### **IF GARAGE SALE OR OPEN HOUSE VISITOR:**

- a) Check whether a "Notice of Garage Sale" or "Notice of Open House" for the current date and time is posted in the gatehouse. If not, deny access.
- b) If authorized, locate the "Garage Sale" or "Open House" account in the gate computer.
- c) Garage Sale & Open House visitors must show a valid driver's license to enter!!!
- d) Press "Admit New Guest" while in the applicable account.
- e) Enter the visitor's first and last name where indicated.
- f) Press "Admit" - and then return the ID to the person.
- g) Open the gate and observe the license plate as the vehicle drives by.
- h) Close the gate.
- i) In the "ENTER THE GUEST TAG NUMBER" window, enter the license tag #.

### **IF ACCESS IS DENIED:**

- a) Inform person they cannot be allowed into the Preserve at this time.  
Any questions, person may contact the management company @ (407) 823-9494.
- b) Locate the "Refused Entry" account in the computer.
- c) Press "Admit New Guest" while on the "Refused Entry" screen.
- d) Enter the person's first and last name where indicated.
- e) Press "Admit" - and then return the ID to the person.
- f) Politely instruct driver to make a U-turn and exit the area.
- g) Open the gate and observe the license plate as the vehicle drives by.

- h) Close the gate.
- i) In the "ENTER THE GUEST TAG NUMBER" window, enter the full license tag #.
- j) If driver does not exit, call 911 and report a trespasser. Record the time, then the vehicle color, make, model and license tag # in the logbook. Also denote the time displayed on the DVR.

#### OTHERS:

- Log all golf course workers in the "Golf" account.
- Log all ECA Board members in the "BOD" account.
- Log Airport Towing Service (and only Airport Towing Service) in the "TOWING" account.

#### MISCELLANEOUS:

- Do not accept phone calls to grant visitor access without verifying the caller's identify. The caller's name and/or telephone number (displayed on Caller-ID) must match what is listed in the gate computer. If a call is received which does not meet the aforementioned criteria, the Access Control Officer shall not grant access to their visitor. NO EXCEPTIONS!
- Residents may drop-off a temporary access list (in the event of a party or other gathering), but resident must show photo id and be verified via the gate computer.

#### QUESTIONS OR PROBLEMS:

For emergencies...

Call 911 and inform dispatcher you are calling from the gatehouse at the Preserve at Eastwood. The address is 14060 Golfway Blvd & the callback number is (407) 384-9099.

For any other questions or problems...

Monday to Friday, 8:30 am to 5:30 pm...

Call the management company at (407) 823-9494.

At any other time...

Contract a Preserve Safety & Access Committee (PSA) member.

#### Preserve Tailgating & Improper Entry Policy:

Since the Preserve is private property, anyone who enters the Preserve neighborhoods improperly is immediately suspected of trespassing, and the Access Control Officers have always been instructed to call 911 and report the incident. Over time, the HOA has discovered that residents and their guests (rather than criminals) are usually the persons guilty of entering improperly. Additionally, the HOA has learned that our sheriff's department will not arrest anyone for trespassing who has a valid reason for being inside the Preserve.

Nevertheless, the HOA's established protocol for entering the Preserve requires a record of everyone who enters the community (both residents and visitors), and those persons who enter improperly are in violation of that protocol. A prime example of entering the Preserve improperly is **tailgating** (following closely behind the vehicle in front of you so that you don't need a sticker or transponder). When a driver tailgates into the Preserve, the driver's identity is not recorded in the Access Control System, and this is not only a violation of HOA rules, it is a major security breach.

Consequently, the following policy for unauthorized entry is in effect:

The Access Control Officer will immediately call 911 and file a trespassing report. The Access Control Officer will log the date and time, and then denote the vehicle's color, make, model and license tag number in the gatehouse logbook. The Access Control Officer will also denote the time displayed on the surveillance camera DVR when the incident occurred. The Access Control Officer will have the incident displayed on the DVR for the police to review upon their arrival.

A record of the incident will be entered in the Daily Log of the Access Control System. If no arrest was made by the sheriff's department, then the property management company and HOA will then attempt to identify the driver.

If trespassing charges are warranted, the property management company will contact the sheriff's department and file a report.

If trespassing charges are not warranted, then the following shall apply:

**First Offence:** A letter written specifically regarding the event will be sent to the applicable homeowner/resident. Homeowners/residents are responsible for the behavior of their guests; therefore, if a guest entered improperly, the homeowner/resident will be held responsible. The homeowner/resident will be reminded of everyone's responsibility to enter the Preserve properly, and informed that if another violation of this nature (involving either the resident or one of their guests) occurs they will be referred to the Preserve Gate Violations Committee for a hearing to determine if a fine or a suspension of use rights should be imposed against the homeowner/resident.

**Additional Offences:** If additional offences are documented, the homeowner/resident will be referred to the Preserve Gate Violations Committee for a hearing to determine if a fine or suspension of use rights should be imposed against the homeowner/resident. If the Preserve Violations Committee determines that a fine or suspension of use rights shall be imposed, then the fines and/or suspension of use rights that shall be imposed are as follows:

**Second Offence.** If a second offence is documented for which the homeowner/resident received a warning, then ALL the homeowner's/resident's gate openers shall be deactivated for a period of not less than 30 days, and the homeowners/residents will be required to use the Visitors Gate. Any funds paid for a gate resident gate opener will not be refunded and no additional resident gate openers may be purchased during the 30 day probation. If there are no currently active gate openers, the penalty shall be a fine in the amount of \$100.

**Additional Offence:** If another offence is documented, then ALL the homeowner's/resident's gate openers shall be deactivated for a period of not less than 60 days, and the homeowners/residents will be required to use the Visitors Gate. Any funds paid for a gate opener will not be refunded and no additional gate openers may be purchased during the 60 day deactivation period. If there are no currently active gate openers, the penalty shall be a fine in the amount of \$100 per additional offense.

**NOTE:** It has always been ECA policy that only residents are allowed to use the resident's gate. Therefore, if a non-resident is observed using a gate opener to enter the Preserve, that gate openers will be immediately deactivated as a security precaution. In these cases, there will be no prerequisite for a warning letter to be sent to the homeowner/resident before the gate gate opener is deactivated. Refer to the Resident Gate Opener Policy for more details.

If anyone observes a vehicle entering the Preserve improperly, they should send an email to the HOA's property management company. Include the time and date of the infraction; and if possible; the address where the vehicle parked and the vehicle's license plate number. Your

name will not be used in any documents identifying the offender. The gate area is under video surveillance 24 hours a day; therefore, the HOA will attempt to verify the infraction by reviewing the surveillance video, and (if warranted) take the appropriate action.

### **Preserve Basketball Goal Policy**

When combined with vehicle and/or pedestrian traffic, basketball goals create potentially hazardous situations, not only for the individuals playing basketball, but also, for pedestrians and drivers. Because the streets and sidewalks in the Preserve are property of the Association, these hazardous situations create a potential financial liability to the HOA. For these reasons, basketball goals cannot be allowed on Preserve streets, sidewalks, or the area in-between.

In the Preserve, if any portion of a basketball goal is observed for any period of time, either...

- on or hanging over a sidewalk
- on or hanging over the area between a sidewalk and a street
- on or hanging over any street

#### **FIRST VIOLATION:**

The Association's property management company shall send a 'first violation notice' to the applicable homeowner/resident and allow that homeowner/resident a 14 day period to correct the violation. After the 14 day period, the Association may remove the basketball goal at any time without further notice to the goal's owner. The homeowner shall be responsible for any and all costs associated with the basketball goal removal and storage.

#### **SUBSEQUENT VIOLATION:**

A homeowner/resident shall receive one and only one 'first violation notice' to cure a basketball goal violation (as described above) during their period of residency in the Preserve. If a subsequent violation is observed for any period of time, there will not be another 14 day period to correct the violation. Instead, the Association has the option to either (a) immediately remove the basketball goal without prior further notice to the goal's owner, or (b) refer the matter to the Preserve Gate Violations Committee, with the suggested penalty being a fine in the amount of \$100 per occurrence. In instances of a basketball goal's removal, the homeowner shall be responsible for any and all costs associated with the basketball goal removal and storage.

In summary, basketball goals may only be stored in the driveway no greater than one half the total distance from the edge of the garage to the sidewalk. At no time shall a basketball goal be placed on or overhanging the sidewalk, on or hanging over the area between the sidewalk and the street, or on or hanging over the street. In the Preserve, basketball goals not in-compliance will be removed at the homeowner's expense.

### **Signs at the Gatehouse:**

Several existing HOA documents restrict the use of signs on HOA property, both inside and outside the Preserve. Additional restrictions apply to signs at the entrance to the Preserve. No sign of any type may be displayed on the Preserve gatehouse or within a radius of 125 feet of the gatehouse. This includes (but is not limited to) Garage Sale, Yard Sale, Open House, For Rent and For Sale signs. Signs placed by the HOA are the lone exception to this restriction.

### **Yard Sales & Garage Sales:**

In the Preserve, yard sales and/or garage sales are limited to the first Saturday of every month between 8 am and 1 pm. Additionally, the seller (Preserve resident) is required to provide the HOA's property management company with a Garage Sale Permit obtained from the Orange County Zoning Division. Permits for garage sales are required by law in Orange County, and the "Garage Sale Permit Fee" is currently \$14. Applications for a permit are available online at the Orange County Zoning Division's website...

[www.orangecountyfl.net/PermitsLicenses/Permits/GarageSale\(HomeownerorCommunity\).aspx](http://www.orangecountyfl.net/PermitsLicenses/Permits/GarageSale(HomeownerorCommunity).aspx)

and click on "Credit Card Authorization Form". Completed applications may be faxed (along with a credit card number) to the Orange County Zoning Division @ (407) 836-5507.

On the Friday prior to the first Saturday of each month, the property management company compiles a list of legally permitted yard and garage sales – and then enters that information in the Access Control System. The Access Control Officers will deny entry to any and all yard and garage sale visitors unless it is the first Saturday of the month AND the property management company has posted a **Notice of Yard Sale** in the Access Control System.

### **Open Houses:**

In the Preserve, there are currently no restrictions on the dates and times for Open Houses. That said, the vast majority of Open House events are held on Sundays between 1 pm and 4 pm. The seller (Preserve homeowner) is required to inform the HOA's property management company of the exact date and time of their event. Calls or e-mails from a realtor are not accepted. Homeowners control access to the Preserve, not realtors.

On each Friday evening, the property management company compiles a list of all Open Houses for the following weekend, and then enters that information in the Access Control System. The Access Control Officers will deny entry to any and all open house visitors unless the property management company has posted a **Notice of Open House** in the Access Control System.

### **Damage to Gates Policy:**

Drivers (whether resident or guest) are responsible for any damage they cause to the Preserve gates, and the applicable homeowner will be billed both for the actual damages; as well as, the secondary costs to the HOA. According to HOA documents, homeowners are responsible for any and all damage to HOA property caused by their guests. Therefore, the applicable homeowner is financially responsible for any damage to the Preserve gates caused by their guests.

In addition to the actual monies paid to repair the gates, the secondary costs incurred by the association for temporary repairs, overhead, property management company's time, etc. - are also applicable. These secondary costs will be a minimum of \$50. If the driver does not immediately stop upon damaging the gates, an additional \$100 fee will be charged to compensate the association for the secondary costs of reviewing security video and identifying the driver either through the association's or DMV's records.



According to the gate maintenance vendor (as of January 2008) labor charges are \$99.00/hr plus a \$40.00 travel charge during normal business hours. After normal business hours, charges are a minimum of 2 hours labor billed at time and a half, plus a \$40.00 travel charge. If parts are needed, there will be additional charges. Labor and travel charges billed to the homeowner are based on the vendor's current rates and rates may change at any time based on the vendor's policy. Consequently, the aforementioned prices may change at any time and are not set in stone.

As of January 2008, for incidents that are repaired during normal business, the minimum fee charged to the homeowner will be \$189 (that's 1 hour labor at \$99/hr plus a \$40 travel fee and a \$50 admin fee). THESE ARE THE MINIMUM CHARGES.

As of January 2008, for incidents that are repaired after normal business hours, the minimum fee will be \$387 (that's 2 hours labor at \$148.50/hr plus a \$40 travel fee and a \$50 admin fee). THESE ARE THE MINIMUM CHARGES.

Since vendor pricing may change at any time, the HOA does not warrant that these fees will not increase.

### **Traffic Rules:**

While the streets of the Preserve are the private property of the Eastwood Community Association (ECA), the HOA has signed an agreement with government officials from Orange County to allow the sheriff's department to enforce all state and local traffic laws inside the Preserve. Consequently, a driver could just as easily be ticketed for traffic offences inside the Preserve as they could outside the Preserve. All state and local traffic laws are applicable in the Preserve.

Similarly, the use of motorized skateboards, mini or pocket bikes, dirt bikes, or any other motorized, non-street legal vehicles are prohibited in the Preserve. The lone exception to this prohibition is the use of golf carts on designated cart paths of the Eastwood Golf Club.

- **Special Note Regarding Golf Carts:** Florida Statute Section 316.212 states, "The operation of a golf cart upon the public roads or streets of this state is prohibited except as provided herein: (1) A golf cart may be operated only upon a county road that has been designated by a county, or a municipal street that has been designated by a municipality, for use by golf carts." Although Eastwood is commonly referred to as a golf community, the streets and sidewalks within Eastwood (including The Preserve at Eastwood) have not been designed for use by golf carts by officials in Orange County. Therefore, the use of golf carts is only permitted on the designated cart paths of the Eastwood Golf Club.

For traffic issues, residents should not call the gatehouse or the HOA's property management company. Instead, depending upon the urgency, residents should contact the Orange County Sheriff's Office at either...

- 911
- 407 836-HELP (for non-emergencies)

## **Improper Driving Policy:**

All Members and their family members, agents, licensees, and invitees must comply with all Florida and Orange County traffic laws while driving on the private roads within Eastwood.

Incidents of non-compliance with all Florida and Orange County traffic laws while driving on the private roads within the Preserve at Eastwood may originate from...

- law enforcement officer observations or reports
- HOA-contracted security officer observations or reports
- video recordings

Improper driving is driving which could reasonably be expected to put community residents at risk including, but not limited to, driving without a license, speeding, running stop signs, driving on the wrong side of the road, driving under the influence (DUI), or any activity which endangers other motorists or pedestrians. The speed limit on all Preserve roadways is 25 miles per hour.

Failure to comply will result in the resident being referred to the Preserve Gate Violations Committee for a hearing to determine if a fine or suspension of use rights should be imposed against the resident. After 14 days' notice, a hearing before the Gate Violations Committee will be held to determine if a fine or suspension should be imposed. If the committee determines that a fine or suspension of use rights shall be imposed, then the fines and/or suspension of use rights that shall be imposed are as follows:

**First Offence:** Up to a maximum of a 10 day suspension of the Member's gate opener and up to a maximum fine in the amount of \$100.00.

**Additional Offences:** The length of suspension increases by up to a maximum of 20 days for each subsequent violation, up to a cumulative total of 60 days and up to a maximum additional fine of \$100.00 per occurrence.

If suspension of the gate opener and imposition of fines do not compel compliance with the traffic laws, the Association may file a lawsuit for injunctive relief and damages. Pursuant to Section 720.305, Florida Statutes, and Article X, Section 2 of the Declaration, the prevailing party in a lawsuit for injunctive relief and damages shall be entitled to its reasonable attorneys' fees and costs.

Prior to filing a lawsuit, the HOA's property management company will send a letter to the Member demanding that the homeowner/resident comply with the restriction or Rule. If the homeowner/resident fails to comply with the restriction, then the HOA's attorney shall send a letter to the homeowner/resident prior to instituting legal proceedings. If the homeowner still does not comply, the next step would be for the Association to file a lawsuit against the homeowner/resident for injunctive relief and damages.

## **Request for Gate Computer Records Policy**

As per the legal opinion provided to the Association dated January 21, 2014...

While the Association is not required to "create" entry logs, these are records in existence within the Access Control system and subject to review by the Members. Upon written request by a Member, the Association shall supply entry logs within 10 days. Entry logs

will be printed out, and the Association will redact the following information prior to printing.

- the name of the company related to the person entering into The Preserve;
- the license tag number;
- the color of vehicle;
- and the make of the vehicle

The Preserve at Eastwood uses ABDI software (Applications By Design, Inc.) for its Access Control System, which captures the following items in its entry logs. The highlighted items will be redacted prior to printing. Optical scans of Drivers Licenses will not be provided.

- Entry Time
- Guest
- Address
- Company
- License 1
- License 2
- Color
- Type
- Guard
- Gate

Requests for Gate Entry Records must be submitted in-writing to the property management company, which may charge fees in accordance with Florida Statutes for supplying the Association's records. With the exception of Law Enforcement, members of the Eastwood Board of Directors, and members of the Preserve Safety and Access Committee, only requests from Members of the Eastwood Community Association owning property in The Preserve at Eastwood will be considered.

### **Eastwood Property Manager:**

The Eastwood Community Association is very fortunate to have an on-site Licensed Community Association Manager (aka, Property Manager). The Property Manager's office is located in the Eastwood pool cabana and is staffed from 8:30 am to 5:30 pm Monday through Friday. Residents may contact the Property Manager team either in-person, by telephone or fax, via email.

Eastwood Community Association  
150 Cavan Lane  
Orlando, FL 32828  
Phone: (407) 823-9494  
Email: [Manager@eastwoodcommunity.com](mailto:Manager@eastwoodcommunity.com)  
General Office : [office@eastwoodcommunity.com](mailto:office@eastwoodcommunity.com)

### **Neighborhood Committee(s)**

In Eastwood, each property entitles the owner to become a Voting Member of the Association. Please note, there is only one Voting Member per property, regardless of the number of names listed on the deed or the number of individuals residing in the home. With slightly over 2,000 properties in Eastwood, the Association has slightly over 2,000 Voting Members. With that many

Voting Members, it would be impractical to have each homeowner vote on every item of business. So instead, each December, Voting Members elect a Neighborhood Committee to represent them and to cast votes on behalf of their neighborhood. Each neighborhood has its own Neighborhood Committee of 3 to 5 members. Please note that at least 10% of a neighborhood's Voting Members must submit a ballot to elect a Neighborhood Committee. Any neighborhood that does not elect a Neighborhood Committee is disenfranchised and cannot participate in election of the Board of Directors or participate in the modification of HOA policies and procedures.

Voting Members also vote for members of the Board of Directors; however, according to HOA documents, only the Neighborhood Committee Chair can officially cast the Voting Members ballots. Without a Neighborhood Committee, Voting Members ballots are not tallied in the Board of Directors election.

Contact information for Neighbor Committee members is available from Eastwood Property Manager.

### **Eastwood Board of Directors:**

The Eastwood Community Association (ECA) is not-for-profit organization with a two million dollar annual budget. While a Property Manager manages the day-to-day operation of the Association, an elected Board of Directors is responsible for running the organization. The ECA has a total of 7 members on its Board of Directors. Six members are elected from the various Eastwood neighborhoods, while one member represents the Eastwood Golf Club.

The Preserve does not have a separate Board of Directors. Instead, since the Preserve neighborhoods comprise one-third of the homes in Eastwood, the Preserve has one-third of the elected positions on the Board of Directors. These elected positions are called District Directors.

Each January, three of the six District Director positions are up for election. The following January, the other three positions are up for election. Consequently, once elected, a District Director serves a two-year term.

Each January, an annual election is held and each Voting Member may cast one ballot for a District Director to represent them on the Board. Two of the District Directors are from the Preserve neighborhoods, one from each of the districts shown below. Please note, unless a neighborhood has a Neighborhood Committee, the Voting Members ballots are not counted.

#### District 5

Augusta (70 homes)  
Heather Glen (28 homes)  
Kensington (191 homes)

#### District 6

Merion Pointe (53 homes)  
Kings Pointe (72 homes)  
Riviera Pointe (51 homes)  
Northwood (190 homes)

After each year's election, the Board of Directors elects the Association's President, Vice-President, Secretary and Treasurer.

Once a month, the Board holds a "Regular Meeting", usually at the Eastwood pool cabana. Check the "Events Calendar" on the community website for specific dates, times and locations. "Special Meetings" such as budget workshops are held as needed. The beginning of each Regular Meeting is always reserved to hear questions and concerns of residents. The agendas

and the minutes from all meetings are posted in the "Documents" section of the community website.

The Board appoints "standing committees" to not only provide oversight of various tasks, but to also advise and make recommendations to the Board. The Board has approved the following committees:

- Landscaping Committee
- Modifications Committee
- Preserve Gate Violations Committee
- Preserve Safety and Access Committee

Contact information for the Board of Directors or for members of any standing committee is available from Eastwood Property Manager.

#### **Preserve Safety & Access Committee (PSA):**

As you might guess, the purpose behind the Preserve Safety and Access Committee is to provide day-to-day oversight of the prohibition on street parking within the Preserve neighborhoods (safety) and to provide day-to-day oversight of the operations of the gatehouse (access).

The committee is comprised of a maximum of five volunteers appointed each February by the Board of Directors. The committee members elect their chairperson.

Once a month, the PSA Committee holds a meeting at the Eastwood pool cabana. Check the "Events Calendar" on the community website for specific dates, times and locations. The first 15 minutes of these meetings are reserved to hear questions and concerns of residents. The agenda for these meetings will be posted on the community website.

The PSA Committee monitors the Access Control System logs on a regular basis to verify the Access Control Officers are recording the driver's name and a license plate number for each visitor entering the Preserve. The PSA Committee also periodically monitors the gatehouse security cameras to ensure the gates and gatehouse personnel are operating as per established protocols. Lastly, the PSA Committee (along with the property management company) review the photos and accompanying reports submitted by the towing company for each vehicle removed from the Preserve for violating the Preserve Parking Resolution.

Contact information for Preserve Safety & Access Committee members is available from Eastwood Property Manager.

#### **Preserve Gate Violations Committee (PGVC):**

As of July 1, 2011, Florida Statute 720.305 states, "A fine or suspension may not be imposed without at least 14 days' notice to the person sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. "

Since the Eastwood Community Association has historically suspended resident gate openers for various gate infractions, a Preserve Gate Violations Committee was created to provide residents the opportunity for a hearing prior to any suspension.

The committee is comprised of three volunteers appointed each February by the Board of Directors. The committee members elect their chairperson.

Since violations resulting in a suspension of resident gate openers are extremely rare, the Preserve Gate Violations Committee does not hold regular monthly meetings. Instead, meetings are held as needed. Check the "Events Calendar" on the community website for specific dates, times and locations.

Contact information for Preserve Gate Violations Committee members is available from Eastwood Property Manager.

**Preserve Parking Resolution:**

The following pages list the Preserve Parking Resolution and its history. The attachments...

**ATTACHMENT A – GATE PASS**  
**GATE PASS SAMPLE**

**ATTACHMENT B – STANDARD PARKING PERMIT**  
**STANDARD PARKING PERMIT SAMPLE**  
**STANDARD PARKING PERMIT APPLICATION**

**ATTACHMENT C – EXTENDED PARKING PERMIT**  
**EXTENDED PARKING PERMIT SAMPLE**  
**EXTENDED PARKING PERMIT APPLICATION**

**ATTACHMENT D – VARIANCE**  
**VARIANCE SAMPLE**  
**VARIANCE APPLICATION**

Attachments are not included in this manual to prevent residents from counterfeiting parking passes. The attachments are available for review at the HOA's property management office in the Eastwood pool cabana.



## Parking Resolution History:

- In May 2002, the Eastwood Community Association held a meeting of all Eastwood residents at Timber Creek High for the purpose of discussing on-street parking within Eastwood.
  - The minutes of that meeting show...

### QUESTION OF CONSENSUS OF THOSE PRESENT

Mr. Bartkowiak: By show of hands, those Residents of the Preserve who favor enforcement of existing rules regarding street parking—i.e., no street parking—versus those Residents of the Preserve who do not favor enforcement of existing rules regarding street parking—i.e. wish to allow street parking—on the streets in the Preserve.

MAJORITY OPINION OF THOSE PRESENT: Residents of the Preserve favor enforcement of existing rules regarding street parking—i.e., no street parking— by an overwhelming majority.

### MOTION TO REAFFIRM

Mr. Kozlowski: Article IX, Section 3, of the Amended, Restated and Consolidated Declarations of Covenants and Restrictions for Eastwood ("Declaration"); "Prohibited Vehicle," Resolution No. 0297—dated 3/21/97; and ECA Board Resolution BOD 002 approved August 22, 2001—specifically—Resident's Guide Rule 31 Parking, i.e. "existing rules and regulations regarding street parking" for the Preserve.

Second Mr. Bartkowiak.

The floor was opened for debate by members of the Board. No debate ensued. Question was put to a vote.

MOTION CARRIED All Members present voting to affirm

### MOTION TO REAFFIRM

Mr. Kozlowski: Article X, Section 1 of the Amended, Restated and Consolidated Declarations of Covenants and Restrictions for Eastwood ("Declaration"); Article V, Section 9(a) of that same Declaration; ECA Board Resolution 001 adopted April 18, 2001; and ECA Board Resolution BOD 002 approved August 22, 2001—specifically—Resident's Guide Rule 4 Enforcement, i.e. "existing rules regarding enforcement" for the Preserve.

Second Mr. Bartkowiak.

The floor was opened for debate by members of the Board. No debate ensued. Question was put to a vote.

MOTION CARRIED All Members present voting to affirm

### MOTION

Mr. Bartkowiak: The Board shall create a Parking Committee the membership of which shall be one (1) member drawn from each District. The Parking Committee's function shall be to create a procedure for Board consideration and approval of parking variances and Association enforcement for streets other than those in the Preserve, i.e., the public streets of Eastwood.

Second Mr. Kozlowski.

The floor was opened for debate by members of the Board. No debate ensued. Question was put to a vote.

MOTION CARRIED All Members present voting to affirm

- Between May 2002 and October 2002, the newly-formed Parking Committee worked with the Association's legal counsel to draft a Preserve Parking Resolution, in accordance with ECA documents and state/local codes applicable at that time.
- The Preserve Parking Resolution was enacted unanimously by the Board of Directors for Eastwood Community Association, Inc. at its October 8, 2002 Board meeting.
- Revision 001 of the Preserve Parking Resolution was approved by the Board of Directors for Eastwood Community Association, Inc. at its July 25, 2005 Board meeting to provide residents with the right-of-appeal if the Preserve Safety & Access Committee denied a parking variance. Previously, the ruling of the PSA Committee was final.
- Revision 002 of the Preserve Parking Resolution was approved the Board of Directors for Eastwood Community Association, Inc. at its October 18, 2006 Board meeting to document Gate Passes, Standard Parking Permits, Extended Parking Permits and Variances; as well as, to document the removal of vehicles parked in violation of state or local laws, regardless of whether or not the vehicle has a parking pass or permit. While the Association had been using parking passes since the parking resolution was originally implemented, the passes were not documented in the resolution. The additional parking restriction to remove "vehicles parked in violation of state or local laws, regardless of whether or not the vehicle has a parking pass or permit" was suggested by the Association's legal team. A judge might ponder why an Association's parking rules are enforced, but state or local jurisdictions parking rules were not?
- In 2003, there was a Gate Committee which provided oversight of the gatehouse – and a Parking Committee which provided oversight of the parking restrictions in the Preserve. The Preserve Safety and Access Committee (PSA) was created when the Eastwood Board of Directors disbanded the Gate Committee and asked the Parking Committee to assume oversight of the gatehouse. As you might guess, the purpose behind the PSA Committee is to provide day-to-day oversight of the prohibition on street parking within the Preserve neighborhoods (safety) and to provide day-to-day oversight of the operations of the gatehouse (access).
- The Preserve Parking Resolution is enforced by towing vehicles found parked in violation of the parking restrictions. The towing company under contract to the Eastwood Community Association must photograph any vehicle found in violation of the Preserve Parking Resolution prior to the vehicle's removal. Said photographs and an accompanying towing report must be emailed to the Association's management company within 24 hours of the vehicle's removal. Afterwards, members of the PSA Committee review said photos to ensure the vehicle's removal was in full accordance with the parking resolution.



# *Eastwood Community Association,* *Inc*

## **Resolution No. 004.002 – Adoption of Rules and Regulations Governing Parking Within The Preserve Neighborhood**

WHEREAS, EastWood Community Association, Inc. (hereinafter referred to as the "Association"), has as one of its core purposes the promotion of the health, safety and welfare of the property owners and their families within the EastWood community; and

WHEREAS, Article IX, Section 3 of the Amended, Restated and Consolidated Declarations of Covenants and Restrictions for EastWood (hereinafter referred to as the "Master Declaration") specifically provides that the parking and storage of automobiles and other motor vehicles (including commercial or recreational vehicles, cars, boats, campers, trailers and vans, golf carts, mobile homes and other water crafts) may not be permitted on the Properties comprising the EastWood community except in certain designated areas, if and when the Board of Directors designates such areas; and

WHEREAS, Article IX, Section 3 of the Master Declaration further specifically authorizes the Board of Directors to enact additional rules and regulations pertaining to parking, and further empowers the Board of Directors to enforce the terms of the Master Declaration and the parking regulations enacted thereunder by authorizing and directing, or contracting with a duly licensed towing company for, the towing of vehicles which are in violation of the parking regulations so enacted; and

WHEREAS, Article I of the Amended Supplemental Declaration to Amended, Restated and Consolidated Declaration of Covenants and Restrictions for The Preserve at EastWood (hereinafter referred to as "The Preserve Declaration") reflects that the roadways with The Preserve are private and constitute Common Areas owned by the Association; and

WHEREAS, Article I, Section 6(d) of The Preserve Declaration expressly provides that the rights and easements of enjoyment that Owners have with respect to the private roadways within The Preserve are subject to reasonable regulation by the Association; and

WHEREAS, Section 720.305(1), *Florida Statutes*, provides that each Owner, together with each Owner's tenants, guests and invitees, must comply with the terms of the Master Declaration, The Preserve Declaration and the rules enacted by the Association;

WHEREAS, Section 715.07, *Florida Statutes*, authorizes the towing of vehicles impermissibly parked on private property;

WHEREAS, the Association's Board of Directors and Parking Committee have determined that it is in the best interests of the EastWood community to restrict the parking and storage of automobiles and other motor vehicles (as defined in Article IX, Section 3 of the Master Declaration) within The Preserve Neighborhood in order to better provide for: (a) the safety of all adults and children within The Preserve Neighborhood; (b) a reduction in the likelihood of vehicular accidents traceable to obstructed views of drivers traveling through The Preserve Neighborhood; (c) the efficient access to and from The Preserve Neighborhood for homeowners, residents, and letter carriers, firefighters, law enforcement officials, EMTs, trash pick-up services, and other public service providers; (d) the efficient and proper use of all sidewalks within The Preserve Neighborhood for

pedestrian traffic; (e) the promotion of aesthetic and market value concerns applicable to The Preserve Neighborhood; and (f) the detection and reporting of unauthorized vehicles within The Preserve Neighborhood in an effort to stem potential criminal activities;

THEREFORE, BE IT RESOLVED that the following rules and regulations shall be effective as of the date of adoption by the undersigned Board of Directors;

1. Parking and/or storage of any automobile or other motor vehicle (as defined in Article IX, Section 3 of the Master Declaration) on any of the private roadways of, or upon or across any grassy area within, or upon or across any of the sidewalks within, The Preserve Neighborhood is prohibited.
2. The Board of Directors recognizes that exceptions to the street parking prohibition are appropriate to accommodate special social events occurring from time to time at private residences within The Preserve Neighborhood. However, no on-street parking shall be allowed unless and until all driveway space has first been used and remains in use for the parking and storage of motorized vehicles utilized as ordinary means of transportation. **RESIDENTS AND THEIR GUESTS MUST FIRST USE ALL SPACE IN THE DRIVEWAY FOR PARKING THEN, AND ONLY THEN, SHALL ON-STREET PARKING BE PERMITTED.** In the event that a homeowner or resident wishes to obtain permission to park one or more vehicles on the private roadways of The Preserve Neighborhood in connection with a special social event, that homeowner or resident shall request written authorization from the Association via one of the following forms..
  - a) Gate Pass – The intent of a Gate Pass is to ensure visitors requiring short term parking of six hours or less (e.g., dinner guests, card game participants, etc.) have authorization to park on the street if space is not available in the resident's driveway. A Gate Pass may be obtained from the Preserve gate attendant any day of the week starting as early as 6 am but ending no later than 2 am (subject to the ultimate control of the Board of Directors and oversight of the Preserve Safety & Access Committee). Gate Passes cannot be issued in advance of their intended time of use. There is no written application required to obtain a Gate Pass. Gate Passes are valid for up to six hours (non-renewable) and are subject to the Terms of Use printed on the pass. All Gate Passes expire at 2 am regardless of the time issued. Each Gate Pass shall conspicuously reflect the date (month, day and year) and specific hours of validity thereon. All Gate Passes shall be positioned underneath the front windshield of the vehicle for which it has been issued, and must be clearly visible to a person outside of the vehicle. Further, it shall remain the homeowner's or resident's ultimate responsibility to notify arriving guests of these requirements; as well as, the Terms of Use for a Gate Pass. Refer to Attachment A for a sample Gate Pass and its Terms of Use.
  - b) Standard Parking Permit – The intent of a Standard Parking Permit is to ensure visitors requiring short term parking greater than six hours (e.g., holiday gatherings, birthday parties, etc.) have authorization to park on the street if space is not available in the resident's driveway. Since these permits authorize on-street parking for an extended period of time, these permits may only be obtained from the Association's management company on any normal business day during normal business hours (subject to the ultimate control of the Board of Directors and oversight of the Preserve Safety & Access Committee). Standard Parking Permits can be issued in advance of their intended time of use. For example, a Standard Parking Permit can be issued on Monday for a birthday party to be held

the following Sunday. Standard Parking Permits are valid for up to 20 hours (non-renewable) and are subject to the Terms of Use printed on the permit. All Standard Parking Permits expire at 2 am regardless of the time issued. Each Standard Parking Permit shall conspicuously reflect the date (month, day and year) and specific hours of validity thereon. All Standard Parking Permits shall be positioned underneath the front windshield of the vehicle for which it has been issued, and must be clearly visible to a person outside of the vehicle. Further, it shall remain the homeowner's or resident's ultimate responsibility to notify arriving guests of these requirements; as well as, the Terms of Use for a Standard Parking Permit. Refer to Attachment B for a sample Standard Parking Permit and its Terms of Use; as well as, the Application for a Standard Parking Permit.

- c) Extended Parking Permit – The intent of a Extended Parking Permit is to ensure visitors requiring overnight parking (e.g., guests from out-of-town, visiting relatives, etc.) have authorization to park on the street if space is not available in the resident's driveway. Since these permits authorize on-street parking for an extended period of time, these permits may only be obtained from the Association's management company on any normal business day during normal business hours (subject to the ultimate control of the Board of Directors and oversight of the Preserve Safety & Access Committee). Extended Parking Permits can be issued in advance of their intended time of use. For example, an Extended Parking Permit can be issued on Monday for relatives visiting the following weekend. Applications for an Extended Parking Permit must be accompanied by evidence that the Applicant's need exceeds their maximum intended capacity to store motor vehicles. The number of Extended Parking Permits issued will be limited to the number of vehicles that can be accommodated directly in front of the Applicant's own residence. Extended Parking Permits are valid for up to 72 hours (non-renewable) and are subject to the Terms of Use printed on the permit. Each Extended Parking Permit shall conspicuously reflect the dates (month, days and year) and specific hours of validity thereon. All Extended Parking Permits shall be positioned underneath the front windshield of the vehicle for which it has been issued, and must be clearly visible to a person outside of the vehicle. Further, it shall remain the homeowner's or resident's ultimate responsibility to notify arriving guests of these requirements; as well as, the Terms of Use for an Extended Parking Permit. Refer to Attachment C for a sample Extended Parking Permit and its Terms of Use: as well as, the Application for an Extended Parking Permit.

3. Nothing herein shall be construed to prohibit the temporary parking on the private streets of The Preserve Neighborhood of construction, delivery and other public and private service vehicles engaged in a bona fide service purpose within The Preserve Neighborhood. All temporary parking of construction, delivery and other public and private service vehicles shall conform to state or local laws. Any construction, delivery and other public and private service vehicles parked in violation of state or local laws, regardless of whether or not it has a parking pass or permit, shall be subject to being towed from The Preserve Neighborhood at the owner's and/or operator's sole expense.

4. In the event that special or extraordinary circumstances exist, the Board of Directors may consider and grant variances to the prohibitions contained in paragraph 1 of this Resolution. However, such variances shall be sparingly granted and must be supported by truly

compelling circumstances; otherwise, the exceptions may swallow the rule, thereby undermining the objectives upon which this Resolution is based. Use of a resident's garage and/or driveway for purposes beyond the parking or storage of anything but motor vehicles utilized as the ordinary means of transportation for members of that household, in and of itself, fails to qualify under this Resolution as either special or extraordinary. Any homeowner or resident wishing to request a special variance from the prohibitions expressed in these rules and regulations must submit a written petition to the Association's Preserve Safety and Access Committee, which petition shall detail the special or extraordinary circumstances supporting the request for variance. All petitions shall be delivered to the Preserve Safety and Access Committee, Eastwood Community Association, Inc. c/o the Association's management company. The Preserve Safety and Access Committee shall convene within thirty (30) days of its receipt of any such petition, and shall notify the petitioning party of the location, date and time of its meeting to consider the petition. The petitioning party shall be encouraged to attend the meeting of the committee considering the petition and present whatever evidence and argument that party believes warrants the grant of an exception to the prohibitions expressed in these rules and regulations. The Preserve Safety and Access Committee's findings and resultant decision shall become an enforceable action of the Eastwood Community Association. The Preserve Safety & Access Committee shall then inform both the Board of Directors and the petitioning party of the committee's decision within seven (7) days. Once notified, the petitioning party may appeal the decision directly to the Board of Directors by submitting a written request to appeal to the Association's management company within fourteen (14) days. The petitioning party's request shall then be added to the agenda of the next regular meeting of the Board of Directors. The petitioning party shall be encouraged to attend the meeting of the Board of Directors considering the petition and present whatever evidence and argument that party believes warrants the grant of an exception to the prohibitions expressed in these rules and regulations. The Board of Directors shall then deliberate and issue its decision on the petition, which decision shall be final and binding upon the petitioning party. Variances shall be reviewed on an annual basis. Refer to Attachment D for a sample Variance and its Terms of Use: as well as, the Application for a Variance.

5. The Association shall contract with a towing service operating in compliance with the legal requirements of Section 715.07, *Florida Statutes*, to erect TOW AWAY ZONE signs on the property in compliance with state and local laws. Additionally, the Association shall erect a sign at the entrance to the property to notify all of the fact that vehicles parked and/or stored on any of the private roadways of, or upon or across any grassy area within, or upon or across any of the sidewalks within, the Preserve Neighborhood are subject to being towed at the owner's or operator's sole expense.
6. Any automobile or other motor vehicle (defined in Article IX, Section 3 of the Master Declaration) that is either parked or stored on any of the private roadways of The Preserve Neighborhood and: (a) does not properly exhibit a Gate Pass, Standard Parking Permit, Extended Parking Permit, or Variance or (b) lacks evidence of written authorization from the Board of Directors to be so parked or stored, or (c) is parked in violation of state or local laws, regardless of whether or not it has a parking pass or permit, shall be subject to being towed from The Preserve Neighborhood at the owner's and/or operator's sole expense.
7. Any automobile or other motor vehicle (defined in Article IX, Section 3 of the Master Declaration) that is either parked or stored upon or across any grassy area within The Preserve Neighborhood shall be subject to being towed from The Preserve Neighborhood at the owner's and/or operator's sole expense.

8. Any automobile or other motor vehicle (defined in Article IX, Section 3 of the Master Declaration) that is either parked or stored upon or across any of the sidewalks within The Preserve Neighborhood shall be subject to being towed from The Preserve Neighborhood at the owner's and/or operator's sole expense.
9. Any automobile or other motor vehicle (defined in Article IX, Section 3 of the Master Declaration) that is parked anywhere along the nonresidential portion of Golfway Boulevard within The Preserve Neighborhood shall be subject to being towed from The Preserve Neighborhood at the owner's and/or operator's sole expense.
10. Preserve homeowners and residents identified by the Association's management company as delinquent in their association dues shall lose all parking privileges on the private streets of the Preserve until such time as their account is settled. These privileges include any on-street parking for the resident and their guests; as well as, access to Gate Passes, Parking Permits and Parking Variances. The Association's management company shall identify delinquent Preserve homeowners and inform both the Board of Directors and the Preserve Safety and Access Committee that the homeowner should be denied the use of ECA facilities as described above. The Preserve Safety and Access Committee (unless otherwise directed by the Board of Directors) shall then instruct the Preserve gate attendants not to issue any Gate Passes to the applicable address.
11. The terms of this Resolution shall go into effect immediately upon adoption by the Board of Directors. Copies of this Resolution shall be mailed to all homeowners appearing on the ownership roster of the Association at the addresses reflected thereon. There shall be a thirty (30) day grace period from the date of mailing to the date of actual enforcement, however. This thirty (30) day grace period is intended to permit homeowners and residents adequate time to make appropriate arrangements for compliance with the terms hereof, together with providing non-resident owners adequate time to apprise their tenants, guests and/or invitees of the terms hereof.
12. The terms of this Resolution shall be re-evaluated by the Board of Directors within ninety (90) days of the expiration of the thirty (30) day grace period provided for hereinabove. Based upon the actual experiences that arise during this interim period, the Board of Directors may amend the terms of this Resolution if circumstances warrant.
13. It shall remain the ultimate responsibility of each homeowner within The Preserve Neighborhood to inform his or her family members, tenants, guests and/or invitees of the scope of these rules and regulations and to ensure compliance therewith.
14. The provisions of this Resolution shall be supplemental to any and all other enforcement remedies provided for in the governing documents of the Association, other rules and regulations of the Association, or otherwise as may be available under law.

**ATTACHMENT A – GATE PASS**  
**GATE PASS SAMPLE**

**ATTACHMENT B – STANDARD PARKING PERMIT**  
**STANDARD PARKING PERMIT SAMPLE**  
**STANDARD PARKING PERMIT APPLICATION**

**ATTACHMENT C – EXTENDED PARKING PERMIT**  
**EXTENDED PARKING PERMIT SAMPLE**

**EXTENDED PARKING PERMIT APPLICATION**

**ATTACHMENT D – VARIANCE**  
**VARIANCE SAMPLE**  
**VARIANCE APPLICATION**