

## **Solterra Resort Homeowners Association, Inc.**

A Corporation Not-For-Profit

### **RESOLUTION OF THE BOARD OF DIRECTORS ADOPTING SUPPLEMENTAL PARKING RESTRICTIONS**

WHEREAS, Solterra Resort Homeowners Association, Inc. ("Association") is the corporation charged with the enforcement of the covenants and restrictions governing the properties and homes subject to and encumbered by that certain Amended and Restated Declaration of Covenants, Conditions, Easements and Restrictions for Solterra Resort, recorded in Official Records Book 8825, Page 1490, *et seq.*, of the Public Records of Polk County, Florida, as amended and supplemented from time to time ("Declaration");

WHEREAS, Article 8, Section 8.01.H. of the Declaration provides that the Board of Directors may from time to time promulgate rules which restrict, limit or prohibit the use of any parking area which may be in front of, adjacent to or part of any Lot as a parking place for personal passenger vehicles, commercial vehicles, buses, trailers, recreational vehicles, self-propelled motor homes, motorcycles and boats;

WHEREAS, the Board of Directors of the Association does hereby determine that the adoption of supplemental parking restrictions is required to effectuate the better management of the community, and;

WHEREAS, all supplemental parking restrictions contained herein are deemed to be relevant by the Board of Directors.

NOW, THEREFORE, it is hereby resolved as follows:

All vehicle owners or other legally authorized persons in control of any vehicle entering onto the Solterra Resort, located at 5200 Solterra Boulevard in Davenport, Florida, agree to abide by all parking rules as established by the Declaration of Covenants, Conditions, and Restrictions (CC&Rs) and Rules and Regulations of the Solterra Homeowners Association, Inc. In accordance with Florida Statute, Chapter 715, the Solterra Resort may cause any vehicle or vessel parked on such property without permission or not within compliance of established guidelines to be removed by a person regularly engaged in the business of towing vehicles or vessels, without liability for the costs of removal, transportation, or storage or damages caused by such removal, transportation, or storage. Article 8, Section 8.01(H) of the Solterra Resort CCRs also empowers the Board of Directors to promulgate additional parking guidelines.

Therefore, parking is only allowed as provided for in these parking rules, which include but are not limited to:

- **No street parking is allowed except within the designated, marked spaces along the curb.**
- Owners, residents, and guests shall first fully utilize the garage for parking of vehicles and once the garage is full, the driveway shall be fully utilized as the second option.

- Each townhome has two designated parking spaces with the unit number clearly marked on the stall. Vehicles improperly parked in a space marked for another unit is subject to immediate towing.
- Only after the garage, driveway, and designated townhome parking spaces are utilized may a vehicle park on the street. Vehicles must be parked in designated spaces and placed fully within the striped pavement markings if provided.
- Parking in common area parking spaces (not including the clubhouse/amenity center) shall be on a first come/first serve basis. However, vehicles shall not be parked in the same space for more than three (3) consecutive days or may be subject to towing.
- No overnight parking at the clubhouse is allowed. Violators are subject to immediate towing.

### **Towing Guidelines**

- Management or its designated agents will monitor for vehicles that are eligible for towing under the below criteria and issue a notice at least twenty-four (24) hours prior to the vehicle being towed, except in cases where the vehicle is a) parked on the street other than within the designated, marked parking spaces, b) parked in a manner which may impede the passage of emergency vehicles, including utility repair vehicles, or c) on any lawn or greenspace.
- Vehicles cannot be parked on the street except in marked spaces.
- Towing must be conducted in accordance with all state and county laws and ordinances.
- The management company and tow companies shall maintain a list of authorized agents who can authorize towing, which include at a minimum the Resort Management team, Concierge and all persons assigned as Gate Attendants or Community Patrols along with the Area Supervisor of the security company. Only approval by the Community Development District (CDD) or the Association can change the authorized agents. No one else shall have the authority to request to have a car towed. Individual owners may request tows for disabled vehicles or if a car is blocking their driveway or parking on their private property without permission from authorized agents. But in those circumstances the owner or person requesting the tow shall be the agent and the Resort is not involved or responsible in any way.
- Vehicles may also be towed for the following reasons:
  - Parking on the street outside of the designated, marked parking areas.
  - Blocking or impeding the passage of emergency vehicles, including utility repair vehicles;
  - Extending over the markings for a parking spot;
  - Blocking or impeding passage on the sidewalk;
  - Vehicles parked on any portion of Solterra common property;
  - Vehicles with expired registration, expired license plates, flat tires or in any other state of disrepair and cannot be moved under their own power;

- Commercial vehicles, recreational vehicles, trailers, self-propelled motorhomes, motorcycles and boats parked on Association common property or the streets.
- Any persons listed on the authorized agent list shall have the authority at any time they observe a parking violation to call or preferably email the towing company and request a tow.
- The tow driver must take photos prior to moving the vehicle. The photographic evidence must be undeniably clear that the vehicle was in violation of any of the rules listed above.
- Once the vehicle is towed and on site at the towing company, the towing company shall as quickly as possible send an email to the Association Manager and any other designated persons with the photos attached. The subject of the email should include the closest address or general area from where the vehicle was towed and the color and make of the vehicle.

The undersigned, as President and Secretary of the Association hereby certify that the above Resolution of the Board of Directors Adopting Supplemental Parking Restrictions is a true and correct copy of the Resolution approved by the Board of Directors at its meeting held on the 18<sup>th</sup> day of December, 2019, which shall serve as the effective date of this Resolution.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

Signed, sealed and delivered  
in the presence of:

SOLTERRA RESORT HOMEOWNERS  
ASSOCIATION, INC.

Gary Mee  
(Sign - Witness 1)  
GARY MEE  
(Print - Witness 1)

[Signature]  
(Sign - Witness 2)  
BRYON T. LOPRESTE  
(Print - Witness 2)

Gary Mee  
(Sign - Witness 1)  
GARY MEE  
(Print - Witness 1)

[Signature]  
(Sign - Witness 2)  
BRYON T. LOPRESTE  
(Print - Witness 2)

By: [Signature]  
(Sign)  
James P. Harvey  
(Print)

President, Solterra Resort Homeowners  
Association, Inc.

Attest: Candice Smith  
(Sign)  
Candice Smith  
(Print)

Secretary, Solterra Resort Homeowners  
Association, Inc.

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing was acknowledged before me this 18<sup>th</sup> day of DECEMBER, 20 19, by James P. Harvey, as President, and Candice Smith, as Secretary, of SOLTERRA RESORT HOMEOWNERS ASSOCIATION, INC., a Florida not for profit corporation, on behalf of the corporation, who are personally known to me or who have produced \_\_\_\_\_ as identification.

NOTARY PUBLIC  
[Signature] (Sign)  
BRYON T. LOPRESTE (Print)

State of Florida, At Large  
My Commission Expires 01-27-20

