

Exhibit "F"

Initial Rules and Regulations of the Architectural Control Board

Architectural Criteria and Building Restrictions

1. Residential Buildings. No building shall be erected, placed or permitted to remain on any Lot other than one (1) detached single-family dwelling and attached garage. Notwithstanding the foregoing, buildings and structures accessory to the use of the family occupying the dwelling may be erected on the Lot upon approval by the ACB provided that any such accessory buildings do not furnish residential accommodations for an additional family.
2. Building Lines. No structure shall be constructed on any lot closer to the lot lines shown on the Site Plan approved by the Indian River County Sheet No. C-2, unless otherwise approved by the ACB.
3. Building Height. The dwelling on each Lot shall not exceed thirty-five (35) feet in height and shall not contain more than two (2) stories.
4. Minimum Floor Area. One (1) Story dwellings located on a Lot shall contain not less than thirteen hundred fifty (1,350) square feet of livable floor area, air conditioned and enclosed exclusive of garages and open or screened porches, and terraces or patios. Two (2) Story dwellings located on a Lot shall contain not less than eleven hundred (1,100) square feet of livable first floor area, air conditioned and enclosed exclusive of garages and open or screened porches, second floors and terraces or patios.
5. Construction Quality. No used materials shall be permitted in the construction of any Structure. All construction shall be completed within one year from the commencement date of construction. All dwellings shall be constructed in conformity with any and all applicable land use regulations of Indian River County or any other regulatory agency having jurisdiction over the Project shall be required, in addition to the requirements of these Covenants. In case of any conflict, the more stringent or restrictive requirements shall govern.
6. Exterior Treatments. Stucco, decorative block, wood, brick and stone shall be allowed as exterior treatments. Homes must be substantially constructed from concrete block and stucco exclusive of the second floor which can have perimeter walls

framed of wood (2" x 6" minimum dimension) and exterior finish of stucco. Wood siding is not allowed. The use of any type of material other than the foregoing or such use of more than two (2) materials (other than roof material and glass) shall not be permitted unless specifically approved by the ACB. The front elevation material treatment shall have reasonable continuity on the side and rear elevations. All finish materials and color plans shall be submitted for approval by the ACB.

7. Roofs. Flat roofs may be permitted over Florida rooms, porches, patios and terraces if specifically approved by the ACB. There shall be no flat roof on any other part of the building unless the ACB determines that such flat roof is part of an overall acceptable modern or contemporary design. No built-up roof shall be permitted on pitched surfaces. The minimum specification for composition of all pitched roofs shall be of twenty-five (25) year, or greater, dimensional grade fiberglass shingles only. The roof pitch on the pitched roofs shall not be less than 5/12 unless otherwise approved by the ACB. Roof materials may not be in the following colors: green, purple, yellow, or red. The color of all tile roofs must be approved by the ACB. The overhang of all eave and gable roof ends shall be a minimum of 12 inches (twelve).

8. Garages. No garage, tool shed or storage room may be constructed separate and apart from the dwelling. Each dwelling shall have a private and enclosed garage for not less than two (2) vehicles. With the exception of a garage being temporarily accessed, the garage doors shall remain closed at all times. No carport shall be permitted. No garage shall be permanently enclosed or converted to other use without the substitution of another garage on the Lot meeting the requirements of this Declaration. All garages shall have a minimum width of 18'-6" measured from the inside walls of the garage. Garages shall have a single overhead door with a minimum door width of sixteen (16) feet. No garage door shall exceed eight (8) feet in over all height.

9. Driveways. An owner shall repair in a neat and orderly fashion any and all roadways broken in construction of a driveway entrance. No ribbon driveways shall be constructed. For the purpose of the restrictions, the term "ribbon driveway" shall mean two (2) paved driving lanes separated by an unpaved area. No asphalt driveways shall be permitted.

10. Swimming Pools and Hot Tubs. All swimming pools constructed on a Lot

shall be composed of materials specifically approved by the ACB. Above ground swimming pools shall not be constructed on any Lot. Above ground hot tubs must be specifically approved by the ACB.

11. Recreational or Ancillary Facilities.

(a) All recreational facilities, including, without limitation by specification, swimming pools, and any other play or recreational structures including platforms, playhouses, doghouses, or other structures of a similar kind or nature (collectively referred to herein as "recreational facilities") and any patio, screening or other improvement constructed or used in connection therewith, whether on a Lot on which a dwelling is located or on an adjoining Lot purchased for the construction of any such recreational facility, shall be adequately walled or fenced and landscaped in a manner specifically approved by the ACB, and in accordance with ordinances of Indian River County, Florida, so as to provide a buffer from adjacent dwellings and prevent the general viewing thereof.

(b) No lighting of a recreational facility shall be permitted unless specifically approved by the ACB.

(c) Lighting of a recreational facility shall be designed so as to buffer the surrounding dwellings from such lighting.

(d) Basketball hoops shall be permitted provided they are permanently mounted and receive prior approval from the ACB.

(e) No trampolines shall be erected, constructed, utilized or installed on any Lot.

12. Landscaping. A landscaping plan for each Lot shall be submitted to and approved by the ACB. No artificial vegetation shall be permitted on a Lot outside of the dwelling. No structure, planting or other material shall be placed or be permitted to remain on a Lot which may damage or interfere with the elevation or slope of the surface of the Lot, create erosion or sliding problems, change the direction of flow of drainage channels or obstruct or retard the flow of water through drainage channels. The entire Lot and any portion between the street pavement and the front lot line of a Lot shall be irrigated and maintained by the Owner of the respective Lot. Floritam sod or better shall be required on the entire Lot, other than structure, tree and shrub planting and driveway areas. Each Lot shall have installed an underground irrigation system

capable of irrigating regularly and sufficiently all lawn and plant areas of the Lot and the right-of-way area in the front of the Lot between the paving and the Lot lines. Landscape irrigation systems installed on Lots adjacent to lakes or bodies of water shall not use these lakes or bodies of water as supply for said lot irrigation systems. All required landscaping irrigation and street trees shall be installed, working and in good order and condition upon the issuance of a certificate of occupancy by Indian River County, Florida. Each lot owner shall install at a minimum 2 (two) hardwood trees (minimum 2-inch diameter) in the portion of the lot adjacent to the main or front street. Each lot owner shall spend a minimum of \$500.00 (five hundred dollars) on landscaping exclusive of sod, irrigation and the required planting of the 2 hardwood trees.

13. Trees. No tree greater than three (3) inches in diameter and measured four and one-half (4.5) feet in height above the natural grade of the Lot shall be cut or removed without the specific prior approval of the ACB. The ACB may require that any such trees removed from the Lot be transplanted to a Common Property at the expense of the respective Lot Owner.

14. Non-Interference With Easements. No structure, planting or other material shall be placed or permitted to remain on a Lot which may damage or interfere with the installation and maintenance of utilities or drainage facilities located in a utility and drainage easement shown on any Plat or the installation of any fence, wall, hedge, planting, tree or other improvements or landscaping located on a non-access or screened fence easement on a Lot. The easement area located on each Lot and all improvements thereon shall be maintained continuously by the Lot Owner except for those improvements the maintenance of which is the responsibility of a public authority or private utility.

15. Utility Connections. Connections for all utilities, including, but not limited to, water, sewer, electricity, telephone and television, shall be run underground to the building structure in such a manner as is acceptable to the respective utility authority or company and the ACB.

16. Individual Water Supply. No individual drinking water supply system shall be permitted on any Lot

17. Individual Sewerage Disposal System. No individual sewerage disposal system shall be permitted on any Lot.

18. Air Conditioning Units. No window or wall air- conditioning units shall be permitted on any Lot. Compressors and fans for central air-conditioning systems

which are located outside the exterior of a building shall be screened with approved fencing or shrubs, to prevent their being viewable from any street and adjacent lot and to prevent unreasonable noise.

19. Mailboxes. Each Lot on which a residence has been completed as evidenced by issuance of a certificate of occupancy shall have upon it a mailbox, installed by the Declarant. One standard mailbox shall be approved for use in the subdivision and all lots shall use the standard mailbox. The Association shall be responsible for maintaining and/or replacing the standard mailbox, as may be required.

20. Awnings. No awnings, canopies or shutters, including hurricane or storm shutters, shall be attached or fixed to the exterior of any building unless such awnings, canopies or shutters have been approved by the ACB except for hurricane emergency situations.

21. Antenna and Aerials. No antenna or aerials shall be placed upon any Lot or fixed to the exterior of any building and no antenna or aerial placed or fixed within a building shall extend or protrude beyond the exteriors of such building without the prior approval of the ACB.

22. Clothes Drying Area. No clothing, laundry or wash shall be aired or dried on any exterior or outside portion of any Lot in an area exposed to view from any other Lot consistent with Section 15, Page 22, of this Declaration.

23. Signs. The size and design of all signs located on a Lot shall be subject to the approval of the ACB and consistent with the ordinances of Indian River County, Florida. No sign of any kind shall be displayed to general view on any Lot except under the following circumstances:

(a) Directional or traffic signs installed by the appropriate governmental authority or by the Declarant, entrance or other identification signs as installed by the Declarant;

(b) Declarant may display signs on Lots;

(c) One "For Sale" sign not more than five (5) square feet may be placed on a Lot by the original builder of the dwelling thereon;

(d) Lot Owners shall not display any sign or any character indicating that a

dwelling or Lot is for rent or for sale; however, an Owner may, at any time that he or a designated representative is in attendance, display a sign not exceeding five (5) square feet of a design approved by the ACB displaying the word "Open"; and

(e) A name plate and address plate in size and design approved by the ACB.

24. Temporary Structures. No structure of a temporary character, whether a trailer, tent, shack, garage, barn or any other such building shall be placed on any Lot; provided, however, the ACB may in its sole discretion grant permission and specify locations at which construction facilities, temporary storage or outbuildings may be located upon the Project.

25. Completion of Construction and Repairs. The construction of any new building or the repair of any building damaged by fire or otherwise, shall be completed with reasonable promptness. Any such construction shall be completed within a period of six (6) months and any damaged debris shall be removed from a Lot within one (1) month.

26. Sales Office of Declarant. Notwithstanding anything in this Declaration to the contrary, Declarant may construct and maintain a sales office together with a sign or signs relating thereto on Lots or a Lot of its choosing until such time as all of the Lots have been sold. The design of such a sales office and any signs or appurtenances shall not be subject to approval by the ACB.

27. Fencing. There shall be no fences constructed on any lot bordering one of the three ponds/retention areas. Fences on other lots shall only be constructed of white PVC type materials or white aluminum extruded rails. The maximum height for any fence shall not exceed sixty (60") inches. Prior to the construction of any fence, a fencing plan must be submitted and approved by the Architectural Control Board.

28. Minimum Floor Elevation. The minimum floor elevation of all buildings shall be the height of 1.5 feet above the crown of the road or +16.5 feet mean sea level as required by the St. Johns River Water Management District.

MISCELLANEOUS RULES

1. Any Owner who desires to construct an improvement or structure of any kind on his Lot shall submit four (4) complete sets of working plans deemed appropriate for this subdivision and samples of proposed building materials to the Architectural Control Board (the "Board").

2. The exteriors shall be consistent with the theme adopted by the Declarant.

3. With the exception of those Lots, which are adjacent to a canal, no metal chain link fences are permitted.

4. The following plant material shall not be planted in the Project: a) Melaleuca Leucadendron (cajeput tree); b) Casuarina Equisetifolia (Australian Pine); c) Schinus Terebintholius (Brazilian Pepper); d) Wedalia Trilobata (Wedalia); and f) Acacia.

5. Except when placed in front for pick-up, no garbage container shall be visible from any street.

6. No vehicles of any kind, except for construction vehicles, shall be permitted to be parked on any of the streets or roadways located within the Project at any time.

7. The Master Builder may submit master prints, color selections and plant packages, mail box and house number plaques for blanket approval.

RESOLUTION
OF THE ARCHITECTURAL CONTROL BOARD
FOR WATERS EDGE PHASE II HOMEOWNERS ASSOCIATION OF VERO BEACH,
INC.

Whereas, pursuant to Article IV, Section 1, of the Declaration of Restrictions and Protective Covenants for Waters Edge Phase II (hereinafter "Declaration"), the Architectural Control Board (hereinafter "ACB") is a standing committee of the Waters Edge Phase II Homeowners Association of Vero Beach, Inc. (hereinafter "Association") with the authority to promulgate and, accordingly, amend such rules and regulations deemed necessary to carry out the requirements of the Declaration; and

Whereas, the initial rules and regulations of the ACB are set forth at Exhibit "F" to the Declaration; and

Whereas, Article IV, Section 1, of the Declaration provides that any amendment or modification of such rules and regulations shall not be deemed an amendment or modification to the Declaration and need not be recorded in the Public Records; and

Whereas, the initial members of the ACB desire to amend Section 27 of the ACB's initial rules consistent with the desire by the Declarant/Developer to provide for a different type of fencing on the rear lot lines of Lots 61, 62 and 63 within Waters Edge Phase II for enhanced screening purposes; and

Whereas, Article VII, Section 13, of the Declaration provides for all fencing in the Project to be of the type installed by the Declarant/Developer or as approved by the ACB;

NOW, THEREFORE, be it hereby unanimously RESOLVED that Section 27 of the Initial Rules and Regulations of the ACB shall be amended to read as follows:

27. Fencing . There shall be no fences constructed on any lot bordering one of the three ponds/retention areas. With the exception of the rear lot lines for Lots 61, 62 and 63 in Waters Edge Phase II, fences on other lots (not bordering the ponds) shall only be constructed of white PVC type materials or white aluminum extruded rails. Fencing on the rear lot lines of Lots 61, 62 and 63 of Waters Edge Phase II may consist of a 6 foot tall wooden privacy fence with 6 inch vertical slats which fence shall be of natural wood color. The maximum height for any other fence shall not exceed sixty (60) inches (5 feet). Prior to the construction of any fence, a fencing plan must be submitted and approved by the Architectural Control Board.

Unanimously RESOLVED this _____ day of May, 2002 by the undersigned Members of the Architectural Control Board .



Print name: Gary Smigiel



Print name: Chris Heine