

This instrument prepared by and
should be returned to:

Robyn Severs Braun, Esquire
TAYLOR & CARLS, P.A.
850 Concourse Parkway South
Suite 105
Maitland, Florida 32751
(407) 660-1040

Cross Reference Declaration of Protective
Covenants, Conditions and Restrictions
for Hammock Dunes,
O.R. Book 392, Page 343, Public Records,
Flagler County, Florida

GAIL WADSWORTH, FLAGLER Co.

**RULE PROHIBITING THE OPERATION OF NONMEMBER OWNED MOTORCYCLES
WITHIN THE HAMMOCK DUNES COMMUNITY**

WHEREAS, Section 6.05 of the Declaration of Protective Covenants, Conditions and Restrictions for Hammock Dunes dated May 11, 1989 and recorded at Official Records Book 392, Page 343 of the Public Records of Flagler County (hereinafter "Declaration") provides that the Hammock Dunes Owners Association, Inc. (hereinafter "Association") through its Board of Directors has the right to promulgate and impose rules with respect to the use, operation and enjoyment of the residential property and the common areas; and

WHEREAS, Section 6.01(q)(2) of the Association's Declaration provides that no person shall be permitted to keep any vehicle on the Committed Property which is deemed to be a nuisance; and

WHEREAS, Section 6.01(x)(3) of the Association's Declaration, as amended by the First Amendment to the Declaration, dated June 11, 1991 and recorded at Official Records Book 449, Page 1809, Public Records of Flagler County, Florida, provides that the Board may exclude those vehicles that the Board considers nuisances; and

WHEREAS the Board of Directors of the Association, has determined that it is in the best interest of the Association to establish a Rule prohibiting persons from operating motorcycles not owned by members of the Association within the Total Property;

NOW THEREFORE, the Board of Directors of the Association promulgates the following Rule:

1. **DEFINITIONS:** The definition of any word or phrase not defined in this rule shall be given the same meaning and definition as those words and phrases defined in Article I of the Association's Declaration, as amended from time to time:

A. **MOTORCYCLE:** Any motorized vehicle having a seat or saddles for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding any bicycle or electric personal assistive mobility devise.

B. AUTHORIZED EMERGENCY VEHICLES: Fire department vehicles, police vehicles, sheriff vehicles, ambulances and emergency vehicles of municipal departments, public service corporation vehicles operated by private corporations, Department of Environmental Protection vehicles, Department of Health vehicles, and Department of Transportation vehicles.

C. MOTORIZED VEHICLE: Every motorized (mechanically or electrically powered) device in, upon, or by which any person or property is or may be transported or drawn upon a street, road or highway.

D. MOPED OR SCOOTER: Any vehicle having a seat or saddle for the use of a rider and designed to travel or not more than three wheels, with a motor rated not in excess of two brake horsepower, and not capable of speeds greater than 30 miles per hour on level ground.

E. ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE: Any self-balancing device with one axle designed to transport only one person with average power of one horsepower and not capable of speeds in excess of 20 miles per hour on level ground and any motorized wheelchair.

2. RULES:

A. The Board finds that all motorcycles, moped, and scooters not owned by a Member of the Association are nuisance vehicles.

B. It is prohibited for any person to operate, drive, or otherwise use within the Total Property any motorcycle, moped, or scooter not owned by a Member of the Association.

C. All motorcycles, mopeds, or scooters not owned by a Member of the Association must be removed from the Total Property by October 1, 2006.

D. As of October 1, 2006, the guards at all gates to the Total Property will deny access to all motorcycles, mopeds, or scooters not owned by a Member of the Association.

E. This rule does not apply to all authorized emergency vehicles.

SO RESOLVED by a majority of the Board of Directors of the Association at a duly called and noticed Board meeting, this 18 day of September, 2006.

Signed, sealed and delivered in the presence of:

Connie Eilbeck
Printed Name: Connie Eilbeck

Terus Houk
Printed Name: Terus Houk

HAMMOCK DUNES OWNERS ASSOCIATION, INC.

By: [Signature]

Printed Name: GEORGE BAGNALL

Title: President

Address: PO Box 35338

Valencia Coast FL 32135

(CORPORATE SEAL)

[Signature]
Printed Name: Travis Hout
Connie Eilbeck
Printed Name: CONNIE EILBECK

ATTEST:

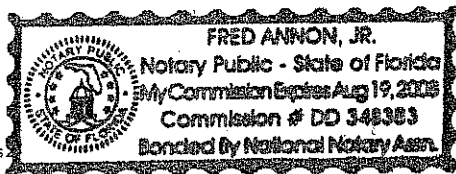
By: Cosmo J. DiPerna
Printed Name: COSMO J. DI PERNA
Title: Secretary
Address: 5 ISLAND ESTATES PKWY.
PALM COAST, FL 32127

STATE OF FLORIDA
COUNTY OF Flagler

The foregoing instrument was acknowledged before me this 20 day of September, 2006, by George Segal and Cosmo J. DiPerna, as President and Secretary, respectively, of THE HAMMOCK DUNES OWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me or have produced _____ as identification.

(NOTARY SEAL)

[Signature]
NOTARY PUBLIC - STATE OF FLORIDA
Print Name: Fred Annon Jr
Commission No.: _____
Commission Expires: _____



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