HEATHERWOOD LAKES HOMEOWNERS GUIDE

This guide is for reference purposes only and in no way replaces or revises the *Heatherwood Lakes Covenants, Restrictions, and Amendments (CRAs)*. For more detailed information please refer to the CRAs, which are the legal documents that govern the community. All community members are responsible for the contents of the CRAs. **For clarification and specifics pertaining to non Heatherwood Lakes polices (City of Cape Coral, Cape Coral Police Department, etc.). Please contact those organizations directly.

WELCOME!

We would like to welcome all new homeowners and renters to Heatherwood Lakes, a family-oriented, deed-restricted community. Each homeowner should have a copy of *Heatherwood Lakes Covenants, Restrictions, and Amendments (CRAs)*. All homeowners, as part of the sales agreement when purchasing property in Heatherwood Lakes, have agreed to abide by the Covenants and By-Laws. If you are in need of a copy of the CRAs for the development, please call the Property Manager listed on the last page of this handbook or visit the community website at www.HeatherwoodLakes.org. Please note that there is a fee if the Property Manager provides you with a copy of the CRAs. You may download a *free* copy from our community website.

What is a POA or HOA?

A POA or Property Owner’s Association, commonly called HOA or Homeowner Association, is a legal entity created to manage and maintain the common areas of a community. One of the primary functions of the POA is enforce and ensure that the individual homeowners adhere to the CRAs. The guiding principles of these regulations are normally to help maintain property values and the quality of life within the community.

Meetings

Heatherwood Lakes Board of Directors meetings are typically held each month on the last Tuesday of the month at 6:00pm at the Cabana. All residents are encouraged to attend.

Elections

The POA operates on a calendar year and holds an annual meeting and election of officers typically in August (a letter will be mail prior to this time). The POA is pleased to accept nominations from homeowners for Board positions at that time. Also, any homeowner may serve on a committee. The Board cannot serve effectively, hold meetings, or even have a quorum without a fully staffed Board of Directors.

Committees

Compliance Committee (CC): Reports CRAs violations to the Board and Property Manager, recommends fining amounts, attends resident violation hearings.
Architectural Review Committee (ARC): Reviews and approves homeowners applications for exterior modifications.
Social Committee (SC): Plans community-wide events and activities to foster a neighborly community.
Website

Please visit the website to register with a username and password. The website includes a Calendar of Events, community documents (including CRAs), Social Committee Events, discussion forum, etc. The website is not intended to replace direct communication with the Property Manager about issues, policies, or complaints. It is intended only to facilitate neighbor-to-neighbor communication and is not monitored by either the POA Board or the Property Manager. www.HeatherwoodLakes.org

Dues

Monthly assessments for POA dues in the amount of $139.00 (as of 1/1/2012) are due the 1st day of the month and considered late by the 10th day of month. Payment coupons will be mailed once a year to all homeowners. You can also pay automatically through BB&T Association Services, or through your bank’s online bill-pay service. Homeowners will be assessed a $25.00 late fee for late payments. Homeowner’s not current on their dues will not be permitted to use the cabana or pool areas. Property owners with outstanding Association dues are subject to liens and possible foreclosure of property. Please contact the Property Manager regarding any payment concerns.

What Your Dues Pay For

There are many components involved in the day-to-day operation of the Heatherwood Lakes community, most all of which are related to the maintenance of the common areas of the property. This includes the community swimming pool & cabana area, entry & exit gates, entry fountains, landscape maintenance, security, lake maintenance, utilities (electric & water), insurance, legal fees, street maintenance, and more.

Architectural Guidelines

The Architectural Review Committee (ARC) must approve any proposed modifications to the exterior of your property. A $100.00 fine will be assessed for any major changes made to the exterior of your property without prior approval from the Architectural Review Committee. Exterior changes will not be approved unless homeowner dues and/or special assessment balances are current and paid in full.

At your request, the Property Manager will provide the forms needed to request approval for an exterior modification. These forms may also be downloaded from website and must be submitted to the Property Manager for approval.

Architectural Guidelines are included in the CRAs. Exterior modifications include, but are not limited to, additions or modifications to the exterior front, rear, and side of your house and yards, fences, swimming pools, spas, screen enclosures, playground equipment, trampolines, ornamental lawn décor, planting of trees, painting, etc.
**Property Appearance**

Owners and residents shall at all times keep their home and yard in a safe, presentable and sanitary condition. Appropriate maintenance includes, but is not limited to, the watering and mowing & edging of all lawns, the trimming and cutting of all trees and shrubbery, and the painting (or other appropriate external care e.g. power washing) of homes and other improvements. Approved exterior items (e.g. play sets, basketball hoops) need to be in good repair and condition. Please refer to the CRAs, which contain detailed information regarding property maintenance.

**Lawn Replacement**

- We understand our current economic situation and realize that lawn replacement and installation of a second water meter for irrigation purposes are of substantial cost and may not be financially feasible at this time. Most lawns are in need of extensive repair or replacement. The Compliance Committee will provide the Board with suggestions regarding a plan to address this issue.

**Second Water Meter**

- Contact the **City of Cape Coral Financial Services Department at 239-242-3853 regarding the installation of a second water meter for irrigation purposes. You are currently being billed for potable (drinking) water and sewage service from your current meter. The City has indicated that a second water meter, specifically used for irrigation only (no sewage fees), can provide substantial savings to the homeowner’s monthly water bill. The current cost for this second meter is $650.00. Although expensive, the City of Cape Coral has indicated that this will pay for itself in savings over a period of several months. Contact the City of Cape Coral for updates and specifics.**

**Storm Shutters**

The official Hurricane Season is June 1 through November 30. Storm Shutters are to be used only during hurricane warnings and should be removed when warnings have expired (*please see exceptions below). Although hurricane season can be very unpredictable, below are guidelines only, which will be revised on an as needed basis from season to season (updates will be posted on the website). We can maintain a beautiful aesthetic appearance of our community while providing homeowners with opportunities to protect their properties and families.

- **First Floor Windows and Doors (single and two story homes)**-
  Storm Shutters may be used during hurricane warnings and must be removed when warnings have expired.

- **Two Story Homes**-
  Storm Shutters on the second floor windows are allowed to remain installed during the peak part of the hurricane season approximately July through September pending hurricane activity. In the event the hurricane season is very active, storm shutters may remain installed until the activity subsides. In the event the hurricane season is less active, the Board will modify this timeframe for shutter use and require shutters to be removed when warnings expire. Updates will be posted on the website.
Non-Compliance Fees (Fines)

In the event of a violation of the CRAs, homeowners will be notified by mail and have seven days to remedy the violation. In the event that the violation is not remedied after notice per the CRAs, a maximum daily fine of $100.00 may be assessed but not to exceed $2500.00 for *each* ongoing violation. See CRAs sections 8.2, 8.3 for specifics.

Basketball Hoops

Portable Basketball hoops should be placed on the easement (grass area between the street and sidewalk) and not block the sidewalk entirely (they will extend into a portion of the sidewalk). They should leave a reasonable path clear for the passage of pedestrians and should not obstruct access to mailboxes. Basketball hoops should be kept in good condition and properly weighted as designed with sand or water. The use of other weights such as concrete blocks and bricks is not permitted.

Rentals

All homeowners are required to get PRIOR approval from the Board of Directors to rent/lease their home. Applications to rent/lease your property can be obtained from the Property Manager. Each homeowner (Lessor) is responsible for the actions of their renters (Lessee’s) and their guests. Please refer to the CRAs for more details.

Trash & Waste

Trash receptacles and related waste materials should be put out the evening before trash pick-up or the morning of trash pickup. Trash receptacles and related waste may not be stored in the front of homes and should be completely out of sight. If trash receptacles can be seen, residents will be cited; the violation fee is $10 for a single offense.

Holiday Decorations

To maintain consistency throughout the neighborhood, exterior holiday decorations (e.g. Christmas lights) should not be put up prior to 60 days before holiday and should be removed prior to 30 days after the holiday.

Driveways

Only passenger vehicles may be parked in a driveway overnight. No vehicles containing commercial lettering or signs, commercial equipment, recreational vehicles (e.g. golf carts, ATV’s), personal watercraft, campers, trailers, or boats are permitted to be parked in driveway or street overnight.

Pets

Common household pets are welcome in Heatherwood Lakes in accordance with CRAs. However, all City, County & State laws and ordinances apply and are strictly enforced. Pets shall be appropriately restrained, leashed, and attended at ALL times. The CRAs restrict homeowners from having pit bull terriers. Pet owners are responsible for picking up waste from their respective pet(s). The telephone number for Animal Control is (239) 432-2083.
Safety and Security

In case of an emergency, dial 911 immediately. Cape Coral Police Department’s non-emergency telephone number is (239) 574-3223. Allegiance Security is the contracted security company that patrols our community beginning at 6:00 p.m. They can be reached at (239) 278-0000. Allegiance will address issues while on Heatherwood Lakes property, however, will not respond to a call. Please refer all police related issues and or concerns to the Cape Coral Police Department.

Child Safety and Street Use

Child safety is a primary concern for all families. By following a few guidelines and working together we can reduce the possibility of a child being injured or killed by a motor vehicle. Although Heatherwood Lakes is a “kid friendly” community and children will play in the streets (basketball, riding bicycles, etc.), we all must work together to ensure the safety of all children.

Child Supervision-
Parents are fully responsible (per conversations with the Cape Coral Police Department) for their children and should supervise their children while playing in the streets. **Please contact the Cape Coral Police Department for specifics and clarification regarding Child Endangerment, Child Neglect, Parent Responsibility, and how they are related to children playing in the streets while unsupervised.

All residents should drive slowly throughout the community and keep an eye on children playing in or near the streets at all times.

Parking

No vehicle may park on the grass, sidewalk, or extend beyond the driveway into the street. No street parking whatsoever is permitted from 11:00 p.m. to 6:00 a.m. Overnight parking is permitted at the pool for up to 48 hours. Any vehicle in violation is subject to towing. Parking permits for parking in the street during restricted hours requires a parking permit that can be obtained in advance from the Property Manager Monday through Friday during normal business hours. A homeowner must be current with their Association dues to receive a parking permit. In addition to fines and towing, any damages to sidewalk areas due to illegal parking will be the sole responsibility of the respective homeowner. Eddie’s Towing 239-574-2905-current as of 6/27/2012.

Gates

Please contact the Property Manager to obtain and or change gate code and provide telephone number for the entry call box. Each code is unique to the homeowner and should not be shared with guests or vendors. Guests and vendors may obtain access to the community through the callbox at the gate that will dial the phone number you select. Press “9” to open gate, press “*#” to deny access. Gate transponders can be purchased through the Property Manager. In the event of a power failures the gates will be automatically remain open.
Swimming Pool and Cabana

All persons using the pool do so at their own risk. Pool Hours are from **dawn to dusk**. A key fob to access the pool and key to access the restroom facilities can be obtained by contacting the Property Manager. All residents are entitled to use the pool as long as the respective homeowner is not in violation of the CRAs (e.g., late or unpaid homeowner assessment dues). Those renting/leasing from homeowners who have not paid their assessments will not be permitted to use the pool until all outstanding fees are paid.

Renting Cabana

Please call the Property Manager to complete an application and pay the $25.00 fee and $25.00 refundable deposit. Please note that if the pool/cabana area is reserved, the pool and restroom facilities remain available to all residents. The homeowner must be present during the event and is solely responsible for any damages. Please make sure that you turn off all lights and ceiling fans prior to leaving.

Miscellaneous

Mailboxes
It is illegal to post or tape notices to U.S. mailboxes. Mailboxes are maintained by the POA.

Lakes
No swimming or boating is permitted in the lakes.

Questions and Comments

Still have questions or can’t find an answer? Have a question pertaining to the contents of this quick-reference handbook, C&Rs, etc.? Contact Alliant Property Management:

**Alliant Property Management**
6719 Winkler Rd, Ste 200
Fort Myers, FL 33919
(239) 454-1101

Rev. 6/27/12. Contents of this handbook are subject to change without notice. Please reference the CRAs and the Heatherwood Lakes Website for updates and specifics.

*CRAs, commonly referred to as the C&Rs, are the actual governing documents which contain the Covenants, Restrictions, and all Amendments.*

**The information contained in this guide in no way provides legal advice and does not quote policies not governed by the Heatherwood Lakes Community. The information is based on community member’s conversations with the City of Cape Coral and the Cape Coral Police Department. Please contact the City of Cape Coral and the Cape Coral Police Department directly to confirm and clarify the information provided in this handbook pertaining to their current polices.*