

Introduction

Purpose

The Covenants and Restrictions (C&Rs) for the Linene Woods Homeowners Association (the Association) were originally developed and recorded in 1977. They are intended to preserve the character and value of the neighborhood

Responsibilities of Sellers and Buyers of Property

The C&Rs are binding on all owners of property within Linene Woods. Florida law requires sellers of property in the neighborhood to provide copies of the C&Rs to prospective purchasers of property in the neighborhood. These disclosures must be made prior to the execution of a contract for sale. The law also provides that each new parcel owner is presumed to know and understand the content of the documents governing the homeowners' association and the community. The provisions are enforceable by and against each parcel owner.

Transcription

The original C&Rs have been copied and recopied, and their legibility may be less than ideal. Therefore, the Association has prepared a transcription of the original paper C&Rs, and is making it available in Microsoft Word and Adobe PDF format. Any differences between the original C&Rs (which are still supplied to each new homeowner) and this transcription must be resolved in favor of the original.

Developer

The original C&Rs were developed and recorded by the neighborhood's Developer, Terry Fregly, and his associates, and reference the Developer in many places. The Developer is no longer associated with Linene Woods, and some of these references no longer make any sense. The transcription shows nonsensical references to the Developer in a gray font, rather than the black of the remainder of the document. This distinction is for the reader's convenience, and there is no legal significance intended by it.

Other Materials

The Table of Contents, Frequently Asked Questions, and Index were developed by the Association for the convenience of users of the C&Rs, and there is no legal significance intended by any part of these other materials.

Suggestions

If you have any suggestions to make this document more useful, please contact Linda Stalvey at 385-2158.

Frequently Asked Questions

The Association

What is the Homeowners' Association and what does it do?

The Linene Woods Homeowners' Association (LWHA) is a non-profit private association of all property owners in this neighborhood. Its purpose essentially is to help preserve and maintain the character of this residential community and the market value of the properties. It does this through insuring consistency of construction of houses, maintaining common areas and roadways, and evaluating removal of trees in order to preserve the natural tree cover that is characteristic of this neighborhood. For details, see the By-laws and Covenants and Restrictions.

Is there a legal basis for the Association?

The Linene Woods Homeowners' Association, Inc. was incorporated under the Laws of Florida on December 29, 1977. It operates under the authority of Chapter 720, Florida Statutes. The primary legal documents for the LWHA are the Articles of Incorporation, the By-laws, and the Covenants and Restrictions.

How are decisions made that concern our neighborhood, and how can I participate?

Decisions are made during meetings of the Board of Directors and the Architectural Control Committee (ACC), the annual Association meeting, and any special Association meetings. Notices of board and ACC meetings are posted 48 hours before the meeting via signs in the three entrance islands. Notices of annual and special meetings are posted 14 days before the meeting in the entrance islands. Pursuant to section 720.303, F. S., you have a right to attend and speak during the meetings. However, your speaking time can be limited to 3 minutes on each agenda item. You should notify the LWHA president or the ACC chair in advance of the meeting that you wish to speak on certain items.

How can I serve on the Board of Directors or on a committee?

Homeowners are encouraged to sign up for various committees during the annual meeting. Otherwise, a homeowner can contact the chair person of the committee. Volunteer help is always welcome. The Board of Directors is elected at the annual meeting. Volunteering and serving on committees indicates a homeowner's interest in the LWHA and is a basis for being considered for nomination to the board.

Does the Association sponsor any neighborhood activities?

From time to time, neighborhood social parties are held. These are announced by newsletter. In addition, various committees may request volunteer assistance with different work projects.

Does the Association have a web site?

Yes, the web site's address is <http://www.linewood.org>

Assessments

How much is the annual assessment, and when is it due?

The assessment is \$175 a lot and it is due no later than April 1 of each year.

What are the annual assessments used for?

Each assessment is deposited to the Association's checking account, which is the day-to-day operating fund. It is used to pay for utilities, island and road maintenance, insurance, taxes, supplies, copies, postage, a USPS mail box, and required annual reports.

Covenants and Restrictions

What are the Covenants and Restrictions?

The LWHA Covenants and Restrictions (C&R) is a document describing the obligations and authority of the Association, the Board of Directors, and the Architectural Control Committee. It also describes the limitations and obligations imposed on each lot owner. The C&R is recorded as part of each warranty deed for each lot in the neighborhood. Every lot in the neighborhood as well as the common areas are covered by the C&R.

Who must comply with the C&R?

Each member of the Association and each member's tenants, guests, and invitees. The Association also must comply. See section 720.305, F.S.

My neighbor is violating the C&R. What do I do?

Contact the board president, the secretary-treasurer or a board member (refer to your LWHA Directory for names and numbers). Please identify yourself and provide the address and the nature of the alleged violation.

Architectural Control Committee

What is the Architectural Control Committee (ACC), what does it do, and for what types of projects must I get advance approval from the ACC?

The ACC is responsible for helping insure the consistency of appearance of the neighborhood by reviewing and approving all house construction and exterior remodeling plans, and approving the removal of trees. See Article VI, Article VII, and Article IX, Section 6, of the C&R.

How do I contact the ACC?

The current chair and contact for the ACC is Will Abberger, 389 Castleton Circle, 422-0224, will.abberger@tpl.org. He will provide a request form and will explain the procedures and the kind of information the ACC will need in order to reach a decision. This form is also available on the Linene Woods website.

What does the C&R and the ACC require for the removal of trees?

Advance written approval must be obtained from the ACC if the tree measures four inches or more in diameter. Trees located within ten feet of the main dwelling or the approved site for the dwelling do not need ACC approval. However, a courtesy call to the ACC contact will let the ACC know what is happening in the event the neighbors express concern about the tree removal. See Article IX, Section 6, of the C&R.