

MUIRHEAD ESTATES

HOMEOWNER'S MANUAL

GENERAL RULES and REGULATIONS

ARCHITECTURAL REVIEW
RULES and PROCEDURES

February 2023

PLEASE KEEP THIS BOOKLET FOR FUTURE USE

MUIRHEAD ESTATES AT ABERDEEN

Dear Muirhead Homeowner:

This copy of the **Muirhead Estates Homeowner's Manual** is an update to a previous edition of the manual sent out to you in October 2022. Please destroy the previous copy and save this one for future reference.

The Board of Directors has the authority to pass rules that impact safety and the beauty of our community. Over the years, we have done that from time to time and have notified owners by mail. The attached document combines the updated Muirhead general rules and the Architectural Review Board (ARB) rules and procedures. We hope that you will find it useful. We urge you to keep this document for a time when you may have a question or need to submit an application to the Muirhead Architectural Review Committee (MARC).

It is important to keep helpful phone numbers readily available in case you require assistance. Please use the following numbers as necessary:

To call in guests or vendors not on your permanent list of regular family, friends or vendors, please call the Aberdeen Estates Automated Voice Messaging System at (561) 364-1527. For all regular family, friends or vendors, please refer to the ISN Gate System.

To reach our Muirhead Property Manager, Lisa Teets, please call: (561) 432-2703 or email at LTEETS@campbellproperty.com.

To reach Estates Road Property Manager, Lisa Teets, please call: (561) 432-2703 or email at LTEETS@campbellproperty.com.

To reach the Campbell Property Management office, please call: (561) 432-2703.

The Muirhead website is another tool with valuable information. Visit the site at: www.muirheadestates.com.

Thank you in advance for your cooperation in keeping Muirhead a community of which we can all be proud.

Sincerely,

Muirhead Estates Board of Directors

MUIRHEAD ESTATES OWNER'S MANUAL

TABLE OF CONTENTS

GENERAL RULES and REGULATIONS

A.	ROADS, GUARDS and PARKING	PAGE 5
B.	SIDEWALKS	PAGE 6
C.	NUISANCES	PAGE 7
D.	TRASH and RECYCLING	PAGE 7
E.	HURRICANE PREPARATION	PAGE 8
F.	WATER DISTRICT RULES	PAGE 9
G.	PETS	PAGE 9
H.	FENCING, BOATS & SEPARATE STRUCTURES	PAGE 9
I.	SAFETY AND SECURITY	PAGE 10
J.	MAINTENANCE AND COMPLIANCE	PAGE 10
K.	MOTOR VEHICLES	PAGE 11
L.	ITEMS RESERVED FOR MUIRHEAD ARC	PAGE 11
M.	POWERS & DUTIES OF ABERDEEN POA/ARB	PAGE 13
N.	PLANTINGS	PAGE 14
O.	STRUCTURAL CHANGES	PAGE 15
P.	PAINT COLORS FOR HOME EXTERIORS	PAGE 16
Q.	STATUARY, FLAGS & ORNAMENTATION	PAGE 17
R.	OWNER RESPONSIBILITIES (contractors)	PAGE 18
S.	ARC/ARB SUBMISSION PROCEDURE	PAGE 19
T.	SUNDAY & HOLIDAY WORK EXCLUDED	PAGE 19
U.	TRUCKS NOT PERMITTED SPECIFIED HOURS	PAGE 20
V.	VIOLATIONS	PAGE 21

MUIRHEAD ESTATES: GENERAL RULES and REGULATIONS

A. ROADS, GUARDS AND PARKING

In order to assure safe roadways and to allow emergency vehicles the ability to access our homes in the event of an emergency, the following parking rules are in effect:

GUARDS AND GUARDHOUSE

Instructions given by Estates of Aberdeen guards are to be followed by ALL residents, guests, and contractors at all times.

No one other than officers of the Estates Road Association Board is permitted to enter the guardhouse at any time.

Everyone entering the community via the visitor lane must act in a polite manner when speaking to the guards. All conversations between drivers and the guards are recorded.

Any resident, guest, or contractor who violates the above rules will be warned and residents may have their RFID privilege suspended for a time period to be determined.

No driver will be permitted to enter the Estates at Aberdeen without possessing and presenting a valid driver's license with photograph. THERE ARE NO EXCEPTIONS. Anyone who refuses to present a driver's license will be refused admission and asked to leave. In the event of a driver refusing to leave, the Palm Beach County Sheriff's Office will be called.

SPEED LIMIT

The maximum allowed speed for all vehicles within Muirhead Estates is 20 miles per hour at all times. Residents, guests and contractors who are observed exceeding the speed limit or who are driving erratically may receive warning letters sent to the homeowner. Repeated infractions may result in the Board recommending fines to the Fining Committee or referral to the Palm Beach County Sheriff's Office.

PARKING

Residents, their guests and vendors are asked to park their vehicles in their driveways or on the correct side (odd/even) of the street. Overnight parking on the streets is-not permitted and is considered a violation.

All vehicles that park on the street must adhere to our ODD/EVEN SIDE parking regulations, which took effect in March 2009.

THE REGULATIONS ARE:

In odd numbered months (January, March, May, July, September, and November) street parking is permitted ONLY on the side of the street with odd numbered addresses.

In even numbered months (February, April, June, August, October, and December) street parking is permitted ONLY on the side of the street with even numbered addresses.

A sign has been placed at the entrance to the Estates at Aberdeen visitor's entrance to alert visitors and contractors to this rule. The rule is also printed on all visitor passes. There is an additional odd/even parking sign at the intersection of Dorchester Road and Desmond Drive. The last digit in your address determines even and odd numbers.

Any parking that blocks a sidewalk or fire hydrant is prohibited.

Residents are asked to personally comply with these rules and to assure that their guests and contractors also comply. Residents will be held responsible for any infraction made by renters, guests, or contractors.

Violators may be fined \$50 per violation. Repeat violations may result in higher fines.

B. SIDEWALKS

The Muirhead Board of Directors may elect to power wash sidewalks and swales throughout the community twice a year. Please note that this will not remove rust/discoloration. Homes that have an excessive amount of discoloration on their sidewalks due to irrigation or staining from trees, are required to have those sidewalks cleaned professionally at the homeowner's expense.

When necessary, the Muirhead Board will hire a contractor to repair or replace broken sidewalk sections. The Muirhead Estates HOA will pay the cost of such repairs. The Board, at the suggestion of the Compliance Committee and the Property Manager, will make the decision as to which sidewalk sections will be repaired or replaced. When damage is caused by the homeowner, or a vendor hired by a homeowner, the repair will be at the expense of the homeowner.

Sidewalks are meant for the safe passage of pedestrians throughout Muirhead. Sidewalks are NOT to be blocked at any time by vehicles or other obstructions including fallen branches and other yard debris.

No planting is to be made within four feet of a sidewalk except for plantings at the mailbox. Any trees or other plantings that infringe upon the safe passing of pedestrians are to be cut or removed by the homeowner. Sidewalks damaged by roots from a resident's tree will be repaired by the HOA and billed to the resident.

The Board of Directors has a Compliance Committee that tours the community on a regular basis. Homes that have excessive sidewalk discoloration, slippery conditions, or plantings within four feet of the sidewalk will be notified in writing to correct the situation. Failure to correct violations may result in fines recommended by the Muirhead Board to the Fining Committee.

C. NUISANCES

Owners MAY NOT permit the performance of any illegal activity or any other activity on the exterior of their home that may be considered a nuisance by the Board or by neighbors. Violators will be subject to possible fines by the Board and the Fining Committee.

Nuisance activities include but are not limited to the following:

1. The discharge of any firearm, pellet gun or any fireworks, at any time.
2. Loud and excessive music or other noise that disturbs neighbors after 11PM.
3. Repeated honking of a vehicle's horn or the repeated blowing of any loud horn, whistle, or other such instrument.
4. Repeated barking of a dog.
5. Pets allowed to freely roam the community.
6. The flying of drones and radio activated airborne flying objects.

D. TRASH and RECYCLING COLLECTION

Palm Beach County has designated specific days for trash collection, recycling collection and the collection of yard cuttings.

Currently, these days are as follows (but they may be changed by the County):

*Trash collections occur on Wednesdays and Saturdays.

*Recycling is collected on Saturdays only.

*Yard waste is collected on Wednesdays only.

*Bulk pickup is collected on Saturdays only.

Trash must be placed at the curb in the trash pail distributed by Palm Beach County. Only approved Palm Beach County recycling containers are to be used. The use of plastic trash bags is prohibited for household waste.

Trash and recycling are not to be placed at the curb before 5:00 PM of the evening PRIOR to collection.

Trash and recycling collection will not take place on Thanksgiving or Christmas day.

Yard waste MUST not be placed at the curb prior to the day before collection (Tuesday). Yard waste is to be placed at the curb (but not in the roadway) in front of the owner's home and not on a neighbor's property. The waste MUST not block a storm drain.

Trash and recycling containers MUST be removed from the curb as soon as possible after collection but no later than 8:00 PM of the day of collection. Containers are to be stored in the garage or other location that is **out of sight** when not at the curb for collection.

Fines will be recommended to the Fining Committee for residents in violation of the above rules without

warning.

It is the responsibility of the homeowner to have yard waste removed by a landscaper, gardener or other vendor at the homeowner's expense if the Wednesday morning deadline for collection is missed. If yard waste is placed at the curb on a day other than the day prior to collection or after the collection and/or the yard waste is considered in excess of what is allowed, the Board will attempt to contact the homeowner and request that the homeowner or gardener remove the yard waste within 12 hours. If not removed within 12 hours, the Board will hire a contractor to remove and dispose of the yard waste. The cost of removal will be billed to the homeowner plus a fee of \$25.00.

E. HURRICANE PREPARATION

Hurricane season begins officially on June 1st and ends on December 1st each year though storms have occurred before and after these dates.

A major cause of damage during a tropical storm or hurricane is from flying objects that become missiles in high winds. The following are Aberdeen Property Owners Association rules that apply to Muirhead Estates. These rules will enhance the safety of all in the community and limit possible damage to our homes:

Owners who are away for all or part of the hurricane season and who have accordion type shutters installed on their homes may close their shutters subject to the following:

1. Shutters may only be closed on the rear and two sides of the home between June 1 and December 1 when no storm warning is in effect.
2. Shutters **MUST NOT** be closed on the front of a home until a storm warning or watch has been issued for central Palm Beach County. Owners who are away for all or part of the hurricane season must make arrangements to have their front shutters closed.
3. Shutters that were closed on the front of a home must be opened within three days of the storm passing.
4. Under no circumstances should shutters be closed on any windows that are visible from the street when hurricane season is not in effect.

All coconuts and other fruit should be cut from trees prior to June 1st each year. Any coconuts or other fruit that has fallen on the ground should be removed and may not be placed at the curbside. Coconuts are not collected separately. They must be bagged and put in with the normal trash.

When a hurricane or tropical storm watch or warning is issued for our area, the following should occur immediately:

1. Storm shutters may be closed on all windows and doors of the home. They must be removed on the front of the home within three days of the passing of the storm.
2. All outdoor objects such as lawn furniture, decorative statues, planters and garden tools should be brought indoors. Any outdoor object that cannot be brought indoors should be anchored to the ground to prevent it from being wind tossed.

Palm Beach County publishes a Hurricane Planning Guide which can be found at

<https://discover.pbcgov.org/publicsafety/PDF/Hurricane-Guide.pdf> and contains useful information about preparing for a hurricane or tropical storm.

F. WATER DISTRICT RULES

The South Florida Water District and the Lake Worth Water District from time to time issue specific water restrictions for homeowners in Palm Beach County.

These restrictions usually limit the frequency of lawn watering to two or three days per week and are normally based upon the odd or even last digit in a homeowner's address. Since these rules vary from time to time, they are not printed here. The current restrictions are available on the Muirhead Estates website at: www.muirheadestates.com, under Links of Interest, SFWDM Watering Schedule.

Homeowners are required by law to conform to these restrictions and to be sure that their landscapers are complying with the rules.

The water district rules further specify that on approved days, watering should occur before 10:00 AM or after 4:00 PM as to avoid rapid evaporation. Owners should be sure that the timing devices on their sprinkler systems are properly programmed.

G. PETS

Owners may have up to two (2) dogs or up to two (2) cats OR a combination not exceeding a total of two (2). Cats must be kept indoors.

No animals of any type may be bred for commercial purposes.

All dogs MUST be on a leash or carried when outside of the owner's home. Owners must keep the pet within the boundaries of their property when not leashed or carried. **AT NO TIME SHOULD DOGS BE ALLOWED ON THE PROPERTY OF OTHERS.** Cats must always be kept indoors or within the homeowner's screen enclosure.

Owners are obligated to remove all pet waste from their own, other owners' and Muirhead Estates common property. Pet waste must be placed in the owner's trash receptacle. At no time should animal waste be thrown in another homeowner's receptacle and should never be thrown in storm drains or other waterways.

The Board may also insist on the removal of any pet that has repeatedly created a safety or health issue or that has repeatedly created a nuisance or has been observed to be unleashed in the community on more than one occasion. In such instances, Palm Beach County Animal Control will be contacted and they may issue a summons, if necessary.

The Board has the right to refer a recommendation for a fine to the Fining Committee for any owner that violates the above rules.

H. FENCING, BOATS and SEPARATE STRUCTURES

FENCING

Fences may be erected but only with the approval of the Muirhead Architectural Review Committee (MARC) and with the approval of the Aberdeen POA/ARB, if required.

The Muirhead ARC must FIRST approve the placement, design, height, color and material of all fences. Only aluminum fencing is approved. The approved colors for fencing are white, black and bronze.

BOATS AND TRAILERS

No watercraft of any kind is permitted on the community's lakes.

Boats and trailers may not be stored overnight on an owner's property unless stored in the garage with doors closed out of public view.

SEPARATE STRUCTURES

No temporary buildings, structures or tents are permitted. Storage sheds are not permitted.

I. SAFETY AND SECURITY

The Palm Beach County Sheriff's Office (PBSO) strongly encourages all homeowners to keep their property well-lit at night. Good lighting is one of the top deterrents to break-ins and vandalism. Leave some lights on when you are out at night and when you are traveling.

Each homeowner has carriage lights on the two sides of their garage doors. Keep your carriage lights on from dusk to dawn. This aids as an additional deterrent for each homeowner's property as well as for your neighbors. You can install inexpensive timers. Additionally, installation of motion detector lights in the rear of your property as well as your entry door aids in your safety. The PBSO requires homes with a monitored alarm systems to register with their department. The muirheadsestate.com website has a link to the application.

J. MAINTENANCE AND COMPLIANCE

The Articles of Incorporation of Muirhead Estates at Aberdeen Homeowners Association, Inc., ARTICLE II, specifically describes the purpose of the HOA: "PURPOSE" The Purpose for which the Association is organized is to engage as a non-profit organization in protecting the value of the property of the Members of the Association."

The Muirhead Estates HOA Board has established a Maintenance and Compliance Committee, which routinely inspects all properties within the community to ensure that the home and the surrounding property are all of an appearance which will preserve and enhance the property values of Muirhead Estates. The Committee looks at many different things during a community inspection. Below is a list of the more common items looked at, though this list is not all-inclusive. For questions or concerns, please feel free to contact a Board member or the Property Manager.

1. Mold/mildew on roofs, walls, driveways, walkways, and fences
2. Mulched plant beds
3. Rust on sidewalks, driveways, walkways, and house walls

4. Lawns in need of fertilizer and/or weeding
5. Plant beds in need of weeding
6. Weeds growing through driveways and walkways
7. Chipped or faded paint on exterior walls and/or doors
8. Palm trees and shrubs in need of trimming
9. Exterior work performed without MARC/ARB approval
10. Hurricane shutters in violation of HOA/POA guidelines
11. Building materials (pavers, roof tiles, etc.) stacked outside the home
12. Trash cans/recycling bins in view from the street or sidewalk on a non-collection day
13. Trash put out at the curb in trash bags
14. Yard waste put out at the curb too early (more than one day prior to pick up) or not picked up (due to excessive amount or put out too late)

K. MOTOR VEHICLES

The following vehicles are specifically prohibited to remain in the community overnight unless stored in a garage with the doors closed out of public view: Vans (except those used by an owner or resident for non-commercial purposes), campers, trailers, motorcycles, buses, dune buggies, RVs, mobile homes, swamp buggies, ATVs, golf carts, boats, and boat trailers. Also specifically excluded are all vehicles of a commercial type that are specifically designed to carry cargo or material.

Pick-up trucks are permitted if they are the owner or resident's personal vehicle used solely for transportation and not for commercial purposes.

Any vehicle having in excess of three-quarter ton payload capacity shall be conclusively presumed to be a commercial vehicle and is not permitted in the community overnight.

No vehicle, which is an eyesore as determined by the Board of Directors, may be kept on the driveway or street in front of any home. Any unregistered vehicle must be removed or kept in the garage out of public view. Vehicle covers are not permitted on vehicles parked outside of the garage.

The Board may recommend fines to the Fining Committee for owners who violate these rules. If necessary, the Board may have a vehicle removed from the community at the property owner's expense. The Board must comply with Florida state and local statutes concerning the towing of vehicles.

L. ITEMS RESERVED FOR MUIRHEAD ARC APPROVAL

The following improvements, additions, and/or replacements to homes within Muirhead Estates, do not require submission to and approval by the Aberdeen POA/ARB. They fall within the jurisdiction of the Muirhead Architectural Review Committee (MARC) and any such rules and regulations as the Muirhead

Board of Directors may determine, all consistent with the guidelines and standards established by the Aberdeen POA/ARB. Approval by the Muirhead ARC **MUST** be obtained **PRIOR** to the beginning of any work.

1. Landscaping of all homes, including landscaping devices such as lattices, gazebos, statuary, and other lawn decorations, pathway and shrub lighting as well as planters and flower pots. Planters and/or flowerpots are not to be larger than 36” high.
2. House numbers, wherever and however affixed or displayed.
3. Mailboxes are to be a uniform design for ALL homes approved by the Muirhead Board. If a mailbox is destroyed or damaged, a replacement will be ordered at the homeowner's expense. Information regarding ordering a replacement mailbox or for replacement parts can be found on the muirheadstates.com website under resident portal, mailbox information.
4. Outer doors and storm/screen doors, and front door screened entrance enclosures.
5. In conformance with the Telecommunications Act of 1996, placement of satellite dishes is not to exceed one meter (39 inches) in diameter and landscaping treatment to make them unobtrusive without precluding reception of an acceptable quality signal or unreasonably increasing the cost of installation, maintenance, or use. (The cost of providing satellite cable service shall remain the responsibility of the homeowner who shall continue to pay for cable expenses in the monthly HOA maintenance charge.) Application for installation of satellite dish is to be made to the MARC prior to installation.
6. Color of paint for exteriors of homes. (Refer to Item P “Paint Colors for Exteriors of Homes”).
7. Driveway surfacing treatments, including texture, material, and color, if change from original is contemplated.
8. Addition of gutters and leaders, including materials and color.
9. Handicap ramps with exterior alterations for accessibility.

The Muirhead ARC will first consider all requests and then, either approved or disapproved, will if required, forward the application to the Aberdeen POA/ARB for their final decision. The Aberdeen POA/ARB will only consider applications transmitted through the Muirhead ARC. The Muirhead ARC will only accept electronic applications with all required documents attached in one electronic file. Electronic submissions with multiple file attachments will not be accepted. If documents are missing from the submission, the application will be returned and the missing document(s) must be inserted into the original file. The signed ARB form must be the first page of the application. It is not necessary to submit the instruction pages with the application

If any improvement shall be constructed or altered without the prior approval of the Muirhead ARC, the Owner shall upon demand of the HOA/MARC cause such improvement to be removed or restored to comply with the plans and specifications as originally approved by the Muirhead ARC to meet HOA/MARC requirements. The Owner shall be liable for the payment of all costs of removal or restoration or compliance, including all attorneys’ fees and costs incurred by the HOA.

M. POWERS & DUTIES OF THE ABERDEEN POA/ARB

The Aberdeen POA/ARB has the following powers and duties:

1. To require submission to the POA/ARB of all plans and specifications for any improvement, proposed to be constructed or placed, upon any portion of the property, other than those items reserved for Muirhead ARC determination.
2. To approve or disapprove the plans and specifications submitted to the POA/ARB and to approve or disapprove any additions, changes, modifications, or alterations thereof.
3. To grant variances from the architectural standards promulgated by the POA/ARB or the Muirhead ARC on a case-by-case basis; provided, however, that the variance brought is reasonable and does not impose a hardship on other Owners. In any case, the signatures of immediate neighbors, **to the left and to the right**, are required. The signatures of neighbors are meant to signify awareness of the changes, not approval.
4. If any improvement shall be constructed or altered without the prior approval of the Muirhead ARC or Aberdeen POA/ARB, the Owner shall upon demand of the POA/ARB cause such improvement to be removed or restored to comply with the plans and specifications as originally approved by the Muirhead ARC or POA/ARB, or if no submission was made to the POA/ARB, to meet POA/ARB requirements. The Owner shall be liable for the payment of all costs of removal or restoration or compliance, including all attorneys' fees and costs incurred by the POA.
5. To promulgate architectural standards and rules and regulations from time to time governing the procedures to be followed by the POA/ARB and/or Muirhead ARC, including form and content of plans and specifications submitted for approval.
6. To establish the type of hurricane shutters and installation thereof, within provisions of State and County laws and regulations, and to specify the period of time prior to a storm or hurricane alert when hurricane shutters must be removed or opened. Failure to comply can result in fines being levied against the owner for the violation hereof.
7. To find an Owner in violation of the rules and regulations of the POA/ARB and to recommend to the POA the levy of fines against the Owner for said violations in accordance with the Declaration and Florida Law, and the collection of the same with interest, costs, and attorney's fees, and the right to file a lien against the parcel. The POA President shall appoint a committee of not less than five (5) persons to serve as a Hearing Committee for the recommended fine. The amount of such fines shall be in conformity with Florida Statutes, Chapter 617.305(2) which permits fines up to \$100 per violation, which may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, except that no such fine shall exceed \$1,000 in the aggregate.
8. ALL applications must first be approved by the Muirhead ARC prior to being reviewed by the Aberdeen POA/ARB. Only the Muirhead ARC can submit approved applications to the Aberdeen POA/ARB, if their approval is required. The Muirhead ARC will only accept electronic applications with all required documents attached in one electronic file. Electronic submissions with multiple file attachments will not be accepted. If documents are missing from the submission, the

application will be returned and the missing document(s) must be inserted into the original file. The signed ARB form must be the first page of the application. It is not necessary to submit the instruction pages with the application

N. PLANTINGS

1. All flower and plant beds must be mulched or covered with appropriate stones.
2. Planting around mailboxes is permitted but must be maintained at a level not higher than six (6) inches below the mailbox, in accordance with United States Postal Service guidelines.
3. Coconut palms are considered a hazard, as the coconuts are missiles in time of storms, hurricanes or when they fall due to other weather conditions. No new coconut palms will be permitted under any condition. Existing coconut palms may remain but it is expressly understood that the maintenance of the trees and the liability for damage caused by the trees are the sole responsibility of the Owner.
4. Fruit trees of ANY kind-are not permitted.
5. Application for approval of installation/removal of trees must include an accurate site plan showing the location of trees; A photocopy of the survey with the location of trees to be planted/removed is sufficient. Include a photograph, rendering, or accurate informative description.
6. The maintenance of all trees are the responsibility of the owner(s). Low hanging or dead palm fronds must be removed immediately.
7. Dead or diseased trees and shrubs must be removed and replaced with an approved tree or shrub at the Owner's expense within thirty (30) days. Failure to remove and replace a dead or diseased tree or shrub will result in the Muirhead HOA Board recommending a fine to the Fining Committee. MARC approval is required to remove/replace trees
8. Certain plants are listed as prohibited and invasive non-native plant species by the State of Florida in the County of Palm Beach. A listing of these plants follows.

PROHIBITED AND INVASIVE NON-NATIVE PLANT SPECIES LIST

The following is a list of the common names of prohibited and invasive non-native plants, the installation of which is prohibited by Palm Beach County. The list is subject to change.

Prohibited Plant Species:

Air potato

Melaleuca, punk tree, or paper tree

Brazilian pepper or Florida holly

Australian pine

Ear leaf acacia

Kudzu

Schefflera

Small-leaved climbing fern

Carrotwood

Invasive Non-native Plant Species:

Banyan

Bishop-wood

Cat's claw

Chinese tallow tree

Cork tree

Downy rose myrtle

Jasmine

Java plum

Lather leaf

Lofty fig

Mahoa

Shoe button ardisia

Woman's tongue

Although the County's mandatory removal of these items is still some time off, the above are not to be planted and will not be approved.

O. STRUCTURAL CHANGES

The Muirhead ARC has authority to monitor and approve any changes made to the EXTERIOR of any property within Muirhead Estates. Changes or improvements made by owners within their lanai or "bird cage" are NOT subject to Muirhead ARC review.

ALL applications to the Muirhead ARC MUST include the signatures of both immediate neighbors, copies of the property survey, complete description of the work to be done including color samples and copies of the contractor's license and insurance certificates. Neighbors' signatures represent acknowledgement of the project, not approval. For those for which the Muirhead ARC has sole approval authority (ITEMS RESERVED FOR MUIRHEAD ARC APPROVAL above), contractors' license and insurance certificates are not required and only two copies of the application and accompanying documents are required. Though not required by the Muirhead ARC, the Board strongly recommends that homeowners always use licensed and insured contractors

1. No improvements, additions, alterations, or color changes, shall be commenced, erected, placed or maintained within the property unless and until the plans, specifications and specific location shall have been submitted to and approved in writing by the Muirhead ARC and, when required, by the Aberdeen

POA/ARB.

2. No awnings, canopies or shutters, including hurricane or storm shutters, shall be attached or affixed to the exterior of any residence, except within a lanai or “bird cage”, unless approved by the Muirhead ARC and, when or if appropriate, by the Aberdeen POA/ARB.
3. No signage of any kind is permitted on any resident’s property. This includes signs advertising the residence for sale or rent, contractors’ signs, religious or political signs or any other type of signs, without prior Board approval and, if approved, only for a limited, specific amount of time. One sign indicating that a residence is alarmed and/or monitored by an alarm company is permitted providing it is not solely an advertisement by the company. Small signs indicating resident’s name, address or house number are allowed but application to the Muirhead ARC for their installation and placement is required. Special occasion signs (baby birth, graduation, etc.) may be allowed but require Board approval and will only be permitted for a specific period of time.
4. Front yards of residences should be neatly maintained and free of clutter. Empty flowerpots, bicycles, toys, temporary sports equipment, ladders and other materials, should not be left outside when not in use and never left out overnight.
5. The construction or erection of any additional improvements including sports equipment shall be subject to the prior approval of the Muirhead ARC and, when required, by the POA/ARB.
6. Installing anything on front or side exterior walls of your home requires submission of requests and approval thereof **PRIOR** to commencing installation. This allows evaluation as to what effect, if any, there is to the neighbors and/or the Muirhead community at large.
7. The replacement of a roof must be approved by the Muirhead ARC and the POA ARB, even if the same color is used as a replacement. A sample of the tile color and shape **MUST** be submitted.
8. Replacement of screen enclosures must be approved by the Muirhead ARC and POA ARB. The only colors of framing for the enclosure that will be approved are white, black or bronze.
9. Replacement of windows and doors must be approved by the Muirhead ARC. The only approved colors for window framing are white, black, and bronze. **REPLACEMENT DOOR COLORS AND DESIGN MUST BE APPROVED BY THE MUIRHEAD ARC.**

P. PAINT COLORS FOR EXTERIOR OF HOMES

Applications for exterior painting of walls, trim, accents, whether a color change or a **CONTINUATION OF THE EXISTING COLORS**, **MUST** be approved by the Muirhead ARC **PRIOR** to the commencement of any work. Applications **MUST** be submitted in duplicate and have the signatures of neighbors on both sides (signifying knowledge of the painting, not approval). Submission of samples of all paints are required. The license and insurance certificate of the painter are not required however, the Muirhead Board strongly encourages homeowners to use painters who are licensed and insured.

The Muirhead ARC maintains color charts of designated colors that may be applied to the exterior walls of a residential unit. The colors chosen by the homeowner **MUST BE SUBSTANTIALLY THE SAME** as the colors approved by the Muirhead ARC for walls, trim, accents, front doors and garage doors. In the event of a difference of opinion, the Muirhead ARC will determine the conformance of a homeowner’s desired color with the permitted colors.

1. **EXTERIOR WALLS:** Exterior walls must be painted with a color that is "only" chosen from approved palette of colors or is substantially the same as designated light or pale shades on the paint charts maintained by the Muirhead ARC. Owners may select paint made by any manufacturer that is substantially the same as the colors designated by the Muirhead ARC.
2. **TRIM, ACCENTS, FRONT DOORS, and GARAGE DOORS:** The Muirhead ARC will approve any color that is from the approved color palette that appropriately contrasts with the approved exterior wall color of the residence. Trim and accents must be painted the same colors approved by the Muirhead ARC. Front entrance doors and garage doors may be painted the same color as the approved trim or accents or may be stained a natural wood color.
3. **ROOFS:** Painting of roofs on homes is permitted but the color must be approved by the Muirhead ARC. Signatures of the two neighbors, on both sides of the home, is required as acknowledgement of the painting, not approval. Color samples **MUST** be submitted and approved **PRIOR** to commencement of work.
4. **RESOLUTION OF DIFFERENCES:** In the event of a difference of opinion between an owner and the Muirhead ARC regarding the approval of an exterior color, the homeowner may bring the issue to the Muirhead Estates Board who will review the issue and whose decision will be final.

Q. STATUARY, FLAGS AND DECORATIVE ORNAMENTATION

1. All exterior statuary of any kind **MUST** be submitted to the Muirhead ARC for approval. Approval in writing **MUST** be obtained prior to the placement of any items.
2. Statuary needing Muirhead ARC approval shall include all figures, animals, sculptures, shelving, vases, pottery, planters exceeding 36" in height, pagodas, bird feeders, waterfalls, etc. All statuary materials need approval and include fiberglass, epoxy, plasters, concrete, cast stone, stone and imitation stone, terra cotta, glass, lucite, plastics of all types, wrought iron, cast aluminum and all metals, wood, etc.
3. Birdbaths are not acceptable to the Aberdeen POA/ARB unless they have a hole drilled through the basin or are used as planters. Stagnant water is unacceptable.
4. Statuary figures shall be non-secular, clothed, and discrete. Statuary should be located in close proximity to the residence. Free standing statuary may not exceed 36 inches high except for pottery placed within the confines of the front entrance portico, which may be 48 inches high.
5. Statuary placed on a pedestal may not be more than 30 inches high and the pedestal may not be more than 24 inches high. Statuary may not encroach into side yard setback.
6. Free standing statuary may **NOT** be placed in front or side yards of homes, except those placed within the footprint of the home. Statues may be placed at the rear of any home. The Muirhead ARC **MUST** approve the placement of any statue outside of the home's screen enclosure. Signatures of immediate neighbors are required as acknowledgement of the placement of the statue.
7. Flag poles are not permitted. A homeowner may place a flagpole holder on the front wall of the home next to a garage door. The only flag that may be displayed is the flag of the United States of America. No other flags may be displayed at any time.

8. Ornamentation for Christmas, Chanukah, Kwanza, and Halloween holidays are permitted and may remain in place for not more than thirty (30) days in total, with the exception of Halloween, for which decorations must be removed by the following weekend after Halloween. All Christmas, Chanukah, and Kwanza ornamentation must be removed by January 7th. NO inflatables of any type are allowed. No free-standing lawn decorations, including candy canes, Santa, reindeer, sleigh, creche, lawn menorahs or any religious ornaments are permitted. As a reminder, signage for special celebrations such as a birth of a baby, a graduation or a special occasion may be permitted but only with the permission from the Board.

R. OWNER RESPONSIBILITIES REGARDING CONTRACTORS

1. Muirhead Estates homeowners are financially responsible for any and all damage to a neighbor's property and/or community property whether incurred by the homeowner, a guest or by a contractor. Community property is defined as entrance/exit gates, lawns, shrubs, trees, streets, sidewalks and curbs that are maintained by the Muirhead Estates HOA, the Estates Boulevard Assoc. or the Aberdeen POA. A neighbor's property is defined as any real property owned by another Muirhead Estates homeowner. Contractors shall include those personnel who provide regular ongoing services such as lawn service, cleaning, etc. as well as contractors who are engaged for a one-time or periodic project.
2. Homeowners applying for approval to the Muirhead ARC for work to be performed on their property must provide specific information regarding how contractors and equipment will enter and leave their property. If any contractor or delivery is to cross over common property or a neighbor's property, the homeowner must provide evidence that the neighbors are aware of and approve this intrusion. The homeowner thus applying for Muirhead ARC approval must assure both the neighbors and the Association that any and all damage to property will be repaired as soon as possible after the completion of the project, thereby returning it to its original condition.
3. The By-Laws of the Muirhead Estates Homeowners Association empower the Board to recommend to the Fining Committee to fine any homeowner who fails to repair, or have their contractor repair, damages to a neighbor's property or to common property. The Board will determine what would be considered a reasonable period of time for repairs of any damage to community or a neighbor's property to take place. The Board's determination of time will be based upon the nature of the original project, the extent and nature of the damages and the intervening weather conditions.
4. If the homeowner fails to correct the damages in a reasonable amount of time as determined by the Board, the Board may order the repairs made by an independent contractor and the cost of such repairs will be assessed to the homeowner whose contractor has caused the damage.
5. Homeowners are responsible for ensuring that on a day-to-day basis, equipment and materials related to their projects are left in a safe and orderly manner at the rear of the home in order to avoid an unsightly or unsafe situation. Owners are also responsible for the removal of any debris.
6. Contractors and service personnel are specifically excluded from working in the community on

Sundays and on certain National holidays (see T below). Exceptions may be made where there may be an emergency situation that impacts health or safety.

S. PROCEDURE FOR SUBMITTING MUIRHEAD ARC/ARB REQUESTS:

1. The Muirhead ARC meets when any applications have been received.
2. All Muirhead owners who desire to make modifications, additions, or improvements of any type to the exterior of their home must submit a request for approval to the Muirhead ARC.
3. All requests must be submitted on the Aberdeen POA “Request for Modification Form”. A current copy of the approved form is always available on the Muirhead website at muirheadstates.com. Complete instructions on what is needed for approval is included with the form.
4. The form **MUST** be completed in its entirety, including neighbors’ signatures. If there is any question regarding a neighbor’s signature, contact a Muirhead ARC representative. If in the opinion of the Muirhead ARC, withholding of a neighbor’s signature may result in undue hardship or be deemed unreasonable, the Muirhead ARC may, on a case-by-case review, waive the requirement for a neighbor’s signature. This review will only be available if the neighbor has been contacted and refuses or is unable to sign.
5. The following information **MUST** accompany the request form:
 - a. A sketch or copy of the property survey clearly indicating the exterior work to be done. Include dimensions, distance from unit, distance from neighbor’s property, and any other pertinent information, which may assist in evaluating the request. Landscaping work must include location and names of plants intended to be used. Submission of complete information will help speed the process. A contractor can provide the necessary sketch.
 - b. Except for applications seeking approval of painting, a copy of the property survey is to be included. Requests will **NOT** be reviewed without a survey.
 - c. Color samples for paints and tiles and samples of any other material being used that will be visible must be included.
 - d. The completed application form and attachments are to be submitted to the Muirhead ARC, who will review, sign off on the request and, if necessary, forward it to the Aberdeen POA/ARB.

T. WORK NOT PERMITTED ON SUNDAYS AND NATIONAL HOLIDAYS

The following rules related to Sundays and certain National Holidays (New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day) are in place throughout The Estates at Aberdeen. Guards at the entrance gate are instructed to not permit the entrance of any contractor or service personnel except in emergencies that impact safety or health of a resident. Except for such emergencies, no commercial vehicles will be granted entry.

1. Muirhead Estates owners and renters are not permitted to personally perform, or to cause a contractor or guest to perform, work outside of their homes on Sundays and certain National Holidays.

2. Homeowners and renters are not to have contractors enter Muirhead Estates on Sunday or National Holidays to perform any work in the interior of their homes, except as stated under exceptions below.

3. Examples of work that is **not permitted** on Sundays and National Holidays:

a. No lawn or yard maintenance using power equipment. This includes using lawn mowers, edgers, weed whackers, trimmers, chain saws, leaf blowers and other similar power tools used in yard and lawn maintenance.

b. No exterior painting or roof work by owners, renters, guests or contractors.

c. Using power tools for ANY purpose (personal or commercial) outside of the home on Sundays and National Holidays is not permitted.

d. Owners and renters are not permitted to have contractors' trucks or any commercial truck in their driveway or in front of their home on a Sunday or National Holiday except in an emergency.

e. No work is to be performed on any motor vehicles (cars, SUVs, boats, motorcycles) of any kind, on the streets or driveways in our community with the exception of washing, waxing, and cleaning. If personal work needs to be done on a Sunday or holiday, work must be done in the homeowner's garage. Inoperable and unregistered motor vehicles may not be left in any driveway.

f. Use of power tools in a garage with the door open on a Sunday or National Holiday is not permitted.

4. Homeowners and renters may personally do routine yard cleanup, plantings etc., without using power tools, on Sundays or National Holidays however, they may not cause a contractor to do this work on these excluded days.

5. **EXCEPTIONS:** In the event of an emergency situation that impacts the health or safety of a resident, approval may be granted for a contractor to work on a Sunday or National Holiday by any member of the Muirhead Estates Board of Directors. If an exception is granted, the property manager for Aberdeen Estates Road Association must be informed and the gate personnel will be instructed to permit access by a specific contractor. Examples include air-conditioning repair, repair of a plumbing leak, and restoration of electricity after an outage.

U. TRUCKS NOT PERMITTED AT SPECIFIED HOURS

1. Muirhead Estates homeowners and renters are not permitted to allow commercial trucks in their driveways or parked on the streets during the following hours:

a. Monday through Saturday: not before 7:00 AM and not after 6:00 PM.

b. Not at all on Sundays and National Holidays.

2. A commercial truck is defined as a vehicle where the primary purpose is the delivery or hauling of tools, equipment, materials, furniture, carpeting or other products.

3. The scheduling of outside contractors, deliveries or pickups during excluded hours is not permitted and guards at the gate will not allow these contractors, deliveries, or pickups into the community.

4. **EXCEPTIONS:**

a. In the event of an emergency situation that impacts health or safety, e.g. fire truck, ambulance, auto

breakdown; appropriate service vehicles will be allowed to enter the community on a Sunday or National Holiday without Board approval.

b. Any other situation that requires prior planning and can only be done on a Sunday or National Holiday, i.e., or moving will be permitted to enter the community only if the homeowner has approval from any member of the Muirhead Estates Board of Directors. In such cases, the property manager for the Aberdeen Estates Road Association must be informed and the guards will be instructed accordingly.

c. Delivery services such as UPS, FedEx, US Postal Service, Amazon and food and flower deliveries are permitted on all days, including Sundays and National Holidays and at all times.

V. VIOLATIONS

Any violation which requires thirty (30) days to be corrected and is not corrected within the thirty (30) days of notice, will be subject to a fine of \$50.00 plus \$25.00 per day starting on the thirty-first (31st) day up to the Florida Statute limit of \$1000.00, until corrected.

Any immediate violation that does not need time to be corrected will be subject to a fine of \$50.00. Recurring violations may result in fines being doubled.

All Homeowners are entitled under Florida Statute 720.303 to an appeal hearing before the Muirhead Estates at Aberdeen Homeowners Association, Inc. Fining Committee, whose members are not on the Board of Directors or related to a Board Member. Residents may choose to appear in person at the Committee hearing. In lieu of appearing, residents may submit in writing to the Property Manager for presentation to the Committee, their reason(s) for which they believe the fine(s) should be waived. At this hearing, the Committee will hear your reasons for not imposing the proposed sanctions. If the Committee finds that the proposed sanctions are appropriate to this violation, the sanctions will go into effect immediately. If the Committee finds that the proposed sanctions are not appropriate, the sanctions may not be imposed. The Committee's decisions are final and cannot be appealed.

IMMEDIATE ACTION VIOLATIONS:

TRASH/YARD WASTE:

Cans placed out too early (prior to 5PM the night before pickup)

Cans left out too long (more than 12 hours after pickup)

Plastic bags placed out instead of cans

Yard waste placed at curb more than 24 hours prior to pickup

Yard waste still at curb more than 12 hours after pickup

PARKING:

Parking on the wrong side of the street

Parking on the lawn/grass

Overnight parking on the street

HURRICANE SHUTTERS:

Covering any front openings (windows or doors) without a declaration of hurricane warning during hurricane season

Covering any opening outside of hurricane season

EXTERIOR WORK PERFORMED AFTER HOURS, SUNDAYS, OR ON NATIONAL HOLIDAYS.

THIRTY-DAY NOTICE VIOLATION:

LAWN/LANDSCAPING:

Planting beds in need of mulch

Weeds in driveway and/or walkways

Lawn is in need of weed control or fertilization

Palms/shrubs in need of trim

GENERAL MAINTENANCE ON EXTERIOR OF HOME:

Roof, gutter, and wall cleaning

House painting needed

Driveways and /or walkways in need of power washing

Rust on swales, sidewalk, house, or driveway/walkway

FAILURE TO SUBMIT A MARC/ARB APPLICATION

*Please note that the above list may not include all of the violations listed in your rules and regulations and is subject to change via Board approval.