

WINDING CYPRESS HOMEOWNERS ASSOCIATION, INC.

A Florida not for profit corporation

RESOLUTION CONCERNING
STRICT ENFORCEMENT OF GOVERNING DOCUMENTS

WHEREAS, Winding Cypress Homeowners Association, Inc. (the "Association") is a Florida not for profit corporation and the entity responsible for carrying out the provisions of that certain Declaration of Covenants, Conditions and Restrictions for Winding Cypress recorded at OR Book 5097 Page 2640, *et seq.*, of the Public Records of Collier County, Florida, as amended, and those certain rules and regulations and architectural guidelines promulgated thereunder (the "Governing Documents");

WHEREAS, the Governing Documents are binding on all Owners and their respective representatives, heirs, successors, and assigns; and

WHEREAS, the Board of Directors desires to follow the holding of *Chattel Shipping v. Brickell Place Condominium*, 481 So. 2d 29 (Fla. 3d DCA 1985) and strictly enforce all future violations of the Governing Documents;

NOW THEREFORE, the Association hereby resolves as follows:

1. The Board shall strictly enforce the provisions of the Governing Documents.
2. This Resolution shall be effective immediately on the date approved by the Board of Directors.
3. Any existing violations of the Association's Governing Documents shall not be replaced or reconstructed except as permitted under the Governing Documents at that time, it being the intent of this Resolution that existing violations shall only be permitted unless and until the violations have deteriorated, exhausted their useful lives, or become unsightly or a nuisance, in the sole and unfettered discretion of the Board, or, in the case of living violations such as pets or vegetation, until death, at which time the violation shall be removed and may not be replaced or reconstructed. Notwithstanding the foregoing, any violations listed on the attached Exhibit "A" shall not be permitted to remain and the Board intends on pursuing such violations for enforcement.
4. The Association shall cause a copy of this Resolution to be served on the Association members without delay.

This Resolution was adopted by the Board of Directors of the Association this 22 day of JUNE, 2022.

WINDING CYPRESS HOMEOWNERS ASSOCIATION, INC.


By: 
James Schopp, BOD Secretary

Exhibit "A"

1. Violations involving the installation of downspout drainage diverters on certain lots which are now causing erosion on the lake banks.
2. Any violations that have been previously identified and a violation letter has been sent as of 6/22/22 (date).
3. Antennas that are above height allowed pursuant to the Rules and Regulations.
4. Any violation involving maintenance of the lots, including, but not limited to, landscaping, roof, driveways, and sidewalks.