



Architectural Control Committee

Deed Restriction Guidelines and Clarifications

Final revisions made by the Board of Directors on December, 2007

To better serve your neighborhood and assist you in enhancing the image and the property values of Cantamar, the Architectural Control Committee ("ACC") has drawn together some general guidelines addressing the most commonly asked questions regarding Deed Restrictions as they pertain to ACC issues. Often residents do not get a chance to read the Deed Restrictions thoroughly resulting in accidental violations which create awkward situations which can be expensive for both the Association and the individual lot owner to rectify. Therefore, we hope you find these guidelines helpful and we encourage you to take a few moments to familiarize yourselves with them. *These guidelines are not intended to replace or supersede the Deed Restrictions and/or final written approval of the ACC.* We welcome your questions and comments regarding the Deed Restrictions for Cantamar.

All improvements must be approved by the Architectural Control Committee ("ACC") before construction begins. ACC approval does NOT waive Miami-Dade County and/or the Town of Cutler Bay permit requirement(s). Please check with your contractor and with Miami-Dade County and/or the Town of Cutler Bay prior to the construction of any building or improvement.

Alterations. Any and all alterations, deletions, additions and changes of any type or nature whatsoever to existing improvements or plans or specifications previously approved by the ACC shall be subject to the approval of the ACC in the same manner as required for approval of original plans and specifications.

Time for Completion. Construction of all improvements shall be completed within the time period set forth in the application and approved by the ACC. If the construction or improvement cannot be completed within the time set forth in the application, the homeowner should apply for an Extension of Time of Completion (Exhibit B), indicating the reasons for such delay. The ACC will review the application within the allowed time. Extension should not be granted for more than 6 months at a time.

Permits. The owner is solely responsible for obtaining all permits from all governmental authorities which are required to perform the work contemplated by the owner. The owner must provide a copy of the permit(s) to the ACC.

1. **Tiki Huts/Swing Sets/Storage Sheds:** If the item extends above the homeowners fence or if the yard is not fenced, the items must have ACC approval before being installed.
2. **House Trim and Painting:** The intent of this guideline is to maintain our Cantamar neighborhood with a consistent and attractive appearance to all who live and visit here. To achieve this, homeowners are asked use quality paints and currently accepted painting methods on their homes. This applies to painting contractors as well.

The choice of color is an important part of satisfying this guideline. Color samples must be submitted to the ACC committee for both the house color and trim color prior to starting the work.

3. **Awnings:**

- Front & Rear - All awnings must receive ACC committee approval. Please submit color/fabric swatch, as well as name, telephone number and license number of contractor with your request.

4. **Hurricane Shutters:** White accordion or panels must be Miami-Dade County permitted and approved. Homeowner must submit ACC Application with supporting documentation for ACC approval.

5. **Fences:**

No fence or wall shall be constructed on any Parcel without the prior approval of the ACC. All fences must be permitted and inspected by the town of Cutler Bay and/or Miami-Dade County. The homeowner must also call Sunshine State One Call of Florida, Inc., (800) 432-4770 before digging to ensure no encroachment on utility easements. No fence can extend beyond the front wall of the residence, nor can fence obstruct neighboring property front porch or back patio.

The ACC shall require the composition and color of any fence or wall to be consistent with the material used in the Home, surrounding Homes and other fences, if any. The use of landscaping is to be encouraged in place of walls and fences. Such consent may require the installation of additional landscaping on either side or both sides of the fence. Screening for garbage areas and air conditioning equipment shall be indicated on plans submitted to the ACC.

- **Lakefront Homes:**

White aluminum picket fences of four (4) feet in height shall be permitted on any lot located on a lake. The aluminum fence perpendicular to the side wall of the residence may be constructed to the side property line. Wood fences constructed on side property lines shall not extend beyond the front and back wall of the residence. This wall defines the habitable portion of the home and is not to be considered an exterior wall of a patio. The white aluminum fence must be maintained.

A three (3) foot hedge shall be permitted on lake lots as long as the homeowner gets the signature of both neighboring homeowners prior to submittal to the ACC committee.

- **NON-LAKEFRONT HOMES**

Wood fences, either of the privacy shadowbox or solid (board on board), shall be permitted under the following conditions. The height shall be six (6) feet as measured from immediate finished grade on the adjacent property or public right of way. When installed on corner lots, all structural elements of a wood fence shall be on the fence side facing the applicant. The wood fence must be stained and maintained. If the homeowner wants a color stain, the color must be submitted to the ACC committee for approval.

6. **Basketball Goals:** Must not be permanent and must not be left in the front of the house over night.

7. **Landscaping:** All *significant* landscaping improvements need ACC approval. All landscaping must be installed as to fit in with neighboring properties. The ACC may reject the landscape plan based upon its review of its overall design and impact. Such landscaping plan must detail the location of beds and planting materials. Dangerous plants which have unusual or excessive debris are not permitted. No landscaping shall be removed without the prior written approval of the ACC. Replacement of trees in the swales must be of a like kind unless county approval is obtained. No fruit trees are permitted in the front yard area except coconut palms.

Other general guidelines regarding landscape material are:

- FRONT OF HOUSE - Replacements of existing items with those of a similar plant do not need ACC committee approval.
- BACK OF HOUSE- A three (3) foot hedge shall be permitted on lake lots as long as the homeowner gets the signature of both neighboring homeowners prior to submittal to the ACC committee.

Concrete Edging:

- FRONT OF HOUSE - All concrete edging in the front of the house must receive ACC Committee approval.
- BACK OF HOUSE - All edging in the back of the house is left up to the homeowner's discretion.

8. **Pools and Spas:**

- Pool equipment must be completely screened from view.
- All of the contractors involved in the project must access their client's backyard only by traversing across the Owner's lot unless specific, written permission has been given by an adjacent landowner to allow access across their lot. This applies to adjacent homeowners, the HOA or any other land owner that abuts a resident's property.
- No contractor may, at any time, place any signs in the yard of their client promoting their company.

9. **Satellite Dishes:**

- A mini dish is permitted to be installed on the back or side of the house.

10. **Boat Storage:**

- Please refer to Miami-Dade County/Town of Cutler Bay guidelines with respect to storage and parking.
- Boats may not be parked in driveway or street overnight. Also, boats if stored on homeowners property - property must be fenced, boat covered, etc.

Express Approval. Notwithstanding any provision herein to the contrary, the ACC approves the following improvements if the homeowner files the improvement on the ACC form and such form is submitted to the ACC:

- Repaint house and trims in the identical color/material previously approved by the ACC.
- Replace existing driveway in the identical color/material previously approved by the ACC.
- Replace existing screening with identical screening material previously approved by the ACC.
- Replace existing exterior door(s) with identical exterior door(s) previously approved by the ACC.
- Replace existing roof with the identical roof.
- Install accordion style, roll-up or panel style hurricane shutters previously approved by the ACC.

Deed Restriction Guidelines and Clarifications - Page 4

All references in this paragraph to "identical" shall mean that such item shall be replaced with an item that is identical in all respects to the existing item; i.e., the identical style, texture, size, shape, color, type, material, etc.

These guidelines are not intended to replace or supercede the Deed Restrictions and/or final written approval of the ACC. In all cases the ACC will have final approval and the Deed Restrictions will be the final authority. Site plans and descriptions of proposed improvements can be submitted, along with the Approval Request Form, to the Cantamar Architectural Control Committee at the following address:

**Cantamar ACC Application c/o Courtesy Property Management Company
13250 SW 135 Avenue, Miami, FL 33186
Telephone: 305-254-3888
Fax: 305-254-3855**

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that this is a true copy of the
original filed in this office on 13th day of
February, A.D. 20 08
WITNESS my hand and Official Seal.
HARVEY RUVIN, CLERK of Circuit and County Courts
By [Signature] 9/25/08 D.C.

