

Prepared by and return to:  
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KEN BURKE, CLERK OF COURT  
AND COMPTROLLER PINELLAS COUNTY, FL  
INST# 2023225866 09/01/2023 12:20 PM  
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**Certificate of Resolution of the Board of Directors**

**Eagles' Reserve Homeowners' Association, Inc.**

**Regarding Maintenance Responsibilities**

Upon motion duly made by Pierce Tibna, duly seconded by Eric Carver, the following policy regarding Eagles' Reserve Homeowners' Association maintenance responsibilities was adopted by a unanimous vote of the Board of Directors at a duly noticed and open meeting of the Board of Directors of Eagles' Reserve Homeowners' Association, Inc., (the "Association" or "Eagles' Reserve") held on the 10 day of August, 2023, at which a quorum of the Board was present:

WHEREAS, the Declaration of Covenants and Restrictions for Boot Ranch – Eagle Watch - Phase B-II - to be known as "The Eagles Reserve," is recorded at Official Records Book 7625, Page 1456, et. seq., of the Public Records of Pinellas County, Florida, as has been amended from time to time thereafter (collectively, the "Declaration"), and

WHEREAS, Article 8 of the Declaration describes the maintenance responsibilities of the Association and the Lot Owners in Eagles' Reserve, and

WHEREAS, the Second District Court of Appeal of Florida interpreted portions of Article 8 of the Declaration in *Klak v. Eagles' Reserve Homeowners Association, Inc.*, 862 So. 2d 947 (Fla. 2d DCA 2004), finding that "the plain meaning of the phrase 'the exterior of the Dwelling Units' is the outer surface of the dwelling units" and holding that "the association's responsibility for the maintenance of the walls of the units pertains only to the outer surfaces of those walls"; and

WHEREAS, the Board of Directors desires to adopt a maintenance policy that is consistent with the Declaration and *Klak*, and which provides further detail with regards to the maintenance of particular elements of the buildings, Lots and improvements,

NOW, THEREFORE, the Association hereby adopts the attached policy regarding Eagles' Reserve Homeowners' Association maintenance responsibilities.

*Signatures follow on next page.*

IN WITNESS WHEREOF, the undersigned, being duly authorized by the Board of Directors of Eagles' Reserve Homeowners' Association, Inc., do hereby affix our hands this 10 day of August, 2023, at Pinellas County, Florida.

WITNESSES

EAGLES' RESERVE HOMEOWNERS' ASSOCIATION, INC.

Sign Rick Husk

By: Vincent Tuccio  
Print Name: VINCENT TUCCIO

Print Rick Husk

As: President

Sign Patricia Ehrman

Patricia Ehrman  
Print Name: Patricia Ehrman

Print DAVID FEDASH

As: Secretary (Seal)

STATE OF FLORIDA )  
COUNTY OF Pinellas )

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 11 day of August, 2023, by Vincent Tuccio and Patricia Ehrman, as President and Secretary, respectively, of EAGLES' RESERVE HOMEOWNERS' ASSOCIATION, INC., a Florida not-for-profit corporation, on behalf of the corporation.



Corey Palmer  
Signature of Notary Public – State of Florida

Corey Palmer  
Print, Type or Stamp Commissioned Name of Notary Public

Personally Known  OR Produced \_\_\_\_\_ as Identification

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## Eagles Reserve Homeowners Association Responsibilities

Owners are automatically members of the Eagles Reserve Homeowners Association (HOA). Individuals who rent from homeowners are not members of the HOA. Detailed information can be found within our legal documents at [www.eaglesreserve.info](http://www.eaglesreserve.info).

The following information is intended to assist the homeowner in understanding the general maintenance responsibilities of the HOA. It is important to note that Eagles Reserve homes are not condominiums. All homes in Eagles Reserve are individually owned and must be properly insured by the homeowner (HO3 type policy, not an HO6 condominium-type policy). The Association does not own any portion of the homeowners' dwellings or lots and with respect to the homeowners' dwellings or lots, the Association only has those maintenance responsibilities assigned to it by the Declaration. Unless explicitly stated, the owner is responsible for all other repairs and maintenance to their property in a timely manner. In this context, maintenance means the work of keeping something in proper condition. Maintenance does not mean replace unless replacement is necessary. Please consult with our property management team if you have questions.

### Roofs:

- The HOA covers yearly roof inspections that will be completed by licensed professionals.
- The HOA will assess roof leaks and cover leaks that originate from the exterior roof surface. Each homeowner is responsible for promptly reporting to the Association any leaks observed by the homeowner.
- The HOA covers roof maintenance and/or replacements to include roof tiles, soffits, fascia, and gutters. Chimneys and skylights are not considered part of the roof and are the owner's responsibility.
- The HOA does not inspect or provide any maintenance services for lanai roofs. Lanais and lanai roofs are the homeowner's responsibility.

### Landscaping Services:

- The HOA provides general maintenance and replacement of the community irrigation/sprinkler system.
- The HOA provides general maintenance of all lawns to include grass cutting and scheduled tree trimming and landscaping in front yards and communal areas. Side and backyard trees and plants are considered the owners responsibility unless deemed a nuisance to the home whereas maintenance or removal is determined by the HOA board.

### Community Maintenance:

- The HOA provides exterior painting services for all homes and pool building on a regular schedule as determined by the HOA board. The Association's responsibility is limited to painting stucco and trim surfaces of the buildings. In conjunction with a painting project, the Association will address minor cracks in the stucco that the Association's contractor determines can be adequately addressed with caulk prior to the application of paint. All other stucco repairs must be promptly repaired by the Owner. Homeowners are responsible for paint touch-ups not covered by warranty from the painting company.

## **Eagles Reserve Homeowners Association Responsibilities**

- The HOA covers basic trash services that pick up twice per week.
  - The HOA provides general cleaning and repair of driveways, parking lots, and sidewalks along roadways (HOA does not cover walkways from driveways to homeowner's front door).
  - The HOA is responsible for maintaining our private roads.
  - The HOA is responsible for the maintenance of our community pool and tennis court areas.
  - The HOA maintains entrance and exit privacy gates along with security cameras and safety signs in common areas.
  - The HOA maintains community mailboxes.
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