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LIVE OAK PRESERVE ASSOCIATION, INC.

RESOLUTION REGARDING ADOPTING A RULES REGARDING GATE ACCESS

WHEREAS, Live Oak Preserve Association, Inc. (the "Association") is a nonprofit corporation duly organized and existing under the laws of the State of Florida; and

WHEREAS, Section 10 of the By-Laws of Live Oak Preserve Association, Inc. as recorded at Officials Records Book 13544, Page 1895 of the Public Records of Hillsborough County, Florida, provides the Board of Directors of the Association (the "Board") with the authority to adopt, or adopt previously adopted, reasonable rules and regulations concerning the use, operation, maintenance of property subject to the Master Declaration for Live Oak Preserve ("Declaration") in order to further implement and carry out the intent of the Declaration, the Articles of Incorporation, and the By-Laws; and

WHEREAS, the Board has determined that it is in the best interest of the Association to adopt rules regarding gate access.

NOW, THEREFORE, BE IT:

RESOLVED, that the Board of Directors of the Association hereby approves and adopts the attached Gate Access Rules for Live Oak Preserve Community.

IN WITNESS WHEREOF, the Board of Directors of Live Oak Preserve Homeowners Association, Inc., at a duly noticed regular meeting of the Board of Directors at which a quorum was present, held on the 19 day of June, 2013, in the manner required by the Association's governing documents, has adopted the foregoing resolutions upon motion made by Frank Micallef and seconded by Anthony Leone and passing with a vote of 4 in favor and 0 opposed; therefore, a majority of the Directors approved the resolution, which is to be made a part of the minutes of the meeting of the Board of Directors held on the 19 day of June, 2013.

LIVE OAK PRESERVE ASSOCIATION,
INC., a Florida nonprofit corporation

By: [Signature]
Its: President

LIVE OAK PRESERVE ASSOCIATION,
INC., a Florida nonprofit corporation

By: [Signature]
Its: Secretary

Exhibit A – Tailgating Policy

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**EXHIBIT A – GATE ACCESS RULE FOR
LIVE OAK PRESERVE COMMUNITY**

I. Bar Codes

- 1.1 Bar Codes for homeowners or verified tenant occupants, service providers, and management companies are available on a temporary basis.
- 1.2 Bar Codes are not to be distributed to anyone other than the individual or entity to whom it was issued.
- 1.3 Temporary Gate Bar Codes are available and maybe monitored by the Association's Gate personnel.
- 1.4 Requests for a temporary bar code must be made a minimum of seventy two (72) hours prior to the issuance, in writing, and will be valid only for a limited time period.
- 1.5 Any misuse of a temporary bar code may result in the removal of the code and denial of any future requests for gate codes.

II. Gate Entry

- 2.1 When arriving at any of the three (3) gates into the Live Oak community, there are two lanes to enter into the community: a lane for registered residents with bar codes and a lane for individuals with no bar code access.
- 2.2 Individuals with no bar codes will need to drive up to the lane designated as such.

III. Gate Access

- 3.1 Bar codes are only available for homeowners or verified tenant occupants.
- 3.2 Homeowners are responsible for notifying and returning bar codes to the Association's Community Manager when the property is sold.
- 3.3 It is the responsibility of the homeowner or verified tenant occupant to contact the Association's Community Manager when bar codes are lost, stole or not working.

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- 3.4 Each homeowner or verified tenant occupant is to have their name or family name and current telephone number available in the community directory.
- 3.5 Homeowners or tenant occupants are responsible for initiating contact with the Association's Community Manager when contact information changes.
- 3.6 Visitors, including but not limited to service providers, vendors, deliveries, or other invitees are to use the Visitor Lane when entering the Community.
- 3.7 Homeowners and verified tenant occupants are responsible for any and all actions of their family members, guest, and invitees.

IV. Misuse.

- 4.1 If a gate bar code is found to be misused, the Association and the gate support access team may deactivate the access card at any time. Examples of misuse include, but are not limited to:
 - a. Using a bar code in a vehicle
 - b. Entering via the exit gate
 - c. Driving around the access arms
 - d. Tailgating another vehicle through the community gate as it enters Live Oak Preserve. Tailgating is the practice of following closely an authorized vehicle through the open community gates before it closes. This is strictly prohibited.
- 4.2 Misuse will result in the following:
 - a. The virtual gate attendant may, but is not required to, log the date and time, and then denote the vehicle's color, make, model and license tag number in the gatehouse logbook. The virtual gate attendant may also denote the time displayed on the DVR when the incident occurred. The virtual gate attendant may have the incident displayed on the security camera's DVR for the police to review upon their arrival. A copy of the gatehouse logbook denoting the incident may be faxed to the management company. If no arrest is made by the sheriff's department, then the Community Association Manager may, at his/her discretion, attempt to identify the driver.
 - b. If trespassing charges are warranted, the Community Association Manager may, but is not required to, contact the sheriff's department and file a report. If trespassing charges are not warranted, the

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Association's Community Association Manager will send a letter in connection with the incident. As a reminder, homeowners/residents are responsible for the behavior of their guests; therefore, if a guest entered improperly, the homeowner/resident will be held responsible.

- i. First Offense: The homeowner/resident will be reminded of everyone's obligation to enter into Live Oak properly and informed that if another violation of this nature (involving either the resident or one of their guests) occurs within the next six months, the Association may deactivate ALL of the homeowner/resident's bar codes.
 - ii. Second Offense: If a second offense is documented within six months of the initial offense, the Community Manager may refer the matter to the Association's Fine Committee for further action. If the violation is repeated the matter will be referred to the Association's Fine Committee for further action. After the proper notice and an opportunity for a hearing, if misuse of the bar codes or tailgating through the gates occurs, there will be a 30-day suspension from amenities. If a violation occurs a third, there will thereafter be a 90-day suspension from amenities
- 4.3 The Association may also levy reasonable fines of up to \$100.00 per violation against any member or tenant, guest or invitee. A fine may be levied for each day of a continuing violation, with a single notice and opportunity for hearing, except that a fine may not exceed \$1,000.00 in the aggregate.
- 4.4 Notwithstanding, if the tailgating incident results in damages to the Association's property including, without limitation, the Association's gate, the Association reserves the right to consider all possible legal remedies, including injunctive relief, and reserves the right to collect for the damages incurred as a result of the tailgating from a resident, tenant, guest or invitee, immediately.