

President's message

A resident of Grand Haven asked me, "what is a 'deed-restricted community'?" Are we one and is that good or bad? We do live in a deed-restricted community, where certain rules about how each homeowner may legally use his/her land are written in a document called Covenants, Conditions and Restrictions (CC&Rs). These rules adhere to the land, so they apply to every owner of the land. Grand Haven has two levels of CC&Rs - a master CC&R that applies to all villages, and a separate CC&R for each village.

Is being a deed-restricted community good or bad? Well, that depends upon you.

Joining this type of community means having some control of neighborhood aesthetics, but it also means losing some basic rights.



You have to go to the Architectural Review Committee to make any change to the outside of your house or landscaping. If you believe that your tastes are faultless and compromise is for the other guy, then these restrictions are bad. If you want to keep that rusty car up on blocks in your driveway because you are going to eventually fix it, you should not be in Grand Haven or any other deed-restricted community. Your freedom is definitely limited.

On the other hand, if you would like to be assured you will not be living next door to a double-wide trailer, a rental house with renters coming and going every week, or a three-foot deep above-the-ground swimming pool in the front yard, you might like restrictions. Ask yourself - is it more important to be able to paint the house the colors of your favorite college football team, or have some limits?

Is this good or bad? Like I said - it depends. But here's the bottom line - know that you are living in a deed-restricted community, and the GHMA Board will enforce the restrictions.

Kenny O'Connor, President, GHMA

Cleanup of Whitehall condo site under way

The construction debris, trash bins, toxic chemicals and the abandoned pickup that littered the site of the half-finished Whitehall condominium have been or will be removed, thanks to BankAtlantic, the controller of the property, in cooperation with the Grand Haven Master Association.

BankAtlantic officials responded to the concerns of the Master Association, said GHMA board member Ray Smith.



Following on-site meetings among bank officials, Hampton Golf, LandMar representatives and GHMA board members, it was agreed that BankAtlantic would secure the site until construction could resume on the buildings. Construction had halted when the developer ran short of funds. A letter sent by Smith to BankAtlantic listed all the potential liability areas and asked the bank to clean up the entire site.

A fence with no trespassing signs is slated for completion soon, while the site clean-up and removal of construction debris is under way.

A BankAtlantic spokeswoman said, "In the spirit of good citizenship, BankAtlantic recognizes the appeal of Grand Haven to those seeking a quality lifestyle. The bank has listened and responded to the concerns of the Grand Haven community and hopes that the steps we are taking will, coupled with the community's patience, ultimately ensure that the safety and value of Grand Haven are maintained."

Earlier, Mark Bowlus, the general manager of Hampton Golf, had the vinyl covering the fence around the site repaired while the bank had some debris removed.

While the property is not "pretty," Smith noted, it will be safer for residents and their children. The bank cannot fix the real estate problems plaguing the country, he pointed out, adding that the condos will probably not be completed until the real estate climate is more favorable.

Deed restrictions in Grand Haven

When residents purchased their lots in Grand Haven, they agreed to a set of C&Rs that stipulate Grand Haven as a deed-restricted community. The following is a sampling of the restrictions that all property owners should be aware of:

- *No fences or walls without ADC approval
- *No trees removed without ADC approval
- *No sheds or outbuildings
- *No clotheslines
- *No doghouses
- *No gazebos without ADC approval
- *No vehicle, boat, mobile home or trailer may be parked, stored or repaired on outside property
- *No garage may be permanently enclosed or converted to another use
- *No screening of any kind may be installed within the garage door opening
- *No animals, livestock or poultry other than common household pets are permitted
- *Dogs must be kept on a leash or within an enclosed area
- *No well shall be drilled with ADC approval
- *No window air conditioners
- *No lawn ornaments without ADC approval
- *Each owner shall maintain all portions of the landscaping and lawns located on his/her lot in a neat and attractive condition.

To ensure that an owner is in compliance with the deed restrictions, Southern States Management, the management company retained by Grand Haven, tours each village twice a month. Residents can report violations of the CC&Rs to the management company and when a violation is verified, a letter is sent to the resident with a required time to respond.

Courtesy and living in Grand Haven

Federal, state and local statutes regulate behavior, from speeding limits to immigration control to public conduct. Here in Grand Haven the CC&Rs set limits on what residents can and cannot do with their property.

And there are, of course, unwritten laws that reflect plain common courtesy. Cars should not be parked blocking a sidewalk, for example. While it's not illegal to do so, it's just not courteous

Most residents clean up after their dogs, would not go fishing in a pond that abuts a neighbor's yard without permission, or picnic on a neighbor's lawn without asking. Many ponds in Grand Haven are bordered by common areas and are open to all residents who want to fish.

While residents obviously cannot be fined for being discourteous, neighbors could think that such people, according to a well-known local wit, "may have come out of the shallow end of the gene pool."

Fun ride with the Biker Babies

By Joelle Rice

Bike riders who like to have fun and get a little exercise at the same time have the opportunity to do so in Grand Haven's Biker Babies bicycle group.

Unlike their compatriots, the Biker Babes, who put the "pedal to the metal" in a more strenuous environment, the Biker Babies like to "stop and smell the roses." (An article about the Biker Babes appeared in the last issue of The Oak Tree.) The "Babies" always have a destination in mind, usually a place to have breakfast, perhaps in Palm Coast, European Village or somewhere on Flagler Beach. Bikers won't have to ride their bikes across the steep Route 100 or Hammock Dunes bridges; they can walk it across instead. We always wait for everyone and ride at a speed that is comfortable for the group. We may do eight miles or 25 miles, depending on our stamina that day.

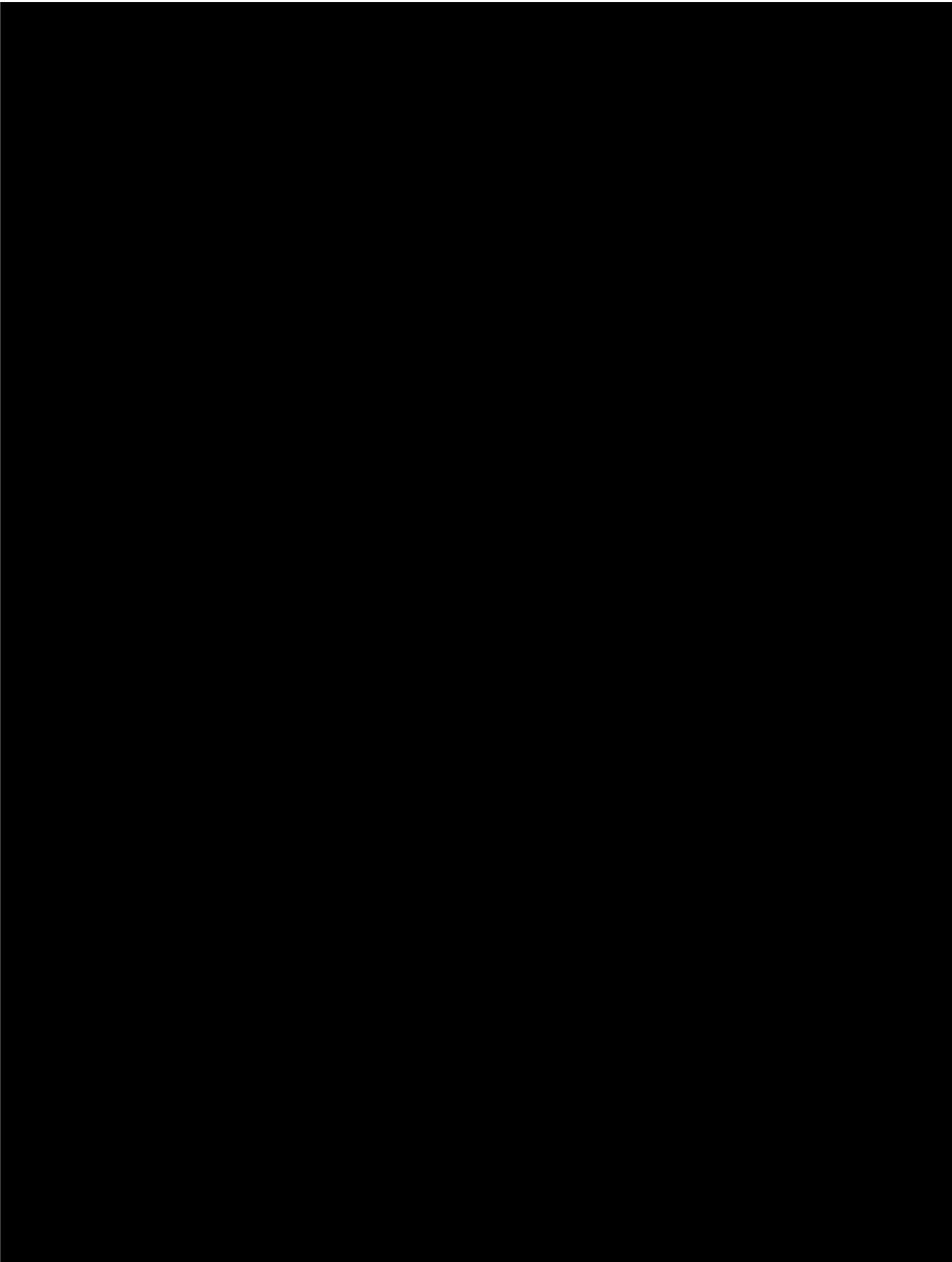
The Biker Babies meet Saturday mornings at 8:30 at the Village Center in the warmer months and at 9 during the cooler months. The group is currently all female, but anyone is welcome, and our spouses often join us for a ride.

Anyone interested in exploring the area, getting a little exercise, and meeting new friends can contact Joelle Rice at jowesfl5@cfl.rr.com or 446-7993.



The Oak Tree staff

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Grand Haven: The history

First of a series

By Art Dycke

Foreward

Ray Smith of the Grand Haven Master Association contacted me in early March requesting that I write a series of articles about the history of Grand Haven for *The Oak Tree*. As the historian for the city of Palm Coast, I have always endorsed the much-advertised claim of developer ITT that our community was "...the perfect place to live."

This makes the following "not so short" history of Grand Haven a labor of love. I hope to outline relevant and interesting aspects of our past from the "beginning" until ITT began building the city in 1969. Then I would like to trace our past owners, from ITT Community Development Corporation to Lowe Enterprises to LandMar Group and examine details of the Colbert Lane extension and the creation of the Grand Haven Community Development District. But most of all, I would like to pass on to you the memories, stories and photos that residents have been sharing with me about their lives in Grand Haven. (Please keep them coming!)

Before ITT

I will begin this short history 25 million years ago, by which time Grand Haven (and the rest of Florida) had emerged from the ocean. I will spare you details of the mastodons, giant sloths and paleo-indians that roamed our area by asking you to visit the Daytona Beach Museum of Arts and Sciences to view its fascinating displays and exhibits about our earliest inhabitants.

We know that sometime between 800 and 1200 AD, real people inhabited the Grand Haven area and left behind a midden of their broken artifacts, animal bones, shells, and other debris. Our property was also used by itinerant Timucuan and earlier Indians who camped near what is now The Crossings.

In 1513, Florida was "discovered" by the Spanish, transferred to the English in 1763 and returned to Spain in 1783. Grand Haven is built upon the drained part of an extensive swamp, which covered the entire area between the Matanzas and Halifax rivers before they were connected to form what is now the Intracoastal Waterway. Lt. Colonel John Graham, a Georgia planter and loyal British officer, was rewarded with 20,000 acres of land in the area in 1782. He came down Old Kings Road with his four sons and 200 slaves and worked the land with unknown results before being forced to leave. Today, 3,084 acres of the Graham Swamp west of Colbert Lane is owned by the St. Johns River Water Management District.

Spanish land grants resumed after 1783 and the Hernandez family owned the largest tracts in our area. Joseph Martin Hernandez owned three area plantations: Mala Compra at Bings Landing, Bella Vista at Washington Oaks and St. Joseph's, which covered a wide area surrounding the present day Publix in the Palm Harbor shopping center. All these plantations and the large Williams Plantation, which existed in the area of today's Shell station/post office and firehouse, were burned down during the Seminole Indian Wars in the 1830s.

The present-day Grand Haven area was mostly quiet and deserted for many years thereafter, insulated by the Graham Swamp from the sounds of the Civil War and commercial traffic that were continuous on Old Kings Road to the west. When Henry Flagler completed his railroad from St. Augustine to Key West, he took a big inland detour around "the pine covered swamp" area that was to become Palm Coast.

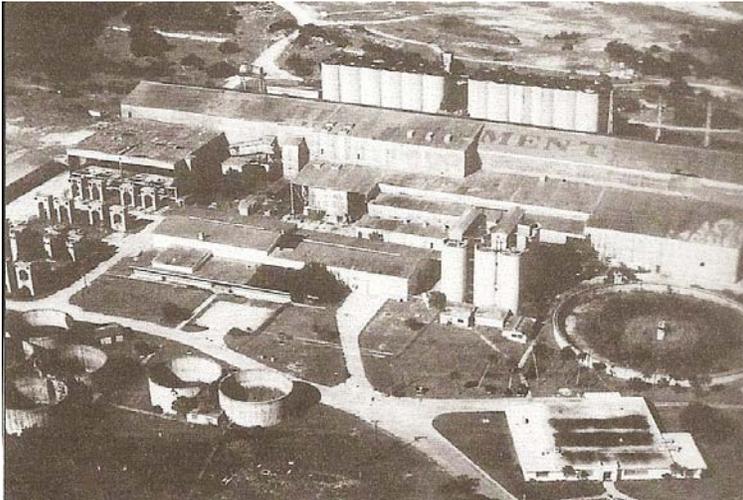
It got a little noisier in this area after November 1882, when a dredge boat began digging a canal through the swamplands from the Matanzas River toward the Halifax to join the two. At the forward end of these early dredge machines, 20 large steel buckets were attached to an "endless chain" scooping up mud, sand and rock from the canal bottom. A new book, *Florida's Big Dig*, details how the stretch of the canal running through the Grand Haven area was the largest hindrance to the completion of the entire Florida East Coast Canal from St. Augustine to the Florida Keys. The original canal was dug east of here, giving present day Island Estates its name. Cutting through the rock and shale that is still

clearly visible at the northern end of the old canal took from 1882 to 1906. It later had to be abandoned because it was neither deep nor wide enough. The present Grand Haven pathway is along the new canal built by the Army Corps of Engineers, put in charge of the ICW in 1927.

Flagler County was created from St. Johns and Volusia counties in 1911. Northern tourists motored down the Old Brick Road near Route 100 during the flamboyant, roaring 1920s. Old-time Flagler residents told me stories of moonshine stills hidden in the uninhabited woodlands, and rumor has it that there might be some competing rum runners' bodies buried under the Grand Haven golf course.

Rich tourists went fishing and hunting, for a fee, in the wooded areas south of Grand Haven. And Grand Haven's John Gazzolli was said to have maintained a deer hunting stand in the woods during the early 1970s.

In 1952, a large, modern Lehigh Cement Company factory opened near the southern end of what is now Colbert Lane and Roberts Road. The plant, close to Route 100, employed



more than 300 workers until its sudden closing in 1965. The lone smokestack (originally there were two) on the east side of Colbert Lane is all that remains of this once vibrant community industry. Peace and quiet then returned to the area for about four years until the arrival of ITT in 1969.

The international conglomerate bought the old cement plant and 68,000 acres of land. Its Levitt subsidiary announced the beginning of construction of a large new planned community, which according to company officials, would become a city as large as Detroit.

The present-day history of Grand Haven in Palm Coast, Flagler County, Florida, had begun.

Next: From ITT to LandMar

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Water aerobics a hit since 2001

Two water aerobics programs, developed in 2001 by Grand Haven residents Lucianne Kamalsky and Gloria Sanchez, are still going strong at the Village Center Pool.

Water aerobics is a full body workout that includes stretching while in the pool, exercises set to music, cardiovascular exercises, and body toning with equipment.

The two programs are offered weekdays from 10 to 11 a.m. Lucianne's classes, for all levels, include the stretching and cardiovascular exercises and toning with equipment. They are held Monday, Wednesday and Friday. Each class member works at his or her own pace.

Gloria's classes meet Tuesday and Thursday and consist of stretches and water aerobics set to music. Gloria also offers an accelerated program at the Creekside pool on Monday and Friday from 8 to 10 a.m.

Both women are volunteers and welcome residents to join them in the pool. The classes are free and those interested can visit the classes and take a look at the water exercises.

For more information or to register, call Lucianne at 447-3603 or Gloria at 447-1926.

Bug alert!!!

Chinch bugs are here!!!

They destroy lawns rapidly!!!

They thrive on dry weather and soil!!!

Irrigate very actively on the correct days and times!!!



Meeting schedule/board information

Maj. Gen. Wil Hessert, (U.S. Air Force, Ret.) has been named to the Grand Haven Master Homeowners board of directors to complete the remainder of the term of Pat Driscoll, who resigned for personal reasons.

Board members have considerable experience with the GHMA and its subcommittees. Kenny has served for four years on the Architectural Design Committee and as a GHMA board member before her election as president. Both Rob and Wil served as GHMA presidents; Ray is a former treasurer of the association, and Marc, an attorney, has been a member of the board for two years.

The GHMA meets on the third Thursday of each month at 2 p.m. in the Grand Haven room at the Village Center.

Members of the GHMA board:

President	Kenny O'Connor	446-3587	koconnor12@cfl.r.com
Vice President	Rob Sedelmyer	447-8664	07superman@bellsouth.net
Treasurer	Ray Smith	445-3666	raymondsmith@cfl.r.com
Director	Marc Dwyer	437-3072	marc@knightdwyer.com
Director	Will Hessert	446-5204	Whessert@cfl.r.com

Each board member has assigned areas of responsibility. The first person named has the lead; the second supplies support as needed.

Crossings	Wil Hessert
Advisory Council	Rob Sedelmyer
PLM	Rob Sedelmyer & Kenny O'Connor
Property Manager	Kenny O'Connor
ADC	Ray Smith & Kenny O'Connor
Newsletter	Ray Smith & Kenny O'Connor
Townhouses	Kenny O'Connor
Condos	Wil Hessert
Budget & Financial	Ray Smith
CC&Rs	Marc Dwyer

Residents with questions about any of these areas should email or call the lead person.

State offers free wind inspections of homes

The state of Florida, through its “My Safe Florida Home program,” is offering free inspections to Florida homeowners that could save up to 40 percent on current wind insurance rates. These reports are also used to identify how homeowners can strengthen their homes against hurricanes and reduce hurricane damage exposure.

The legislature has allocated \$250 million to fund the program. These funds are available to assist homeowners with inspection services and provide grant money to protect their homes from hurricane damage. The program is operated on a first-come, first-serve basis.



All single family, site-built homes are eligible for an inspection; town homes and condos are not. Homeowners can determine if they are eligible by contacting the “My Safe Florida Home program,” 866-513-6734 or at www.mysafefloridahome.com.

Inspections include a “Uniform Wind Mitigation Report,” which the state now requires all insurance companies to accept for any applicable discounts to windstorm policies. Savings so far have ranged from \$100 to more than \$1,200 per year.

An inspection report includes the following:

- An outline of improvements that will increase a home’s resistance to hurricane wind damage
- An estimate of how much each improvement will cost to complete
- An estimate of insurance discounts or credits you may be eligible for based on the inspection of your home
- A hurricane-resistance rating that shows the homes current ability, and future ability with improvements, to withstand hurricanes.

Topic submitted by Bill Haussmann, LandMar

Frequently Asked Questions (FAQs)

Q. What is the role of the GHMA?

A. The GHMA's principal mission is to enforce the deed restrictions within Grand Haven. These restrictions are known as Covenants, Conditions and Restrictions (CC&Rs).

Q. I do not have a copy of the CC&Rs. How do I get one?

A. You should have received a copy when you purchased your lot, but you can obtain one by contacting the property manager, Southern States Management Group, at 386-446-6333.

Q. What recourse does the GHMA have with property owners who do not observe the CC&Rs?

A. Florida law has empowered homeowner associations to enforce CC&Rs by levying fines. The GHMA complies with the required state statute procedures to enforce fines. Fines can be as much as \$100 per day up to a cumulative total of \$1,000. Failure to pay the fines subjects the owner to possible legal action.

Q. What process does the GHMA follow when CC&R violations occur?

A. A violation is reported to or noticed by the property manager.

1. A digital dated camera documents the violation.
2. A letter is sent to the violator giving the resident 10 days to fix the problem or report their intended actions and timeframe. The letter also contains the notification of the 14 days required by law to the resident for an opportunity for a hearing before the Fine Committee.
3. If no suitable remediation effort is taken, the violation is forwarded to the Fine Committee for action.
4. The Fine Committee reviews the offense and proposed fine then votes whether to levy it. A majority vote is required to levy a fine.
5. If fines are not paid, they are forwarded to the GHMA's attorney for legal action.

Email or call your question to any of the board members.

Fair warning

The \$55 annual assessment for the Grand Haven Master Association was due in January and the GHMA appreciates the property owners who have paid the assessment on time.

Those who have not yet paid the \$55 assessment were mailed a fourth invoice in May. The invoice contains the assessment amount, an administrative late fee of \$25 and the accumulated finance charges, along with notification that a lien will be placed on the owner's property if the invoice is not paid. To avoid additional late fees and attorney costs, residents are encouraged to pay the full balance immediately.

If the assessment is not paid by the time the August newsletter goes to press, the name and address of the resident may be listed in *The Oak Tree*.

ADC drop-off box

It will now be a little easier for residents to submit applications to the Architectural Design Committee. A drop-off box has been placed on the west side of Marlin Drive, near the Creekside center. The applications will be picked up daily during the week, saving residents a trip into the city. Residents should be aware that any change to the exterior of their houses or to their landscaping requires ADC approval. The submittal forms are on the GHMA web site www.grandhavenmhoa.com.

Fee structure changed

The GHMA has deleted the \$25-50 fee for filing an Architectural Design Committee application in an effort to eliminate a possible reason for not submitting the documents.

Any homeowner, however, who made unapproved changes to the landscaping or to the exterior of his or her home without filing the required approval form will still be required to submit plans for approval and will have to pay a \$100 submission fee. Failure to get approval for any changes to the landscaping or residence could result in a fine of up to \$1,000. Additionally, submitting plans after changes have been made carries the risk that the plans will be rejected and any alterations would have to be undone.



GHMA NEWSLETTER
Grand Haven Master Association, Inc.
P.O. Box 354785
Palm Coast, FL 32135

Southern States Management Group	386-446-6333
Community Development District	386-447-1888
LandMar Group	386-446-6428
Grand Haven Guard Gate	386-445-2376
Village Center Office	386-447-0192
Village Center Café	386-447-0239
Grand Haven Golf Club Pro Shop & Tee Times	386-445-2327
Grand Haven Golf Club Restaurant	386-445-1027
Palm Coast City Hall	386-986-3700
Flagler County Property Appraiser	386-313-4150

