

## A PRIVATE CLUB COMMUNITY

To: All Owners

Re: Enforcement of Governing Documents

Date: September 22, 2023

Dear Association Member:

One of the basic tenets of living in a community with a homeowners' association is the need for adherence to the covenants contained in the Governing Documents, which include the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Grand Haven Master Association, the Village Declarations, By-Laws, Articles of Incorporation, Policies, Procedures, Rules, & Regulations, and Architectural Design Standards, all as amended or supplemented from time to time, as well as the provisions of the Homeowners' Association Act (Chapter 720, Florida Statutes).

It is the Board's responsibility to enforce the Governing Documents and adhere to the Florida Statutes while doing so. The Board has recently become aware of restrictions which may not have been consistently enforced, those restrictions being found in Article IX, Section 2 of the Declaration of Covenants, Conditions and Restrictions of The Crossings at Grand Haven; Article IX, Section 3 of the Declaration of Covenants, Conditions and Restrictions of the Reserve at Grand Haven; Article 10, Section 10.25 of the Declaration of Covenants, Conditions and Restrictions for Linkside, a Grand Haven Neighborhood; Article 10, Section 10.25 of the Declaration of Covenants, Conditions and Restrictions for Grand Haven Neighborhoods (AKA Fairways Edge); and Article III, Section 3.14 of the Declaration of Covenants and Restrictions for River Club at Grand Haven, all concerning wells.

**The Board has determined that the foregoing provisions should be strictly enforced, prospectively. That means, notwithstanding what has occurred in the past, the Board will prospectively enforce these provisions.**

The covenants and restrictions contained in the Governing Documents (including the Village Declarations) are made for our collective benefit. We must follow the terms of the Governing Documents as presently set forth. Accordingly, the Board has adopted the attached Resolution which is intended to "draw a line in the sand" and provide notice that all of the provisions of the Governing Documents, including the prohibition of the drilling of wells in the above-referenced

Villages, henceforth shall be strictly and uniformly enforced. A copy of the Board's Resolution in this regard, with the full text of the relevant sections of the governing documents, is attached for your file.

Sincerely,

**BOARD OF DIRECTORS  
GRAND HAVEN MASTER ASSOCIATION, INC.**

By: Robert Jay Carlton

This instrument prepared by and )  
should be returned to: )  
) )  
Robyn Marie Severs, Esquire )  
Becker & Poliakoff, P.A. )  
111 N. Orange Ave. # 1400 )  
Orlando, Florida 32801 )  
(407) 875-0955 )  
) )  
Cross Reference O.R. Book 729, Page 259; )  
O.R. Book 1180, Page 1677; O.R. Book 1481, )  
Page 133, O.R. 665, Page 1774; O.R. 598, Page 1080; )  
O.R. Book 611, Page 434; O.R. 622, Page 1202; )  
O.R. 869, Page 1356, of the Public Records of Flagler )  
County, Florida )

**BOARD RESOLUTION  
GRAND HAVEN MASTER ASSOCIATION, INC.**

**WHEREAS**, the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Grand Haven Master Association has been duly recorded in the Public Records of Flagler County, Florida, in Official Records Book 729, Page 259; and has been amended by the First Amendment to Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for Grand Haven Master Association recorded in Official Records Book 1180, Page 1677, Public Records of Flagler County, Florida; and by the Certificate of Amendment to the Declaration of Covenants, Conditions Restrictions for Grand Haven Master Association and Articles of Incorporation and Bylaws of Grand Haven Master Association, Inc., recorded in Official Records Book 1481, Page 133, Public Records of Flagler County, Florida (collectively known as “Master Declaration”);

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions of The Crossings at Grand Haven has been duly recorded in Official Records Book 665, Page 1774 and has been supplemented and/or amended at Official Records Book 798, Page 802; Official Records Book 857, Page 705; Official Records Book 1286, Page 742; Official Records Book 1694, Page 1781; Official Records Book 1911, Page 1337, all of the Public Records of Flagler County, Florida (collectively known as “Crossings Declaration”);

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions for Grand Haven Neighborhoods has been duly recorded in Official Records Book 598, Page 1080, and has been amended at Official Records Book 1206, Page 1444; Official Records Book 1410, Page 4; and Official Records Book 1435, Page 713, all of the Public Records of Flagler County, Florida (collectively known as “Fairways Edge Declaration”);

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions for Linkside, a Grand Haven Neighborhood, has been duly recorded in Official Records Book 611, Page 434, and has been supplemented and/or amended at Official Records Book 661, Page 596; Official Records Book 700, Page 1313, and Official Records Book 1024, Page 95, all of the Public Records of Flagler County, Florida (collective known as “Linkside Declaration”);

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions of the Reserve at Grand Haven has been duly recorded at Official Records Book 622, Page 1202 and has been amended at Official Records Book, 781, Page 7125; Official Records Book 1707, Page 273, all of the Public Records of Flagler County, Florida (collectively known as “Reserve Declaration”);

**WHEREAS**, the Declaration of Covenants and Restrictions for River Club at Grand Haven has been duly recorded at Official Records Book 869, Page 1356, and has been supplemented and/or amended at Official Records 928, Page 130; Official Records Book 1036, Page 334; and Official Records Book 1069, Page 1155, all of the Public Records of Flagler County, Florida (collectively known as “River Club Declaration”);

**WHEREAS**, Article IX, Section 2 of the Crossing Declaration and Article IX, Section 3 of the Reserve Declaration provides as follows:

Mining or Drilling. There shall be no mining, quarrying or drilling for minerals, oil, gas, or otherwise undertaken within any portion of the Property. Excepted from the foregoing shall be activities of Declarant or the Association, or any assignee of Declarant or the Association, in dredging the water areas, creating land areas from water areas, or creating, excavating or maintaining drainage or other facilities or easements, or the installation of wells or pumps in compliance with applicable governmental requirements, or for sprinkler systems for any portions of the Property.

**WHEREAS**, Article 10, Section 10.25 of the Fairways Edge Declaration and Linkside Declaration provide that: “No individual water supply system or sewage disposal system shall be permitted on any Lot, including but not limited to water wells, cesspools or septic tanks;”

**WHEREAS**, Article III, Section 3.14 of the River Club Declaration provides as follows:

3.14 Utilities. All potable water and sewage facilities and service to the Property shall be supplied by the central water supply and sewage system installed as part of The Work. No well of any kind shall be dug or drilled on the Property, and no septic tank may be constructed on any Lot. Recycled effluent (gray water) will be used by the Association for the master lawn and landscaping irrigation system for the Lots and other portions of the Property and the Development.

**WHEREAS**, the Board of Directors (“Board”) of the Grand Haven Master Association, Inc. (“Association”) is responsible for the day-to-day administration of the affairs of the Association; and

**WHEREAS**, the Board’s duties include the enforcement of the Declaration, Linkside Declaration, Crossings Declaration, Fairways Edge Declaration, Reserve Declaration, and River Club Declaration; and

**WHEREAS**, the Board believes that enforcement of the above-quoted provisions of the Declarations stated above is necessary for the maintenance of property values in the community and to comply with the relevant provisions of Chapter 720, Florida Statutes; and

**WHEREAS**, after investigation by the Board, it appears that the above restrictions may not have been uniformly enforced; and

**WHEREAS**, the Board wishes to provide notice that it will, on a prospective basis, consistently and even handedly enforce the Declarations in accordance with the requirements of the Florida Statutes; and

**WHEREAS**, without limiting the Board’s general intention to enforce all provisions of the Declarations, the Board wishes to provide specific notice to owners and all residents of the policies contained in the Declarations as they relate to wells; and

**WHEREAS**, the Board has adopted the following Resolution at a duly noticed meeting and wishes to provide each Unit Owner with notice of the Association’s intentions.

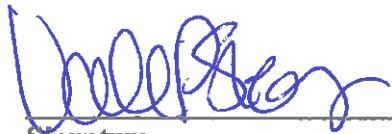
**NOW THEREFORE**, it is resolved as follows:

1. The above recitations are true and correct and each are incorporated herein in their entirety by reference.
2. Henceforth, the Board will strictly enforce the Declarations, including, but not limited to prohibition of wells in the Crossings, Fairways Edge, Linkside, Reserve and River Club Villages.

This Resolution was adopted at a duly noticed meeting of the Board of Directors on the 22 day of September, 2023, and shall be considered effective as of that date. Owners who have already drilled wells, prior to the date of this Resolution, will be grandfathered and will not be required to alter their wells back to the original state. However, in the event the wells are abandoned, the wells will not be permitted to be used again and new wells will not be permitted. After investigation, any other pre-existing violations may, or may not, be “grandfathered” within the discretion of the Board of Directors. This resolution shall not be construed as forgiving any financial obligations which remain unpaid. All such financial obligations which are in arrears are still due and owing.

**WITNESSES:**

**GRAND HAVEN MASTER  
ASSOCIATION, INC.**

  
\_\_\_\_\_  
Signature

BY:   
\_\_\_\_\_  
Robert Carlton, President

  
\_\_\_\_\_  
Printed Name

Date: 9/22/23

Valerie Steger  
Signature

Valerie P Steger  
Printed Name

ATTEST: Troy Railsback  
Troy Railsback, Secretary

Date: 9/22/2023

STATE OF FLORIDA  
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 22 day of September, 2023, by Robert Carlton as President for Grand Haven Master Association, Inc.

Personally Known X OR  
Produced Identification \_\_\_\_\_  
\_\_\_\_\_  
Type of Identification

NOTARY PUBLIC - STATE OF FLORIDA

Sign Valerie Steger  
Print Valerie P Steger  
My Commission expires: 11/30/2025

