

Cypress Pointe of MacClenny Homeowners Association, Inc. – Governing Documents

Homeowners Association Documents are lengthy and exist for the benefit of the community. Each owner should have received the documents when they purchased their home.

These documents can be found on the Baker County Clerk of Court Website (<http://www.bakercountyfl.org/clerk/>) They can be downloaded for free. Management can email an electronic copy of the documents at no charge; however, printed documents will cost \$25.00 including postage.

Listed below is a brief description and highlights of the Governing Documents:

- **The Articles of Incorporation of Cypress Pointe of Macclenny Homeowners Association, Inc.** establishes the homeowners association and outlines the following:
 - Purposes (Section III) – To own, maintain, repair and replace the Common Area.
 - General Powers (Section IV) – To hold funds solely and exclusively for the benefit of the members, to enforce rules, regulations, bylaws, covenants, and restrictions. To fix assessments to be levied against all of the Property. (see A – J)
 - Defines the Members (Section V) – **All** Owners of Lots located within the Property
 - Voting and Assessments (Section VI) – ***The Association will obtain funds [Assessments] with which to operate by assessment of its Members.***
 - Board of Directors (Section VII) – The affairs of the Association shall be managed by a Board of Directors consisting of three (3) Directors.
 - Officers (Section VIII) – President, Vice President, Secretary, Treasurer; the Vice President and Treasurer office can be held by the same person.
 - Corporate Existence (Section IX) – The Association shall have a perpetual existence.
- **ByLaws of Cypress Pointe of MacClenny Homeowners Association, Inc.** define the association's basic structure and its areas of responsibility. ByLaws define the powers of the board of directors. Some of the highlights are:
 - Section VI outlines the Powers and Duties of the Board of Directors.
 - To establish, levy and assess, and collect the annual and special assessments necessary to operate the Association. (3)
 - To appoint committees, adopt and publish rules and regulations. (5)
 - ***To authorize and cause the Association to enter into contracts for the day to day operations of the association.*** (6)
- **Declaration of Covenants and Restrictions for Cypress Pointe of MacClenny** establishes a commitment, agreement, or contract which grants a right or imposes a liability. Highlights are:
 - Article IV The Association, Section 4.1 – Each Lot Owner shall be a member of the Association until the title of the Lot is transferred to a different person.
 - Article V Common Area Rights
 - Section 5.4 Maintenance of Common Area, Entrance Sign and Compliance with applicable permits – The Association shall always manage, operate, and keep the Common Area in good repair; the Association shall maintain all lakes, drainage areas and easements.

- Article VI Architectural Control, Section 6.1 – No landscaping, improvement or structure of any kind shall be commenced, erected, placed or maintained upon any lot unless the plans have been approved in writing by the Association.
- Article VII Covenants for Maintenance Assessments
 - Section 7.1 Creation of the Lien and Personal Obligation of Assessments – ***Each Owner of a Lot within the Property agrees to pay to the Association any annual assessments and any special assessments. No Owner may avoid liability for the assessments.***
 - Section 7.2 Purpose of Assessments – Used for the purposes of management and accounting fees, taxes, insurance, and utility charges relating to the Common Area and other responsibilities noted in Section 5.4
 - Section 7.3 Calculation and Collection of Assessments – ***Annual assessments shall be collectable in advance on a periodic basis established by the Board of Director.***
 - Section 7.4 Effect of Non-Payment of Assessment – A lien is recorded in the public records of Baker County, Florida. Liens for unpaid assessments are subject to Foreclosure
- Article VIII Exterior Maintenance Assessment – The Association has the right to make repairs on neglected properties and back charge the owner.
- Article X Use Restrictions – provides for type of use, type of buildings, setbacks, measurements, maintenance of lots and limited common areas, trees, driveways, sidewalks, landscaping, mailboxes, signs, fences, nuisances, motor vehicles and boats, animals, artificial vegetation, lighting, antenna, window air conditioning, etc.
- Article XIII Remedies for Violations – outlines the procedures for the Association when addressing violations of the Use Restrictions.