

BARCLAY PLACE AT HEATHROW ASSOCIATION, INC.
BOARD OF DIRECTORS VEHICLE ILLEGAL PARKING ENFORCEMENT
RESOLUTION
(Resolution no. 2006-1)

WHEREAS, the Barclay Place at Heathrow Association, Inc Board of Directors (the “Board”) is empowered to govern the affairs of the Barclay Place at Heathrow Association, Inc. (the “Association”) pursuant to Articles 8.1 of the Declaration of Covenants, Conditions and Restrictions for Barclay Place at Heathrow, Inc. and Article 5.1 of the Bylaws of the Association; and

WHEREAS, the provisions of Sections 7 and 19 of the Initial Restrictions and Rules governing the use of the properties and Common Areas of Barclay Place, which are incorporated as Exhibit “D” to the Declaration of the Covenants, Conditions, and restrictions for Barclay Place, prohibit, except for the parking of service and delivery vehicles which may be parked only for that period of time that is reasonably necessary to provide service or make a delivery, of any vehicle in any unauthorized area and in any fire lane, within the Barclay Place Community; and

WHEREAS, the parking of vehicles in violation of these parking Restrictions and Rules can be injurious to the health, safety and welfare of, inconvenient for and/or hazardous and a nuisance to the public and resident of the Barclay Place Community; and

WHEREAS, the parking of vehicles in any unauthorized area and any fire lane in violation of these Restrictions and Rules can lead to vehicle accidents within the Barclay Place Community; and

WHEREAS, the parking of vehicles in any unauthorized area and any fire lane in violation of these parking Restrictions and Rules can impede the ingress and egress of residents of the Barclay Place community in general and specifically to the available parking spots; and

WHEREAS, the parking of vehicles on the streets in violation of these Restrictions and Rules can lead to vehicle accidents within the Barclay Place Community; and

WHEREAS, the parking of vehicles on the streets in violations of these parking Restrictions and Rules can impede the ingress and egress of residents of the Barclay Place community in general and specifically to the available parking spots; and

WHEREAS, the parking of vehicles on the grass in violation of these parking Restrictions and rules can damage the grass within the Barclay Place Community, which results in additional lawn maintenance costs for the Association; and

WHEREAS, the parking of vehicles on the sidewalks in violation of these parking Restrictions and Rules can damage the sidewalks within the Barclay Place Community, which results in additional maintenance and repair costs for the Association; and

WHEREAS, the parking of vehicles on the sidewalks in violation of these Restrictions and Rules can interfere with the use and enjoyment of such sidewalks by residents within the Barclay Place Community, and there fore can be injurious to the health, safety and welfare of the residents; and

WHEREAS, there are at least 301 off-street vehicle parking spaces within the Barclay Place Community.

NOW THEREFORE, it is hereby resolved, as of this 12th day of December 2005, that:

1. The following Barclay Place at Heathrow Vehicle Illegal Parking Regulation is adopted and effective this 12th day of December, 2005:
 - a. Except for construction and except for service and delivery vehicles which may be parked for that period of time that is reasonably necessary to provide service or make a delivery, and vehicle which is parked within the Barclay Place Community of the streets, sidewalks, grass or any other area of the Barclay Place Community other than a marked off street parking space is parked in violation of the parking Restrictions and Rules of the Barclay Place Community (“Illegally Parked Vehicle”). No repair of vehicles shall be made within the Condominium Property. No trucks (other than pick-up trucks with a capacity of less than or equal to one-half (1/2) ton), buses or commercial vehicle (except as provided by the Board Motion of 8/10/2005 regarding BP1535, may be parked anywhere on the condominium property, except for those of the Management Company, if any.
 - b. Any Illegally Parked Vehicle is subject to immediate removal, and may be immediately removed, by towing at the owner’s, resident user’s or operator’s sole cost and expense, upon authorization to the Towing Company contracted by the Boards as set forth herein, by the President or Vice President of the Board, or in their absence another member of the Board designated by either of them, either upon either own initiative or upon notification from any resident of the Barclay Place Community Such Towing Company shall agree to comply with all requirements of law including but not limited to Section 715.07, Florida Statutes concerning the towing of vehicles on private property, as the same may be amended from time to time.
 - c. Except for the signage and mailing notifications provided for herein, such towing of any Illegally Parked Vehicle may be without any further notice to the owner, resident user or operator of such Illegally Parked Vehicle.
 - d. Prior to authorization of the towing of any vehicle, a member of the Board or a member of management shall independently verify that such vehicle

is an Illegally Parked Vehicle. Once verified, they will then contact the towing company to have the vehicle towed.

- e. In furtherance of this resolution, the Board shall cause to be permanently erected no farther than five (5) feet in front of the outside of (1) the area even to the straight horizontal plain created by the entrance gate arm; or (2) the “guard shack” in the center between the exit and entrance gates (the exact location to be selected by the President or Vice President of the Board based upon aesthetics when ready for erection), the following signs:

- i. An approximately eighteen (18) inch wide by thirty (30) inch long “No Parking Warning” sign with the following or similar wording:

WARNING at the top in four (4) inch high letters, followed by No unauthorized vehicle or vessel parking throughout community on streets, sidewalks or grass. VIOLATORS WILL BE TOWED without further notice in two (2) inch high letters.

This sign should look essentially as set forth below.

WARNING
No unauthorized
vehicle or vessel
parking throughout
community on
streets, sidewalks
or grass.
VIOLATORS WILL
BE TOWED
without further notice.

Such sign shall have light-reflective letters on a contrasting background, the colors of both of which shall blend with the front gate structure.

The sign shall be erected on a wood post starting at a height of seven (7) feet above the ground level.

The Board shall cause this sign to be erected by the 15th day of March, 2006 or as soon thereafter as is reasonably possible.

- ii. The sign of the Towing Company with which the Board contracts to provide the towing services for the Barclay Place community as set forth herein.

This sign is to be provided by the Towing Company and is to be in compliance with the Florida Statutes.

Such Towing Company sign shall be erected on the same wood post as the NO Parking Warning sign and directly below such sign so the words Tow Away Zone on such Towing Company sign are at a height of no less than three (3) feet nor more than six (6) feet above the ground level.

The Board shall cause this sign to be erected by the 15th day of March, 2006 or as soon thereafter as is reasonably possible.

- f. In furtherance of this resolution, the Board shall cause to be placed on the Visitor Call Center in the median between the entrance and exit gates right below the telephone numbers pad, a small sign of appropriate size and material, which directs the visitors' attention to the No Parking Warning sign on the right side of the entrance gate.

This sign should read as follows or similar:

Please direct you attention to, read and abide by the Parking Regulations on the right side of the entrance gate. (or "in the center between the entrance and exit gates", if this location is chosen for the sign).

Such sign shall have black letters on a silver background.

The Board shall cause this sign to be placed on the Visitor Call Center by the 15th day of March, 2006 or as soon thereafter as is reasonably possible.

- g. In furtherance of this resolution, the Board shall enter into a contract with an authorized person or entity which is regularly engaged in the business of towing vehicles (the "Towing Company"). Such Towing Company must store any removed or towed vehicle at a site which is within ten (10) miles of the Barclay Place Community or, in the event that no Towing Company has a vehicle storage site within ten (10)miles of the Barclay Place Community, a Towing Company that will store any removed or towed vehicle at a site which is within twenty (20) miles of the Barclay Place Community, and is otherwise in compliance with all requirement of law, including but not limited to Section 715.07, Florida Statutes as the same may be amended from time to time.
- h. In furtherance of this resolution, the Board shall cause a notice of its adoption to be sent to the owner of each Unit within Barclay Place Community at their last address of record with the Barclay Place

Management Company on or before the 31st day of January, 2006. Such notice shall notify the owner of the adoption of this resolution and of the Board's intent to commence its enforcement within twenty-four (24) hours after the signs set forth in Sections 1 (e) and (f) above have been erected and placed on the Visitor Call Center, as appropriate, and shall include a copy of this Resolution.

2. This Barclay Place at Heathrow Illegal Parking Enforcement Resolution applies equally to Illegally Parked Vehicles of owners, residents, tenants, guests and trespassers within the Barclay Place Community.
3. This Barclay Place at Heathrow Illegal Parking Enforcement Resolution shall remain in effect until otherwise altered, amended, modified or rescinded by a majority of the then current Board.
4. All towing pursuant to this resolution shall be in compliance with all applicable laws including but not limited to Section 715.07, Florida Statutes concerning the towing of vehicles on private property, as the same maybe amended from time to time. In the event of any conflict between this statute and this resolution, the statute shall control.

APPROVED:

President

Secretary

Treasurer