

Lakewood Pointe Homeowners Association Inc.

Architectural Criteria



Saint Augustine, Florida

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1) Introduction

The Board of Directors (“Board”) of the Lakewood Pointe Homeowners Association, Inc. (“Association”) has established the following Architectural Criteria pursuant to Article VI of the Declaration of Covenants and Restrictions for Lakewood Pointe (“Declaration”). All defined terms contained in these Architectural Criteria shall have the same meanings as such terms are defined by the Declaration. The purpose of these Architectural Criteria, in accordance with Article VI of the Declaration, is to maintain and support the explicit and implied directions therein and to ensure the maturity of the property as a community of the highest quality in which all improvements are harmonious in architectural design and aesthetic appearance.

All Owners are advised to review the Declaration and these Architectural Criteria prior to applying to the Architectural Review Board (“ARB”) for review and approval of any planned alteration to their home or property. The ARB will accept applications from Owners or their representatives who provide a written contract with the Owner to present to the ARB. All plans and specifications shall be evaluated for both their visual and acoustical privacy as well as the harmony of the external design to a specific location in relationship to surrounding structures, the Lake, the Conservation Area, existing trees and natural vegetation and specific conformance with the Architectural Criteria.

ARB approval does not guarantee approval by any public permitting agency (e.g., County Building Department). All plans must be checked by the Owner to see if external permitting is required and then those plans must reflect ARB approval and be stamped by the ARB prior to seeking and obtaining a building permit. Should this procedure not be followed then the Owner will be asked to remove any and all improvements/changes to their property not meeting these Architectural Criteria and as stated in the Declaration, fines will apply.

Note: When considering any alteration or improvement, do not rely on what may have been approved or be in place by a neighbor. The Declaration and/or Architectural Criteria may have changed over time.

2) Authority

a) Members

- i) The ARB is a committee of either three (3) or five (5) members appointed by the Board. The ARB shall hold a meeting at least once each month. The majority of members of the ARB constitutes a quorum to conduct business.
- ii) Each ARB member must be in good standing with the Association to serve on the ARB. Members of the ARB serve at the pleasure of the Board.
- iii) The Association’s property management firm coordinates all matters for the ARB. Contact the Property Manager on any matters concerning the ARB review process. ARB meetings are generally held on the second Monday of the month at 10:30am at the SE Annex St Johns Library (Small Conference Room). In order to be placed on the ARB’s agenda, the

application must be submitted to the offices of the Property Manager, ten (10) days prior to the meeting date. Emergencies will be considered on a case by case basis. All meeting notices are posted at the entrance to Lakewood Pointe.

- b) Approvals or denials will be communicated to the Owner by postal mail or email if the Owner has consented in writing to receive notices by email pursuant to Section 720.030(2)(c)1 of the Florida Statutes. The ARB may appoint a job coordinator to work with the applicant and to assist with any process issues as they arise through completion.
- c) Owners with proposed improvement projects requiring ARB approval may request to present their idea as an agenda item before the committee. Any renderings of the improvement to help the committee visualize the outcome, along with the applicant's attendance would help to enhance a dialogue whereby preliminary guidance can be obtained from the Review to help achieve an efficient outcome of the approval process.

3) Home Improvements Covered by Architectural Criteria

a) Article VI – Architectural Control Section 6.1 – Architectural Review and Approval
Except for the initial construction of a residential dwelling and related structures, landscaping and other improvements on a Lot (“Initial Construction”), which shall be reviewed and approved or disapproved by the Developer pursuant to Section 6.5 hereof, no landscaping, improvement or structure of any kind, including without limitation, any building, fence, wall, screen enclosure, sewer drain, disposal system, landscape devise or object, driveway or other improvement shall be commenced , erected, placed or maintained upon any Lot, nor shall any addition, change or alteration therein or thereof be made, unless and until the plans, specifications and location of the same have been submitted to , and approved in writing by the Association through its Architectural Review Board (“ARB”). All plans and specifications shall be evaluated as to visual and acoustical privacy and as to the harmony of external design and location in relation to surrounding structures, topography, existing trees and other natural vegetation and as to specific conformance with architectural criteria which may be imposed from time to time by the Association. It shall be the burden of each Owner to supply two (2) sets of completed plans and specifications to the ARB and no plan or specification shall be deemed approved unless a written approval is granted by the ARB to the Owner submitting same. The ARB shall approve or disapprove plans and specifications properly submitted within thirty (30) days of each submission. Any change or modification to an approved plan shall not be deemed approved unless a written approval is granted by the ARB to the Owner submitting same.

4) Non-Compliance

- a) In the event the actual construction is not in compliance with the ARB approved plans, the Association shall advise the Owner to halt all work and may proceed with legal proceedings to require removal of any construction or improvement not in compliance with the approved plans and specifications.

5) Lakefront Lot Classification

- a) Owner Lots with back yard properties bordering the lake will be considered “Lakefront Lots”. Lots to be designated as “Lakefront Lots” will include Lot #'s 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43.

6) Major Modifications, Owner Renovations, Improvements to Existing Homes and Properties (As described in Article XIV, Section 14.12 of the Declaration)

- a) Pursuant to Article XIV, Section 14.12 of the Declaration, prior to obtaining a building permit for the construction of any renovation or addition, including the addition of a swimming pool, to an existing residence which requires the issuance of a building permit from the applicable local governmental building official, the Owner of the Lot shall remit a \$1,000 damage deposit with the Association. The damage deposit will be held by the Association in a non-interest-bearing account to ensure payment to repair damage which was caused to Common Area. It will be used to offset any costs incurred by the Association in order to:
 - i) Repair damage to any Common Area, including the street and curbing, caused by the builder, contractor or his subcontractors, suppliers and representatives during construction.
 - ii) Pay for the cost of any cleanup of the site and adjacent property not performed by the builder / contractor.
- b) Within ten (10) days following the date upon which the construction is completed, the damage deposit will be returned to the Owner provided no damage to Common Area has occurred.

7) Partial Home Replacement

- a) In the event a home or homes in Lakewood Point are destroyed and need to be rebuilt partially or completely, the house(s) will be rebuilt in the same style and with the same or similar materials and on the original footprint of the former house. Should the footprint need to be changed, prior ARB approval is required.
- b) Prior to construction, the Owner and Contractors will supply all drawing, etc. that the ARB may need to grant approval.

8) Handicapped Access Ramp

- a) Section 720.304(5) of the Florida Statutes provides that any Owner may construct an access ramp if a resident or occupant of the lot has a medical necessity or disability that requires a ramp for egress and ingress under the following conditions:

- i) The ramp must be designed to blend in aesthetically as practicable and be reasonably sized to fit the intended use.
- ii) The Owner must submit to the ARB an affidavit from a physician attesting to the medical necessity or disability requiring the access ramp.
- iii) Plans for the ramp must be submitted in advance to the ARB. The ARB may make reasonable requests to modify the design to achieve architectural consistency with surrounding structures and surfaces.

9) Screen Enclosures

- a) All Screen Enclosures require ARB approval.
- b) Pool screen enclosures and lanai enclosures will be bronze or black in color with bronze or black screening. Any existing screen enclosure that was previously approved by the developer or that was installed by the builder need not be modified to conform to these Architectural Criteria. (See Special Note at the end of this document.)

10) Pools & Spas

- a) No above ground pools are allowed
- b) In-ground pools and spas require ARB approval. Applicants are responsible for all St. Johns County Building permit requirements and associated fencing and safety regulation code compliance.
- c) All equipment for pools, spas and hot tubs, including pumps, filters, etc. must be sited where it will not cause a nuisance to neighbors and must be screened from view. Mechanical equipment such as pipes and wiring must be concealed or screened from front, street, or sidewalk view.

11) Above ground Hot Tubs

- a) All hot tubs must be submitted for ARB approval, regardless of exterior location. Above-ground Hot Tubs are allowed within fenced yards where the white vinyl fencing is used. On Lakefront Lots, hot tubs may be placed within a screened enclosure.

12) Roof Repairs and Replacement

- a) All roof replacements require prior ARB approval
 - i) All roofing must be at least 25 Year Architectural Shingles the same as the existing roof. Should these shingles no longer be available, ones as close as possible to the existing original roofing in the community should be used. Repairs to roofs will not require ARB approval so long as all repairs are made using materials as close as possible to the existing roof. If any visible sign of repair or dissimilar shade of shingle is visible from the street, ARB approval is required. As roofs are replaced in the community the ARB will maintain a listing of roofing materials that they have accepted.

b) Roof Vents

- i) All exposed roof accessories, including but not limited to, vents, flashing, and attic ventilators must match or be compatible with the color of the roofing material and must be approved by the ARB.

13) Storage Sheds

- a) Prior ARB approval is required for all storage sheds.
- b) All setback requirements and St. Johns building code requirements must be followed. ARB approvals are not a substitute for County or State Code requirements.
- c) All applications should have as much detail as possible. Items like anticipated elevation drawings or photos of model desired, materials used, site plan location, and height.
- d) All storage sheds must be anchored to the ground. Footings or other securing device must be included in any plans for consideration.
- e) Owners wishing to build storage sheds in their back yard or side yards on Lots that have a six foot (6') white vinyl fence encompassing the entire backyard may build sheds not exceeding a height of 7.6 feet.
- f) Proposed sheds on Lots that do not have six foot (6') white vinyl fence fully encompassing the backyard must be no taller than six feet (6'), be screened from the view of neighbors and the street with plants and must be approved by the ARB.
- g) If a pre-built storage shed is approved and is to be transported over any Common Area, a \$500.00 check will be required as a damage deposit. The deposit will be held by the Association in a non-interest-bearing account. It will be used to offset any costs incurred by the Association to repair Common Area and the remainder will be returned to the Owner.

14) Minor Modifications

- a) Minor modifications are changes to the Lot that does not require a permit be first obtained from the County. Any drawings or visual aids, along with a description containing as much detail as possible to help the ARB better understand the improvement will help.

15) Landscaping

- a) The ARB supports Florida Friendly Policy regarding landscaping. (<http://floridayards.org/professional/index.php>) Trees, shrubs and flowers are welcome in the community. Before digging, Owners shall call 811 for information needed to avoid hitting underground utility lines.
- b) Only authorized personnel may undertake plantings in the lake, lake wetland areas, or on the lake bank.

- c) Landscaping equipment including, but not limited to mowers, rakes, shovels and wheelbarrows must be stored out of view.
- d) No artificial grass, plants or other artificial vegetation shall be placed or maintained upon the exterior portion of front lawns.

16) Landscape Pavers

- a) Pavers must be natural, muted, subdued earth tone colors. White pavers will not be permitted. Pavers may be used to construct walkways and patios.

17) Landscaping and Mulch Materials

- a) Landscaping beds must be mulched with appropriate coverings/materials.

18) Lighting, Landscape Solar, and Electric Garden Lights

- a) Lighting will be white lighting only. Light fixtures and their supports must be natural, muted, subdued earth tone colors.
- b) Exterior lighting should be designed and installed so as to avoid the creation of glare, obtrusive light, light trespass and visual nuisance.

19) Herbs and Vegetables in Landscape

- a) Both perennial and annual herbs may add beauty and usefulness to one's landscape. Such gardens are permitted without ARB approval.
- b) Vegetable gardening, with raised beds or otherwise, is allowed within the white fencing without ARB approval. Such gardening on lake properties or areas outside white fencing require ARB approval.

20) Rain Barrels / Rain Collection Devices

- a) Rain barrels/collection devices are not permitted in the front yard. If visible on side yard, they must be approved for color and style.
- b) Rain barrels must be screened from public view by plantings or fencing. Such devices may not exceed 70 gallons in capacity size. There must be a sturdy rigid top to exclude animals and children from the device. All openings of the container and system must be screened against mosquitoes.

21) Arbors and Trellis Structures

- a) Arbors and Trellis on the front or side yards must be approved by the ARB. They must be white, natural, muted, subdued earth tone colors, incorporating a vine type plant, evergreen, compatible in scale, massing, character, harmony with the dwelling.

22) Patio

- a) Patio material must be muted, subdued earth tones colors in harmony with the dwelling and consistent with the overall appearance of the community.
- b) Patios require approval by the ARB.
- c) Patios must be in compliance with all covenants, restrictions, county and state regulations.

23) Fences

- a) Only the following fence types will be permitted:
 - i) White 6-foot vinyl on Non-Lakefront Lots
 - ii) Aluminum 4-foot coated aluminum in black or bronze on Lakefront Lots and the back portion of the Lots against conservation areas.
- b) Installation or changes to the layout of the fencing must be reviewed and approved by the ARB.
- c) The drawings submitted to the ARB must show the site (lot survey) location on site of existing facilities, location of proposed fencing, type or design of fence, dimensions and design detail. The fencing must consider the location and design of any adjacent existing fence.

24) Outdoor Cooking

- a) Use of fire pits and grills must comply with St. John's county ordinances. All fuel sources for fire pits and grills must be contained within a metal, concrete, stone or similar vessel and no fires are permitted on lawns or in earthen holes. Firepits built permanently into patios require ARB approval.

25) Gazebos / Pergolas/ Sunshades

- a) Any plans for a freestanding structure such as a gazebo, pergola, or sunshade must be submitted to the ARB for approval.
- b) These structures may be no taller than 3 feet above the white fencing or 5 feet above the aluminum fences.
- c) The roofs on these structures that are visible from adjacent properties must match the house, or be metal of black, brown or bronze color, or be of natural materials such as cedar, bamboo or grass. Flat or open lattice roofs need not be tiled. Fascia and support pillars must be finished to match the house or of natural materials, stone, cedar, redwood, bamboo or metal. If the gazebo support structure is metal and unpainted, the color should be black, brown or bronze color. If the gazebo support structure is painted, the color should match the color of the painted roof or the body color of the house.
- d) These structures must be compatible in scale, massing, character, materials and color with the house. Changes in grade or drainage must not adversely affect adjacent property.

- e) All structures must be secured to the ground. Footings or other securing device must be included in any plans for consideration. Multiple gazebo structures will not be permitted. Adherence to setback requirements is mandatory.

26) Fountains, water features, placement, and dimensions

- a) Prior ARB approval is required for fountains, water feature structures and ponds located on the Lot.

27) Play Equipment

- a) All play equipment shall be stored out of sight when not in use and shall not be placed or used on the roadways. Play equipment must be secured or placed inside during tropical storm and hurricane winds
 - i) Skateboard Ramps
 - (1) Skateboard Ramps within white fences will be approved by the ARB on a case-by-case basis. Portable ramps which can be stored away when not in use do not require ARB approval. Skateboard ramps are not to be deployed on any street.
 - ii) Basketball Goals
 - (1) No Basketball backboards or hoops are to be mounted on the house.
 - (2) A pole on which to mount a Backboard may be installed midway between house and street, on the edge of the driveway opposite the front entry door, with ARB approval.
 - (3) Basketball goals that are portable (meaning they can be moved when not in use) may be used in the same location as permanent ones.
 - (4) Backboard, net, and pole must be maintained in good condition. Poles are to be solid earth tone or black.
 - iii) Swing and Swing Set
 - (1) Swing sets must be located in the rear yard or side yard and buffered with landscaping from neighboring homes and across the lake.
 - iv) Trampolines
 - (1) Trampolines are not permitted.

28) Other

- a) Antenna, Satellite Dish
 - i) The following guidelines are design and location restrictions for ALL types of satellite dishes as approved by the Telecommunications Act of 1996 which directs Federal Communication Commission (FCC) to create regulations, which would disallow restrictive covenants on satellite dishes

under one (1) meter in diameter only. These guidelines may be revised in the future. Satellite dishes under one (1) meter in diameter will be allowed and must comply with the following guidelines regarding installation, maintenance and placement of any exterior antenna, satellite dish or similar structure.

- (1) Satellite dish size and color must be submitted to the ARB for approval. Satellite dish location must be approved by the ARB.
- (2) Some additional landscaping will be required if located on the ground. The landscaping must meet the height of the dish when installed.
- (3) Painting of the satellite dish/structure may be required if allowed by the manufacturer.
- (4) If not submitted to the ARB, the satellite dish may require relocation to be paid for by the owner, and may be subject to a fine.
- (5) Satellite dish masts will be allowed, and must be screened from view of adjoining neighbors with landscaping that meets the height of the dish when installed.
- (6) Satellite dishes shall not be installed at the front of the dwelling. Front of dwelling is defined as the area facing the street and one third way down each side of the dwelling.
- (7) Attach a copy of the site plan with the satellite dish location marked.

b) Awnings and Sun Control Devices

- i) Awnings or sun control devices of any type material that are visible from the street must be approved by the ARB and shall not substantially change the appearance of the exterior of the home. ARB will review on a case by case basis.

c) Beehives

- i) Beehives, or bee keeping is not permitted and will not be considered on residential lots by the ARB.

d) Doghouse / Dog Run

- i) Dog houses and dog runs are not permitted.

e) Flagpoles

- i) Lawn mounted flagpoles will be no higher than 20 feet high and shall not be placed within any easement.

f) Garage Doors, Replacement Doors

- i) Garage doors and replacement garage doors must be similar in style and design and materials of the original developer installed garage doors. Garage doors shall be the same color of the original doors.

g) Garage Screens

- i) Garage door screening systems shall only be permitted if installed in the interior of the garage. When the garage door is closed, no screens or apparatus shall be visible from the exterior.

- h) Hurricane Protection Window Shutters
 - i) Permanent hurricane protection window shutters require ARB approval.
 - ii) All hurricane window protection may be in place no earlier than the official hurricane watch and are to be taken down as soon as weather or damage permits.
- i) Lightning Protection Systems
 - i) All cabling must be concealed in the attic. From the attic to the ground it must be in a concealment system to match the color of the trim or siding to obscure its presence.
- j) Paint Colors, Stain Colors, Driveways
 - i) All Paint/Stain colors for driveways must be approved by the ARB. Color samples are required. Driveway colors must be natural, muted, subdued earth tone colors. Dark colors will not be approved.
 - ii) Storm windows and screen frames are considered trim on the dwelling and must match existing trim color (white).
 - iii) Gutter and downspouts must also compliment the color of the house, trim or flashing.
 - iv) Garage doors to be the same color as they were originally installed (white). Contrasting front door accent colors not on the approved list must be approved by the ARB. Painting of the aluminum trim is not permitted.
 - v) The following exterior paint colors for body and trim have been approved by the ARB. Use of the approved colors requires no further approval by the ARB. Colors other than those on the approved list require ARB approval prior to painting. No dark colors or dramatic differences to those colors already approved will be approved. The list below are the approved colors in Sherwin Williams paint.
 - vi) Body Colors
 - (1) SW 6066 Sand Trap / SW 6205 Comfort Gray / SW 6379 Jersey Cream / SW 6455 Fleeting Green / SW 7023 Requisite Gray / SW 6378 Crisp Linen / SW 7066 Gray Matters / SW 9110 Malabar / SW 6526 Icelandic / SW 6002 Essential Gray
 - vii) Trim
 - (1) SW 7006 Extra White
 - viii) Front Door and Shutter Color Options
 - (1) SW 6458 Restful / SW 6214 Under Seas / SW 6500 Open Seas / SW 7062 Rock Bottom / SW 7747 Recycled Glass / SW 6479 Drizzle / SW 6772 Cay / SW 6523 Denim / SW 6686 Lantern Light / SW 7617 Mediterranean / SW 2862 Burma Jade / SW 6478 Watery / SW 9179 Anchors Aweigh / SW 6244 Naval / SW 6212 Quietude
- k) Shutters
 - i) Plain square flat panel or louver type shutters are permitted. They should match the colors listed in Paragraph viii, Front Door and Shutter Color Options, of this document. Shutters with raised designs, or shutters with

cut out patterns or external hardware will be considered on a case by case basis.

l) Solar Collectors

- i) Solar collector installation should be placed on the back or side roof line if possible. Collectors will be permitted on the street side slope when solar collection is not possible on back or side roof lines. Collector frames, support brackets and any exposed piping should be as compatible as possible with the color of the roofing material.

m) Trash / Recycling Container Screening

- i) Trash / Recycling container screens must be white, natural, muted, subdued earth tone colors, compatible in scale, massing, character, harmony with the dwelling.

n) Weather Equipment / Weather Monitoring Stations

- i) Weather Equipment and Monitoring Stations should be located behind White Fencing. Please provide ARB with as much detail as possible about the type and location of equipment.

o) Windows, replacement windows, and security bars

- i) Windows should be replaced with a style and compatibility to original windows. Windows must be white.
- ii) Colored glass treatments must be approved by ARB. Security bars are not permitted.

29) Special Note

- a) All previously approved changes made to an Owner's Lot that are properly documented in the Association's records need not be modified to conform to these Architectural Criteria if nonconforming. Likewise, any improvements made by the original builder, and any landscaping improvements or modifications made within the mulched planter areas as originally constructed by the builder, are automatically grandfathered. For any other changes made that have not been approved previously, or that written documentation of prior approval does not exist in the Association's records, there shall be a 90-day grace period beginning on the adoption date of these Architectural Criteria for Owners to either (1) provide proof to the ARB of prior approval that the Owner has in their records which the Association may not have had in its records, or (2) retroactively submit an application to the ARB for approval, which will be considered based upon the Declaration which are in effect, or (3) correct such change(s) so as to comply with the Architectural Criteria. Enough reasonable time beyond 90 days may be granted upon written request to the ARB for any corrections reasonably requiring more time to complete.

IN WITNESS WHEREOF, the undersigned Officers of the Association have executed this instrument on the dates written below.

Witnesses

**Lakewood Pointe Homeowners
Association, Inc.**

Signature of Witness 1

President

Printed

Printed

Signature of Witness 2

Secretary

Printed

Printed

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____, as President, and _____, as Secretary, of Lakewood Pointe Homeowners Association, Inc., on behalf of the corporation.

(Signature of Notary Public – State of Florida)
(Print, Type, or Stamp Commissioned Name
of Notary Public)

Personally Known or Produced Identification

Type of Identification Produced: _____ .

IN WITNESS WHEREOF, the undersigned Officers of the Association have executed this instrument on the dates written below.

Witnesses

Ashley McPartland
Signature of Witness 1
Ashley McPartland
Printed

Kari N. Eldridge
Signature of Witness 2
KARI N. ELDRIDGE
Printed

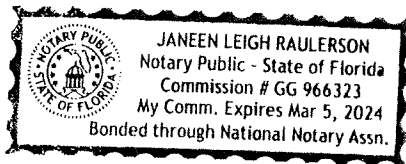
Lakewood Pointe Homeowners Association, Inc.

Wes Powers
President
Wes Powers
Printed

Jan Thomas
Secretary
JAN THOMAS
Printed

STATE OF FLORIDA
COUNTY OF ST. JOHNS

The foregoing instrument was acknowledged before me this 19th day of November, 2020, by Wes Powers, as President, and Jan Thomas, as Secretary, of Lakewood Pointe Homeowners Association, Inc., on behalf of the corporation.



Janeen Leigh Raulerson
(Signature of Notary Public – State of Florida)
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known or Produced Identification

Type of Identification Produced: _____.