

RESOLUTION 12-07

A RESOLUTION OF THE VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 2; FINDING IT SERVES A VALID PUBLIC PURPOSE AND IS WITHIN THE BEST INTEREST OF THE DISTRICT AND ITS RESIDENTS TO MAINTAIN CERTAIN SECURITY WALLS; ADOPTING WALL MATRIX WHICH IDENTIFIES WALL MAINTENANCE RESPONSIBILITIES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Community Development District No.2 (the "District") is a unit of special-purpose government established pursuant to the Uniform Community Development District Act of 1980, as codified in Chapter 190, *Florida Statutes*, as amended (the "Act"); and,

WHEREAS, pursuant to the Act, the District is authorized to provide and deliver community development services and to hold, acquire, maintain and control any public property, including easements or dedications to public use, for those purposes authorized by the Act and is authorized to maintain security features such as security walls and fences; and,

WHEREAS, there exists security walls around villa units located within the District's boundaries; and,

WHEREAS, it is within the residents' best interest for the District to maintain certain sections of these security walls which it has legal access to and said maintenance serves a valid public purpose.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Village Community Development District No.2, as follows:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to Chapter 190, Florida Statutes.

SECTION 2. FINDINGS. The Board of Supervisors of the Village Community Development District No. 2 hereby finds and determines as follows:

- (i) The above recitals are true and correct and incorporated herein.
- (ii) The District is authorized under Chapter 190, Florida Statutes, to among other things, finance, fund, plan, establish, acquire, construct or reconstruct and maintain

public improvements, District property and community facilities necessitated by the development of, and serving lands within, the District.

(iii) It is necessary to the public health, safety and welfare and in the best interests of the District that the Wall Matrix dated January 24, 2012, attached hereto, is hereby adopted. The Wall Matrix identifies sections of Security Walls, as defined therein, that will be, and to what extent, maintained by the District. The District will only maintain those sections of Security Walls that it has legal access to maintain. Maintenance of said sections of Security Walls serves a proper, essential, and valid public purpose and is in the best interests of the District, its landowners and residents.

SECTION 3. EFFECTIVE DATE. This Resolution shall become effective upon its adoption.

APPROVED AND ADOPTED THIS 11th DAY OF MAY, 2012.

BOARD OF SUPERVISORS
VILLAGE COMMUNITY
DEVELOPMENT DISTRICT NO. 2

ATTEST:

By: _____
Ed Nowe, Chairman

Janet Y. Tutt, Secretary

DISTRICT No. 2- WALL MATRIX

This matrix is intended to assist District staff in determining the District's responsibilities and should not be relied upon by home owners. Home owners should rely upon their applicable deed restrictions for determining their responsibilities.

NOTE: This Wall Matrix addresses Security Walls located around the villas' perimeter and, where indicated, the walls situated on District owned tracts. The matrix includes Security Walls addressed by the applicable villa covenants and restrictions and existing Security Walls not addressed by the covenants. "Security Wall" and "Security Wall Fence" for purposes of this matrix are defined as those solid wall structures 6 ft. in height or taller situated around the perimeter of the villa. The District will only maintain those walls indicated on this Wall Matrix that it has legal access to maintain.

KEY: S.W., SWF, W.F & F.W. = Security Wall G.F. = Gate Fence ROW = Road Right of Way O = Owner
D.R. = deed restriction E= easement b/w = between

UNIT/VILLA	PARTY	D.R.	SECTION OF SECURITY WALL	RESPONSIBILTIV
202/DeLa ROMONA	District	Art.II(1)	top & exterior: Lots 1 & 29-43 (Per Plat - Madero Drive Dist. Tract A&B)	repair & maintain
	Owner	Art.VI	All walls not assumed by District	maintain, paint & keep clean - subject to ARC
			Gate on Gate fence wall	maintain by O enjoying use of side yard
			Exterior of gate fence wall on Lot 1 & Exterior of non-gate front wall on Lot 1	painted & kept clean by party responsible for maintaining adjacent landscaped yard area
Owners of 13,14,29,30,43,44,45,46, 50,51,52,53,61,62&70			Structural integrity	repair & maintenance of wall serving lot whether on O lot, adjacent lot, common or dedicated area; if serves >1 lot – O’s share costs
			exterior of wall (upon their lot facing the adjoining road ROW or parking areas)	clean & paint
	Owner of Lot 1		interior portion of SWF lying on Lot 1	clean & paint

UNIT/VILLA	PARTY	D.R.	SECTION OF SECURITY WALL	RESPONSIBILTIIY
204/SANTO DOMINGO	District	Art.II(1)	top & exterior: Lots 1-25 abut Unit 23* Lots 26-31 abut Enrique Drive Lots 31-35, 38-41 abut VCCDD Postal Property	maintain & repair
	Owner	Art.VI	All walls not assumed by District	maintain, paint & keep clean - subject to ARC
			Gate on Gate fence wall	maintain by O enjoying use of adjacent side yard
			Structural integrity	repair & maintenance of wall serving lot whether on O lot, adjacent lot, common or dedicated area; if serves >1 lot – O's share costs
	Owners of 25,26,37,42,47,48 & 52		exterior of wall (upon their lot facing the adjoining road ROW or parking area)	clean & paint
Owner of Lot 1 & 41		interior portion of SWF lying on Lot 1 & 41	clean & paint	

*Lots 1-25 abut Unit 23 homes. There is no platted or D.R. E providing access to exterior of Unit 204 walls. Need legal access.

UNIT/VILLA	PARTY	D.R.	SECTION OF SECURITY WALL	RESPONSIBILTIIY
205/LaCRESENTA	District	Art.II(1)	D.R. not mention of Dist. wall responsibility	
			Dist. Tract A & B – sign walls	repair & maintain
			Exterior of S.W. along Ballesteros Dr.	paint & keep clean
	Owner 60-64	Art.VI	walls on lots (includes structural integrity)	maintain as originally constructed
	All Owners	Art. VI		shall keep lots neat& clean; at sole cost repair residence keeping in condition as originally constructed

UNIT/VILLA	PARTY	D.R.	SECTION OF SECURITY WALL	RESPONSIBILTIIY
206/SAN LEANDRO	District	Art.II(1)(e)	top & exterior: The perimeter of subdivision: Lots 12-20 abut unit 28, Dist. 2 homes* Lots 21-33 abut Villa La Crescent Villa/205** Lot 1 & 40-65 (abut Buena Vista Blvd which is platted as Dist. Tract G on Unit 30 plat Per plat, Tract G, conveyed to Dist. 3)	maintain & repair
	Owner	Art.VI	All walls not assumed by District	maintain; paint & keep clean - subject to ARC
			Gate on Gate fence or wall	maintain by O enjoying use of adjacent side yard
			Structural integrity	repair & maintenance of wall serving lot whether on O lot, adjacent lot, common or dedicated area; if serves >1 lot – O's share costs
	Owners of 11,20,21,32,65,66, 76,77,87,88,99,100&111		exterior of wall (upon their lot facing the adjoining road ROW or parking areas)	clean & paint
	O's of 10 & 33		interior of perimeter SWF on their lots	clean & paint

*Unit 28 provides no E or other access on the plat or in its D.R.s; the D.R.s for Unit 28 do not make those homes responsible for exterior of 206 walls either. Need legal access.

**205/LaCresenta's D.R. provide in Art. IV(4) there exists an E for wall maintenance.

UNIT/VILLA	PARTY	D.R.	SECTION OF SECURITY WALL	RESPONSIBILTIIY
207/ESCANDIDO	District	Art.II(1)	top & exterior: Lots <u>1-15</u> (abuts VCCDD prop. Savanna Center) Lots 15-31 (abuts Dist. 3 Tract B) Lot 1 & 58 (abuts Caribe Drive) Lot 41-54*; 56-58*	repair & maintain Repair & maintain
	Owner	Art.VI	All walls not assumed by District Gate on Gate fence wall Structural integrity	maintain; paint & keep clean - subject to ARC maintain by O enjoying use of adjacent side yard repair & maintenance of wall serving lot whether on O lot, adjacent lot, common or dedicated area; if serves >1 lot – O's share costs
	Owners of 14,15,31,32,55,58, 59,72,73,85,86,97,98&108		exterior of wall (upon their lot facing the adjoining road ROW or parking areas)	clean & paint
	O's of 31-41		exterior fence on lot	maintain

*walls fall b/w 2 homes –Unit 207 & Unit 30; Unit 30 D.R.s 3.1 provide E access to Dist. to maintain exterior of 207's wall.

All Villas have the provision: If all or portion of residence is damaged or destroyed by fire or other casualty, it shall be the duty of the Owner thereof to rebuild, repair, or reconstruct such residence and walls in a manner with will substantially restore it to its appearance and condition immediately prior to the casualty.