

RESOLUTION 13-11

A RESOLUTION OF THE VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 5; 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.5 (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.5, 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. 5 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.

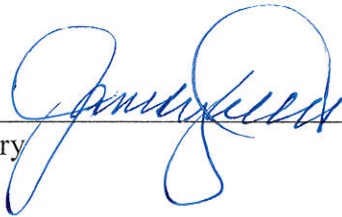
(iii) It is necessary to the public health, safety and welfare and in the best interests of the District that the Wall Matrix dated May 17, 2013, attached hereto, is hereby adopted. The Wall Matrix identifies sections of Security Walls, as defined therein, that will be, and to what extent, maintained 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.

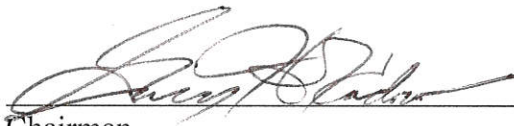
APPROVED AND ADOPTED THIS 17th DAY OF MAY, 2013.

**VILLAGE COMMUNITY DEVELOPMENT
DISTRICT NO. 5**

Secretary



Chairman



DISTRICT No. 5 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. The District is not responsible for the 'structural integrity' of any security walls unless solely situated on a District owned tract.

NOTE: This Wall Matrix addresses Security Walls located around the villas' perimeter and, where indicated, the walls situated on or abutting District owned tracts. The matrix may include Security Walls addressed by the applicable villa covenants and restrictions ("D.R.") 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. The District will only maintain those sections of Security Walls it has legal access to maintain.

KEY: S.W., SWF, W.F & F.W. = Security Wall
D.R. = deed restriction

G.F. = Gate Fence
E= easement

ROW = Road Right of Way O = Owner
b/w = between

UNIT/VILLA	PARTY	D.R.	SECTION OF WALL	RESPONSIBILTIIY
Unit 78	Developer	Sec. 3.1	all walls	maintenance & repair
236/Cherry Hill	District	Art.II	W. side Lot 1 & 35-41 (abut Dist. Tract A, B & Belvedere Blvd)	repair & maintain top & exterior
			Rear Lots 1-19*	
			E. side Lots 19-25**	
			Lots 25-35***	
	Owner	Art.VII	All walls not assumed by District	repair & maintain; paint & keep clean subject to ARC approval; 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
			Gate on Gate fence or wall	maintain by O enjoying use of adjacent side yard
	Owner		Lots 20,26,34,41,42,52,53 & 62	clean & paint exterior of wall/fence upon their lot facing the adjoining road ROW or parking areas****
	Owner		Lots 19,20,25,26,34 & 35	clean & paint interior of wall/fence upon & adjacent to lot

*Abut SLRDD Belvedere Golf Course –No access

**Abut Inglewood Villas/238 – No access

***Abut Unit 104 homes. Unit 104 D.R. provide that Unit 104 O's are responsible for maintaining interior of adjoining S.W.
Unit 104 lots 59-68 are the ones that abut Cherry Hill

<i>UNIT/VILLA</i>	<i>PARTY</i>	<i>D.R.</i>	<i>SECTION OF WALL</i>	<i>RESPONSIBILTIIY</i>
239/Clifton	District	Art.II	Lots 1-11 (abut Dist Tract B – Belvedere Blvd) Lots 32 - 40(abut Dist. Pimlco golf course) Lot 58 (abuts Dist. Tract A – Belvedere Blvd) Lots 41-51*	repair & maintain top & exterior S.W.
	Owner	Art.VII	All walls not assumed by District	maintain; paint & keep clean - subject to ARC 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
			Gate on Gate fence or wall	maintain by O enjoying use of adjacent side yard
	Owner		Lots 1,11,12,21,22,31,41&50	clean & paint exterior of wall/fence upon their lot facing the adjoining road ROW or parking areas
	Owners		Lots 11,32,40,41,50 & 51	clean & paint interior of wall/fence upon & adjacent to lot

*Abut Unit 75 – No access

UNIT/VILLA	PARTY	D.R.	SECTION OF WALL	RESPONSIBILTIIY
242/Hialeah	District	Art.II	E Lots 1 & 85 (abut Dist. Tract C & D – Belevedere ROW) Rear 1-23 (abut Charter School)* Lots 2-40, 45 & 46*	repair & maintain top & exterior S.W.
	Owner	Art.VII Art. VII & VIII (etc)	regarding painting & repair: All walls not assumed by District All walls	paint & keep clean structural integrity

* No access

UNIT/VILLA	PARTY	D.R.	SECTION OF WALL	RESPONSIBILTIIY
637/Ezell	District	Art.II	Lots SW 1, 38-46 (abut Dist R-O-W Calloway Dr.) Lots 1-4* Lots 5-17** Rear Lot 17 & 18*** Lots 19-29**** Lots 29-38*****	repair & maintain top & exterior S.W.
	Owner	Art.VII	All walls not assumed by District	maintain; paint & keep clean - subject to ARC 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
			Gate on Gate fence or wall	maintain by O enjoying use of adjacent side yard
	Owner		Lots 18,30,39,48,49,57, 58,66,67,73,74 & 79	clean & paint exterior of wall/fence upon their lot facing the adjoining road ROW or parking areas
	Owner		Lots 17,18,29,30,38&39	clean & paint interior of wall/fence upon & adjacent to lot
	Owner		Lot 45	clean & paint portion f wall/fence lying along east side of lot, which faces Lot 45

*Abut Unit 81 – D.R. silent about access. Unit 81 Lots 22 & 24 abut Ezell –No access

**Abut Unit 101 - D.R. silent about access - No access

***Abut unit 104 – D.R. 2.11 provides O of 104 responsible to maintain interior of S.W.

****Abut Oakbend Villa/682 – D.R. art VII provides O's (of Lots 37-46) in unit 682 shall maintain interior of adjoining W.F.

*****Abut Inglewood – D.R. silent about SW maintenance – No access

UNIT/VILLA	PARTY	D.R.	SECTION OF WALL	RESPONSIBILTiy
641/Heritage	District	Art.II	Rear Lots 17-28 (abut Dist Tract E – Buena Vista Blvd) Lots 1 & 43 (abut Dist Tract A & B – Right of Way) Lot 28 (abut District Tract – Buena Vista Blvd) Lot 16* Lots 28-33** W. Lot33 & Lots 40, 42 &43***	repair & maintain top & exterior S.W.
	Owner	Art.VII	All walls not assumed by District	maintain; paint & keep clean - subject to ARC 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
			Gate on Gate fence or wall	maintain by O enjoying use of adjacent side yard
	Owner		Lots 17,27,34,44,51,57,58,61,63&64	clean & paint exterior of wall/fence upon their lot facing the adjoining road ROW or parking areas
	Owner		Lots 16,17,27,28,33&34	clean & paint interior of wall/fence upon & adjacent to lot

*Abuts Developer golf course Arnold Palmer - No access

**Abut Tall Trees Rec. Center – No access

***Abut Unit 74 - D.R. silent about access -No access

UNIT/VILLA	PARTY	D.R.	SECTION OF WALL	RESPONSIBILTIIY
643/Latrobe	District	Art.II	Lot 1 (abuts Dist Tract B – Entry along R-O-W) Lot 44 (abuts Dist Tract E – Entry along R-O-W) Lots 2-40, 45 & 46*	repair & maintain top & exterior S.W.
	Owner	Art.VII	All walls not assumed by District	maintain; paint & keep clean - subject to ARC 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
			Gate on Gate fence or wall	maintain by O enjoying use of adjacent side yard
	Owner		Lots 18,24,36,44,45,55,56 &65	clean & paint exterior of wall/fence upon their lot facing the adjoining road ROW or parking areas
	Owner		Lots 18,19,24,25,36 & 37	clean & paint interior of wall/fence upon & adjacent to lot

*Abut Unit 71 - lots 19, 25, 37, 42 & 43; Unit 71 D.R. reserves E to Developer to maintain walls. District has no access.

UNIT/VILLA	PARTY	D.R.	SECTION OF WALL	RESPONSIBILTiy
644/Arlington	District	Art.II	Rear Lots 10-18 (Abut Charter School)* E of Lot 44 (Abut Charter School)* Rear of 44 & N 55 (abut Developer property)*	repair & maintain top & exterior S.W.
	Owner	Art.VII Art. VII & VIII (etc)	regarding painting & repair: All walls not assumed by District All walls	paint & keep clean structural integrity

*No Access

UNIT/VILLA	PARTY	D.R.	SECTION OF WALL	RESPONSIBILTiy
645/Belmont	District	Art.II	Rear Lots 16-30* W Lot 15* Lots 1, 49-53 (abut District Tracts B & C ~ R-O-W) Dist Tract A – temp vehicle parking	repair & maintain top & exterior S.W.
	Owner	Art.VII	All walls not assumed by District	maintain; paint & keep clean - subject to ARC 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
			Gate on Gate fence or wall	maintain by O enjoying use of adjacent side yard
	Owner		Lots 16,22,30,31,39,40,48&49	clean & paint exterior of wall/fence upon their lot facing the adjoining road ROW or parking areas
	Owner		Lots 15,16,21,22, 30 & 53	clean & paint interior of wall/fence upon & adjacent to lot

*Abut Unit 79 lots 1,15,21 & 53; Unit 79 D.R.s silent about access. No access.

UNIT/VILLA	PARTY	D.R.	SECTION OF WALL	RESPONSIBILTiy
648/Jasper	District	Art.II	Easterly Lot 1 (abut Dist Tract A) Lot 63 (Abut R-O-W) Lots 47-54* Southerly Lot 1, Lots 2, 4-17, 39-45** Lots 2, 4-17 & 39-45	repair & maintain top & exterior S.W.
	Owner	Art.VII	All walls not assumed by District	maintain; paint & keep clean - subject to ARC 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
	Owner		Gate on Gate fence or wall Lots 9,17,18,27,28,38&44	maintain by O enjoying use of adjacent side yard clean & paint exterior of wall/fence upon their lot facing the adjoining road ROW or parking areas
	Owner		Lots 8,9,17,39,44&45	clean & paint interior of wall/fence upon & adjacent to lot

*Abut Unit 82 Lots; Unit 82 D.R. reserves E to Developer to maintain walls. District has no access.

**Abuts Unit 83 Lots; Unit 83 D.R. reserves E to Developer to maintain walls. District has no access.

UNIT/VILLA	PARTY	D.R.	SECTION OF WALL	RESPONSIBILTIIY
235/Broyhill	District	Art.II	Lots 1, 26-41, 69-75 (about Blvd. R-O-W)	repair & maintain top & exterior S.W.

UNIT/VILLA	PARTY	D.R.	SECTION OF WALL	RESPONSIBILTIIY
Chesterfield	District	Art.II	Lots 1, 42-46 (abut Dist Tract A & B: R-O-W)	repair & maintain top & exterior S.W.
			Lots 1-42*	
	Owner	Art.VII	All walls not assumed by District	maintain; paint & keep clean - subject to ARC 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
			Gate on Gate fence or wall	maintain by O enjoying use of adjacent side yard
	Owner		Lots 15,22,23,30,36&41	clean & paint exterior of wall/fence upon their lot facing the adjoining road ROW or parking areas
	Owner		Lots 14,30,35,36,41&42	clean & paint interior of wall/fence upon &

*Abut Unit 97; Unit 97 D.R. silent regarding wall maintenance. District has no access.