

# CONDOMINIUM ASSOCIATION RESOLUTION OF THE BOARD OF DIRECTORS

**WHEREAS**, under F.S. 718.113(5), the Association shall adopt hurricane shutter specifications that shall include color, style and other factors deemed relevant by the Board.

Teresa Petzar moved and Donald Allen seconded the following motion which was introduced at a duly called meeting of the Board of Directors.

## BE IT RESOLVED:

### General

Hurricane Shutters are prohibited, except as same may be approved by the Board in accordance with these requirements, rules and regulations.

In this Resolution the use of the reference "Association" means South Patrick Condominium

### Definition

"Hurricane Shutter" shall mean any device, installation, equipment or appliance, whether permanently or temporarily affixed or attached in any manner to any portion of the exterior of the building or any portion of the building so as to be visible from the exterior of the building, used, either directly or indirectly, as its main purpose or incidental to its main purpose, as protection against storm damage, water penetration by driven rain, wind damage or damage from physical objects or projectiles carried by wind or storm.

### Installation Request

1. Unit Owners desiring installation of Hurricane Shutters on their unit shall apply to the Association by completing an Application For Approval To Proceed With Installation of Hurricane Shutters attached hereto as Exhibit A.
2. The application shall be accompanied by the following items regarding the installing contractor, if there is not a valid copy of each currently on file with the Association: a copy of an Occupational License and a Certificate of Competency or Contractors License valid in this municipality, and a certified set of drawings from a licensed Florida engineer certifying that the product complies with applicable building codes.
3. Within twenty (20) days subsequent to receipt of the written request and accompanying documentation, the Board shall either approve or disapprove the proposed installation of the Hurricane Shutters.

### Insurance Requirements

1. No contractor shall begin work or install material unless contractor has obtained Public Liability Insurance, including completed operations, in an amount not less than \$1,000,000.00, Workers' Compensation Insurance in an amount not less than \$500,000.00, and Automobile Liability Insurance, including non-owned automobiles, in an amount not less than \$500,000.00. Notwithstanding any minimum amount required herein, no insurance coverage shall be less than the minimum amount required by law. Each such insurance policy shall, for the duration of the construction, name the Association as an additional insured.

*DeWinsted* Clerk Circuit Court

Recorded and Verified Brevard County, FL

# Pgs. 3 # Names 2

Trust Fee 3.00 Rec Fee 21.00

Stamp-Mtg \_\_\_\_\_ L.A. Tx \_\_\_\_\_

So. South Patrick Condominium

*Return:  
Proposed By:  
Ron Givens  
South Patrick Condominium  
55 S. Park Blvd  
Satellite Beach, FL 32937*

2. All insurance policies shall contain a clause requiring a minimum of ten (10) days prior notification to the Association in the event such policy is to be canceled, terminated or modified in any manner. No Contractor or proposed Hurricane Shutter installation shall be approved unless and until appropriate certificates of insurance are received by the Association from the Insurance Agent of the Installing Contractor naming the Association on the certificate.

### Unit Owner Responsibilities

1. Unit Owner agrees to be responsible for all costs and expenses incurred in the installation, maintenance and continued first class upkeep of the hurricane shutters, and for all insurance with respect to any casualty in connection with the Hurricane Shutters. Unit Owner shall permit Association to inspect the shutters, as necessary, to ensure compliance with the Association's Rules.

2. Unit Owner assumes all responsibility for obtaining all necessary Building Permits. Unit Owner is also responsible for adherence and compliance to applicable building codes.

3. Unit Owner agrees to construct and maintain the Hurricane Shutter referred to herein in a first-class manner. If Unit Owner fails to maintain the Hurricane Shutters as required herein, after fifteen(15) days written notice from the Association to the Unit Owner, Association shall have the right to perform, or have performed any required maintenance or repair work or to have the Hurricane Shutters removed and the property restored to its condition prior to the installation of the Hurricane Shutters. Unit Owner hereby agrees to be personally responsible for all costs thus incurred and grants Association a lien right against the condominium unit referred to herein in order to secure payment of any such sums. Said lien shall be forecloseable in the same fashion as liens granted to the Association under the Declaration of Condominium for non-payment of condominium assessments.

4. Unit Owner agrees to indemnify, defend and hold harmless the Association from any and all claims, actions, costs or expenses of any nature whatsoever, including but not limited to attorney's fees, arising out of, or because of, the construction and maintenance of the Hurricane Shutters.

5. Unit Owner agrees to be responsible for any damage to the Common Elements or other units within the Condominium which is caused as a result of the construction, installation or maintenance of the Hurricane Shutters described herein.

6. It is expressly understood and agreed by the Unit Owner that all the above responsibilities shall be binding upon Unit Owner and his heirs, successors in interest, and assigns, and shall be a condition implied in any conveyance or any instrument affecting title of the aforesaid condominium unit and that this instrument shall be recorded in the Public Records of Brevard County, Florida.

Adopted by the Board of Directors of South Patrick Condominium,  
Brevard County, Florida, this 20 day October, 1992.

Corporate Seal:

Condominium Association

Date: 10-21-92 By: Paula S. Manning  
PAULA S. MANNING  
Date: 10-23-92 By: Mrs. M. Pizar  
TERESA M. PIZAR

STATE OF FLORIDA                    )  
  ) SS:  
COUNTY OF   BREVARD            )

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_

\_\_\_\_\_  
PAULA S. MANNING                    and           TERESA M. PETZAR                    ,

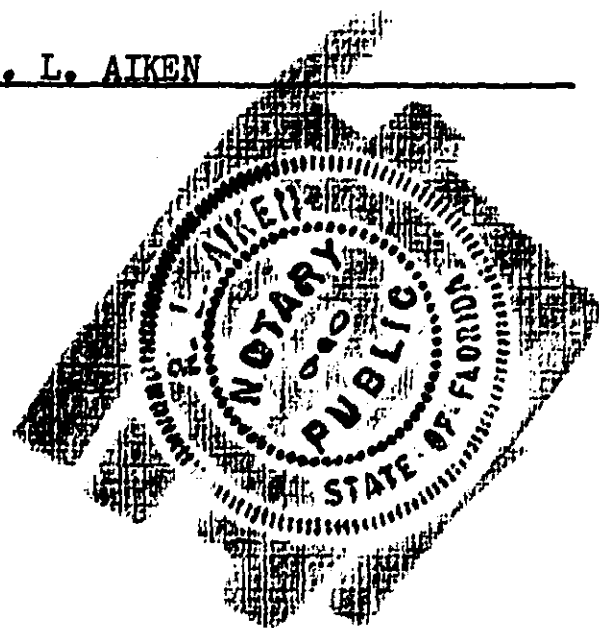
and they severally acknowledged before me that they freely and voluntarily executed the same. He/She/They  
is/are personally known to me or has produced (type of identification) \_\_\_\_\_ as identi-  
fication and did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid, this 23 day of  
\_\_\_\_\_  
OCTOBER                    , 19 92.

\_\_\_\_\_  
Notary Public

Printed Name:                    R. L. AIKEN

My commission expires: NOTARY PUBLIC, STATE OF FLORIDA.  
MY COMMISSION EXPIRES: OCT. 15, 1994.  
BONDED THRU NOTARY PUBLIC UNDERWRITER



# CONDOMINIUM ASSOCIATION TECHNICAL SPECIFICATIONS FOR HURRICANE SHUTTERS

1. The materials, equipment, installation and construction used, which is incorporated into or part of the Hurricane Shutter shall conform, in all respects, to the requirements of construction established by the local government agency having jurisdiction over construction in the Condominium regarding the Hurricane Shutter wind load requirements.
2. No Hurricane Shutter shall be permitted or approved, unless it is determined that the product has been tested by a licensed Florida engineer to meet local wind load requirements of construction established by the local government agency having jurisdiction over construction.
3. No Hurricane Shutter shall be permitted or approved, unless the materials used in, incorporated into or a part of the Hurricane Shutter shall be, at a minimum, as follows:

**A. Type of Shutter:**

Roll Down ☒ Accordion \_\_\_\_\_ Storm Panels \_\_\_\_\_ Other \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B. Material:** PVC ☒ Aluminum \_\_\_\_\_ Other \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Color:

1. WHITE

2. If Roll Down Shutter: Slat ☒ Track ☒ Hood ☒

(All paint shall be factory finished)

Comments: \_\_\_\_\_

D. Installation:

1. Over windows and sliding glass doors shutters must be on the exterior of the building.

2. On porches, lanais, and balconies:

Inside of Screen ☒ Exterior ☐ Both ☐

Comments: \_\_\_\_\_

E. Fastener/Attachment/Specifications

Comments: Stainless Steel

F. Other Specifications/Comments: \_\_\_\_\_

G. Drawings of Installation:

