

Rules and Regulations

The King & The Bear Community Rules Adopted: April 25, 2016 As Amended Thereafter

The Rules set forth in the following paragraphs apply within The King & The Bear. Wherever the term "Association" is used, that means the Home Owners Association known as Six Mile Creek North Property Owners Association, Inc., a Florida non-profit corporation. The acronym "ARC" stands for the Architectural Review Committee. The acronym "ARB" stands for the Architectural Review Board. "Lot" means any residential or other building lot within The King & The Bear. The word "Rules" means the following Rules and Regulations.

These Rules are intended to replace all previous versions of the same, and have been adopted by the Board of Directors of The King & The Bear. They are derived from the existing covenants and have been accepted by each owner, evidenced by the signed and recorded documents on file in St. Johns County. Owners are encouraged to familiarize themselves with the existing covenants. These Rules not only include language from the existing covenants (which will be indicated), but also supplemental provisions adopted pursuant to powers granted the Association's Board of Directors. To the extent that any of these Rules contradict any provision of the existing covenants, the covenants shall prevail.

The Association will enforce these Rules by whatever means available, including legal action. Any and all invitees of an owner, including renters, vendors, and guests, are subject to these Rules. Be aware that the owner is responsible for advising their invitees of these Rules and the owner is likewise liable for any violations thereof.

Additional requirements applicable to home design and construction can be found in the Residential Design Standards & Guidelines. Owners are encouraged to familiarize themselves with that document.

1. Controlled Access

Access in and out is regulated by barcodes available to owners and family members residing with an owner. No one, while driving a vehicle, is allowed access onto the property without a valid drivers license in their possession. In addition to owners and family members residing with an owner, the following are likewise eligible for a barcode:

(A) Vehicles belonging to immediate family members not residing with an owner, frequent visitors, and long-term renters in need of unlimited access. It is the responsibility of the owner to personally appear and obtain the proper barcode from May Management for the respective person. Any such barcode obtained shall be valid for only one year, renewable at that time for the next year. The term "frequent visitors" means those who visit an owner with such repetitiveness on a daily, weekly, and/or monthly basis that a barcode is warranted. This determination, along with any determination as to who is an "immediate family member not residing with an owner," shall be made by May Management and the Association on a case by case basis, depending on the circumstances. The term "long term renters" are those who possess a written lease with an owner of at least six months; and

(B) Vehicles belonging to service personnel and employees in need of unlimited access. Access must be authorized, in writing, by the respective contractor and/or employer. Any such barcodes obtained shall be valid for only one year, renewable at that time for the next year. No renewals will be issued without a prior written authorization from the respective contractor and/or employer. The term "service personnel" refers only to the contractors and sub-contractors of May Management and the Association. The term "employees" refers only to those of the Association, May Management, the spa at Laterra, and/or the golf course.

Vehicles belonging to short term renters (those who possess a lease of less than six months with an owner) are not entitled to barcodes. Guards are not authorized to grant entry to any visitors, unless prior authorization is given. When visitors are expected, the guard gate must be informed in advance, otherwise the guard gate will call the owner for authorization before permitting access. A pass is issued to a visitor by the guard gate only if authorization is received. An access denial list is maintained at each gate. To have a name entered on the access denial list, an owner is required to register the name in person with May Management. Residents are to be courteous and respectful to the guards at both the gate and on patrol. A failure to do so is a violation of these rules. (Amended June 16, 2016)

2. Boats, Motor Vehicles, and Trailers

No boats, recreation vehicles, or other motor vehicles, except four-wheel passenger automobiles, shall be placed, parked, or stored upon any Lot, nor shall repairs be performed upon any boat or vehicle upon any Lot. Commercial vehicles should not be parked in public view on a regular basis. Construction trailers may be parked only with the written consent of the Association and in an area designated by the Association (quoted from the Covenants dated 3/8/2000, Section 6.6).

To further clarify this covenant provision, the term “four-wheel passenger automobile” is deemed to include pick-up trucks and/or sport utility vehicles. The term “recreation vehicles,” includes, but is not limited to, recreational vehicles, campers, and “fifth wheels.” As to trailers of any kind unrelated to construction, these are not allowed to be parked, or stored, overnight within outside view on any Lot.

3. Parking

Temporary parking is permitted along the roadways in such a manner as not to block traffic, driveways, or mailbox access. Parking on the street between 2 A.M. and 6 A.M. is not permitted. Parking on any grassed area is prohibited, including in and around Heritage Park. The parking spaces at the Amenity Center may be used by Lot owners, their guests, and invitees, however no such use is allowed between the hours of 2 A.M. and 6 A.M. Overnight parking at the Amenity Center is only allowed by a temporary permit which can be obtained from May Management. Such permit shall only be issued in the name of a Lot owner, but can be used by that Lot owner’s guests or invitees. The Board may revoke and/or deny a permit at any time. Any vehicle parked at the Amenity Center in violation of these Rules is subject to being towed from the premises at the permit holder or Lot owner’s expense. (Amended June 29, 2017; June 12, 2018)

4. Speed Limit and Stop Signs

The speed limit is 30 mph, except where otherwise posted. Stop signs are to be obeyed. Every state law and county ordinance that governs roadways applies within The King & The Bear and all of these will be strictly enforced by the St. Johns County Sheriff’s Department.

5. Use of Sidewalks and Bicycle Paths

Sidewalks and bicycle paths are for the use of walkers, joggers, bicyclists, and other pedestrians. No golf carts or other motorized vehicles are allowed. (Amended June 16, 2016)

6. Golf Carts, Other Vehicles, and Use of Roadways

Only properly registered golf carts may use the roadways within The King & The Bear. Registration is accomplished through the guard house at the gates. Any driver of a golf cart must be at least (16) years old and possess a valid drivers license. Golf carts may only be used from dawn to dusk. Night driving is not permitted. All golf carts are to be operated in a safe and lawful manner. No golf cart shall be overloaded, contain an excessive amount of passengers, or be used to tow anything. Any owner who either uses, or allows the use of their golf cart in a manner that is either inconsistent with these rules or, in the opinion of the Association, a nuisance or an endangerment to themselves or others, may be prohibited from operating a golf cart on the roadways within The King & The Bear. Three or four wheeled off-road vehicles, go-carts, or any other vehicles not legally allowed to travel on public roadways within the state of Florida, are prohibited from using the roadways within The King & The Bear. (Amended June 16, 2016)

7. Work Hours

Construction work is permitted as follows:

Monday – Friday -- 7:30 A.M. – 5:30 P.M.

Saturday -- 8:00 A.M. – 3:00 P.M.

Sunday – Not allowed

No construction will continue past the designated hours. As to the Saturday hours, the only construction work allowed on that day is that which takes place wholly within a structure fully framed, roofed, with all exterior walls both standing in place and covered. Such construction work must not generate any noise that can be heard outside of the structure. Unacceptable noise includes, but is not limited to, the running of any power tools, sawing, hammering, nailing, sanding, loud voices, or playing music.

Landscaping, lawn maintenance, car detailing, and pressure washing are not construction work and are allowed during the following hours:

Monday – Friday -- 7:30 A.M. – 7:00 P.M.

Saturday --- 8:00 A.M. – 5:00 P.M.

Sunday – 8:00 A.M. – 5:00 P.M. (the work done by Owners only, no other contractors allowed)

None of the above provisions apply to the following holidays, where no work of any kind is allowed: New Years Day, Easter, Thanksgiving, and Christmas. Further, the Board, when necessary, may modify and/or change the terms and hours of construction. Such actions shall be taken on a case-by-case basis.

Without prior approval of the Board, no solicitation of any kind, by anyone, is allowed, nor may any products and/or materials be distributed within the community. (Amended June 16, 2016; July 19, 2018; February 5, 2019)

8. Garbage, Recyclables and Refuse

All garbage, trash, recyclables, and refuse must be kept in clean containers, stored indoors or out of sight. Collection of garbage, trash, recyclables, and refuse will be accomplished by authorized agencies in accordance with their schedules and requirements. Garbage, trash, recyclables, and refuse containers may be placed out the night before the day of collection, but all empty containers shall be promptly removed from the curb and screened from view by the end of the day of collection. Where possible, landscaping debris should be bagged and stacked and, along with any non-bagged landscape debris, left at the curb for proper disposal. The street should never be obstructed. Such landscaping debris may be placed at the curb on Saturday, Sunday, or Monday for Tuesday pick-up. (Amended June 16, 2016; October 21, 2019)

9. Nuisances

Nothing shall be done or maintained on any Lot that may be, or become, an annoyance or nuisance to any party. Any activity on a Lot which interferes with television, cable, or radio reception on another Lot shall be deemed a nuisance and prohibited. If a dispute or a question arises that either is, or may become, a nuisance, the issue will be submitted to the Association's Board of Directors, whose decision shall be final on the question. No immoral, improper, or unlawful use shall be made of any portion of a Lot and all valid laws, zoning ordinances, and regulations of governmental agencies shall be complied with (adapted from the Covenants dated 3/8/2000, Section 6.7). No fireworks are permitted at any time.

10. Animals

All pets must be kept under the direct control of their owner so as not to be a nuisance to others. Animals may be kept solely as pets and not for purposes of breeding or other commercial purposes. When a pet is taken beyond the owner's property, it must be secured on a leash. Owners are responsible for immediately cleaning up their pet's droppings. If any pet shall be deemed a nuisance to others, destructive of property, or dangerous to persons or animals, such pets may be banned from the community. With respect to wildlife in the area, everyone is requested not to feed the animals. The Board shall have the right to require any owner to reduce the number of animals kept, or take such other remedial action as may be necessary (taken in part from the Covenants dated 3/8/2000, Section 6.15).

11. Retention Ponds and Fishing

No motorized or non-motorized boats or flotation devices of any kind, including kayaks, rafts, inflatables, paddle boards, remote-controlled, and/or canoes, are allowed on the surface of the retention ponds (taken in part from the Covenants dated 3/8/2000, Section 6.9). No swimming is allowed in any retention pond.

Fishing is only allowed from dawn to dusk, from either the banks of a Lot or from one of the designated retention ponds listed below. All fishing in the designated retention ponds must be done from a Lot or from the shoreline of the common areas. No fishing is allowed from any property belonging to the golf course. Only property owners, their families and guests may fish and any guest must be accompanied by a property owner at all times. No commercial fishing is permitted. Catch and release must be practiced at all times. No live bait shall be used. No litter will be left. All hooks, lines, sinkers, bait, wrappers and any other waste material must be removed. Never eat any fish caught in any pond within the King & Bear. All fishing is to be done at your risk. Be wary of snakes and reptiles. All state fishing laws must be obeyed. The designated retention ponds for fishing are as follows:

- (1) the two retention ponds located outside the front gate;
- (2) the retention ponds in Bearsford;
- (3) the retention pond in Kingsbury;
- (4) in Waterbury, the retention pond at the north entrance circle by the gazebo and the pond by the main entrance onto Registry;

(5) at Laterra, along Registry Boulevard and hole number 8 on the golf course,

and

(6) at the windmill circle, the retention pond bordering hole 10.

12. Damage to Association Property

Owners are responsible for any and all damage they may cause and/or inflict on property owned by the Association. Such responsibility also extends to any and all damage caused and/or inflicted by an Owner's family members, employees, guests, renters, and/or invitees. Such acts of damage shall be cited and adjudicated against an Owner as with any other violation of these rules and may include the imposition of a fine and/or restitution for any such damage caused or inflicted. (Added December 14, 2017)

13. Amenity Center, Patio, Tennis Courts, Fitness Center, and Pools

A request for reservation of the Amenity Center is accomplished through May Management on forms, and under terms and conditions, as approved by the Association's Board of Directors. The use of the Amenity Center, Patio, Tennis Courts, Fitness Center, and Pools are governed by the following rules:

Amenity Center / Patio Rules

1. Persons under the influence of alcohol, or illegal drugs, are not be permitted on the premises.
2. Profane language, or other improper or offensive behavior, is not allowed.
3. Motor vehicles must be parked in designated areas.
4. Parents and/or a legal guardian are responsible for the conduct of their children at all times.
5. Do not adjust the temperature nor remove the thermostat box.
6. No open fires.
7. No candles, except on birthday cakes.
8. Smoking is not permitted anywhere.
9. Lessee is responsible for cleaning up immediately after using the facilities.
10. All trash is to be placed into proper receptacles.
11. Glass containers are not permitted on any of the outdoor areas, including the patio and pools.

12. Children under the age of 12 must be accompanied by a responsible adult while on the premises.
13. Hours of use are from 10:00 a.m. to midnight daily.
14. Do not leave an active barbeque grill unattended at any time.
15. Please allow a cooling period of the barbeque grill before allowing any activity around the grill area.
16. No one under 16 years of age is allowed to use the barbeque grill.
17. Lessee and their guests and invitees use the barbeque grill at their own risk.
18. Only residents of The King & The Bear, Turnberry, Royal Pines, Saint Andrews, Glenmoor, and the Residences, along with their accompanied guests and invitees, are allowed to use the Amenity Center and patio. Any such use, though, is conditional on approval by the SMCNPOA Board of Directors. All uses of the Amenity Center and patio must be reasonable in nature and scope, and consistent with not only the facilities themselves and the surrounding neighborhoods, but with good peace and order. (Amended August 23, 2016)
19. Any resident charging a fee for participation in an activity at the Amenity Center and patio must restrict participation to residents of The King & The Bear, Turnberry, Royal Pines, Saint Andrews, Glenmoor, and the Residences. Any participation by persons from outside of those specified neighborhoods must be approved by the SMCNPOA Board of Directors. Any fee charged can only be in an amount to cover actual costs and/or expenses of that particular event. No profit can be derived by either the resident, or any outside person and/or company, from the use of the Amenity Center and patio, unless approved by the SMCNPOA Board of Directors. (Amended August 23, 2016).
20. No firearms or weapons of any kind are allowed.
21. In order to fairly share availability with all residents, no private events (those not open to all members of the community) will be allowed to be reserved on a repetitive, weekly basis. Monthly reservations are allowed. However as an additional option, should the Amenity Center not be booked, those who hold monthly events that want to hold those events more frequently may contact May Management no sooner than three days in advance of any date and reserve the center if it is available. (Amended December 12, 2018).

Fitness Center Rules

1. Only legal residents of The King & The Bear, Turnberry, Royal Pines, Saint Andrews, Glenmoor, and the Residences, along with their accompanied guests and invitees, are allowed to use the fitness center. No more than 2 guests per resident.
2. Children age 12 and under are not permitted.

3. Children ages 13 – 17 are permitted, if accompanied by an adult resident over the age of 21.
4. Proper shoes and clothing must be worn at all times. No wet bathing suits are allowed.
5. Gym shoes must be on and laced while using the equipment.
6. No food is allowed.
7. Please keep all personal belongings in your car, or in a locker in the restroom.
8. All drinks must be in a plastic bottle or can.
9. No glass is permitted.
10. Keep the volume on the television to a minimum and use earphones for all personal music devices.
11. Wipe off equipment when you are finished. Paper towels and disinfectant are available. Do not use personal towels to wipe down the equipment.
12. Limit cardio equipment usage to 30 minutes, when others are waiting.
13. All use of the equipment is at your own risk.
14. No gum is allowed.
15. No smoking.
16. Do not overload a machine with extra weights. Cables and pulleys are calibrated to perform at certain maximum weights.
17. Promptly report any damaged equipment to May Management.
18. Hours of operation are from 4:00 a.m. to 11:00 p.m. daily.
19. No firearms or weapons of any kind are allowed.

Swimming Pool Rules

1. Maximum pool load: 52 People.
2. Shower before entering the pool.
3. No animals inside the pool fence.
4. Proper swimming attire required.
5. Children under 12 must be accompanied and supervised by an adult.
6. No diapered children other than special “swim diapers” allowed in the pool.
7. No glass containers of any kind are permitted inside the pool fence.
8. No grills, bikes, scooters, or skateboards, are allowed inside the pool fence.
9. All food and drink must be kept a minimum of four (4) feet away from the pool edges.
10. No smoking allowed anywhere.
11. Anyone intoxicated, creating a disturbance, making excessive noise, using profanity, or not abiding by the rules will be asked to leave.
12. Lifeguards are not present, swim at your own risk.
13. No running inside the pool fences.
14. Be courteous to lap swimmers.
15. Do not hang on the line or decorative ropes.

16. Do not swallow the pool water.
17. Diving blocks, if present, are for swim team use only.
18. No diving anywhere.
19. Hours of operation are from 4:00 a.m. to 11:00 p.m. daily.
20. Only legal residents of The King & The Bear, Turnberry, Royal Pines, Saint Andrews, Glenmoor and the Residences, along with their accompanied guests and invitees, are allowed to use the pools.
21. No firearms or weapons of any kind are allowed.

Tennis Court Rules

1. Tennis courts are for tennis only.
2. Tennis courts are for the exclusive use of the residents of The King & The Bear, Turnberry, Royal Pines, Saint Andrews, Glenmoor, and the Residences, along with their accompanied guests and invitees.
3. Proper tennis attire and smooth-soled shoes must be worn at all times.
4. All players must check the reservation list before taking a court, reservations have first priority.
5. Please be considerate of those waiting and limit singles matches to 1 hour, doubles to 1- ½ hours.
6. Residents are responsible for the conduct of their guests.
7. Any resident or guest creating a disturbance or making excessive noise, engaging in racquet throwing, or using profanity will be asked to leave.
8. No smoking, chewing tobacco, pets, skateboards, rollerblades, bicycles, food, or beverages (other than water) are permitted on the courts.
9. Players play at their own risk.
10. Each person is responsible for any personal property left on the premises.
11. Courts may be closed for maintenance operations or when dictated by safety consideration or adverse weather conditions.
- 12.
13. Hours of operation are from 7:00 a.m. to 10:00 p.m. daily.
14. No firearms or weapons of any kind are allowed.

14. Reporting and Handling Of Violations

(A) Possible violations of the rules, covenants and restrictions, and architectural guidelines are identified in one of three ways: (1) by the Community Association Manager (CAM) during routine inspections; (2) by Security personnel; and (3) by Owners or other witnesses.

(B) After verifying that a violation has occurred, the CAM sends notices to the Owner as follows:

(1) For violations for which there is remedial action required, the procedure is as follows:

(a) A letter is sent identifying the violation, referencing the governing documents, the required remedy, and a 14 day deadline to either resolve the matter or inform the CAM/Board when the violation will be remedied;

(b) If no remedy or response is received within the 14 days, the CAM will impose the appropriate fine and/or restriction to common property will be assessed. The Owner has the right to appeal that decision to the Enforcement Appeals Committee at their next scheduled meeting. If an appeal is not requested, in writing, within the specified time, the fine becomes imposed.

(2) For violations for which there is no remedial action required, the first letter shall come from the Board informing the Owner a fine and/or restriction to common property will be assessed in 14 days. The Owner has the right to appeal that decision within 14 days of the notification to the Enforcement Appeals Committee. If an appeal is not requested, in writing, within the specified time, the fine becomes imposed.

(C) Appeal procedure: If the Owner properly requests a hearing before the Enforcement Appeals Committee, a letter will be sent to the Owner at least 14 days in advance of when the Enforcement Appeals Committee will meet notifying of the date, time, and place. The Enforcement Appeals Committee, by majority vote, may either confirm the fine assessed by the Board or deny it. They have no other options. The decision of the Enforcement Appeals Committee is final and may not be appealed to the Board. (Amended October, 2019)

FINE SCHEDULE

The Board adopts the following as its fine schedule to be used by both it and Enforcement Appeals Committee regarding all violations:

(A) For violations for which remedial action is required, the daily fine is levied with the effective date of the Board's final notice, and keeps being assessed until the violation is remedied, or reaches \$1,000, whichever occurs first:

- (1) Architectural violation \$100/day;
- (2) Fence needs repair and/or painting \$100/day;
- (3) General maintenance \$100/day

(4) Rust stains \$100/day

(5) Landscape and/or lawn requires mowing \$100/day;

(6) Trees and/or shrubs require trimming \$100/day

(7) Brown patches and/or dead grass in lawn \$100/day

(8) Weeds in lawn and/or flowerbeds \$100/day

(9) Improper use of the property \$100/day

(10) Animal violations \$100/day

(11) Unauthorized parking \$100/day

(B) For violations for which no remedial action is required:

(1) Barking dog \$50

(2) Excessive noise \$50

(3) Animals not leashed or fenced off an Owner's property \$50

(4) Failure to remove pet waste \$50

(5) Overnight parking on street \$50

(6) Failure to properly remove and store trash container
and/or recycle bins \$50