

DECLARATION OF COVENANTS AND RESTRICTIONS — VIVA VILLAS | Pasco County, Florida

DECLARATION OF COVENANTS AND RESTRICTIONS

(Pasco County, Florida)

WHEREAS, the Association previously adopted deed restrictions applicable to the lots comprising Viva Villas, which were recorded in the Public Records of Pasco County, Florida, as Instrument #2021223118, in Official Records Book 10463, Page 3460 (the "Prior Restrictions"); and

WHEREAS, Section 20(h) of the Prior Restrictions provides that they may be changed, altered, or rescinded, in whole or in part, by an instrument in writing signed by a majority of the owners of lots within Viva Villas and recorded in the Public Records of Pasco County, Florida; and

WHEREAS, this Declaration was submitted to the membership of the Association for approval by mail ballot, with a ballot return deadline of July 31, 2026; sixty-eight (68) ballots were returned, exceeding the Association's quorum requirement, of which forty-nine (49) voted in favor and nineteen (19) voted against, constituting approval by a majority of the votes cast in accordance with the amendment procedures of Chapter 720, Florida Statutes, and Article XVII of this Declaration, all as certified in the Certificate of Adoption recorded as Exhibit A hereto;

NOW, THEREFORE, the Association hereby declares that this Declaration of Covenants and Restrictions amends, restates, and supersedes in its entirety the Prior Restrictions recorded at Official Records Book 10463, Page 3460, and that all covenants, conditions, restrictions, and easements set forth in this Declaration shall govern the lots comprising Viva Villas from and after the date of recording, in lieu of the Prior Restrictions.

This Declaration of Covenants and Restrictions ("Declaration") is made this 1st day of September, 2026, by Viva Villas Civic Association, Inc. (the "Association"), a Florida not-for-profit corporation, and shall apply to all 229 lots within the subdivision known as Viva Villas, Pasco County, Florida.

ARTICLE I — GENERAL PROVISIONS

Section 1. *Applicability.* These Covenants and Restrictions shall run with the land and be binding on all lots, their owners, tenants, occupants, heirs, successors, and assigns.

Section 2. *Purpose.* These Restrictions are imposed for the purpose of protecting the value and desirability of the residential subdivision, maintaining community standards, promoting health and safety, and enhancing the enjoyment of property within Viva Villas.

Section 3. *Compliance with Florida Law.* This Declaration shall be construed in conformity with the Florida Homeowners' Association Act, Chapter 720, Florida Statutes, as amended from time to time. In the event of any conflict between a provision of this Declaration and the requirements of Chapter 720 or any other applicable statute, the statute shall control. The Association shall ensure that its enforcement of these Restrictions conforms to current Florida law at all times.

Section 4. *Marketable Record Title Act Preservation.* Pursuant to Section 720.303(3)(e), Florida Statutes, and to preserve these Covenants and Restrictions from extinguishment under the Marketable Record Title Act, Chapter 712, Florida Statutes, the Board of Directors shall, at the first board meeting following each annual meeting of the members, consider the desirability of filing a notice of preservation with the Clerk of the Circuit Court of Pasco County in accordance with Section 720.3032, Florida Statutes. The Association hereby authorizes and directs the appropriate officer to file such

DECLARATION OF COVENANTS AND RESTRICTIONS — VIVA VILLAS | Pasco County, Florida

notice as necessary to preserve these Restrictions. The Association shall maintain awareness of applicable deadlines under Chapter 712 and shall take timely action to prevent any extinguishment of these Covenants.

ARTICLE II — USE RESTRICTIONS

Section 1. Residential Use. Each lot shall be used for single-family residential purposes only. No lot shall be used for commercial, industrial, or business purposes, except for customary home offices which do not create additional traffic, signage, or disturbances. Notwithstanding the foregoing, any structure lawfully existing on the effective date of this Declaration that was originally designed and constructed to contain more than one dwelling unit shall not be deemed a violation of this Section, and may continue to be used and leased consistent with its existing lawful use. This exception applies only to structures already in existence as multi-unit structures as of the effective date of this Declaration, and does not authorize the conversion of any single-family structure into a multi-unit structure, or the construction of any new multi-unit structure.

Section 2. Minimum Floor Area. Dwellings shall contain not less than one thousand (1,000) square feet for single-story residences and not less than one thousand two hundred (1,200) square feet for two-story residences.

Section 3. Garages. Each dwelling shall include a garage designed for at least one (1) automobile. Carports shall be permitted only when located entirely behind the front building line.

Section 4. Setbacks. All dwellings shall comply with the following setbacks: twenty-five feet (25') from the front lot line and side street line; twenty feet (20') from the rear lot line; and eight and one-half feet (8.5') from an interior side lot line.

Section 5. Accessory and Temporary Structures. No trailer, tent, shack, barn, or temporary building shall be erected or maintained on any lot. Storage sheds may be permitted if maintained in good repair and approved by the Board of Directors, consistent with Article XII.

Section 6. Clotheslines. Clothes drying lines shall be screened or located to minimize visibility from streets, neighboring lots, adjacent common areas, or adjacent parcels to the extent reasonably practicable, without impairing their usability. Consistent with Section 163.04, Florida Statutes, this Declaration may not prohibit or have the effect of prohibiting clotheslines or other energy devices based on renewable resources.

Section 7. Utilities. All utilities shall be located underground where reasonably feasible. Wells shall be permitted only for irrigation purposes, and such wells must be screened or landscaped to conceal them from view.

Section 8. Solar Collectors and Renewable Energy Devices. Consistent with Section 163.04, Florida Statutes, this Declaration may not prohibit or have the effect of prohibiting the installation of solar collectors or other energy devices based on renewable resources. No application or prior approval is required to install a solar collector or other renewable energy device that complies with applicable Pasco County code.

ARTICLE III — COMMUNITY PARK

DECLARATION OF COVENANTS AND RESTRICTIONS — VIVA VILLAS | Pasco County, Florida

Section 1. *Ownership and Use.* The park area within Viva Villas is dedicated for the exclusive use of residents and their guests, subject to the rules set forth in the Association's Bylaws and any rules adopted by the Board of Directors. Maintenance of the park area is funded through the general assessment authorized under Article VI of this Declaration.

Section 2. *Hours.* The park shall be open daily from 9:00 a.m. until 9:00 p.m., unless extended hours are approved in writing by the Association.

Section 3. *Forfeiture.* In the event the Association fails to maintain the park in accordance with Pasco County standards, Pasco County shall notify the lot owners and the Association in writing, by registered mail, that a deficiency exists. The lot owners and the Association shall have forty-five (45) days from the date of that notice to correct the deficiency. If the deficiency is not corrected within that period, title to said park area may revert to Pasco County as provided by law.

ARTICLE IV — PETS AND ANIMALS

Section 1. *Household Pets.* No more than five (5) dogs and five (5) cats shall be kept on any lot. All pets must be domesticated, licensed, and vaccinated in accordance with Pasco County requirements, and shall not be maintained for commercial purposes. This numeric limit does not apply to a service animal or emotional support animal provided as a reasonable accommodation under the Fair Housing Act, consistent with Article XV of this Declaration.

Section 2. *Prohibited Animals.* No livestock, poultry, or exotic animals shall be permitted, except as allowed by applicable county or state law. Consistent with the Pasco County ordinance governing backyard hens, up to four (4) hens may be kept on a lot, provided no roosters are kept, the hens are housed in a coop meeting the county's coop standards, and the keeping of hens does not otherwise violate the nuisance or sanitation provisions of this Declaration.

Section 3. *Control and Nuisance.* All pets shall be restrained by leash or within fenced yards when outside. Owners shall immediately remove animal waste from any lot, common area, or street. Animals causing habitual noise or nuisance may be subject to removal at the direction of the Association after notice and opportunity to cure consistent with Article XVI of this Declaration.

ARTICLE V — LEASING OF LOTS

Section 1. *Rental Cap.* No more than twenty-five percent (25%) of the lots in Viva Villas may be leased at any time. Consistent with Section 720.306(1)(h), Florida Statutes, this Section applies to a parcel owner who acquires title to a lot after the recording date of this Declaration, and to any parcel owner who consented to the adoption of this Section, including by voting in favor of its adoption. This Section does not, by virtue of Florida law, apply to an owner who held title on the recording date of this Declaration and did not so consent, unless and until that owner transfers title or otherwise consents. Units within a structure described in Article II, Section 1 as originally designed and constructed to contain more than one dwelling unit are not counted toward the twenty-five percent (25%) cap in this Section, as such units were designed for multi-unit occupancy from the outset rather than converted from single-family use.

Section 2. *Minimum Term.* No dwelling shall be leased for a term of less than six (6) consecutive months. Short-term rentals, vacation rentals, and transient occupancy are prohibited. This Section

DECLARATION OF COVENANTS AND RESTRICTIONS — VIVA VILLAS | Pasco County, Florida

applies to all lots and all owners, regardless of when title was acquired, consistent with Section 720.306(1)(h), Florida Statutes. This restriction is independently required by the terms of the Association's insurance coverage.

Section 3. *Lease Approval.* Owners must provide the Association with a copy of the lease and names and contact information for all tenants prior to occupancy.

Section 4. *Tenant Compliance.* Tenants shall be subject to these Covenants and Restrictions. Any violation by a tenant shall constitute a violation by the lot owner.

ARTICLE VI — ASSESSMENTS

Section 1. *Authority.* The Association may levy annual and special assessments against each lot to fund community operations, consistent with the Association's Bylaws and Chapter 720, Florida Statutes.

Section 2. *Use of Funds.* Assessments shall be used exclusively for community benefit, including maintenance, repairs, improvements, utilities, safety, administration, and community morale.

Section 3. *Equal Burden.* Each lot shall be equally subject to assessments unless otherwise provided in the Articles of Incorporation or Bylaws.

Section 4. *Lien.* If any assessment remains unpaid one hundred twenty (120) days after its due date, the Association shall provide the owner written notice of intent to record a claim of lien, together with a reasonable opportunity to cure the delinquency, consistent with the Association's Bylaws. If the delinquency remains uncured one hundred fifty (150) days after the due date, the Association shall record a claim of lien against the lot, which may be enforced by foreclosure, together with interest at the rate specified in the Bylaws, late fees, and reasonable collection costs, in accordance with Section 720.3085, Florida Statutes. All liens arising from delinquencies in a given calendar year shall be recorded no later than December 31 of that year, consistent with the Association's Bylaws.

Section 5. *Special Assessments.*

(a) Special assessments may be levied for capital improvements or emergencies. Special assessments shall require approval of a majority of members present and voting at a duly noticed meeting at which a quorum is present, or such higher threshold as may be specified in the Bylaws.

(b) Notice of any meeting called to consider a special assessment shall be provided to all members not less than fourteen (14) days in advance, and shall state the purpose and estimated amount of the proposed assessment.

Section 6. *Fines and Fine Cap.*

The Association may impose fines for violations of this Declaration, subject to the following limitations consistent with Section 720.305, Florida Statutes:

(a) Fines shall not exceed One Hundred Dollars (\$100.00) per violation per day, and shall not exceed One Thousand Dollars (\$1,000.00) in the aggregate per incident, unless a greater amount is authorized by the governing documents.

(b) No fine shall be imposed without prior notice to the owner and an opportunity to be heard before the Association's fining committee, consistent with the procedures set forth in Article XVI of this Declaration.

DECLARATION OF COVENANTS AND RESTRICTIONS — VIVA VILLAS | Pasco County, Florida

- (c) No fine shall be imposed for a violation that is cured prior to the scheduled hearing.
- (d) A fine may not be imposed for leaving a garbage receptacle at the curb or end of a driveway within twenty-four (24) hours before or after the designated garbage collection time.
- (e) A fine may not be imposed for leaving holiday decorations or lights in place longer than allowed under this Declaration unless: (i) the decorations or lights remain up for more than one (1) week after the deadline stated herein; and (ii) the Association has provided the owner with prior written notice of the violation.

ARTICLE VII — PARKING AND VEHICLE RESTRICTIONS

Section 1. General Prohibition. On-street parking is prohibited within Viva Villas. Vehicles shall be parked only in garages, driveways, or Association-approved parking areas. Parking on grass, landscaped areas, sidewalks, or common property is prohibited.

Section 2. Boats, RVs, and Trailers.

Boats, recreational vehicles, trailers, and similar equipment shall not be stored in a manner visible from the parcel's frontage, an adjacent parcel, or an adjacent common area. Temporary parking for loading, unloading, or cleaning shall not exceed twenty-four (24) hours. Notwithstanding the foregoing, the Association may not restrict any such item that is not visible from the parcel's frontage, an adjacent parcel, or an adjacent common area, consistent with Section 720.3075, Florida Statutes.

Section 3. Commercial and Work Vehicles.

Restrictions on commercial vehicles shall be limited to vehicles that meet the definition of a "commercial motor vehicle" as defined in Section 320.01(25), Florida Statutes. The Association may not prohibit the parking of a personal vehicle (including a pickup truck), a work vehicle that does not meet the statutory definition of a commercial motor vehicle, or an assigned first responder vehicle, in any area where the owner has a legal right to park, consistent with Section 720.3075, Florida Statutes.

Section 4. Inoperable Vehicles. No abandoned, inoperable, or unlicensed vehicles shall be parked or stored in driveways or in any area visible from the parcel's frontage, adjacent parcels, or adjacent common areas.

ARTICLE VIII — SWIMMING POOLS

Section 1. Approval. All swimming pools require Board of Directors approval and must comply with Pasco County permits and applicable setbacks.

Section 2. Safety Barriers. Pools must be enclosed in accordance with the Florida Residential Swimming Pool Safety Act, Section 515.27, Florida Statutes, and applicable county ordinances.

Section 3. Maintenance. Pools shall be maintained in clean, sanitary condition, free from algae and stagnant water.

ARTICLE IX — FLAGS, SIGNS, AND ADVERTISEMENTS

DECLARATION OF COVENANTS AND RESTRICTIONS — VIVA VILLAS | Pasco County, Florida

Section 1. *Flags.*

Consistent with Section 720.304(2), Florida Statutes, no provision of this Declaration shall preclude the display of up to two (2) portable, removable flags by a property owner, including any of the following: the United States flag, the flag of the State of Florida, an official flag of the United States Armed Forces, a POW-MIA flag, a first responder flag, or a flag representing a branch of the United States military. All flags must be displayed in a respectful manner consistent with the requirements of 36 U.S.C. Chapter 10. Flagpoles or flag mounting brackets require Board of Directors approval.

Section 2. *Signs.* No sign shall be erected without Board of Directors approval, except: (a) one "For Sale" or "For Rent" sign not exceeding 18" × 24"; (b) one security sign not exceeding 12" × 12"; and (c) political signs, which shall be permitted thirty (30) days before an election and removed within seven (7) days after the election. Portable, feather, or commercial signs are prohibited.

ARTICLE X — LAWN, LANDSCAPING, AND EXTERIOR MAINTENANCE

Section 1. *Lawn Care.* Grass shall not exceed six inches (6") in height and must be maintained free of weeds.

Section 2. *Landscaping.*

Trees, shrubs, and plantings shall be trimmed and maintained to avoid obstruction or hazard. Notwithstanding any other provision of this Declaration, the Association may not prohibit or enforce any provision so as to prohibit a property owner from implementing Florida-Friendly Landscaping, as defined in Section 373.185, Florida Statutes, on the owner's land, or create any requirement or limitation in conflict with any provision of Part II of Chapter 373, Florida Statutes, or a water shortage order, other order, consumptive use permit, or rule adopted pursuant thereto. Native, drought-tolerant, and water-conserving plantings are specifically encouraged.

Section 3. *Exterior Tidiness.* Yards, porches, and driveways shall be kept free of debris, clutter, or unsightly items. Holiday decorations must be removed within thirty (30) days after the holiday. Fines for failure to timely remove holiday decorations are subject to the notice and cure requirements of Article VI, Section 6(e) of this Declaration.

Section 4. *Building Maintenance.* All structures, siding, roofs, driveways, and fences shall be maintained in good repair and in a manner consistent with the community's general scheme of development.

ARTICLE XI — FENCING

Section 1. *Height.* Rear and side yard fences shall not exceed six feet (6') in height. Front yard fences shall not exceed four feet (4') in height.

Section 2. *Materials.* Fences shall be constructed of wood, vinyl, composite, or aluminum. Chain-link fencing is prohibited in front yards.

Section 3. *Compliance; No Prior Approval Required.* New or replacement fences must comply with the height and material requirements of this Article and with applicable Pasco County codes. No Board of Directors approval is required prior to installation.

ARTICLE XII — BOARD REVIEW OF IMPROVEMENTS

Section 1. *Board Review of Improvements.* The Board of Directors shall review and act upon applications for all improvements requiring approval under this Declaration within forty-five (45) days of receipt of a complete application. Failure to act within that period shall be deemed approval. The Board may, at its discretion, delegate review of applications to a committee it appoints for that purpose, but is not required to do so, and no such committee currently exists.

Section 2. *Board Denial — Written Notice Required.*

If the Board of Directors denies any application for the construction of a structure or other improvement, the Board must provide written notice to the owner stating with specificity: (a) the rule or covenant relied upon to deny the request; and (b) the specific aspect or part of the proposed improvement that does not conform to such rule or covenant. This requirement is consistent with Section 720.3035, Florida Statutes, as amended effective July 1, 2024.

Section 3. *Equitable Enforcement.* The Board of Directors shall reasonably and equitably apply and enforce the architectural and construction standards authorized by this Declaration. The Board may not enforce or adopt any covenant, rule, or guideline that limits or places requirements on the interior of a structure that is not visible from the parcel's frontage, an adjacent parcel, or an adjacent common area, consistent with Section 720.3075, Florida Statutes.

Section 4. *Hurricane Protection Specifications.*

Consistent with Section 720.3035(3), Florida Statutes (House Bill 293, effective May 28, 2024), the Board of Directors shall adopt hurricane protection specifications for structures and improvements on all parcels within Viva Villas. Such specifications may include color and style of hurricane protection products and shall comply with applicable Pasco County and state building codes. The Board shall not deny any application for the installation, enhancement, or replacement of hurricane protection products that conform to the adopted specifications. Owners shall submit applications for hurricane protection to the Board before installation.

Section 5. *Grade and Drainage.* No owner shall alter lot grading or drainage patterns in a manner that adversely affects neighboring lots or common areas without prior Board of Directors approval.

Section 6. *Rebuilding.* Following fire or casualty, owners shall commence reconstruction within six (6) months and complete reconstruction within a reasonable time. The owner shall maintain the damaged structure in a safe, secure condition during any period of reconstruction.

Section 7. *Building Materials.* Exterior wall material and color are not restricted by this Declaration beyond the general maintenance standard in Article X. The following are prohibited on any completed structure: exposed, unfinished plywood; unfinished concrete block; and tarpaper used as a permanent exterior finish.

Section 8. *Roofing.* Roof material and color are not restricted by this Declaration, and no Board of Directors approval is required to install, replace, or repair a roof. Rolled roofing or other temporary roof coverings are permitted only during active and documented repairs, and shall be replaced with a permanent roof covering promptly upon completion of the repair.

Section 9. *Utility and Drainage Infrastructure; Owner Responsibility for Contractor Damage.* No owner shall alter, remove, or interfere with any curb, drainage structure, waterline, or sewer line serving a lot or the community without the prior written consent of the Board of Directors and in

DECLARATION OF COVENANTS AND RESTRICTIONS — VIVA VILLAS | Pasco County, Florida

accordance with applicable Pasco County codes. An owner shall be directly responsible to the Association for damage to Association property or improvements caused by the actions of the owner, the owner's employees, or independent contractors furnishing labor or materials to the owner.

ARTICLE XIII — GARBAGE, RECYCLING, AND YARD WASTE

Section 1. Containers. All garbage and recycling shall be stored in covered containers. Yard waste shall be bundled and set out in accordance with Pasco County solid waste collection requirements.

Section 2. Storage. Containers shall be stored in garages, side yards, or behind fences out of view from the street, except on collection day.

Section 3. Set-Out and Removal. Containers may be set out after 6:00 p.m. on the day preceding pickup and must be removed from the curb or end of the driveway by 8:00 p.m. on the day of collection. No fine shall be imposed for leaving a container at the curb within twenty-four (24) hours before or after the designated collection time, consistent with Section 720.305(3), Florida Statutes.

Section 4. Prohibited Practices. Dumping on lots or common areas and open burning are prohibited.

ARTICLE XIV — NUISANCE RESTRICTIONS

Section 1. Noxious Activity. No trade, business, or activity that is noxious, offensive, or unreasonably noisy shall be conducted on any lot.

Section 2. Automotive Repair. No lot shall be used for the commercial repair or servicing of automobiles or similar activities. Incidental personal vehicle maintenance by the owner, conducted within a garage or within a rear or side yard not visible from the street, is permitted.

ARTICLE XV — NON-DISCRIMINATION

Section 1. Fair Housing. This Declaration shall be enforced in compliance with the Federal Fair Housing Act, the Florida Fair Housing Act, the Americans with Disabilities Act, and the Florida Civil Rights Act. No provision of this Declaration shall be construed or applied in a manner that unlawfully discriminates on the basis of race, color, national origin, religion, sex, familial status, disability, or any other protected class under applicable law.

Section 2. Discriminatory Restrictions Extinguished. Any covenant, restriction, or condition in this Declaration that restricts the ownership, sale, lease, or use of property on account of race, color, national origin, religion, or any other class protected under applicable law is hereby declared void, unenforceable, and extinguished, consistent with Section 712.065, Florida Statutes.

Section 3. Prohibited Vendor Lists. The Association may not restrict a parcel owner from inviting, hiring, or allowing entry to a contractor or worker on the owner's parcel solely because the contractor or worker is not on a preferred vendor list of the Association, consistent with Section 720.3075, Florida Statutes.

ARTICLE XVI — ENFORCEMENT AND DISPUTE RESOLUTION

Section 1. *Authority.*

The Association shall have authority to enforce these Restrictions through notices of violation, fines, suspension of use rights, and legal action as permitted under Chapter 720, Florida Statutes. All enforcement actions shall comply with the due process requirements of Section 720.305, Florida Statutes, and the procedures set forth in this Article.

Section 2. *Fining Committee and Hearing Process.*

Prior to imposing any fine or suspending any use right, the Association shall follow the procedure below:

- (a) Written notice of the alleged violation shall be provided to the owner, specifying the nature of the violation and the corrective action required, with a reasonable opportunity to cure.
- (b) If the violation is not cured within the stated period, the Association may schedule a hearing before the fining committee. Written notice of the hearing date, time, and location shall be provided to the owner not less than fourteen (14) days in advance.
- (c) The fining committee shall be composed of at least three (3) members of the Association who are not officers, directors, or employees of the Association, and who are not the spouse, parent, child, brother, or sister of any officer, director, or employee, consistent with the composition standard set forth in the Association's Bylaws.
- (d) No fine shall be imposed for a violation that is cured prior to the hearing.
- (e) Following the hearing, the fining committee shall provide written notice of its determination to the owner within seven (7) days.
- (f) Any fine imposed shall be paid within thirty (30) days of the notice of determination. Fines unpaid after thirty (30) days may be subject to a lien pursuant to Section 720.3085, Florida Statutes.

Section 3. *Mandatory Pre-suit Mediation.* Except for collection of assessments, fines, or other financial obligations, any dispute between the Association and a parcel owner regarding covenant enforcement, use of or changes to a parcel or common area, amendments to Association documents, board or membership meetings (excluding election disputes), or access to official records, shall be subject to mandatory pre-suit mediation pursuant to Section 720.311, Florida Statutes, before any lawsuit is filed. The filing of a petition for arbitration or a demand for presuit mediation tolls the applicable statute of limitations. Election and recall disputes shall be resolved by binding arbitration through the Florida Department of Business and Professional Regulation, consistent with Section 720.303(10), Florida Statutes.

Section 4. *Cumulative Remedies.* The enforcement remedies available to the Association under this Declaration are cumulative and not exclusive of any other remedies available at law or in equity.

Section 5. *Severability.* If any provision of this Declaration is held invalid, illegal, or unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

ARTICLE XVII — DURATION AND AMENDMENT

Section 1. *Duration.* These Restrictions shall remain in effect until December 31, 2035, and shall automatically renew for successive ten (10) year terms unless amended or rescinded as provided herein. To the extent that any provision of these Restrictions may be subject to extinguishment under the Marketable Record Title Act, Chapter 712, Florida Statutes, the Association shall take timely action to preserve such provisions as set forth in Article I, Section 4 of this Declaration.

Section 2. *Amendment.*

These Restrictions may be amended as follows:

- (a) A proposed amendment must be submitted to the Board of Directors in writing.
- (b) The Board shall provide written notice of the proposed amendment to all members not less than fourteen (14) days before any meeting at which the amendment is to be considered. The notice shall include the full text of the proposed amendment.
- (c) A proposed amendment shall be adopted upon the affirmative vote or written ballot of a majority of the votes actually cast, provided that properly completed ballots are received from members holding at least ten percent (10%) of the total voting interests of the Association, consistent with the quorum standard set forth in Article II of the Bylaws. Amendments under this Section may be adopted entirely by mail ballot; no in-person meeting is required for adoption.
- (d) Any amendment shall be recorded in the Official Records of Pasco County within thirty (30) days of adoption.
- (e) No amendment shall eliminate or impair the MRTA preservation obligations set forth in Article I, Section 4, without a separate affirmative vote of two-thirds (2/3) of all members entitled to vote.

Section 3. *Variance.* The Association may grant reasonable variances in the application of these Restrictions where strict enforcement would cause undue hardship, provided such variance does not impair the general scheme of development. All variances shall be approved in writing by the Board of Directors and recorded in the Association's official records.

ARTICLE XVIII — RECORDS, WEBSITE, AND MEMBER DISCLOSURE

Section 1. *Official Records.* The Association shall maintain all official records as required by Section 720.303(4), Florida Statutes, including but not limited to: this Declaration and all amendments; the Bylaws; Articles of Incorporation; minutes of all board and member meetings; a current roster of members; financial records; and all contracts to which the Association is a party. Official records shall be retained for a minimum of seven (7) years. Notices required under this Declaration shall be mailed or delivered to the address reflected in the Association's official records, or transmitted electronically only to a member who has consented in writing to receive notice by electronic transmission, consistent with Section 720.303, Florida Statutes.

Section 2. *Website and Digital Access.*

Because Viva Villas has 229 lots (exceeding the 100-parcel threshold), the Association is required under Section 720.303, Florida Statutes, as amended by House Bill 1203 (effective January 1, 2025), to:

- (a) Maintain a website accessible to all parcel owners and employees of the Association;

DECLARATION OF COVENANTS AND RESTRICTIONS — VIVA VILLAS | Pasco County, Florida

(b) Post and maintain on the website digital copies of this Declaration, the Bylaws, Articles of Incorporation, board and member meeting notices, and other official records as specified by statute; and

(c) Maintain a password-protected or otherwise access-controlled section of the website that is inaccessible to the general public but accessible to parcel owners and Association employees, containing official records as required by Section 720.303(5), Florida Statutes.

Section 3. *Distribution of Rules and Covenants.* Consistent with Section 720.303(15), Florida Statutes (House Bill 59, effective July 1, 2024), the Association shall provide a physical or digital copy of this Declaration and all Association rules to every member, and to every new member upon acquiring ownership. If this Declaration or any Association rule is amended, the Association shall provide an updated copy to all members. This requirement may be satisfied by posting a complete and current copy on the Association's website homepage and notifying all members by mail or electronic mail.

Section 4. *Inspection of Records.* Members in good standing may inspect and copy official records of the Association upon written request. The Association shall make the requested records available within ten (10) business days of receipt of a written request, consistent with Section 720.303(5), Florida Statutes.

Section 5. *Disclosure at Sale.* Any owner selling or transferring a lot shall, prior to closing, provide the buyer with a copy of this Declaration, the Bylaws, the current rules of the Association, and the most recent financial statement. The Association shall cooperate in providing copies of these documents upon request, consistent with Section 720.401, Florida Statutes.

DECLARATION OF COVENANTS AND RESTRICTIONS — VIVA VILLAS | Pasco County, Florida

EXECUTION

IN WITNESS WHEREOF, the President and Vice President of Viva Villas Civic Association, Inc., being duly authorized by the Board of Directors to execute this Declaration on behalf of the Association, and the Secretary, attesting to the same, have executed this Declaration on the date first above written.

William G. Mason

M 250-927-61-026-0 exp. 1/26/2032

Print Name: William G. Mason

President, on behalf of the Board of Directors of Viva Villas Civic Association, Inc.

Melissa A. Bartell

B 634-541-70-797-0 exp. 8/17/30

Print Name: Melissa A. Bartell

Vice President, on behalf of the Board of Directors of Viva Villas Civic Association, Inc.

X Heather Guy

G 240-574-36-400-0 exp. 7/8/34

Print Name: Heather Guy

Secretary, Viva Villas Civic Association, Inc. (Attest)

Signed, sealed, and delivered in the presence of the following two witnesses, who witnessed each of the signatures above:

Mary * Katrina Warsick

Print Name: Mary * Katrina Warsick

Witness 1

Vivian R. Garrison

Print Name: Vivian R. Garrison

Witness 2

DECLARATION OF COVENANTS AND RESTRICTIONS — VIVA VILLAS | Pasco County, Florida

NOTARY ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF PASCO

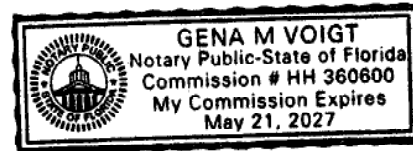
The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1st__ day of September, 2026, by William G Mason, as President of Viva Villas Civic Association, Inc., by Melissa A. Bartell, as Vice President of Viva Villas Civic Association, Inc., and by Heather Guy, as Secretary of Viva Villas Civic Association, Inc., each on behalf of the corporation. They are personally known to me or have produced Florida Driver Licenses as identification.

GENA M. VOIGT
 Notary Public, State of Florida
 My Commission Expires: 5/21/2027
 Notary Commission No.: HH 360600

State of Florida County of Pasco
 Sworn to (or affirmed) and subscribed before me
 via ☒ physical presence OR ☐ online notarization
 this 1 day of September, 2026.
 By Viva Villas Board Members
 Personally known OR produced identification ☒
 Type of identification produced FL DL for each as listed
GENA M. VOIGT, Notary Public
 My Commission Expires May 21, 2027

FOR RECORDING — PASCO COUNTY CLERK OF THE CIRCUIT COURT*This instrument prepared by:*

Name: Melissa A. Bartell
 Address: 16129 Tree Line Dr, Hudson FL, 34667

*After recording, return to:*

Viva Villas Civic Association, Inc.
 Address: P.O. Box 6008, Hudson FL, 34674
 Email: __vivavillashoa@gmail.com

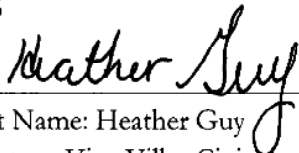
EXHIBIT A
CERTIFICATE OF ADOPTION

The undersigned, being the duly elected Secretary of Viva Villas Civic Association, Inc., a Florida not-for-profit corporation (the "Association"), hereby certifies as follows:

1. Ballots were mailed to all members of the Association eligible to vote, seeking approval of (a) the Declaration of Covenants and Restrictions, which amends, restates, and supersedes the Deed Restrictions recorded in the Public Records of Pasco County, Florida, at Official Records Book 10463, Page 3460, and (b) the revised Bylaws of the Association, which supersede the Bylaws adopted December 13, 1999.
2. Members were given a ballot return deadline of July 31, 2026. In advance of the deadline, the Association distributed reminders to encourage participation via email, the Association's Facebook page, the Association's website, and the community bulletin board. Spanish-language versions of the ballot and of plain-language guides to both proposals were made available on the Association's website throughout the voting period. Members who requested a replacement ballot because they had not received or had misplaced their original were provided a digital copy upon request.
3. As of the deadline, sixty-eight (68) ballots were returned, exceeding the quorum of nineteen (19) members in good standing required under Article II of the Association's Bylaws.
4. Of the sixty-eight (68) ballots returned, forty-nine (49) voted in favor and nineteen (19) voted against each of the two proposals described in Paragraph 1 above; no member split their vote between the two proposals. Approval by forty-nine (49) of sixty-eight (68) votes cast constitutes approval by a majority of the votes cast, satisfying the amendment procedure set forth in Article XVII of the Declaration and the amendment procedure set forth in the Association's Bylaws.
5. Accordingly, both the Declaration of Covenants and Restrictions and the revised Bylaws described above are duly adopted by the Association, the former effective upon recording in the Public Records of Pasco County, Florida.

The original signed ballots referenced in this Certificate are retained in the Association's official records and are available for member inspection in accordance with Section 720.303, Florida Statutes.

IN WITNESS WHEREOF, the undersigned has executed this Certificate this 1st day of September, 2026



Print Name: Heather Guy

Secretary, Viva Villas Civic Association, Inc.

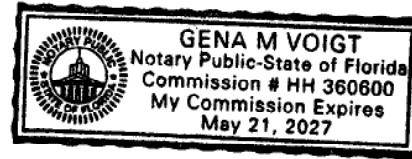
NOTARY ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF PASCO

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1st day of September 2026, by Heather Guy, as Secretary of Viva Villas Civic Association, Inc. She/He is personally known to me or has produced FL DL G240-574-36-400-0 as identification. exp. 7/8/34

Heather Guy
Notary Public, State of Florida

My Commission Expires: 5/21/27Notary Commission No.: HH 360600

VIVA VILLAS CIVIC ASSOCIATION, INC.**COVER SHEET****SUMMARY OF SUBSTANTIVE CHANGES***to the Declaration of Covenants and Restrictions for Viva Villas*

This Cover Sheet accompanies and is attached to the Declaration of Covenants and Restrictions for Viva Villas ("Declaration") adopted by Viva Villas Civic Association, Inc. It is provided in accordance with the practice reflected in Section 720.306(1)(e), Florida Statutes, to identify, in summary form, the substantive changes made by the Declaration to the Deed Restrictions previously recorded in the Public Records of Pasco County, Florida, as Instrument #2021223118, in Official Records Book 10463, Page 3460 (the "Prior Restrictions"). The rewording effected by the Declaration is substantial; accordingly, this summary is provided in lieu of an underlined-and-stricken redline, consistent with Section 720.306(1)(e). In the event of any conflict between this summary and the text of the Declaration, the Declaration controls. Items not identified below are unchanged in substance.

Topic	Prior Restrictions (2000)	Declaration (2026)
Minimum home size	1,200 sq ft (one story) / 1,500 sq ft (two story)	1,000 sq ft (one story) / 1,200 sq ft (two story)
Pet limit	2 dogs or 2 cats total	5 dogs and 5 cats, plus an exemption for service/support animals
Backyard chickens	Not addressed (poultry generally prohibited)	Up to 4 hens allowed, no roosters, consistent with the new county ordinance
Fence approval	Required before building	Not required — must comply with height/material requirements and county code
Roof material/color	Restricted to specific approved materials (tile, asphalt shingle, wood shake)	Not restricted; no approval required to replace or repair a roof
Exterior paint color	Not directly addressed, but fell under general Association approval authority	Not restricted
Solar collectors	Not addressed	Explicitly protected under Section 163.04, Florida Statutes; no application required
Rental cap	Not addressed	New 25% cap on leased lots, with prospective applicability consistent with Section 720.306(1)(h), Florida Statutes
Minimum lease term	Not addressed	New 6-month minimum; short-term and vacation rentals prohibited outright
Multi-unit buildings	Not addressed	Formally recognized as a pre-existing exception to the single-family use restriction; excluded from the rental cap

Architectural review	Administered by an "Architectural Review Committee"	No separate committee; review authority exercised directly by the Board of Directors
Fine limits	Not addressed	\$100 per violation per day, \$1,000 aggregate cap, subject to an independent hearing committee, consistent with Section 720.305, Florida Statutes
Duration	Through December 31, 2010, renewed for successive 10-year terms; current recorded term runs through December 31, 2031	Through December 31, 2035, with successive 10-year renewal terms
Model homes / developer rights	Developer permitted to maintain a model home and sales office	Removed as no longer applicable
Park forfeiture procedure	Required written notice by registered mail from Pasco County and a 45-day curative period before any forfeiture	Same notice and curative-period procedure retained
Association website	Not addressed	Required under Section 720.303, Florida Statutes, as amended, for associations of 100 or more parcels
Governing law	No express provision addressing conflicts with Florida law	Expressly construed in conformity with, and subordinate to, Chapter 720, Florida Statutes

Note regarding lot count: the Prior Restrictions and the 2021 recorded renewal thereof do not state an exact lot count. The Declaration states 229 lots, reflecting the subdivision as platted and existing as of the date of this Cover Sheet.

END OF COVER SHEET