

IMPERIAL GOLF ESTATES HOMEOWNERS ASSOCIATION, INC.

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Revised Rule Governing Authorized Use of Entrada (Marquis) Gate For Entry and Exit from Imperial Golf Estates – September 29, 2015

The Articles of Incorporation and the Declaration of Covenants, Conditions, and Restrictions of the Imperial Golf Estates Homeowners Association, Inc. give the Board of Directors the authority to Promulgate and enforce reasonable rules and regulations for the safety, health, welfare, happiness and peace of mind of the Members of the Association.

When the Members of the Association voted to approve the Marquis Gate (now Entrada Avenue Gate) project in 2007 they were told that the unmanned new gate to and from Livingston Road would only be accessible to authorized occupants of the lots in Imperial Golf Estates Phases I through V. When the Board of Directors negotiated the settlement with Milano Recreation Association and Delasol Homeowners Association to end the law suit that ensured our use of the right of way to Livingston Road, the same condition was duplicated in the settlement. Only the Lot Owners in Imperial Golf Estates Homeowners Association were assessed for the Entrada Avenue gate system and therefore will be able to be issued or purchase bar code permits to use the Entrada Avenue gate. The IGEHOA owned and operated new back gate system is entirely separate from the manned front gate system owned and operated by the Greater Imperial Board that we have all been using.

Therefore the new, unmanned Entrada Avenue back gate will only be accessible to the authorized occupants of the 634 lots in Imperial Golf Estates Homeowners Association Phases I through V who are issued or purchase a new Bar Code permit to be affixed to the side window of their personal vehicles or vehicles permanently parked on or within their property by the Property Manager's Office. An authorized bar code affixed to the window of your vehicle will be the only permit that will open the new gate from either side, entry into Imperial Golf Estates from Livingston Road/Entrada Avenue or exit from Imperial Golf Estates by Entrada Avenue/Imperial Circle.

No visitors, vendors, delivery vehicles, commercial vehicles (such as business owned, rented or governmental agency owned), public utility vehicles, other Collier County and Collier County contract service vehicles or other traffic except for emergency vehicles (Sheriff, Fire, EMS) and Collier County School buses will be authorize4d to enter or leave through the Entrada Avenue gate. These types of visitors, vendors, delivery vehicles, commercial vehicles (such as business owned, rented or governmental agency owned), etc. must still continue to use the Greater Imperial Board's existing front entrance off of US 41. The Entrada Avenue gate system includes a Bar Code operated, double gate system consisting of hard swinging gates with a gate arm that comes down after each vehicle proceeds through the swing gate, and is designed to prevent tail gating of multiple vehicles through the gate area. Cameras will monitor the gate area and will capture the license numbers of all vehicles entering and leaving through the new gate system. A separate personnel gate will allow for pedestrian traffic for those individuals authorized issue or purchase of entry permits for pedestrians. The gate system software will track the use of gate entry bar codes and personnel gate passes each day.

The following rules apply to the issue or purchase of Bar Codes for vehicles and entry permits for pedestrians authorized to use the new unmanned Entrada Avenue Gate in Phase V:

1. **Entrada Avenue gate Bar Codes and personnel gate passes will be issued or be available for purchase from the Property Manager's Office only to authorized occupants of the 634 lots in Imperial Golf Estates, Phase I through V. Proof of ownership/residency/authorized rental status of one of the lots in Phases I through V and proof of ownership/lease or rental of the specific vehicle that the Bar Code is affixed to shall be required to obtain Bar Codes and personnel gate passes.** Leased or rented vehicles of authorized Lot Owners or renters may be issued or sold bar codes for the period of the lease or rental contract upon presentation of the vehicle contract and verification of lot ownership or authorized rental status. A lot owner who uses a rental vehicle while temporarily in residence must bring a copy of the rental agreement to purchase a bar code that will be affixed to the vehicle. The bar code will be deactivated at the end of the term of the vehicle rental and the resident will be asked to remove the bar code prior to returning the vehicle. A new bar code must be purchased for each non-consecutive period that the lot owner is in residence with a rented vehicle.
2. All Bar Codes must be affixed to the side window of your personal, leased, or rental vehicles by the Property Manager's Office at the time of purchase. Authorized occupants include the lot owners, family members actually living with them or living in the property on the lot or renters of one of the Phase 1 through V lots with leases pre-approved by our Property Managers office. No portable passes will be issued for the operation of the vehicle gate systems. **Any resident who removes their bar code from authorized vehicle and attempts to use on any other vehicle, will receive a 15 day notification of any suspension of the use of the Entrada Gate for cause with the opportunity for a hearing before a committee.** The owner may lose their privileges on all cars registered at that residence for 30 days on first offense, 60 days on second offense and six (6) months on the third offense. Gate privileges will be PERMANENTLY removed on the fourth offense. All vehicle gate operating system bar code passes must be affixed to the side window of an authorized vehicle.
3. Lot Owners residing part time in Imperial Golf Estates must provide proof of ownership of the property such as a Tax TRIM Notice of an IGEHOA property if their driver licenses and vehicles are registered in another state or at another address. Florida Statute requires Florida Residents to update their driver license addresses within 10 days of a change of address.
4. Pre-authorized renters can purchase Bar Codes for the duration of the lease period. Bar Codes purchased by renters and installed on their personnel vehicles will be deactivated at the end of the lease period or if notified by the lot owner that they have vacated early. A new lease with specific beginning and ending dates will be required to extend the authorization of a renter's previously purchased Bar Code at a previous lease end date. No Bar Codes or gate passes will be sold to renters who do not have an approved rental application on file with the Property Manager's Office.
5. No trailers or vehicles pulling anything will be allowed to use the unmanned Entrada Avenue gate. Trailers will continue to use the front gate. **If caught on camera pulling anything behind your car, you will receive a 15 day notification of any suspension of the use of the Entrada Gate for cause with the opportunity for a hearing before a committee.** You may lose back gate privileges for all cars registered at that residence for 30 days on first offense, 60 days for second offense, six (6) months for the third offense and permanently for a fourth offense as

well as being responsible for any damage. Motorcycles will continue to use the front gate unless they have a space on the side of their vehicle that a Bar Code can be affixed that can be read by the bar code reader. Both of these rules will be considered for modification as the Board better understands the capabilities and actual operation of the new gate operating system.

6. Owners, residents, renters, **guests of residents** and any other persons will be responsible for the costs for any damage they cause to the gate house, gates and gate systems. The entire gate area is monitored by video surveillance and that record will be used to assign responsibility for damages. Charges will be based on actual costs of the repair or a standard charge of \$250 per incident, at the Board's discretion. **There will be a \$150 fine for knocking the gate arm down, and if the arm is damaged a \$300 per arm fine will be charged.**
7. **Lot owners will be responsible for anyone who climbs over, goes under, or pulls the gate open to illegally enter IGE (this is still considered trespassing). If a guest is seen doing this and then going to a resident's house, that home owner will receive a 15 day notification of any suspension of the use of the Entrada Gate for cause with the opportunity for a hearing before a committee.** The owner may lose back gate privileges for 30 days for the first offense, 60 days for second offense, six (6) months for a third offense – permanently for the fourth offense – as well being responsible for any damages.
8. For those who knowingly allow another vehicle to piggyback on your authorized entrance or exit through the gate system, all of the bar codes related to the violating residence **will receive a 15 day notification of any suspension of the use of the Entrada Gate for cause with the opportunity for a hearing before a committee.** The homeowner's barcode will be deactivated for 30 days for a first offense, 60 days for second offense, six (6) months for the third offense and **all bar codes will be permanently be deactivated for the fourth offense.** Reactivation of a deactivated bar code after either a first, second and third offense must be requested by the resident and there will be a charge of \$10.00 for each bar code reactivation.
9. There rules will be strictly enforced to meet the requirements of the law suit settlement agreement. Do not try to obtain Bar Codes for friends or relatives not living at your lot address as driver licenses and vehicle registrations must be produced to verify residence.
10. Attempts to fraudulently obtain Bar Codes or personnel gate passes for non-authorized personnel could result in denial of your use of the Entrada Avenue gate system.
11. Please be aware that second, third and fourth violations will be enforced on a combination of **any** of the previously charged violations.

Thank you for your understanding and consideration as we enter into and better understand the capabilities and operations of this new, unmanned Entrada Avenue gate system. There has been a learning curve associated with the new system and its capabilities, but by working together we will

improve the operations and improve the health and safety of our residents through reduced response time by emergency vehicles through the Entrada Gate.

Board of Directors Imperial Golf Estates Homeowners Association, Inc.

Edit September 29, 2015

May 23, 2016