

WINSTON TRAILS FOUNDATION, INC.

**RESOLUTION OF BOARD OF DIRECTORS REGULATING MOTORIZED VEHICLES
IN WINSTON TRAILS**

THIS RESOLUTION is made this 22 day of April 2003 by Winston Trails Foundation, Inc. (the "Foundation"), to wit:

WHEREAS, the Foundation is a Florida not for profit corporation and is the entity responsible for the operation and management of the Winston Trails planned residential community, in Lake Worth, Florida ("Winston Trails");

WHEREAS, Winston Trails and the Foundation are governed by the recorded Declaration of Covenants and Restrictions for Winston Trails ("Declaration"), recorded in Official Records Book 7820, Page 281, et seq., public records of Palm Beach County, Florida;

WHEREAS, the Declaration and the Bylaws governing the Foundation authorize the Board of Directors of the Foundation to promulgate rules and regulations governing the use, management and control of common property;

WHEREAS, the Declaration imposes specific prohibitions, restrictions and limitations on owners' rights to and easements in their property and the common property;

WHEREAS, a number of residents of Winston Trails have been observed using motorized scooters, go-peds and other motorized vehicles on the roadways and sidewalks within Winston Trails;

WHEREAS, Florida law defines a motorized scooter as a "motor vehicle" for purposes of requiring a driver's license before one may operate such a vehicle on Florida roadways;

WHEREAS, the roadways and sidewalks are not public streets and are common property subject to the Declaration and to rules and regulations promulgated by the Board of Directors;

WHEREAS, the Board of Directors has a duty to preserve and enhance the value of dwelling units in Winston Trails and promote the welfare of owners and residents in Winston Trails;

WHEREAS, Article VIII, Section 26, of the Declaration prohibits any motorized vehicle from being operated off paved roadways and drives without the written approval of the Foundation;

WHEREAS, the Board of Directors finds that the prohibition of the use and operation of motorized scooters, go-peds and other motorized vehicles on the roadways and sidewalks in Winston Trails will promote and preserve the safety and welfare of the residents of Winston Trails;

WHEREAS, the Board of Directors finds that the prohibition of the use and operation of motorized scooters, go-peds and other motorized vehicles on the roadways and sidewalks in Winston Trails is in the best financial interests of the Foundation and its residents by reducing insurable risks affecting the use and operation of common areas and facilities in Winston Trails;

WHEREAS, the Board of Directors finds that the prohibition of the use and operation of motorized scooters, go-peds and other motorized vehicles on the roadways and sidewalks in Winston Trails may serve to enhance the security and well-being of residents by reducing the possibility of entry into residential villages in Winston Trails by persons on motorized vehicles who are neither residents nor guests of residents of those villages; and,

WHEREAS, the Board of Directors met on April 22, 2003, at a duly called and noticed meeting of the Board at which a quorum was present, and discussed the foregoing factors and findings and approved by majority vote to promulgate rules and regulations prohibiting the use and operation of motorized scooters, go-peds and other motorized vehicles within Winston Trails.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board of Directors enacts and promulgates the following Rules and Regulations governing the use of motorized vehicles in Winston Trails.

1. No owner, tenant, resident, or guest of any of them shall use or operate any motorized scooter, go-ped or other motorized vehicle on Winston Trails Boulevard or any other roadway within Winston Trails.

2. No owner, tenant, resident, or guest of any of them shall use or operate any motorized scooter, go-ped or other motorized vehicle on any sidewalk or in any recreational facility or other common parking area in Winston Trails.

3. The Winston Trails Foundation, Inc., shall have the right to enforce any violation of these rules by any owner, tenant, resident or guest of any of them as provided for in Article IX of the Declaration, including without limitation the right to levy fines, obtain injunctive or other relief, seek damages or a combination of remedies.

4. The effective date of these rules shall be upon the posting by the Foundation of this resolution in a conspicuous place in the Common Areas.

IN WITNESS WHEREOF, on behalf and at the direction of the Board of Directors of the Winston Trails Foundation, Inc., the undersigned has set his hand and seal on the date first above written.

WINSTON TRAILS FOUNDATION, INC.

BY: Gene Sofia
GENE SOFIA, PRESIDENT

Attest: [Signature]
Signature

Arnold Miller Treasurer
Printed Name Title

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