

5/19/2022 4:29 PM

KAREN E. RUSHING

CLERK OF THE CIRCUIT COURT

SARASOTA COUNTY, FLORIDA

SIMPLIFILE

Receipt # 2863469

JAN W. PITCHFORD, ESQ.  
Florida Bar #: 507784  
SHUMAKER, LOOP & KENDRICK, LLP  
240 S. Pineapple Ave  
Tenth Floor  
Sarasota, Florida 34236  
(941) 366-6660 PH.

R \$44.00

**AMENDMENT TO  
DECLARATION OF MAINTENANCE COVENANTS  
AND  
RESTRICTIONS ON THE COMMONS FOR THE MEADOWS**

**WHEREAS**, TAYLOR WOODROW HOMES LIMITED (FLORIDA DIVISION), a corporation under the laws of the United Kingdom, authorized to do business in the state of Florida, (Taylor Woodrow) has heretofore filed a document entitled "Declaration Of Maintenance Covenants and Restrictions on The Commons for The Meadows," together with exhibits thereto, in Official Records Book 1113, pages 715-759, inclusive of the Public Records of Sarasota County (Declaration); and

**WHEREAS**, Taylor Woodrow assigned the right to prescribe building and use restrictions in The Meadows, and the right to amend the Declaration, to The Meadows Community Association, Inc., pursuant to an Indenture and Assignment of Rights recorded in Official Records Book 2749, Pages 982-985, inclusive of the Public Records of Sarasota County; and

**WHEREAS**, pursuant to such assignment, the Board of Directors of The Meadows Community Association, Inc., on April 14, 2022, approved amendments to the Declaration regarding the use and operation of electric bicycles.

**NOW, THEREFORE**, pursuant to the foregoing authority, The Meadows Community Association, Inc. does hereby modify and amend the Declaration as follows

REMAINDER OF PAGE BLANK

M 51568 - 263053  
✓ RETURN TO: SHUMAKER, LOOP & KENDRICK, LLP TME

1. Paragraph 9 (c) of the Declaration is deleted in its entirety and replaced as follows:

(c) The use of the bike paths in The Meadows shall be limited to bicycles, pedestrians, and golf carts. The use of e-bikes or any other power-driven motorized devices on bike paths shall be absolutely prohibited. For the purposes of this Declaration, "e-bikes" shall mean a bicycle or tricycle equipped with fully operable pedals, a seat or saddle for the use of the rider, and an electric motor of less than 750 watts which meets the requirements of one of the following three classifications: (i) "Class 1 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour; (ii) "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be used exclusively to propel the electric bicycle and that ceases to provide assistance when the electric bicycle reaches the speed of 20 miles per hour; (iii) "Class 3 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the electric bicycle reaches the speed of 28 miles per hour. For the purposes of this Declaration, "golf carts" shall mean only golf carts which have been properly registered with The Meadows Community Association, Inc. (MCA). For the purposes of this Declaration and notwithstanding any provision to the contrary herein, any reference to the term "other power-driven motorized devices" shall expressly exclude any powered wheelchairs or other power-driven mobility device utilized by an individual with mobility disabilities as defined in the Americans with Disabilities Act, including, but not limited to, golf carts, electronic personal assistance mobility devices, such as the Segway Personal Transporter, or any mobility device that is not a wheelchair, which is designed to operate in areas without defined pedestrian routes.

Bicycles shall have the right-of-way over pedestrians and golf carts, and pedestrians shall have the right-of-way over golf carts. Persons operating golf carts on the bike paths must be sixteen (16) years of age or older. All bicycles and golf carts using the bike paths must be equipped with a warning device such as a horn or a bell to alert other users of the paths. Any person using the bike paths shall yield to motor vehicles at driveways and road intersections and to golf carts at intersections with the golf cart paths.

2. Paragraph 9 (d) of the Declaration is deleted in its entirety and replaced as follows:

(d) All bicycles must be operated on the bike paths, where they are provided, instead of the private roads in such locations. The use of e-bikes or other power-driven motorized devices on any bike paths, even where no private road is provided, is absolutely prohibited.

3. Paragraph 9 (q) of the Declaration is deleted in its entirety and replaced as follows:

(q) Bicycles and other vehicles propelled by human power in The Meadows shall be operated in accordance with the regulations set forth in Section 316.2065, Florida Statutes (2021), as the same may be amended from time to time. Notwithstanding the foregoing, subject to the provisions of Paragraph 9 (v) hereof, e-bikes in The Meadows shall be operated in accordance with the regulations set forth in Section 316.20655, Florida Statutes (2021), except where the provisions of this Declaration provide otherwise or are more restrictive, and The Board of Directors of The Meadows Community Association, Inc. (MCA) expressly reserves the right to adopt such additional regulations and restrictions on e-bikes, other power-driven motorized devices, or any particular classification of e-bike as it deems reasonable and necessary for the preservation of the health and safety of others. The Meadows Community Association, Inc. expressly disclaims and shall not be held liable to any person for the failure of any e-bike operator to abide by the regulations set forth in Section 316.20655 or the provisions of this Declaration, as applicable. The operation of e-bikes and/or other power-driven motorized devices at The Meadows is expressly at the operator's sole risk and such operator agrees to assume all liabilities thereof.

4. Paragraph 9 (v) of the Declaration is hereby added as follows:

(v) Notwithstanding any provision to the contrary in this Agreement or any applicable laws, the use of e-bikes on any pedestrian sidewalks and walkways, bicycle paths, cart paths, and/or nature trails within The Meadows, is absolutely prohibited. All e-bikes and other power-driven motorized devices must be operated on the Public roads, Private roads, and Limited private roads within The Meadows.

In the event that any Owner, or his or her tenants, guests, or visitors, is found to be operating an e-bike or other power-driven motorized device in violation of the provisions of this Declaration, then The Meadows Community Association, Inc. (MCA) shall be entitled to levy such fines against the Owner as it deems appropriate, but not to exceed \$100.00 or the maximum amount permitted by law from time to time, for each violation by the Owner, or his or her tenants, guests, or visitors, and a separate fine for each repeat or continued violation up to an aggregate fine of no more than \$5,000.00, provided, however, written notice of the nature of the violation and an opportunity to attend a hearing shall be given prior to the levy of the initial fine. No written notice or hearing shall be necessary for the levy of a separate fine for continued violations if substantially similar to the initial violation for which notice and a hearing was provided. If permitted by law, The Meadows Community Association, Inc. (MCA) shall have the right to file a lien against the Owner's Property to secure an unpaid fine, and costs and attorneys'



fees incurred by The Meadows Community Association, Inc. (MCA) incident to the levy or collection of the fine, which lien may be foreclosed by The Meadows Community Association, Inc. in the same manner as a mortgage.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Meadows Community Association, Inc. has caused this instrument to be executed in its name by its undersigned duly authorized officer this 22<sup>nd</sup> day of April, 2022.

Signed, sealed and delivered in the presence of:

The Meadows Community Association, Inc.,  
a Florida corporation

Lisa Anne Compton

By: Robert Clark  
Robert Clark, President

Print Name: Lisa Anne Compton

Michael J. Mazur, Jr.

Print Name: Michael J. Mazur, Jr.

STATE OF FLORIDA  
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 22<sup>nd</sup> day of April, 2022, by Robert Clark, President of The Meadows Community Association, Inc., a Florida corporation, on behalf of said corporation. He is personally known to me or has produced \_\_\_\_\_ as identification (circle one).

Michael J. Mazur, Jr.  
(Signature of Notary)

Michael J. Mazur, Jr.  
(Name of Notary)

