

Discussion Items for Deed Restriction Changes

Summary:

Items changed or added-

- 31 Day Minimum Rental of homes in Trailer Estates
- Maximum ownership/control of 2 properties at one time. All current owners of 3 or more properties are grandfathered in and are not required to sell any of their existing properties
- Property owners of 3 or more properties may not purchase any more properties
- Each property must have the same owner for the land as well as the mobile home
- Application Fees (rentals, purchase) upper limit is now \$150. A 5% per year escalator was identified in this year's budget. Current pricing is \$50
- Minor typo corrections as seen in the redline version
- Wording was approved by Attorney Cohen

Procedure to Change Deed Restrictions:

1. Wording and Content approval by Board of Trustees
2. Voting Ballot created to send out to Property Owners of record
3. Board approves cover letter, ballot, and timeline for return of ballots
4. If approval received from Trailer Estates Board, then mailing is prepared and sent out with a 90-day return deadline
5. On the 91st day, the ballots are counted and tabulated
6. A majority of property owners must vote in the affirmative in order for the Deed Restriction Changes to pass (51%)

05/10/23

Lee Morris

11. Trailer Estates Park and Recreation District is a community intended and operated as "housing for older persons" within the meaning of the Fair Housing Amendments Act of 1988, 42 U.S.C. Sections 3601, et seq. Occupancy of dwelling units on lots in Trailer Estates Subdivision or in any of its Platted Additions or in American Park Subdivision or on any of the parcels within the lands described in the subdivision plat described in the preamble hereto, shall not be permitted unless at least one person in such dwelling unit shall be fifty-five (55) years of age or older, provided, however, all other occupants (excluding "guests" as defined below) of the dwelling unit must be at least forty-five years of age. In the event that all of the occupants of a dwelling unit who are fifty-five (55) years of age or older shall die or otherwise discontinue occupancy of the dwelling unit, then the Board of Trustees of Trailer Estates Park and Recreation District is hereby granted and otherwise reserves the right to terminate the occupancy of the dwelling unit by all persons under fifty-five (55) years of age, if continued occupancy would result in less than the eighty (80%) percent of the dwelling units in the community being occupied by at least one person fifty-five (55) years of age or older. Reasonable exceptions to the foregoing restrictions shall be permitted to allow occupancy of a dwelling unit by a caregiver engaged to provide care for a lot or parcel owner who is otherwise unable to maintain occupancy of the dwelling unit for health reasons. A "guest" of a lot or parcel owner, without restriction due to age shall be permitted to stay in a lot or parcel owner's dwelling unit provided such stay does not exceed a total of thirty (30) days in any calendar year.

Any rental of property within Trailer Estates Park and Recreation District's jurisdiction and subdivision must be for a minimum of 31 continuous and consecutive calendar days. All rentals must comply with the Amended and Related Deed Restrictions, and other applicable laws, policies and procedures of the Districts as well as applicable state and county requirements. Property owners may not turn over privileges of their FOB to a renter.

All numbered residential lots in Trailer Estates Park and Recreation District shall not be used for any purpose other than the housing of one single family in accordance with the restrictions elsewhere herein set forth. Any

existing or new unit erected on a lot within the District must be owned by the corresponding lot owner. No more than 2 lots shall be owned by the same individual(s), partnership, trust, corporation, limited liability company, or other business entity. Any property owner owning three or more properties in Trailer Estates as of the date of adoption of this amendment shall not be required to divest ownership of said properties as a consequence of this amendment; however, said property owner shall not be allowed to acquire or control additional properties in Trailer Estates until the owner is able to comply with the restrictions hereinabove set forth. The Board of Trustees is exempt from compliance with the restriction on the number of properties that a property owner is allowed to own or control in Trailer Estates.

12. In order to maintain a community of congenial residents who are agreeable to abide by the "housing for older persons" restrictions contained in the Deed Restrictions and provisions of the Charter of Trailer Estates Park and Recreation District (hereinafter collectively "Restrictions"), the transfer of lots or parcels by any owner shall be subject to the conditions hereinafter set forth as long as said Restrictions shall remain in force and effect: It shall be necessary for the Board of Trustees of the Trailer Estates Park and Recreation District, or its duly authorized officers, agents or committee, to approve in writing all sales, transfer of title, leases or subleases of a lot or parcel, or occupation of a dwelling unit on a lot or parcel, before such sale, transfer, lease, sublease or occupation shall be valid and effective. Written application for such approval shall contain such information and supporting documentation (including but not limited to verifiable proof(s) of age(s) of proposed occupants(s)) as may be reasonably required by application forms promulgated by the Board of Trustees and shall be accompanied by a transfer fee as required by resolution of the Board, provided, however, such fee shall not exceed one hundred and Fifty (\$150.00) Dollars.

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