

## Exhibit "I"

### NOTICE TO BUYERS

To the purchasers of lots in Bayside Subdivision, a Subdivision, Manatee County, Florida:

You are hereby notified that the purchase of your lot is subject to:

1. The Declaration of Covenants, Conditions, Easements, and Restrictions of Bayside Subdivision, as amended from time to time ("Declaration"), a copy of which Declaration is provided to you upon execution of your contract to purchase.
2. Ownership of a lot in Bayside automatically makes you a member of Bayside Subdivision Homeowner's Association, Inc. (Association").
3. The plat for Bayside and any amendments thereto.
4. The Developer (as defined in the Declaration) or other owners of real property, as identified within the Declaration, currently own the community common areas, and may continue to do so as long as the Developer is a class B member of the Association, or may convey same to Association sooner. The Association has the right and power to assess and collect, as provided in its Bylaws and/or the Declaration, the cost of maintenance of the Common Areas and, as all such terms are defined in the Declaration.
5. The initial proposed annual assessment by the Association is approximately \$961 for Lots 1 through 7, and \$828 for Lots 7 & 8. You are hereby notified that the Association may increase that amount as may be required to maintain (and provide reserves for) the Common Areas, landscaping, Kennedy Court (a private road), and other amenities of Bayside. Lots 7 & 8 will not be assessed for the maintenance and repair of Kennedy Court.

Portions of the property are subject to a Conservation Easement in favor of Manatee County and is recorded at OR Book \_\_\_\_\_ Page \_\_\_\_\_. The stipulations of this easement include:

Unless permitted by the Manatee County Land Development Code, the following acts and activities are expressly prohibited within the boundaries of this Conservation Easement without prior written consent of Grantee:

- Construction or placing of buildings, roads, signs, billboards or other advertising, or other structures on or above the ground.
- Construction or placing of utilities on, below or above the ground without appropriate local, state, and federal permits or other authorization.
- Dumping or placing of soil or other substances or material as landfill or dumping or placing trash, waste, unsightly or offensive materials.

- Removal, mowing, or trimming of trees, shrubs or other vegetation.
  - Application of herbicides, pesticides or fertilizers.
  - Excavation, dredging or removal of loam, peat, gravel, soil rock or other material substances in such manner as to affect the surface.
  - Surface use except for purposes that permit the land or water areas to remain in its natural condition.
  - Any activity detrimental to drainage, flood control, water conservation, erosion control, soil conservation or fish and wildlife habitat preservation.
  - Acts or uses detrimental to such retention of land or water areas.
7. Certification will be required from the surveyor or engineer of record stating that the Lot and Drainage Plans are in compliance with approved plans. The certification shall be submitted to the Manatee County Transportation Department (Driveway Division) prior to the issuance of a Certificate of Occupancy.
  8. The area below the Flood Protection Elevation for each home shall be designed to preclude finished living space and designed to allow for an entry and exit of floodwaters to automatically equalize hydrostatic flood force on the exterior walls. The enclosed area shall be used for parking, limited storage, and building access. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms. Materials and finishing which are normally associated with living area shall not be installed in such areas.
  9. The property is in a flood prone area and within the Coastal High Hazard, Coastal Evacuation, and Coastal Storm Vulnerability Areas and specific standards and additional costs may be associated with the construction of a home within this Subdivision.
  10. The use of special assessments within the CH Overlay district to recoup expenditures for repair of storm related damage to public and private infrastructure within a reasonable time may occur.
  11. A Hurricane Evacuation Plan approved by the Public Safety Department exists for this project.
  12. The Subdivision lies in the A11 flood zone and the Level A Hurricane Evacuation Zone. The construction of homes in the manner described under #8 will serve as mitigation for potential flood hazards. In addition, the infrastructure for the Subdivision was designed in accordance with Manatee County rules for hazard mitigation.
  13. The payment of an impact fee for emergency shelter facilities shall be required if such impact fee is adopted by Manatee County.
  14. In ground irrigation using Manatee County public potable water supply is prohibited on individual lots.

15. There may be other common private improvements which are the responsibility of the Homeowners' Association which filed of record and may be found in the Records Management Division of the Manatee County Planning Department under File No. PDR-02-40.

16. **Prior to the issuance of a Certificate of Occupancy** each lot shall include required canopy trees\* provided by developer. It is the lot owners responsibility to maintain such trees which cannot be removed unless replaced with a similar type and size of tree. In the event a tree dies or is removed, the owner of the lot is responsible to replace the tree within 30 days. The trees shall be planted within 25 feet of the right of way of the street and shall be located at least every 50 feet, more particularly described below. Trees shall not be planted within an public or private easement. Each lot shall contain the following trees:

Lot 1	3
Lot 2	2
Lot 3	1
Lot 4	2
Lot 5	2
Lot 6	2
Lot 7	0
Lot 8	0

\* A canopy tree shall mean a tree species which produces one main trunk and normally reaches a height of thirty feet or more upon maturity. All canopy trees shall be a minimum of one and one-half to two inches in diameter breast height at the time of planting, unless otherwise indicated.

17. Each property owner within the subdivision at the time of construction of a building, residence or structure shall comply with the construction plans for the surface water management system approved and on file with the Southwest Florida Water Management District.

18. The removal of littoral shelf vegetation (including cattails) from wet detention ponds is prohibited unless otherwise approved by the District. Removal includes dredging, the application of herbicide, cutting, and the introduction of grass carp. Any questions regarding authorized activities within the wet detention ponds shall be addressed to the District's Regulations Manager, Venice Service Office.

19. The foregoing statements are only summary in nature and shall not be deemed to supersede or modify the provisions of the Declaration, the Plat or any lot sales or construction contract between you and Developer.

## Exhibit "J"

### CONSERVATION EASEMENT

In consideration of the premises and mutual covenants, terms, conditions, and restrictions contained herein and other good and valuable considerations the receipt of which is hereby acknowledged, TMSQUARED, INC, a Florida corporation, whose post office address is 1509 Pass-A-Grille Way St. Pete Beach, FL 33706 ("GRANTOR") hereby certifies ownership by said trust of the property described as follows:

That area described as "Conservation Easement" as set forth on attached Exhibit "A"

on behalf of itself and its successors, heirs and assigns, grants and gives unto Manatee County, a political subdivision of the State of Florida, whose mailing address is Post Office Box 1000, Bradenton, Florida 34206 ("GRANTEE"), a Conservation Easement pursuant to Florida Statutes 704.06 over the above described property of the Grantor.

Unless permitted by the Manatee County Land Development Code, the following acts and activities are expressly prohibited within the boundaries of this Conservation Easement without prior written consent of Grantee:

- Construction or placing of buildings, roads, signs, billboards or other advertising, or other structures on or above the ground.
- Construction or placing of utilities on, below or above the ground without appropriate local, state, and federal permits or other authorization.
- Dumping or placing of soil or other substances or material as landfill or dumping or placing trash, waste, unsightly or offensive materials.
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