

**RESOLUTION NO. 2010-05**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE CORAL BAY COMMUNITY DEVELOPMENT DISTRICT, PURSUANT TO SECTION 2.2 OF THE AMENDED AND RESTATED RULES GOVERNING THE USE OF THE RECREATIONAL AND OTHER DISTRICT FACILITIES, AUTHORIZING OVERNIGHT TEMPORARY OVERFLOW PARKING AT THE TENNIS COURTS AND TOT LOT PARKING AREAS UNDER CERTAIN SPECIFIED CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Coral Bay Community Development District (“District”) is a local unit of special purpose government established pursuant to Chapter 190, Florida Statutes, and having those powers set forth in Chapter 190, Florida Statutes; and

**WHEREAS**, after a public hearing on April 8, 2010, the District Board of Supervisors adopted Resolution 2010-04, approving the Amended and Restated Rules Governing the Use of Recreational and Other District Facilities of the Coral Bay Community Development District (the “Rules”); and

**WHEREAS**, pursuant to Section 2.2 of the Rules, parking is prohibited within all District Parking Areas, defined to include the parking spaces and lots located at the Clubhouse and immediately adjacent to the Tot Lot and tennis courts, between the hours of 2:00 a.m. and 6:00 a.m.; and

**WHEREAS**, Section 2.2 of the Rules permits the District Board of Supervisors, by resolution, to relax this overnight parking restriction with respect to the Tot Lot and the tennis courts parking areas; and

**WHEREAS**, the Board of Supervisors desires to permit overnight temporary overflow parking at the Tot Lot and tennis courts under limited conditions as provided for herein; and

**WHEREAS**, it is not the intent of this Resolution to provide permanent or semi-permanent vehicle storage, but rather to provide some temporary overflow parking on an overnight basis.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE CORAL BAY COMMUNITY DEVELOPMENT DISTRICT, THAT:**

Section 1. The above recitals are true and correct and by this reference are hereby incorporated into and made an integral part of this Resolution.

Section 2. As an exception to the parking restrictions set forth in Section 2.2 of the Rules, overnight temporary overflow parking at the Tot Lot and tennis court parking areas only is permitted provided the following conditions are adhered to:

- A. Vehicle shall have a current license tag and registration sticker.
- B. Vehicle shall be in operable and drivable condition, including having all tires inflated.
- C. Registered owner shall have current automobile insurance as required by Florida law.
- D. On a daily basis, vehicle shall be removed from the overnight temporary overflow parking area during the hours of 9:00 a.m. to 5:00 p.m. to allow residents and visitors vehicular access to the parking areas in order to use the District's recreational facilities.
- E. Nothing herein is intended to be construed to authorize or permit vehicular parking in the referenced parking areas by those persons parking and not utilizing the District's recreational facilities or not visiting, renting or owning property within the District boundaries during the daytime hours.

Section 3. Should any vehicle parked in the Tot Lot or tennis courts parking areas be parked in contravention to any of the conditions set forth in Section 2 of this Resolution, the vehicle may immediately be towed by the District at the expense of and without any notice to the vehicle owner.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repelled to the extent of such conflict.

Section 5. If any clause, section or other part application of this Resolution is held by a court of competent jurisdiction to be unconstitutional or invalid, in part or as applied it shall not affect the validity of the remaining portions or the applications of the Resolution.

Section 6. This Resolution shall take effect immediately upon adoption.

**THIS RESOLUTION PASSED AND WAS ADOPTED BY THE BOARD OF SUPERVISORS OF THE CORAL BAY COMMUNITY DEVELOPMENT DISTRICT, THIS 13th DAY OF MAY, 2010.**

**ATTEST:**

By: \_\_\_\_\_

Secretary/Assistant Secretary

**CORAL BAY COMMUNITY DEVELOPMENT DISTRICT**

By: \_\_\_\_\_

Chairman/Vice Chairman