

## **DCPOC RULES & REGULATIONS**

#### Background

In March 2022, the Don Ce-Sar Property Owners Corporation (DCPOC) acquired title to Blocks M and N as depicted on the plat of Don Ce-Sar Place and survey.

These two blocks fronting the Gulf of Mexico, lying respectively North and South of the Don Cesar Hotel, extend from the mean high-water mark of the Gulf of Mexico easterly to the western boundary lines of the adjacent platted lots, a line lying approximately one foot east of the existing sidewalk.

Included within the two blocks are areas of both dry white sand and vegetation commonly referred to as the "dunes."

As the owner of Blocks M and N, DCPOC is vested with certain rights which have been codified in a Florida statute commonly referred to as Private Property Rights or Property Owner's Bill of Rights among which are the right to possess and protect its property and the right to exclude others from the property.

The foregoing rights, however, are subject and subordinate to certain rights granted in the plat of Don CeSar Place to all owners of property within the subdivision, namely, the right to use all of the two blocks for "beach and bathing purposes."

In this context, the current DCPOC Board elected by its Members has been focusing on establishing rules that not only protect, preserve, and beautify the property it owns but also rules and regulations which are designed to preserve, protect and maximize the right of all property owners to enjoy and use the two blocks for beach and bathing purposes.

It should be noted at this point that when someone purchases property within the Don CeSar neighborhood, the property owner does not acquire any legal interest in title to Blocks M and N. The only right acquired by that property owner is that provided in the plat of the subdivision as noted above. Nothing more and nothing less.

However, because every property owner automatically becomes a member of DCPOC and is vested with the right to determine collectively and from time to time the composition of the elected Board, every property owner indirectly controls the policies, rules and regulations adopted by DCPOC.

It is recognized that likely not all members will agree to the propriety of all rules and regulations adopted from time to time by any Board. However, until modified or deleted, each of the rules is enforceable and must be followed.

Additionally, all of Blocks M and N are also subject to certain rules and regulations lawfully adopted by the City of St. Pete Beach. Furthermore, that portion of Blocks M and N lying seaward of the "Coastal Construction Line" (CCL) are subject to certain rules and regulations lawfully adopted by Florida's Department of Environmental Protection. Such rules are noted below.

#### Caveat:

The dune system of our beach is the first line of defense against storms because the system acts as a buffer between the storm waves and our homes. During storms, the waves encounter the beach and its dune system prior to reaching the upland properties thereby absorbing wave energy and reducing the damage to upland structures that would otherwise be suffered.

The Board considers that, among DCPOC's solemn obligations, is its duty to preserve, protect and enhance the dune system and to minimize any compromise of its benefits to all of us.



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In this light, the current Board envisions the day when DCPOC has the wherewithal to construct strategically located footbridges over the dunes for use by its members when accessing the dry white sands of Blocks M and N.

Thus, nothing in these proposed rules and regulations is to be interpreted in a manner that would operate in any way as an impediment to this vision or to restrict the right of DCPOC to amend, delete or modify any rule or regulation it may have adopted

### The Rules and Regulations

#### By virtue of Florida Department of Environmental Protection

- 1. All persons are required to stay within the established pathways through the dunes when accessing the dry white sands of the two Blocks or the Gulf of Mexico.
- 2. Property Owners may not disturb or tamper with beach or dune vegetation, cause damage to a dune, or conduct any activity intended to improve or enhance a dune without obtaining the necessary permits from the Florida Department of Environmental Protection, the City of St Pete Beach, and DCPOC. The DCPOC may remove anything placed in the dunes if mandated by any federal, state, or local authority.

#### By virtue of City of St Pete Beach Ordinances

- 3. All articles, such as chairs, tables, umbrellas, toys, towels, trash, etc., may not remain overnight on the two Blocks. All such articles must be removed from the two Blocks.
- 4. Absent the specific written authorization of DCPOC, no new foot pathways through the dunes to the dry white sands of the two Blocks may be created by any person.
- 5. Absent the specific written authorization of DCPOC, no person, including a property owner, may offer on the two Blocks any service to be performed thereon or anything for sale, rent, or trade.
- 6. Excepting emergency, law enforcement vehicles, and City vehicles responding to an emergency or performing their normal duties, no motorized vehicles are allowed on the two Blocks.

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- 7. Excepting lawfully recognized service animals, no pets are allowed on the two Blocks.
- 8. Fireworks are not allowed either on or projected over the airspace of the two Blocks.
- 9. Fires are not allowed on the two Blocks.

#### By DCPOC

- 1. Absent the specific written authorization of DCPOC, no soliciting or canvassing may occur on the two Blocks.
- 2. No structure of any kind shall be erected or placed on the two Blocks.
- 3. Until otherwise required by any federal, state, or local authority, all enhanced or embellished foot pathways in existence at the time of the adoption by DCPOC of these rules may be maintained by any member but only in



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substantially the same form and/or condition and within the confines of the location existing at the time of the adoption of these rules unless authorized in writing otherwise by DCPOC.

- 4. No person may alter, damage, or remove any structure, fence, gate, or landscape established or authorized on the two Blocks by DCPOC.
- Absent the specific written authorization otherwise by DCPOC, no pruning of any vegetation shall be permitted. Excepting agave plants, sandspurs and other harmful invasive vegetation, nothing herein shall be construed to authorize the total removal of any vegetation within the described thirty feet.
- 6. Absent the specific written authorization of DCPOC, no wedding or other organized public activity or event may occur anywhere on the two Blocks.
- 7. All property owners are responsible for the conduct and actions of their tenants using the two Blocks for any purpose and for ensuring compliance with these rules and regulations.
- 8. The Board requires that the owner of a rented or leased property within Don CeSar Place provide his or her tenant or lessee with a copy of these rules.
- 9. Property owners are responsible for their authorized tenants or lessees use of the Blocks and compliance of these Rules and Regulations. DCPOC may seek indemnification and/or reimbursement from the relevant property owner for defense of any claims arising in any way whatsoever from the property owner's authorization of a tenant's or lessee's use of the Blocks.



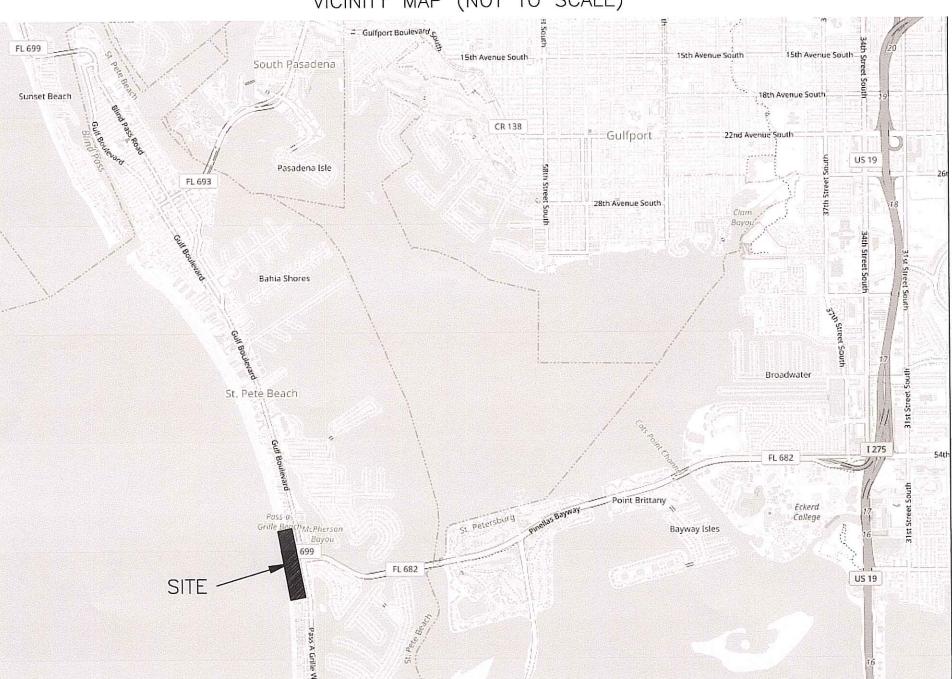
A BOUNDARY SURVEY OF The East line of Block "M" and the East line of Block "N," DON CE-SAR PLACE, as recorded in Plat Book 13, Pages 15 through 20, Public Records of Pinellas County, Florida. St. Pete Beach, Florida SHEET INDEX DESCRIPTION, LEGEND, NOTES, VICINITY MAP, SIGNATURE AND SEAL BOUNDARY SURVEY 2 BOUNDARY SURVEY 3 BOUNDARY SURVEY 4 BOUNDARY SURVEY 5 PHOTOS 6 PHOTOS

LEGEND

CALC CONC FIR LB LS (M) NGS OCC O.R. P.B. PID PSM (R) TYP #	CALCULATED CONCRETE FOUND IRON ROD LICENSED BUSINESS LICENSED SURVEYOR MEASURED NATIONAL GEODETIC SURVEY OCCUPIED OFFICIAL RECORDS BOOK PLAT BOOK PERMANENT IDENTIFIER PROFESSIONAL SUVEYOR AND MAPPER RECORD TYPICAL NUMBER
0	SIGN
<b>☆</b>	LANDSCAPE LIGHT
	ASPHALT
	BRICK / PAVING BLOCKS
	CONCRETE
	WOOD OR COMPOSITE DECK

- may not reflect ownership.
- performed an independent search for additional records.
- 3. This map is intended to be displayed at a scale of 1" = 30' or smaller.
- to graphically show their location.
- consent of George F. Young, Inc. and the undersigned professional surveyor and mapper.
- written consent of the signing party or parties.
- a Florida licensed Surveyor and Mapper.
- Public Records of Pinellas County, Florida.

- underground utilities may be field spotted.
- rights—of—way, setback lines, reservations and/or agreements.
- from the NGS Data Sheet, PID DF5821.



## NOTES

1. This survey is a graphic depiction of the current boundary in accordance with the legal description shown hereon and

There may be additional easements, reservations, restrictions and/or other matters of record affecting this property that are not shown hereon that may (or may not) be found in the public records of this county. The undersigned has not

4. The printed dimensions shown on this survey supersede any scaled dimensions; there may be items drawn out of scale

5. "Certification" is understood to be an expression of professional opinion by the surveyor and mapper based on the surveyor and mapper's knowledge and information, and that it is not a guarantee or warranty, expressed or implied.

6. This survey has been exclusively prepared for the named entities shown hereon and is not transferable. No other person or entity is entitled to rely upon and/or re-use this survey for any purpose without the expressed, written

7. Unauthorized copies and/or reproductions via any medium of this survey or any portions thereof are expressly prohibited without the written consent of George F. Young, Inc. and the undersigned Professional Surveyor and Mapper.

8. Additions or deletions to survey maps or reports by other than the signing party or parties are prohibited without

9. This survey is valid as to the last date of field survey and not the signature date (if any).

10. This survey map and report (if applicable) or the copies thereof are not valid without the original signature and seal of

Bearings shown hereon are based on grid coordinates, NAD83/2011, FDOT FPRN, Base station "St. Petersburg." : N10<sup>•</sup>20'21"W, along the East line of Block "N", DON CE-SAR PLACE, as recorded in Plat Book 13, pages 15 through 20,

12. This survey prepared without the benefit of a title search. No instruments of record reflecting ownership, easements or rights of way were furnished to the undersigned, unless otherwise shown hereon.

13. No information on adjoining property owners or adjoining property recording information was provided to the surveyor.

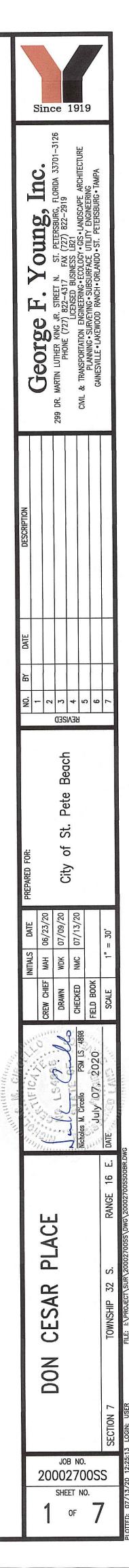
14. Forty—eight (48) hours before digging, boring, pile—driving, planting, etc. Notify Sunshine 811 by calling 811 so that

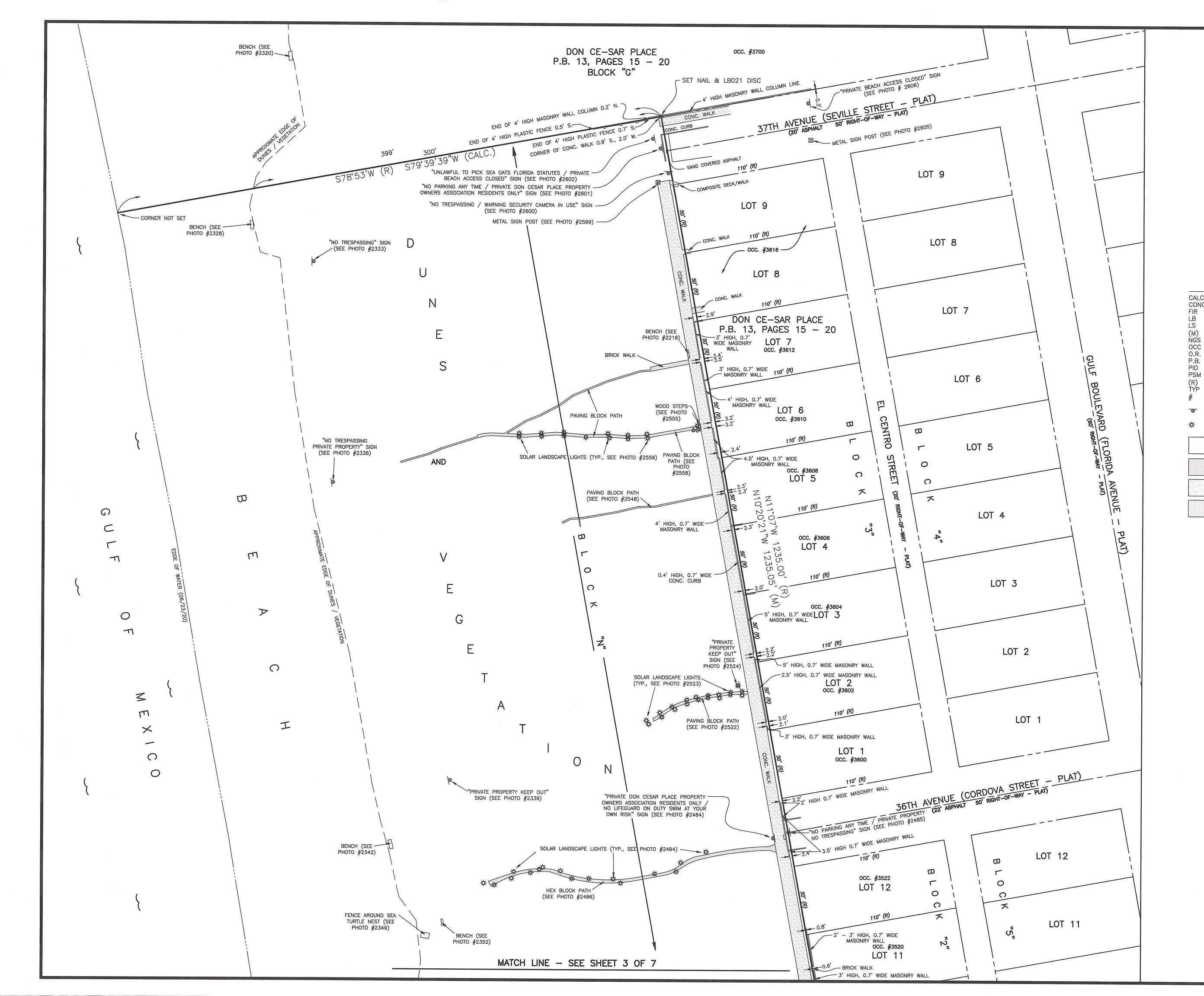
15. George F. Young, Inc. and the undersigned make no representations or guarantees pertaining to easements,

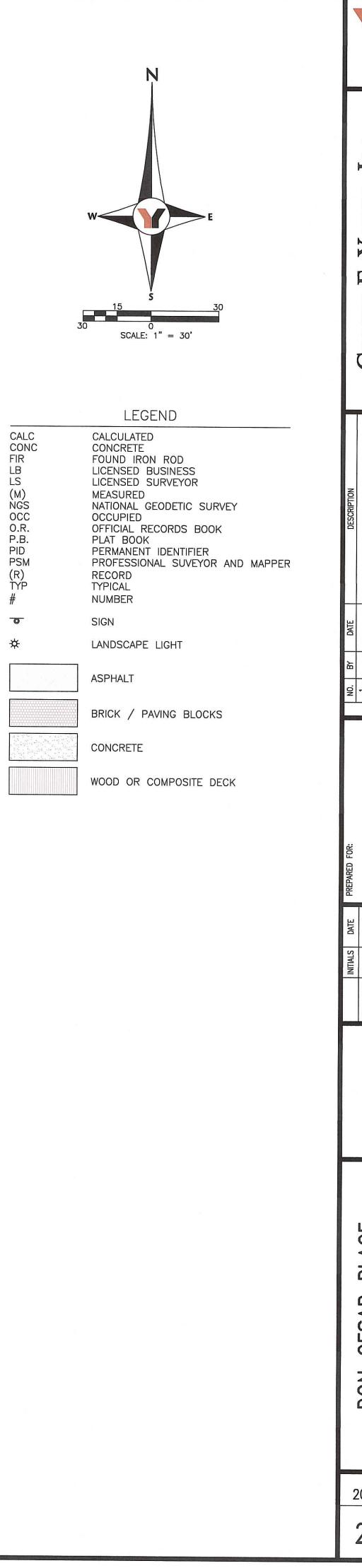
16. Control Monument utilized in survey: PCDSM GPS 43, located in the parking lot of St. Pete Beach Access, a Pinellas County park, in the flowerbed East of the restrooms, 19.7 feet North 50° East of North end of 3.5 foot high concrete wall, 21 feet South 70° East of water fountain at restrooms, 2.3 feet South of marker. Published coordinates are Northing: 1,232,131.12, Easting: 416,491.77 (U.S. Survey Feet, Florida State Plane West Zone). Information obtained

17. Per record plat: Blocks "M" and "N" are hereby dedicated to the use of the property—owners in this subdivision for beach and bathing purposes and no tents, vehicles nor structures of any kind shall be permitted thereon.

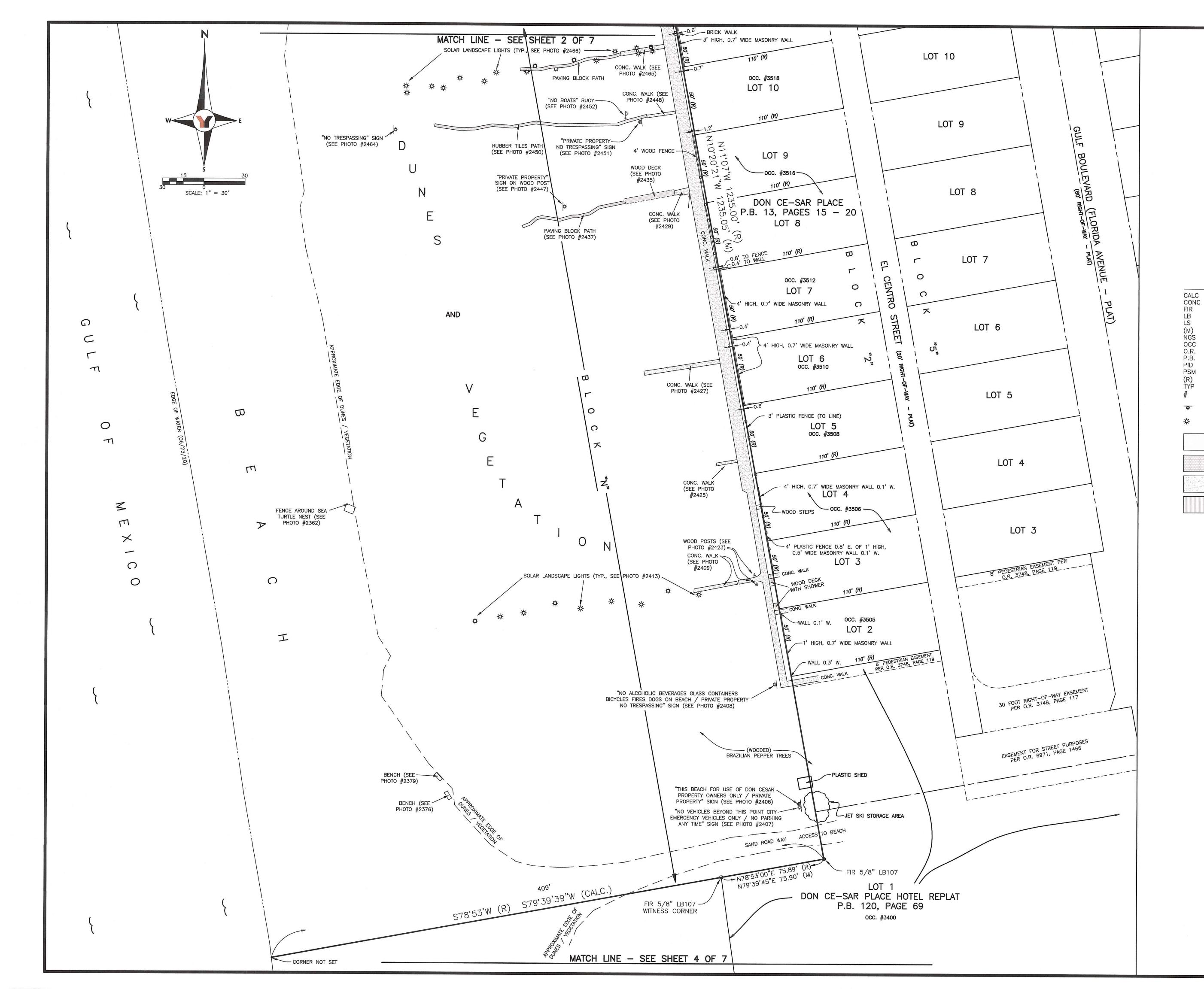
# VICINITY MAP (NOT TO SCALE)

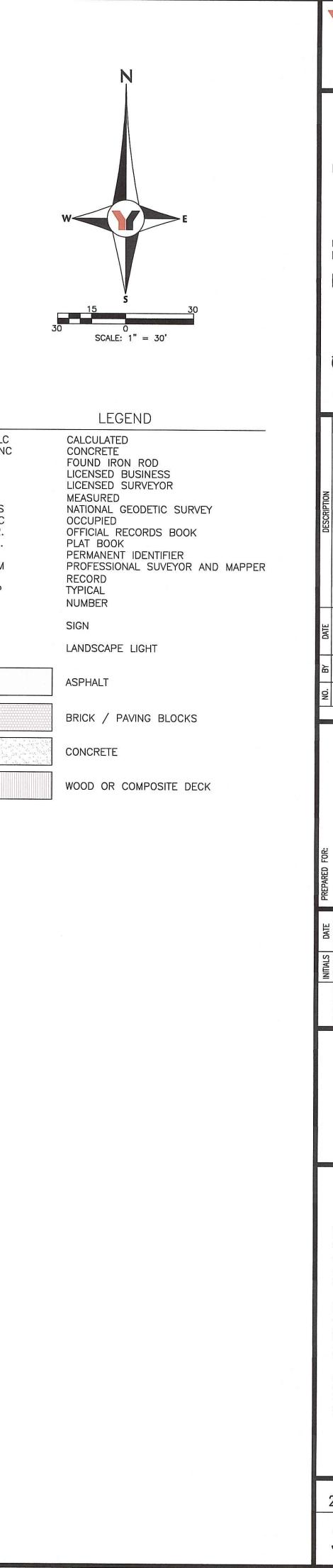


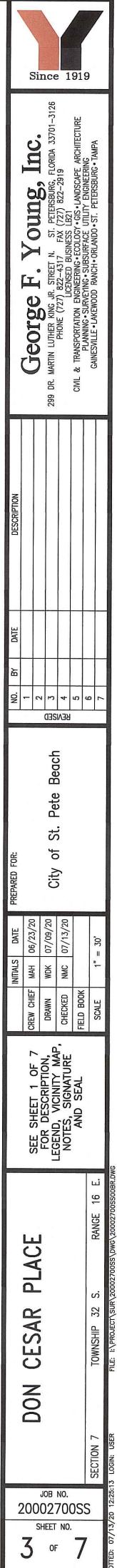


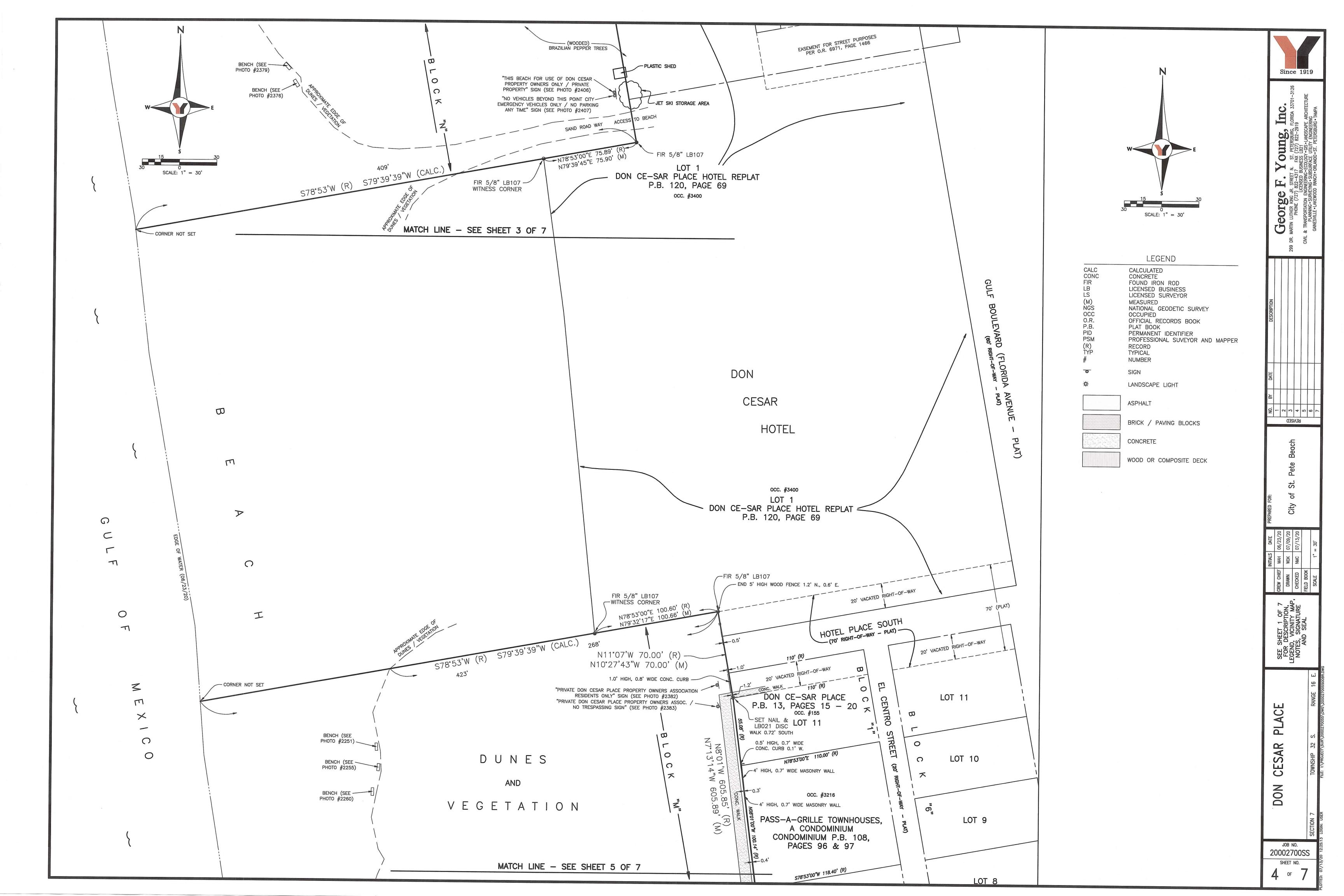


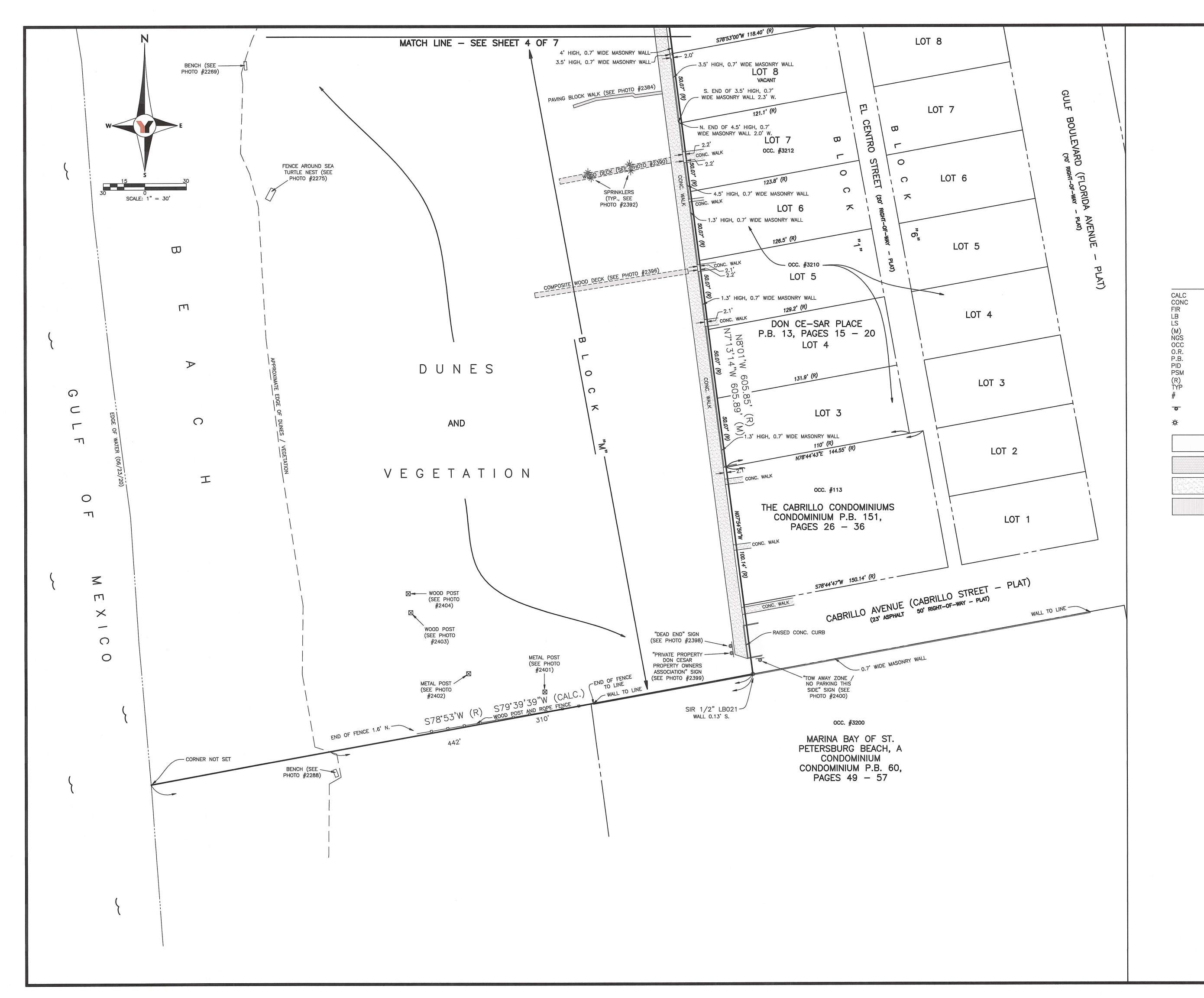


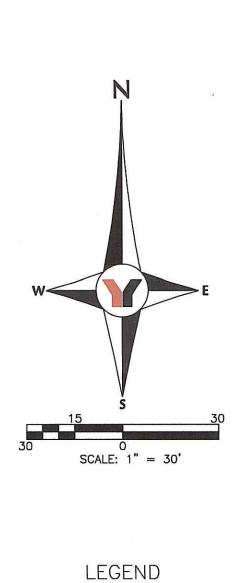












CALCULATED CONCRETE

MEASURED

OCCUPIED

PLAT BOOK

RECORD

TYPICAL

NUMBER

ASPHALT

CONCRETE

SIGN

FOUND IRON ROD

LICENSED BUSINESS LICENSED SURVEYOR

NATIONAL GEODETIC SURVEY

PROFESSIONAL SUVEYOR AND MAPPER

OFFICIAL RECORDS BOOK

PERMANENT IDENTIFIER

LANDSCAPE LIGHT

BRICK / PAVING BLOCKS

WOOD OR COMPOSITE DECK

	Since 1919									
		- Ceorge F. Young, Inc.	299 DR. MARTIN LUTHER KING JR. STREET N. ST. PETERSBURG, FLORIDA 33701-3126	LICENSED BUSINESS LB21	CIVIL & TRANSPORTATION ENGINEERING • ECOLOGY • GIS • LANDSCAPE ARCHITECTURE	CAINFSVILLE • LAKEWOOD RANCH• ORLAND• ST PETERSRUKG• TAMPA				
	DATE DESCRIPTION									
3	NO. BY		4 M	4	5	9	7			
	PREPARED FOR:	PREPARED FOR: City of St. Pete Beach								
-	INITIALS DATE	CREW CHIEF MAH 06/23/20	WDK 07/09/20	NMC 07/13/20			1" = 30'			
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	SEE SHEET 1 OF 7 FOR DESCRIPTION, LEGEND, VICINITY MAP, NOTES, SIGNATURE AND SEAL									
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	DON CESAR PLACE						TOWNSHIP 32 S.			
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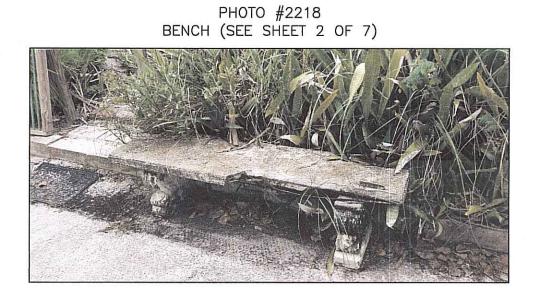


PHOTO #2251 BENCH (SEE SHEET 4 OF 7)

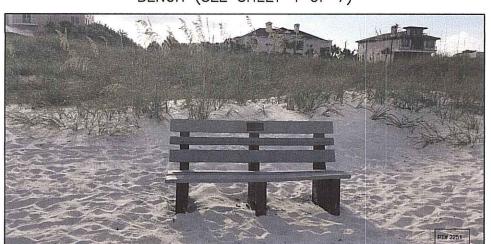


PHOTO #2255 BENCH (SEE SHEET 4 OF 7)



PHOTO #2260 BENCH (SEE SHEET 4 OF 7)

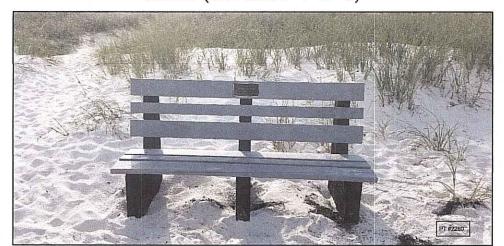


PHOTO #2269 BENCH (SEE SHEET 5 OF 7)



PHOTO #2275 SEATURTLE FENCE (SEE SHEET 5 OF 7)

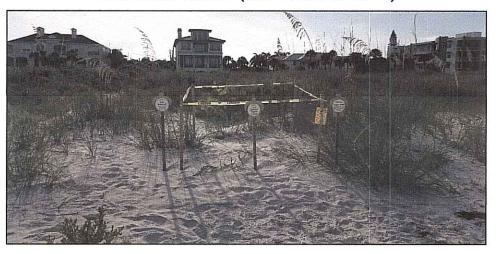


PHOTO #2288 BENCH (SEE SHEET 5 OF 7)





PHOTO #2328 BENCH (SEE SHEET 2 OF 7)



PHOTO #2333 SIGN (SEE SHEET 2 OF 7)



PHOTO #2336 SIGN (SEE SHEET 2 OF 7)

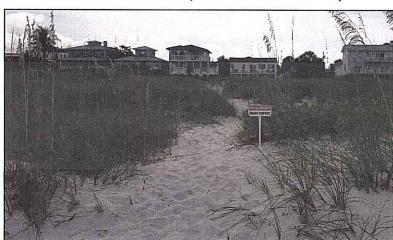


PHOTO #2339 SIGN (SEE SHEET 2 OF 7)

PHOTO #2342 BENCH (SEE SHEET 2 OF 7)



PHOTO #2349 SEATURTLE FENCE (SEE SHEET 2 OF 7)





PHOTO #2382 SIGN (SEE SHEET 4 OF 7)



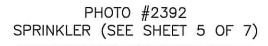


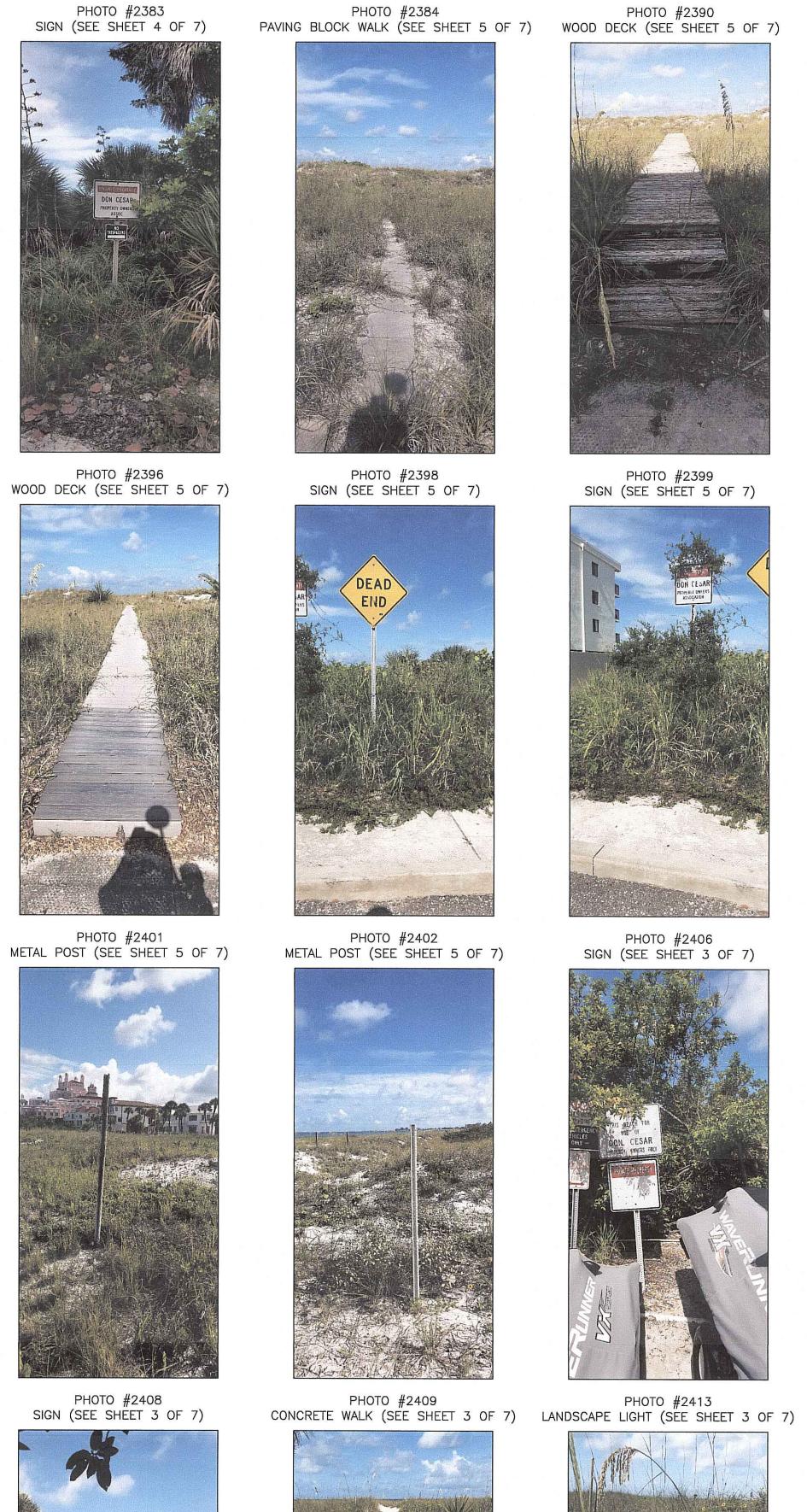


PHOTO #2400 SIGN (SEE SHEET 5 OF 7)

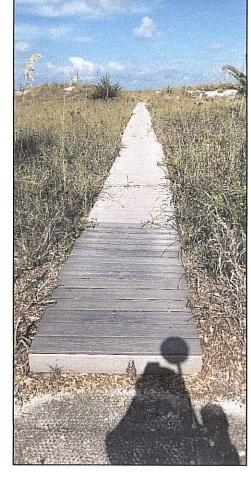


PHOTO #2407 SIGN (SEE SHEET 3 OF 7)

























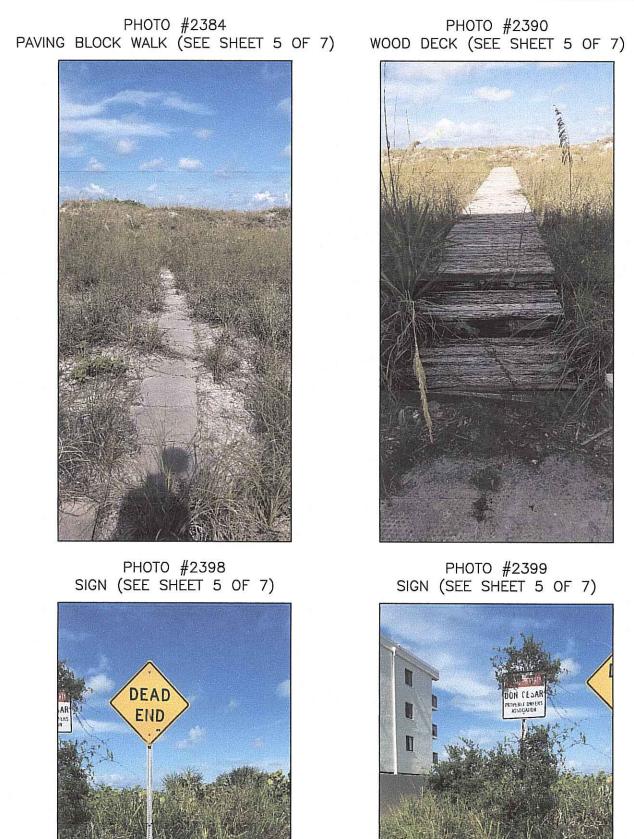




PHOTO #2406 SIGN (SEE SHEET 3 OF 7)







PHOTO #2425 CONCRETE WALK (SEE SHEET 3 OF 7)

PHOTO #2451 SIGN (SEE SHEET 3 OF 7)



PHOTO #2494 LANDSCAPE LIGHT (SEE SHEET 2 OF 7)

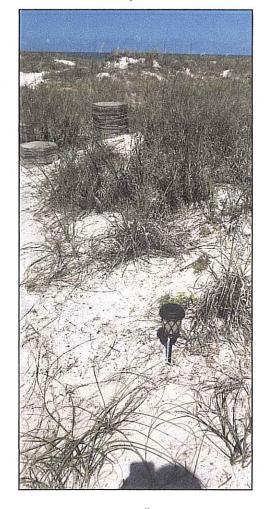


PHOTO #2599 METAL POST (SEE SHEET 2 OF 7)





PHOTO #2452 BUOY (SEE SHEET 3 OF 7)



PHOTO #2522 PAVING BLOCK WALK (SEE SHEET 2 OF 7)

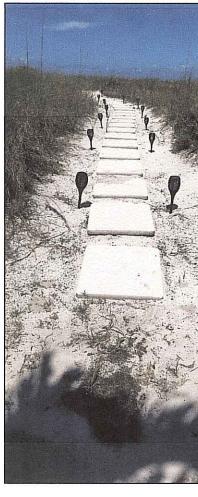


PHOTO #2600 SIGN (SEE SHEET 2 OF 7)

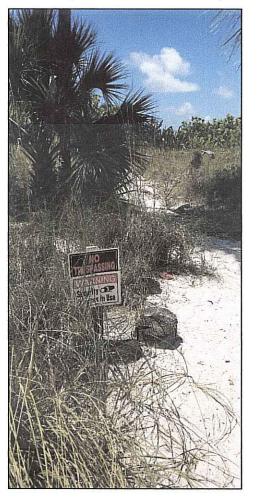




PHOTO #2423 WOOD POSTS (SEE SHEET 3 OF 7)

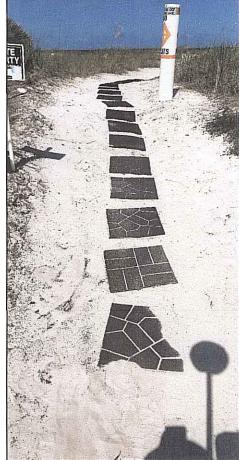


PHOTO #2486 HEX BLOCK WALK (SEE SHEET 2 OF 7)

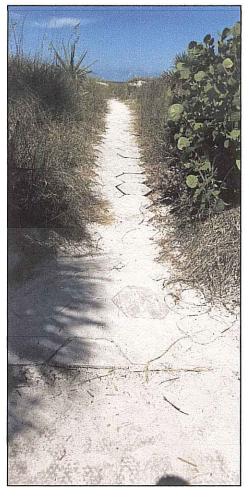


PHOTO #2559 LANDSCAPE LIGHT (SEE SHEET 2 OF 7)











PHOTO #2429 CONCRETE WALK (SEE SHEET 3 OF 7)

PHOTO #2464 SIGN (SEE SHEET 3 OF 7)



PHOTO #2523 LANDSCAPE LIGHT (SEE SHEET 2 OF 7)

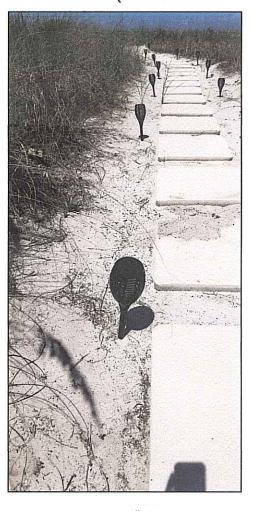


PHOTO #2601 SIGN (SEE SHEET 2 OF 7)





PHOTO #2465 CONCRETE WALK (SEE SHEET 3 OF 7)



PHOTO #2524 SIGN (SEE SHEET 2 OF 7)



PHOTO #2602 SIGN (SEE SHEET 2 OF 7)



PHOTO #2437 PAVING BLOCK WALK (SEE SHEET 3 OF 7)



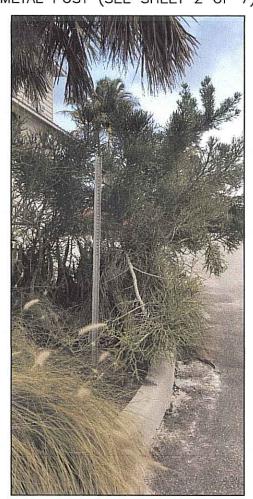
PHOTO #2466 LANDSCAPE LIGHT (SEE SHEET 3 OF 7)



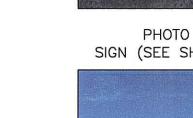
PHOTO #2548 PAVING BLOCK WALK (SEE SHEET 2 OF 7)



PHOTO #2605 METAL POST (SEE SHEET 2 OF 7)







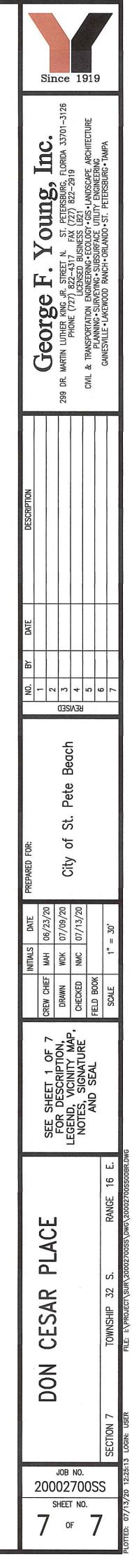






PHOTO #2485 SIGN (SEE SHEET 2 OF 7)



PHOTO #2558 PAVING BLOCK WALK (SEE SHEET 2 OF 7)



PHOTO #2447 SIGN (SEE SHEET 3 OF 7)



PHOTO #2484 SIGN (SEE SHEET 2 OF 7)



PHOTO #2555 WOOD STEPS (SEE SHEET 2 OF 7)



PHOTO #2606 SIGN (SEE SHEET 2 OF 7)

