Douglas G. Christy, Esq. Senior Attorney Board Certified Specialist, Condominium and Planned Development Law Phone: (813) 527-3931 Fax: (813) 286-7683 dchristy@beckerlawyers.com



Becker & Poliakoff Tower Place 1511 N. Westshore Blvd., Suite 1000 Tampa, Florida 33607

July 19, 2019

# VIA EMAIL ONLY: MMFITZY@AOL.COM

The Sanctuary at Tampa Palms Homeowners Association, Inc. Attn: Maggie Wilson, Treasurer

Re: Recorded Notice of Preservation of Covenants and Restrictions Under Marketable Record Titles To Real Property Act Client/Matter No. P24836-384557

Dear Board of Directors and Maggie:

Enclosed with this letter please find the Notice of Preservation of Covenants and Restrictions Under Marketable Record Titles to Real Property Act, which was recorded with the Hillsborough County Clerk of the Courts on May 14, 2019 at O.R. Book 26622, Page 892, *et seq.* (the "Notice"). The recording of the Notice will serve to ensure that the governing documents of The Sanctuary at Tampa Palms Homeowners Association, Inc. described by O.R. Book and Page in the Notice will continue to bind the real property legally described in the Notice as Exhibit "B" under Chapter 712, Florida Statutes. We have also maintained a copy of the Notice for our records.

Please also note that the Notice should be considered to be part of, and added to, the official records of The Sanctuary at Tampa Palms Homeowners Association, Inc.

Please feel free to contact me should you have any questions regarding the Notice or if I can be of further assistance to The Sanctuary at Tampa Palms Homeowners Association, Inc. at this time.

Sincerely,

Douglas G. Christy For the Firm

DGC/lv Enclosure

ACTIVE: 12336750\_1

INSTRUMENT#: 2019204584, BK: 26622 PG: 892 PGS: 892 - 901 05/14/2019 at 12:21:18 PM, DEPUTY CLERK: HHOUSTON Pat Frank, Clerk of the Circuit Court Hillsborough County

> Prepared by and returned to: Douglas G. Christy, Esq. Becker & Poliakoff, P.A. 1511 N. Westshore Blvd., Suite 1000 Tampa, FL 33607

# NOTICE OF PRESERVATION OF COVENANTS AND RESTRICTIONS UNDER MARKETABLE RECORD TITLES TO REAL PROPERTY ACT

Pursuant to Chapter 712, Florida Statutes, the undersigned Claimant files this Notice of Preservation of Covenants and Restrictions Under Marketable Record Titles to Real Property Act and in support thereof states:

1. The name of the entity filing this Notice of Preservation of Covenants and Restrictions Under Marketable Record Titles to Real Property Act (the "Notice") is **The Sanctuary at Tampa Palms Homeowners Association, Inc.**, a Florida corporation not for profit (the "Association"), whose mailing address is **3018 N. U.S. Highway 301, Suite 950, Tampa, FL 33619.** The Articles of Incorporation of the Association were originally filed in the office of the Secretary of State on the 1<sup>st</sup> day of March 1989. The Association has been organized, in part, for the purpose of operating and administering the community known as **Tampa Palms Unit 4B**, pursuant to the <u>Declaration of Covenants, Conditions and Restrictions of Tampa Palms Unit 4B</u>, which was filed of record on April 13, 1989, at O.R. Book 5666, Page 10, *et seq.*, of the Public Records of Hillsborough County, Florida, and which may have been amended from time to time. The Association is a homeowners' association as that term is defined in Section 712.01(4), Florida Statutes and is authorized to file this Notice pursuant to Section 712.05, Florida Statutes.

2. The Association has sent a Statement of Marketable Title Action in the form set forth in Section 712.06(1)(b), Florida Statutes, to all members of the Association and attaches hereto and incorporates herein by this reference an Affidavit of Mailing of Notice to Association Members and Mailing of Statement of Marketable Title Action to Association Members executed by a member of the Board of Directors of the Association affirming that the Board of Directors of the Association caused the Statement of Marketable Title Action to be mailed to all members of the Association and further attaches thereto and incorporates therein by this reference the Statement of Marketable Title Action to be mailed to all members of the Association as **composite Exhibit A**.

3. The lands affected by this Notice are commonly known as Tampa Palms Unit 4B and are depicted and legally described at Plat Book 68, Pages 6-1 to 6-5, of the Public Records of Hillsborough County, Florida, a true and correct copy of which is attached hereto and incorporated herein by this reference as **ExhibitB**.

4. The real property interest claimed under this Notice is the right to preserve for not less than thirty (30) years from the date of this filing only those certain covenants, restrictions, easements and agreements described below:

(a) <u>Declaration of Covenants, Conditions and Restrictions of Tampa Palms</u> <u>Unit 4B</u>, which was filed of record on April 13, 1989, at O.R. Book 5666, Page 10, *et seq.*, of the Public Records of Hillsborough County, Florida, in accordance with the terms, provisions and conditions thereof;

(b) <u>First Amendment to Declaration of Covenants, Conditions and Restrictions</u> of Tampa Palms Unit 4B, which was filed of record on May 16, 1989, at O.R. Book 5691, Page 1326, *et seq.*, of the Public Records of Hillsborough County, Florida;

(c) <u>Second Amendment to Declaration of Covenants, Conditions and</u> <u>Restrictions of Tampa Palms Unit 4B</u>, which was filed of record on April 12, 1990, at O.R. Book 5951, Page 1033, *et seq.*, of the Public Records of Hillsborough County, Florida;

(d) <u>Amendment to Declaration of Covenants, Conditions and Restrictions of</u> <u>Tampa Palms Unit 4B Owners Association, Inc.</u>, which was filed of record on February 28, 1994, at O.R. Book 7303, Page 953, *et seq.*, of the Public Records of Hillsborough County, Florida;

(e) <u>Certificate of Amendment to the Declaration of Covenants, Conditions and</u> <u>Restrictions of Tampa Palms Unit 4B Owners Association, Inc.</u>, which was filed of record on February 23, 1995, at O.R. Book 7677, Page 485, *et seq.*, of the Public Records of Hillsborough County, Florida;

(f) <u>Certificate of Amendment to the Declaration of Covenants, Conditions and</u> <u>Restrictions of The Sanctuary at Tampa Palms Formally Known as Tampa Palms Unit 4B</u>, which was filed of record on October 28, 2003, at O.R. Book 13251, Page 1083, *et seq.*, of the Public Records of Hillsborough County, Florida;

(g) <u>Certificate of Amendment to By-Laws of The Sanctuary at Tampa Palms</u> <u>Owners Association, Inc., Which Was Formerly Known as Tampa Palms Unit 4B Owners</u> <u>Association, Inc. A Nonprofit Corporation</u>, which was filed of record on October 28, 2003, at O.R. Book 13251, Page 1116, *et seq.*, of the Public Records of Hillsborough County, Florida;

(h) <u>Certificate of Amendment to Articles of Incorporation of the Sanctuary at</u> <u>Tampa Palms Owners Association, Inc., Which Was Formerly Known as Tampa Palms Unit 4B</u> <u>Owners Association, Inc.</u>, which was filed of record on October 28, 2003, at O.R. Book 13251, Page 1127, *et seq.*, of the Public Records of Hillsborough County, Florida;

(i) <u>Certificate of Amendment to the Declaration of Covenants, Conditions and</u> <u>Restrictions of The Sanctuary at Tampa Palms</u>, which was filed of record on March 3, 2011, at O.R. Book 20388, Page 1578, *et seq.*, of the Public Records of Hillsborough County, Florida; and

Fourth Amended and Restated Amendment to Declaration of Covenants. (i) Conditions and Restrictions of The Sanctuary at Tampa Palms, which was filed of record on April 13, 2016, at O.R. Book 24007, Page 1710, et seq., of the Public Records of Hillsborough County, Florida.

## THE SANCTUARY AT TAMPA PALMS HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit

Uneed. Vitness Signature, SCHNPIDER

BY:	all Francis
	William Edwards, President
Date:	3-15-19

Printed Name

Witness Signature ATRICK

Printed Name

# (CORPORATE SEAL)

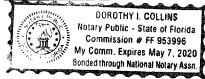
#### STATE OF FLORIDA COUNTY OF HILLSBOROUGH

Sworn to (or affirmed) and subscribed before me this 15 day of match 2019, by William Edwards, as President of The Sanctuary at Tampa Palms Homeowners Association, Inc., a Florida corporation not for profit, on behalf of the corporation. He is personally (type of known to me, or who has produced \_

identification) as identification.

<u>Dorothy</u> <u>J.</u> <u>Collins</u> Notary Public Printed Name: <u>Dorothy</u> <u>F.Collins</u>

My commission expires:



# AFFIDAVIT OF MAILING OF NOTICE TO ASSOCIATION MEMBERS AND MAILING OF STATEMENT OF MARKETABLE TITLE ACTION TO ASSOCIATION MEMBERS

I, the undersigned, as President of The Sanctuary at Tampa Palms Homeowners Association, Inc., a Florida corporation not for profit (the "Association") and whose name appears at the bottom of this affidavit, do hereby swear and affirm that the Notice of Special Meeting of Board of Directors of The Sanctuary at Tampa Palms Homeowners Association, Inc. for Preservation of Covenants and Restrictions Under Marketable Record Titles to Real Property Act held March 15th, 2019, at\_10:30 AM at 16101 Compton Drive, Tampa, Florida 33647, a true and correct copy of which is attached hereto and is incorporated herein by this reference as Exhibit 1, was mailed (or hand-delivered) to each Association Member on March 5, 2019 at the address last furnished to the Association, as such address appears on the books of the Association. The Statement of Marketable Title Action, which was considered and approved at the Special Meeting of Board of Directors of the Association, was included in the Notice of Special Meeting of Board of Directors of the Sanctuary at Tampa Palms Homeowners Association, Inc. for Preservation of Covenants and Restrictions Under Marketable Record Titles to Real Property Act.

Sworn to this 15 day of Yanah 2019.

THE SANCTUARY AT TAMPA PALMS HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit

AR Edverier

By: William Edwards, President

STATE OF FLORIDA COUNTY OF HILLSBOROUGH

Sworn to (or affirmed) and subscribed before me this <u>15</u> day of <u>Mukele</u> 2019, by William Edwards, as President of The Sanctuary at Tampa Palms Homeowners Association, Inc., a Florida corporation not for profit, on behalf of the corporation. He is personally mown to me or who has produced \_\_\_\_\_\_ (type of

identification) as identification.

Dorathy J. Collins Notary Public

Printed Name: Dorothy Collins

DOROTHY I. COLLINS Notary Public - State of Florida

Commission # FF 953996 My Comm. Expires May 7, 2020 Bonded through National Notary Assn.

My commission expires:

ACTIVE: S22723/372190:11971001\_1

**Composite Exhibit A** 

## NOTICE OF SPECIAL MEETING OF BOARD OF DIRECTORS OF THE SANCTUARY AT TAMPA PALMS HOMEOWNERS ASSOCIATION, INC. FOR PRESERVATION OF COVENANTS AND RESTRICTIONS UNDER MARKETABLE RECORD TITLES TO REAL PROPERTY ACT

#### TO ALL ASSOCIATION MEMBERS:

The Board of Directors of The Sanctuary at Tampa Palms Homeowners Association, Inc. will hold a special meeting on, Friday, March 15th, 2019, at 10:30 AM at Boardroom, Compton Park, 16101 Compton Drive, Tampa Fl.

The sole agenda item at the Special Meeting of the Board of Directors of The Sanctuary at Tampa Palms Homeowners Association, Inc. will be a vote on preservation of recorded covenants and restrictions that relate only to the lands depicted and legally described at Tampa Palms Unit 4B and are depicted and legally described at Plat Book 68, Pages 6-1 to 6-5, of the Public Records of Hillsborough County, Florida in accordance with the Marketable Record Titles to Real Property Act. The following is the Statement of Marketable Title Action that will be considered and adopted by the Board of Directors of The Sanctuary at Tampa Palms Homeowners Association, Inc.

## STATEMENT OF MARKETABLE TITLE ACTION

The Sanctuary at Tampa Palms Homeowners Association, Inc. (the "Association") has taken action and will be taking further action to ensure that the Declaration of Covenants, Conditions and Restrictions of Tampa Palms Unit 4B, which was filed of record on April 13, 1989, at O.R. Book 5666, Page 10, et seq., of the Public Records of Hillsborough County, Florida, as amended from time to time, currently burdening the property of each and every member of the Association, retains its status with regard to the affected real property. To this end, the Association shall cause the notice required by Chapter 712, Florida Statutes, to be recorded in the Public Records of Hillsborough County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association and the applicable Florida Statutes.

> THE SANCTUARY AT TAMPA PALMS HOMEOWNERS ASSOCIATION, INC., a Florida corporation not for profit

By:

WR Enorg

William Edwards, President

Exhibit 1

EXHIBIT "A" A REPLAT OF TAMPA PALMS UNIT 4B 2. The American star rates to repeating by reput we consume of all prior design compared as a same set provides of the Detection of Comparis, Condition and Reput Data Units 10: 40 and 10: 50 percent and 10 percent . Over das brits pril, sing, ming, of delats | Dig. 5 summars of only. Some is revealed to a summary of the second state in the second state of th It is not set in Austrian with it properly making any pluth defenge second provering the feature of spin-ray. Day and, your Waty (bit) days plut within a day a warm, has the means dight is the set of the spin second s which for space is an encounter to be shared to state the state of the the set of the the set in the set of the sub the level and the binding spin the period  $\eta_{i}$  , which a set input in present them a pay to Cay or separat equal to the sumb hearing by Cay is patienting any the Cardina of the foreign of the patient of the Cardina of the C 1. A state of the property of an angle compared to the state of the property of the propert The property of the property o 4 of Theorem 1997, Borris Chip and Adams Patro Barris an ad 2 of proper state, and the state of the state of the state 2 of the state of the state of the state of the state of the 2 of the state of the state of the state of the state of the 2 of the state of the state of the state of the state of the 2 of the state of the state of the state of the state of the 2 of the state of the state of the state of the state of the 2 of the state of the state of the state of the line. TAMPA PALMS UNIT HELATO HOME OF THAT'S WE - CHART STATE OF PLANDADA) NAME OF THE PARTY **NCOUNTRONIN** 68-22-29 Sanda Gran 1 initialization in the second of formal body in Sanchards 34 and 35. Normathie 27 Sanch, Roman 18 Dawl, Versiderungh Galarity, Hardel, and parent body runne performancy described 20 Salarie raty mai, the white part was downn hum survey made order may encounted. Mai ( seminates of the land painting, and compiler with of the negotivements of Computer plane, and Tool (FLAC) (formanyat indexects Monamuch) hand hant, and the had backed) will be set. Contrading TO(A) serves, more as June by opposid helps m. De lett Mith House of Yuany. He. Con a in and one smooth B. Swang Out Two art and shed as offer that the and of skil corporation **4**B Into an eliter of a statement Į. ) ş 107 & ASSO nang di Cip kang dang dang dan aring X. . . . ì 2/10/20 MAT BOOK 68 MOR 6-1 (18 (18 (18 (18)) 1 ł

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Exhibit B

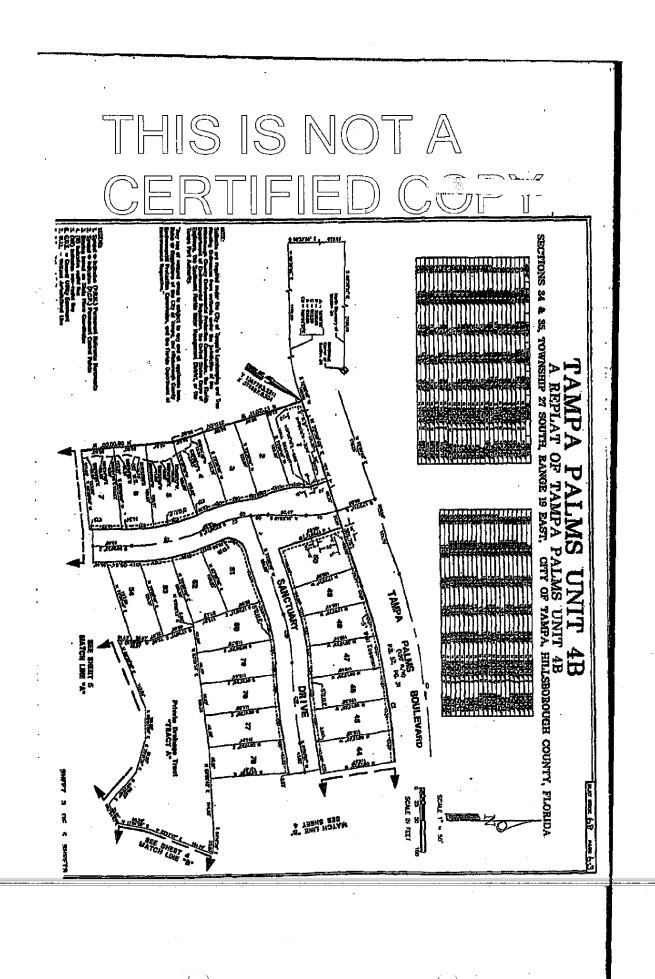
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