

Prepared by and after recording return to:
H. Web Melton, III, Esquire
Bush Ross, P.A.
Post Office Box 3913
Tampa, FL 33601-3913



**NOTICE OF PRESERVATION OF THE
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS
OF THE COMMUNITY OF EMERALD BAY**

THIS NOTICE OF PRESERVATION OF THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS OF THE COMMUNITY OF EMERALD BAY (“Notice”) which was duly approved by the Board of Directors for Community of Emerald Bay Homeowners Association, Inc., (“Association”) on December 9, 2019 is issued pursuant to Section 720.3032, Florida Statutes (2019) and Section 712.05(2)(b), Florida Statutes (2019), and serves to preserve and protect the Declaration of Covenants, Conditions, and Restrictions identified herein from extinguishment by operation of the Market Record Title Act, Chapter 712, Florida Statutes:

1. Legal Name of the Association: This Notice is filed by Community of Emerald Bay Homeowners Association, Inc., a Florida not for profit corporation (the “Association”),
2. Mailing and Physical Address of the Association: Community of Emerald Bay Homeowners Association, Inc., 01 Emerald Bay Drive, Oldsmar, FL 34677.
3. Name of the Subdivision Plats, if any: Emerald Bay.
4. Name, Address and Telephone Number for the Management Company, if any: Ameri-Tech Community Management, 24701 U.S. Highway 19 North, Suite 102, Clearwater, FL 33763. 727-726-8000.
5. Notice. This notice constitutes a notice to preserve and protect covenants or restrictions from extinguishment under the Market Record Title Act. The effective date of the root of title for all lots in Emerald bay is after February 2, 1990, as evidence by the deed recorded in Official Records Book 7190 at Page 263 of the Public Records of Pinellas County, Florida.
6. Statement of Marketable Title Action. The required affidavit pursuant to Fla. Stat. §712.06(1)(b) of a member of the Board of Directors of the Association (the “Board”) affirming that the Board did provide the required notice to the members of the Association as required under the provisions of MRTA is attached hereto as **Exhibit “A”**.
7. Applicable Covenants and Restrictions Preserved, Including All Amendments.

The Declaration of Covenants, Conditions, Restrictions of Emerald Bay, originally recorded in Official Records Book 7053 at Page 1051, and as amended, of the Public Records of Pinellas County, Florida, and any and all amendments thereto, currently burdening the property of each and every member of the Association, retains its status with regard to the affected real property, attached hereto as **Exhibit “B”**.

Notice of Preservation of Covenants of
Community of Emerald Bay

- 8. Bylaws and Articles. The Bylaws of Community of Emerald Bay Homeowners Association, Inc. is attached hereto as **Exhibit "C"**. The Articles of Incorporation of Community of Emerald Bay Homeowners Association, Inc. is attached hereto as **Exhibit "D"**.
- 9. Description of Affected Land A full and complete description of the lands affected by this Notice is:

That part of the SE ¼ of the SE ¼ of Section 15, Township 20 south, Range 16 East, Pinellas County, Florida all as more particularly described on that certain Plat of Emerald Bay, Recorded in Plat Book 105, Pages 9 and 10 of the Public Records of Pinellas County, Florida.

This Summary Notice of Preservation of the Declaration of Covenants, Conditions, Restrictions for Emerald Bay is executed this 23rd day of December 2019, by the undersigned.

Witnesseth:

Community of Emerald Bay Homeowners Association, Inc.

Jeff Popella
Print: Jeff Popella

By: [Signature]
Ronald Poirier, President

Ronnie Reed
Print: Ronnie Reed

STATE OF Florida
COUNTY OF Hillsborough

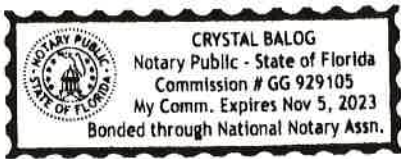
The foregoing instrument was acknowledged before me this 23rd day of December, 2019, by Ronald Poirier, President of Community of Emerald Bay Homeowners Association, Inc., who is personally roduced a _____, and who executed the foregoing instrument and acknowledge the execution thereof to be his/her free act and deed as such officer for the uses and purposes therein mentioned, and that he/she have affixed thereto the seal of said corporation, and the said instrument is the act and deed of said corporation.

In Witness Whereof, I have hereunto set my hand and official seal this 23rd day of December, 2019.

(SEAL)

[Signature]
NOTARY PUBLIC, State of Florida at Large
My Commission Expires: NOV 05, 2023

(Print, Type or Stamp Name)



Notice of Preservation of Covenants of
Community of Emerald Bay

Witnesseth:

Community of Emerald Bay Homeowners Association,
Inc.

Judith Hayes
Print: JUDITH HAYES
Marc Evans
Print: MARC EVANS

Attest: Savi Hakim
Savi Hakim, Secretary

STATE OF Florida
COUNTY OF Pinellas

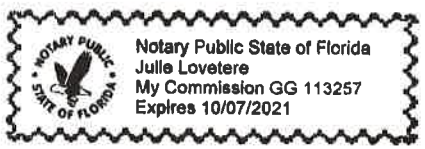
The foregoing instrument was acknowledged before me this 31st day of December, 2019, by Savi Hakim, Secretary, of Community of Emerald Bay Homeowners Association, Inc., who personally produced a _____, and who executed the foregoing instrument and acknowledge the execution thereof to be his/her free act and deed as such officer for the uses and purposes therein mentioned, and that he/she have affixed thereto the seal of said corporation, and the said instrument is the act and deed of said corporation.

In Witness Whereof, I have hereunto set my hand and official seal this 31st day of December, 2019.

(SEAL)

Julie Lovetere
NOTARY PUBLIC, State of Florida at Large
My Commission Expires: 10/1/21

(Print, Type or Stamp Name)



RECEIVED
JAN 09 2020

AFFIDAVIT OF BOARD OF DIRECTORS

BEFORE ME the undersigned authority, personally appeared and the undersigned, who after being duly sworn, deposes and says:

That I am a member, as well as the President, of the Board of Directors (the "Board") for The Community of Emerald Bay Homeowners Association, Inc., a Florida not for profit corporation (the "Association"), and that the Board did cause a statement of marketable title action in substantially the form required by §712.06(1)(b), *Florida Statutes*, to be mailed or hand delivered in accordance with §712.05(1), *Florida Statutes*, to the members of the Association in connection with that certain Notice of Preservation of Covenants, Conditions and Restrictions ("Notice") affecting the lands described in paragraph 7 of said Notice, such lands being commonly known as Emerald Bay.

I further attest that at a meeting of the Board of Directors held in accordance with the requirements of Chapter 712, *Florida Statutes*, that at least two-thirds of the members of the Board approved preserving and protecting the Declaration of Covenants, Conditions, Restrictions of Emerald Bay, originally recorded in Official Records Book 7053 at Page 1051 *et seq.* of the Public Records of Pinellas County, Florida, and all amendments thereto from extinguishment by operation of Chapter 712, *Florida Statutes*.

This affidavit is given in fulfillment of the requirements of §712.06(1)(b), *Florida Statutes*, and in furtherance of preserving and protecting the Declaration of Covenants, Conditions, Restrictions of Emerald Bay, originally recorded in Official Records Book 7053 at Page 1051 *et seq.* of the Public Records of Pinellas County, Florida, and all amendments thereto from extinguishment by operation of Chapter 712, *Florida Statutes*.

WITNESSES:

Jeff Popella
(Print Name: Jeff Popella)

Charles Vaegs
(Print Name: Charles Vaegs)

AFFIANT:

Ronald Poirier
Ronald Poirier President

STATE OF FLORIDA
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me this 6th day of January, 2020, by Ronald Poirier, President of _____ who is personally known to me or produced a _____ Drivers License as identification.

[Signature]
Notary Signature

(NOTARY SEAL)

(Type, Stamp or Print Name)
NOTARY PUBLIC
State of Florida at Large
My commission expires: Nov. 5, 2023

