

This instrument prepared by and returned to:

SCHILLINGER & COLEMAN, P.A.

Charles A. Schillinger, Esquire

1311 Bedford Drive

Melbourne, FL 32940

321-255-3737

NOTICE OF PRESERVATION OF USE RESTRICTIONS
UNDER MARKETABLE RECORD TITLE ACT

Pursuant to Chapter 712, Florida Statutes, the undersigned Claimant files this Notice and in support thereof states:

1. The name and address of the entity filing this Notice is the Windover Farms of Melbourne Homeowners' Association, Inc. (the "Association"), a Florida corporation, not-for-profit, c/o Board of Directors of the Association, 4025 Windover Way, Melbourne, FL 32934.

The Articles of Incorporation were originally filed in the office of the Secretary of State on April 15, 1987, the Association having been organized for the purpose of operating and administrating the Windover Farms of Melbourne community, pursuant to the recorded Declaration of Covenants, Conditions and Restrictions recorded on March 20, 1987, in Official Records Book 2784, Page 1925, in and for the Public Records in and for Brevard County, Florida.

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 as **Exhibit "A"** an Affidavit executed by a member of the Board of Directors of the Association affirming that the Board of Directors caused the Statement of Marketable Title Action attached hereto and incorporated herein as **Exhibit "B"** to be mailed to all members of the Association.

3. The lands affected by this Notice are depicted and legally described in **Exhibit "C"** attached hereto.

4. The real property interest claimed under this Notice is the right to preserve those certain use restrictions, covenants and agreements set forth in the Declaration of Covenants, Conditions and Restrictions, recorded in the Official Records Book 2784, Page 1925, of the Public Records of Brevard County, Florida, on March 20, 1987, and the First Amendment recorded on April 30, 1987, in the Official Records Book 2797, Page 0896, of the Public Records of Brevard County, Florida, and the Second Amendment recorded on October 7, 1987, in the Official Records Book 2847, Page 1007, of the Public Records of Brevard County, Florida, and the Third Amendment recorded on April 8, 1988, in the Official Records Book 2895, Page 2510, of the Public Records of Brevard County, Florida, and the Fourth Amendment recorded on August 4, 1988, in the Official Records Book 2930, Page 2369, of the Public Records of Brevard County, Florida, and the Fifth Amendment recorded on August 30, 1988, in the Official Records Book 2938, Page 1255, of the Public Records of Brevard County, Florida, and the Sixth Amendment recorded on September 22, 1988, in the Official Records Book 2944, Page 2648, of the Public Records of Brevard County, Florida, and the Seventh Amendment recorded on March 3, 1989, in the Official Records Book 2983, Page 0356, of the Public Records of Brevard County, Florida, and the Eighth Amendment recorded on June 28, 1989, in the Official Records Book 3003, Page 4849, of the Public Records of Brevard

Notice of Preservation of Use Restrictions
Under Marketable Record Title Act

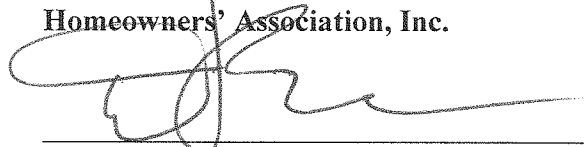
County, Florida, and the Ninth Amendment recorded on July 12, 1989, in the Official Records Book 3006, Page 1730, of the Public Records of Brevard County, Florida, and the Tenth Amendment recorded on December 27, 1989, in the Official Records Book 3035, Page 1423, of the Public Records of Brevard County, Florida, and the Eleventh Amendment recorded on October 1, 1990, in the Official Records Book 3085, Page 2539, of the Public Records of Brevard County, Florida, and the Twelfth Amendment recorded on January 4, 1991, in the Official Records Book 3102, Page 2452, of the Public Records of Brevard County, Florida, and the Thirteenth Amendment recorded on November 22, 1991, in the Official Records Book 3162, Page 4460, of the Public Records of Brevard County, Florida, and the Fourteenth Amendment recorded on February 20, 1992, in the Official Records Book 3180, Page 4181, of the Public Records of Brevard County, Florida, and the Fifteenth Amendment recorded on March 1, 1993, in the Official Records Book 8270, Page 4157, of the Public Records of Brevard County, Florida, and the Sixteenth Amendment recorded on September 9, 1993, in the Official Records Book 3321, Page 4336, of the Public Records of Brevard County, Florida, and Corrective Sixteenth Amendment recorded on October 13, 1994, in the Official Records Book 3428, Page 1211, of the Public Records of Brevard County, Florida, and the Seventeenth Amendment recorded on January 24, 1994, in the Official Records Book 3360, Page 4103, of the Public Records of Brevard County, Florida, and the Eighteenth Amendment recorded on November 2, 1994, in the Official Records Book 3432, Page 3377, of the Public Records of Brevard County, Florida, and the Nineteenth Amendment recorded on October 30, 1995, in the Official Records Book 3516, Page 1717, of the Public Records of Brevard County, Florida, and the Corrective Nineteenth Amendment recorded on November 17, 1995, in the Official Records Book 3521, Page 2863, of the Public Records of Brevard County, Florida, and the Twentieth Amendment recorded on December 12, 1995, in the Official Records Book 3527, Page 4136, of the Public Records of Brevard County, Florida, and the Twenty-First Amendment recorded on September 26, 2002, in the Official Records Book 4694, Page 3360, of the Public Records of Brevard County, Florida, as may be amended from time to time.

**Windover Farms of Melbourne
Homeowners' Association, Inc.**

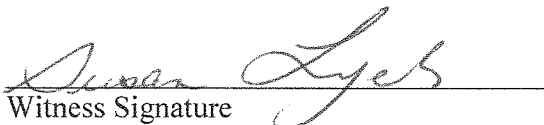


Witness Signature

RICHARD J. FOULD
Printed Name



Darren Knight, President



Witness Signature

SUSAN Lynch
Printed Name

Notice of Preservation of Use Restrictions
Under Marketable Record Title Act

Attest:

[Signature]
Witness Signature

[Signature]
Doug Berry, Secretary

RICHARD J. FOLIO
Printed Name

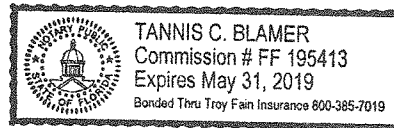
[Signature]
Witness Signature

Susan Lynch
Printed Name

STATE OF FLORIDA)
COUNTY OF BREVARD)

Before me, the undersigned authority, personally appeared, Darren Knight, as President of Windover Farms of Melbourne Homeowners' Association, Inc., who did execute the foregoing instrument before me on this 1st day of March, 2017, who is personally known to me or has produced driver's license as identification and who did take an oath.

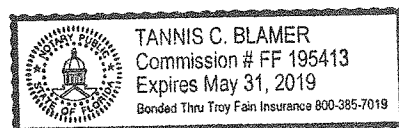
[Signature]
Notary Public, State of Florida
Printed Name: _____
My Commission Expires: _____



STATE OF FLORIDA)
COUNTY OF BREVARD)

Before me, the undersigned authority, personally appeared, Doug Berry, as Secretary of Windover Farms of Melbourne Homeowners' Association, Inc., who did execute the foregoing instrument before me on this 1st day of March, 2017, who is personally known to me or has produced driver's license as identification and who did take an oath.

[Signature]
Notary Public, State of Florida
Printed Name: _____
My Commission Expires: _____



**AFFIDAVIT OF MAILING OR HAND DELIVERING OF STATEMENT OF
MARKETABLE TITLE ACTION TO LOT OWNERS**

STATE OF FLORIDA)
COUNTY OF BREVARD)

BEFORE ME, personally appeared Darren Knight, as President of Windover Farms of Melbourne Homeowners' Association, Inc., who after being duly sworn, deposes and says that attached to this Affidavit as Exhibit "A" is a copy of the form of the Statement of Marketable Title Action approved at the special meeting of the Board of Directors of Windover Farms of Melbourne Homeowners' Association, Inc. for preservation of use restrictions under Marketable Record Title Act held on May 11, 2016, at 7:00 p.m. at 4025 Windover Way, Melbourne, FL 32934, which was mailed or hand delivered in accordance with the Bylaws and applicable law. The Statement of Marketable Title Action was mailed or hand delivered to each lot owner at the address last furnished to the Association, as such address appears on the books of the Association, on April 18, 2016.

**Windover Farms of Melbourne
Homeowners' Association, Inc.**



Darren Knight, President

Before me, the undersigned authority, personally appeared, Darren Knight, as President of Windover Farms of Melbourne Homeowners' Association, Inc., who did execute the foregoing instrument before me on this 1st day of March, 2017, who is personally known to me or has produced driver's license as identification and who did take an oath.



Notary Public, State of Florida

Printed Name: _____

My Commission Expires: _____

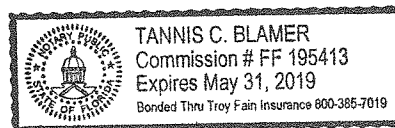


EXHIBIT "A" TO NOTICE

STATEMENT OF MARKETABLE TITLE ACTION

WINDOVER FARMS OF MELBOURNE HOMEOWNERS' ASSOCIATION, INC. (the "Association"), has taken action to ensure that the Declaration of Covenants, Conditions and Restrictions, recorded in the Official Records Book 2784, Page 1925, of the Public Records of Brevard County, Florida, on March 20, 1987, and the First Amendment recorded on April 30, 1987, in the Official Records Book 2797, Page 0896, of the Public Records of Brevard County, Florida, and the Second Amendment recorded on October 7, 1987, in the Official Records Book 2847, Page 1007, of the Public Records of Brevard County, Florida, and the Third Amendment recorded on April 8, 1988, in the Official Records Book 2895, Page 2510, of the Public Records of Brevard County, Florida, and the Fourth Amendment recorded on August 4, 1988, in the Official Records Book 2930, Page 2369, of the Public Records of Brevard County, Florida, and the Fifth Amendment recorded on August 30, 1988, in the Official Records Book 2938, Page 1255, of the Public Records of Brevard County, Florida, and the Sixth Amendment recorded on September 22, 1988, in the Official Records Book 2944, Page 2648, of the Public Records of Brevard County, Florida, and the Seventh Amendment recorded on March 3, 1989, in the Official Records Book 2983, Page 0356, of the Public Records of Brevard County, Florida, and the Eighth Amendment recorded on June 28, 1989, in the Official Records Book 3003, Page 4849, of the Public Records of Brevard County, Florida, and the Ninth Amendment recorded on July 12, 1989, in the Official Records Book 3006, Page 1730, of the Public Records of Brevard County, Florida, and the Tenth Amendment recorded on December 27, 1989, in the Official Records Book 3035, Page 1423, of the Public Records of Brevard County, Florida, and the Eleventh Amendment recorded on October 1, 1990, in the Official Records Book 3085, Page 2539, of the Public Records of Brevard County, Florida, and the Twelfth Amendment recorded on January 4, 1991, in the Official Records Book 3102, Page 2452, of the Public Records of Brevard County, Florida, and the Thirteenth Amendment recorded on November 22, 1991, in the Official Records Book 3162, Page 4460, of the Public Records of Brevard County, Florida, and the Fourteenth Amendment recorded on February 20, 1992, in the Official Records Book 3180, Page 4181, of the Public Records of Brevard County, Florida, and the Fifteenth Amendment recorded on March 1, 1993, in the Official Records Book 8270, Page 4157, of the Public Records of Brevard County, Florida, and the Sixteenth Amendment recorded on September 9, 1993, in the Official Records Book 3321, Page 4336, of the Public Records of Brevard County, Florida, and Corrective Sixteenth Amendment recorded on October 13, 1994, in the Official Records Book 3428, Page 1211, of the Public Records of Brevard County, Florida, and the Seventeenth Amendment recorded on January 24, 1994, in the Official Records Book 3360, Page 4103, of the Public Records of Brevard County, Florida, and the Eighteenth Amendment recorded on November 2, 1994, in the Official Records Book 3432, Page 3377, of the Public Records of Brevard County, Florida, and the Nineteenth Amendment recorded on October 30, 1995, in the Official Records Book 3516, Page 1717, of the Public Records of Brevard County, Florida, and the Corrective Nineteenth Amendment recorded on November 17, 1995, in the Official Records Book 3521, Page 2863, of the Public Records of Brevard County, Florida, and the Twentieth Amendment recorded on December 12, 1995, in the Official Records Book 3527, Page 4136, of the Public Records of Brevard County, Florida, and the Twenty-First Amendment recorded on September 26, 2002, in the Official Records Book 4694, Page 3360, of the Public Records of Brevard County, Florida, as may be amended from time to time, currently burdening the property of each and every member of the Association, retains its status


EXHIBIT "A" TO AFFIDAVIT

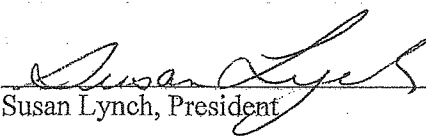
as the source of marketable title with regard to the transfer of a member's residence. To this end, the Association shall cause the notice required by chapter 712, Florida Statutes, to be recorded in the public records of Brevard County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association.

Signed, Sealed and Delivered in the presence of:

Windover Farms of Melbourne
Homeowners' Association, Inc.

Attest:


Darren Knight, Secretary


Susan Lynch, President

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WINDOVER FARMS OF MELBOURNE HOMEOWNERS' ASSOCIATION, INC. (the "Association"), has taken action to ensure that the Declaration of Covenants, Conditions and Restrictions, recorded in the Official Records Book 2784, Page 1925, of the Public Records of Brevard County, Florida, on March 20, 1987, and the First Amendment recorded on April 30, 1987, in the Official Records Book 2797, Page 0896, of the Public Records of Brevard County, Florida, and the Second Amendment recorded on October 7, 1987, in the Official Records Book 2847, Page 1007, of the Public Records of Brevard County, Florida, and the Third Amendment recorded on April 8, 1988, in the Official Records Book 2895, Page 2510, of the Public Records of Brevard County, Florida, and the Fourth Amendment recorded on August 4, 1988, in the Official Records Book 2930, Page 2369, of the Public Records of Brevard County, Florida, and the Fifth Amendment recorded on August 30, 1988, in the Official Records Book 2938, Page 1255, of the Public Records of Brevard County, Florida, and the Sixth Amendment recorded on September 22, 1988, in the Official Records Book 2944, Page 2648, of the Public Records of Brevard County, Florida, and the Seventh Amendment recorded on March 3, 1989, in the Official Records Book 2983, Page 0356, of the Public Records of Brevard County, Florida, and the Eighth Amendment recorded on June 28, 1989, in the Official Records Book 3003, Page 4849, of the Public Records of Brevard County, Florida, and the Ninth Amendment recorded on July 12, 1989, in the Official Records Book 3006, Page 1730, of the Public Records of Brevard County, Florida, and the Tenth Amendment recorded on December 27, 1989, in the Official Records Book 3035, Page 1423, of the Public Records of Brevard County, Florida, and the Eleventh Amendment recorded on October 1, 1990, in the Official Records Book 3085, Page 2539, of the Public Records of Brevard County, Florida, and the Twelfth Amendment recorded on January 4, 1991, in the Official Records Book 3102, Page 2452, of the Public Records of Brevard County, Florida, and the Thirteenth Amendment recorded on November 22, 1991, in the Official Records Book 3162, Page 4460, of the Public Records of Brevard County, Florida, and the Fourteenth Amendment recorded on February 20, 1992, in the Official Records Book 3180, Page 4181, of the Public Records of Brevard County, Florida, and the Fifteenth Amendment recorded on March 1, 1993, in the Official Records Book 8270, Page 4157, of the Public Records of Brevard County, Florida, and the Sixteenth Amendment recorded on September 9, 1993, in the Official Records Book 3321, Page 4336, of the Public Records of Brevard County, Florida, and Corrective Sixteenth Amendment recorded on October 13, 1994, in the Official Records Book 3428, Page 1211, of the Public Records of Brevard County, Florida, and the Seventeenth Amendment recorded on January 24, 1994, in the Official Records Book 3360, Page 4103, of the Public Records of Brevard County, Florida, and the Eighteenth Amendment recorded on November 2, 1994, in the Official Records Book 3432, Page 3377, of the Public Records of Brevard County, Florida, and the Nineteenth Amendment recorded on October 30, 1995, in the Official Records Book 3516, Page 1717, of the Public Records of Brevard County, Florida, and the Corrective Nineteenth Amendment recorded on November 17, 1995, in the Official Records Book 3521, Page 2863, of the Public Records of Brevard County, Florida, and the Twentieth Amendment recorded on December 12, 1995, in the Official Records Book 3527, Page 4136, of the Public Records of Brevard County, Florida, and the Twenty-First Amendment recorded on September 26, 2002, in the Official Records Book 4694, Page 3360, of the Public Records of Brevard County, Florida, as may be amended from time to time, currently burdening the property of each and every member of the Association, retains its status

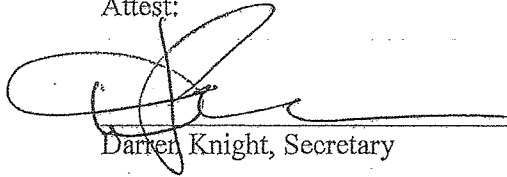
EXHIBIT "B" TO NOTICE

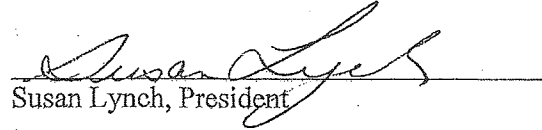
as the source of marketable title with regard to the transfer of a member's residence. To this end, the Association shall cause the notice required by chapter 712, Florida Statutes, to be recorded in the public records of Brevard County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association.

Signed, Sealed and Delivered in the presence of:

Windover Farms of Melbourne
Homeowners' Association, Inc.

Attest:


Darren Knight, Secretary


Susan Lynch, President

Windover Farms of Melbourne, P.U.D., Phase I, as Recorded in Plat Book 33, Page 52, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase II, as Recorded in Plat Book 34, Page 2, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase III, Unit One, as Recorded in Plat Book 34, Page 87, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase III, Unit Two, as Recorded in Plat Book 34, Page 93, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase IV, Unit One, as Recorded in Plat Book 35, Page 71, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase III, Unit Three, as Recorded in Plat Book 36, Pages 6 and 7, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase IV, Unit Two, as Recorded in Plat Book 36, Pages 14 and 15, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase IV, Unit Three, as Recorded in Plat Book 36, Pages 57 and 58, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase V, Unit One, as Recorded in Plat Book 37, Page 31, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase V, Unit Two, as Recorded in Plat Book 37, Page 98, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase III, Unit Four, as Recorded in Plat Book 39, Pages 56 and 57, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase V, Unit Three, as Recorded in Plat Book 40, Pages 91 and 92, in the Public Records of Brevard County, Florida.

Windover Farms of Melbourne, P.U.D., Phase V, Unit Four, as Recorded in Plat Book 41, Pages 93 and 94, in the Public Records of Brevard County, Florida.

EXHIBIT "C" TO NOTICE