

Bloomingtondale Village Homeowners Association, Inc.

December 11, 2015

All Residents

Attached is a copy of the "Notice of Preservation" of Bloomingtondale Village HOA's Declaration of Covenants, Conditions, Restrictions and Easements.

This was filed with the Hillsborough County Clerk of the Circuit Court on November 18, 2015.

Please take the time to read this "Notice" and insert in Section 12 of your Residents Handbook.

Regards,

BVHOA

BVHOA Board of Directors

Prepared by and return to:
James R. De Furio, P.A.
201 E. Kennedy Blvd. Suite 775
Tampa, Florida 33602

INSTRUMENT#: 2015448690, O BK 23689
PG 1307-1311 11/18/2015 at 08:29:21 AM,
DEPUTY CLERK: ADELQUADRO Pat Frank,
Clerk of the Circuit Court Hillsborough County

NOTICE OF PRESERVATION
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR BLOOMINGDALE VILLAGE

THIS NOTICE OF PRESERVATION OF THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR BLOOMINGDALE VILLAGE (the "Notice") is executed this 3RD day of NOVEMBER, 2015, by **BLOOMINGDALE VILLAGE HOMEOWNER'S ASSOCIATION, INC.**, a Florida non-profit corporation, whose mailing address is 201 E. Kennedy Blvd., Ste. 775, Tampa FL 33602 (the "Association");

W I T N E S S E T H:

WHEREAS, the Association is the non-profit homeowners association formed for the governance of the homeowners association known as Bloomingdale Village located in Hillsborough County, Florida ("Association"); and

WHEREAS, the Association is governed by the provisions of that certain Declaration of Covenants, Conditions, Restrictions and Easements for Bloomingdale Village (the "Declaration") dated February 21, 1996 and originally recorded on February 22, 1996 in Official Records Book 8054, Page 0771 of the Public Records of Hillsborough County, Florida, as has been amended from time to time; and

WHEREAS, pursuant to Sections 712.05 and 712.06 of the Florida Statutes, the Association desires to and has taken the actions necessary to preserve the covenants and restrictions which are the subject of the Declaration by the filing of this Notice;

NOW THEREFORE, the Association does hereby state and declare as follows:

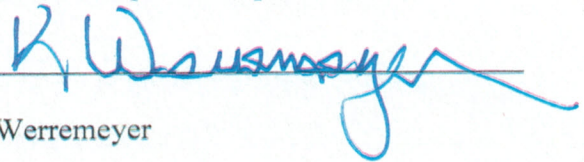
1. **Recitals.** The recitals set forth above are true and correct and are incorporated herein by reference.
2. **Preservation of Declaration.** On the 21st day of October, 2015, the Board of Directors of the Association voted to preserve the Declaration and protect the Declaration from extinguishment by the operation of the Marketable Record Titles to Real Property Act, Chapter 712 of the Florida Statutes, pursuant to the provisions of Section 712.05 of the Florida Statutes. Accordingly, this Notice has the effect of preserving the Declaration for a period of not longer than thirty (30) years following the recordation of this Notice in the Public Records of Hillsborough County, Florida.

3. **Land Affected by Notice.** A full and complete legal description of all land affected by this Notice is set forth in Exhibit C attached to this Notice.

4. **Statement of Marketable Record Title Action.** Attached to this Notice as Exhibit A is an Affidavit executed by the President of the Association (also being a member of the Board of Directors) affirming that the Board of Directors of the Association caused a statement meeting the requirements of Section 712.06 of the Florida Statutes, to be included in a notice which was mailed to all members of the Association, a copy of which is attached hereto as Exhibit B.

IN WITNESS WHEREOF, the Association has executed this Notice in manner and form sufficient to bind it as of the date set forth above.

BLOOMINGDALE VILLAGE
HOMEOWNER'S ASSOCIATION, INC.,
a Florida non-profit corporation

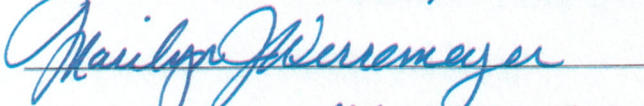
By: 
Kit Werremeyer

As President of Bloomingdale Village
Homeowner's Association, Inc.

Signed and Sealed in Our Presence:



Witness Print Name: JOSEPH CASACCIA

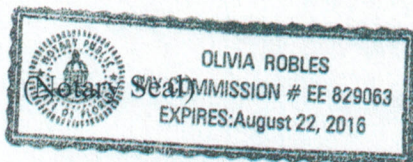



Witness Print Name: MARILYN J. WERREMEYER

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 3 day of November, 2015, by Kit Werremeyer, as President of BLOOMINGDALE VILLAGE HOMEOWNER'S ASSOCIATION, INC., a Florida non-profit corporation, on behalf of the corporation.




Signature of Notary Public – State of Florida

Olivia Robles
Print, Type or Stamp Commissioned Name of
Notary Public

Personally Known _____ OR Produced FIDL _____ as Identification

Exhibit "A"

AFFIDAVIT

Before me, the undersigned authority, this day personally appeared Kit Werremeyer, ("Affiant"), who having been duly sworn, did depose and say as follows:

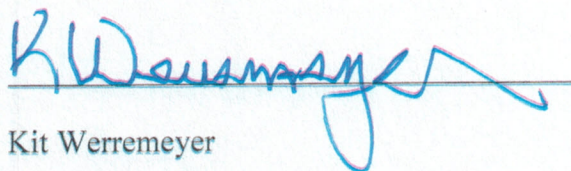
1. That Affiant is the President and is a Director of Bloomingdale Village Homeowner's Association, Inc., a Florida non-profit corporation (the "Association").

2. That the Association is the homeowners association which governs the property known as Bloomingdale Village, located in Hillsborough County, Florida, pursuant to that certain Declaration of Covenants, Conditions, Restrictions and Easements for Bloomingdale Village (the "Declaration") dated February 21, 1996 and originally recorded on February 22, 1996 in Official Records Book 8054, Page 0771 of the Public Records of Hillsborough County, Florida, as has been amended from time to time.

3. That the Board of Directors of the Association caused a statement in substantially the form required by Section 712.06(b) of the Florida Statutes, to be mailed to the members of the Association not less than seven (7) days prior to the meeting of the Board of Directors of the Association held on the 21st day of October, 2015 at 7:00 p.m. at the Bloomingdale Golfers Club clubhouse, at which the Board of Directors voted to preserve the covenants and restrictions contained in the Declaration. Six out of seven Directors were present and voting; the vote was six votes in favor, none against.

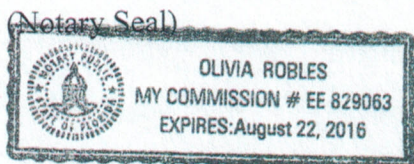
FURTHER AFFIANT SAYETH NOT.



STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)


Kit Werremeyer

As President of Bloomingdale Village Homeowner's Association, Inc.

Sworn to (or affirmed) and subscribed before me this 3 day of November, 2015 by Kit Werremeyer, President of Bloomingdale Village Homeowner's Association, Inc.




Signature of Notary Public – State of Florida

Print, Type or Stamp Commissioned Name of Notary Public

Personally Known _____ OR Produced FLDL _____ as Identification

Exhibit "B"

**NOTICE OF BOARD OF DIRECTORS VOTE ON
PROPOSED PRESERVATION OF
THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND
EASEMENTS FOR BLOOMINGDALE VILLAGE**

Notice is hereby given to all Members of Bloomingdale Village Homeowners' Association, Inc. (the "Association") that at the Meeting of the Board of Directors which will be held on **Wednesday, October 21, 2015 at 7:00 p.m.** at the Bloomingdale Golfers Club clubhouse, the Board of Directors of the Association intends to vote on a proposal to preserve the Declaration of Covenants, Conditions, Restrictions and Easements for Bloomingdale Village (the "Declaration") dated February 21, 1996 and originally recorded on February 22, 1996 in Official Records Book 8054, Page 0771 of the Public Records of Hillsborough County, Florida, as has been amended from time to time.

If action is not taken before February 22, 2026 to preserve the covenants and restrictions contained in the Declaration, then the Declaration will be extinguished at that time in accordance with Florida's Marketable Record Titles to Real Property Act, Chapter 712 of the Florida Statutes.

If at least 2/3rds of the Board of Directors votes at the Meeting of the Board of Directors to preserve the Declaration, then the Declaration will be renewed as a matter of law for a period of thirty (30) years.

The following Statement is hereby given to all Members as required by the provisions of Sections 712.05 and 712.06, Florida Statutes:

STATEMENT OF MARKETABLE TITLE ACTION

The Bloomingdale Village Homeowners' Association, Inc. (the "Association") has taken action to ensure that the Declaration of Covenants, Conditions, Restrictions and Easements for Bloomingdale Village, recorded in Official Records Book 8054, Page 0771 of the Public Records of Hillsborough 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 as the source of marketable title with regard to the transfer of a member's residence. To this end, if the proposal to preserve the Declaration is approved, the Association shall cause the notice required by Chapter 712 of the Florida Statutes, to be recorded in the public records of Hillsborough County, Florida. Copies of this notice and its attachments will be available through the Association pursuant to the Association's governing documents regarding official records of the Association.

Exhibit "C"

DESCRIPTION OF LAND AFFECTED

All real property lying within and forming Bloomingdale Section AA/GG unit 1 Phase 2, Hillsborough County, Florida, according to the map or plat thereof recorded in Plat Book 77, Page 21, et. seq., of the Public Records of Hillsborough County, Florida.