

MY COPIES

900.
150
200
200 c
14.50

NOTICE OF RULE DESIGNATING GEM ESTATES AS A
COMMUNITY FOR OLDER PERSONS

FROM: Hollis Malberg, Trustee (Developer)
TO: Lot Owners and Homeowners in Gem Estates
RE: 80% Occupancy by Persons 55 or Older
DATE: May 1, 1991

After consultation with officers of Gem Estates Mobile Home Village Association, Inc., I have determined that in order to preserve overall property values in Gem Estates, it is desirable to establish our subdivision as a community for older persons. Accordingly, under the authority of Chapter 723.037, Florida Statutes, this is your ninety (90) day notice of a new rule which will go into effect on August 1, 1991. The new rule is as follows:

COMMUNITY FOR OLDER PERSONS

Gem Estates, by virtue of a census taken to comply with the 1988 U.S. Fair Housing Act Amendments, is a subdivision mobile home community for older persons. No permanent resident or occupant shall be under 18 years of age. At least one person 55 years of age or older must be an occupant of each home except as herein provided. Persons between the ages of 18 and 55 may occupy or reside in a home so long as one of the permanent occupants is 55 years of age or older. The Developer, at its sole discretion, shall have the right to establish or recognize hardship exceptions to permit individuals who are 18 years of age or more, but less than 55 years of age, to be primary occupants of a home (without an older person permanent occupant) to meet situations such as the death or disability of a spouse, family member, or co-occupant, or in the case of extreme financial hardship in the sale of a mobile home. All sales or leases shall be subject to the prior certification by the Developer to assure compliance with these provisions, and to assure that no hardship exception shall be granted which will raise the total percentage of such (no permanent occupant over 55) homes to above twenty (20) percent. The Developer is further authorized to make provisions which are necessary to ensure the availability of facilities for older persons in the community.

For purposes of this rule, a "visitor", when used in reference to a person less than 18 years of age, or when used in reference to the temporary occupation of a home by a primary occupant less than 55 years of age, means a person whose occupancy at the invitation of a home owner does not exceed 15 consecutive days or 30 total days per calendar year. A person whose visitation exceeds the limits of these provisions, without permission of the Developer, shall be considered a permanent occupant in violation of this rule.

O.R. 2035 PAGE 182

Hollis Malberg
4713 Serena Dr.
Tampa, FL 33617

R

This rule shall become effective August 1, 1991. All persons in occupancy on July 31, 1991, or earlier, contrary to the provisions of this rule, and who remain in continuous permanent occupancy of a home in Gem Estates, shall be grandfathered as permissible permanent occupants, and the peaceable enjoyment of their continuing occupancy shall not be disturbed by the Developer.

WITNESSES:

Norma Jean Cecil
Brenda Cunningham

Hollis Malberg
Hollis Malberg
Hollis Malberg, Trustee
(Developer)

STATE OF FLORIDA
COUNTY OF PASCO

I HEREBY CERTIFY that on this day before me, an officer duly authorized to take acknowledgments, personally appeared

HOLLIS MALBERG, TRUSTEE (DEVELOPER)

to me known to be the person described in and who executed the foregoing instrument and acknowledged before me the execution of same.

WITNESS my hand and official seal in the County and State last aforesaid this 6th day of August, 1991.

Norma Jean Cecil
Norma Jean Cecil

Notary Public, State of Florida
My Commission Expires Feb. 7, 1992
Bonded Thru Troy Feltz - Insurance Inc.

8 0 1 1 1 5
AUG 6 3 32 PM '91

U.N. 2035 PAGE 1483



R1085845 V5084257 08/06/91 03:33 PM
RECORDING/INDEXING 9.00
RECORDS MODERNIZATION FEE 1.50
COPIES 2.00
CERTIFICATIONS & SEARCHES 2.00
TOTAL: 14.50
CHECK #: 521
CECINO 01-A AMT PAID: 14.50