

**ARTICLES OF INCORPORATION  
OF  
SPRING VALLEY HOMEOWNERS ASSOCIATION, INC.,  
a corporation not for profit**

2001 MAY 11 PM 2:38  
SECRETARY OF STATE  
TALLAHASSEE FLORIDA

In compliance with the requirements of Florida Statute Chapter 617, the undersigned, acting as incorporator of this Corporation pursuant to Chapter 617 of the Florida Statutes, hereby forms a corporation not-for-profit under the laws of the State of Florida and adopts the following Articles of Incorporation for such corporation:

**ARTICLE I - NAME OF CORPORATION**

The name of the corporation is Spring Valley Homeowners Association, Inc., a corporation not for profit under the provisions of Chapter 617 of the Florida statutes (hereinafter referred to as the "Association")

**ARTICLE II - PRINCIPAL PLACE OF BUSINESS**

The principal office of the Association is located at 2909 W. State Road 434, Suite 121-131, Longwood, Florida 32779.

**ARTICLE III - INITIAL REGISTERED AGENT AND REGISTERED OFFICE:**

JEROME B. FREEDMAN	2909 W. State Road 434
	Suite 121-131
	Longwood, Florida 32779

**ARTICLE IV  
PURPOSE AND POWERS OF THE ASSOCIATION**

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the Lots and Common Area (as those terms are defined in the Declaration referenced hereinafter) within the property described in the Declaration (as hereinbelow defined), as the same may be supplemented and added to from time to time and to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

- (a) exercise of all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in Florida Statutes Chapter 617 and 720 and in that certain Declaration of Covenants, Conditions, and Restrictions, herein called the "Declaration", applicable to the property and recorded or to be recorded in the Office of Clerk of the Court of Lake County, Florida, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;
- (b) fix, levy, collect, and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association;
- (c) acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;
- (d) borrow money, and with the assent of two-thirds (2/3) of each class of members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;
- (e) dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the

members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of each class of members, agreeing to such dedication, sale or transfer.

(f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area, provided that any such merger, consolidation, or annexation shall have the assent of two-thirds (2/3) of the members.

(g) have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Florida by law may now or hereafter have or exercise.

(h) the Association shall operate, maintain and manage the surface water or storm water management system(s) in a manner consistent with the St. Johns River Water Management District Permit Number 4-069-0359M-ERP and applicable District rules, and shall assist in the enforcement of the Declarations of Covenants, Conditions and Restrictions which relate to the surface water or storm water management system. The Association shall levy and collect adequate assessments against members of the Association for the maintenance and repair of the surface water or storm water management systems including but not limited to work within retention areas, drainage structures and drainage easements.

(i) the Association shall have the right and obligation to accept future phases into the Association.

#### ARTICLE V - MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject by covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of any obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association.

#### ARTICLE VI - VOTING RIGHTS

The Association shall have two classes of voting membership:

Class A. Class A members shall be all Owners, with the exception of the Declarant, and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B. The Class B member shall be the Declarant, as defined in the Declaration, or its designated successor in interest, and shall be entitled to two (2) votes for each vote held by an Owner and one (1) vote for each Lot owned by the Declarant. The Class B membership shall cease and be converted to Class A membership on the happening of one of the following events, whichever occurs earlier:

- (a) the date on which seventy-five percent (75%) of the Lots have been conveyed to homeowners, or
- (b) on January 1, 2015; or
- (c) within thirty (30) days after Declarant sends to the Association and each member notice that Declarant voluntarily wishes to turn over its control to the Association (hereinafter the "Turnover Date").

Members other than the Declarant are entitled to elect at least a majority of the members of the board of directors of the homeowners' association within three (3) months after ninety percent (90%) of the parcels in all phases of the community that will ultimately be operated by the homeowners association have been conveyed to members.

## ARTICLE VII - BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of not more than nine (9) directors, nor less than three (3), who need not be members of the Association. The initial number of directors shall be three (3) and may be changed by amendment of the ByLaws of the Association. The names and address of the persons who are to act in the capacity of directors until the selection of their successors are:

BARRY S. GOODMAN	2909 W. State Road 434, #121-131 Longwood, Florida 32779
JEROME B. FREEDMAN	2909 W. State Road 434, #121-131 Longwood, Florida 32779
LISA A. KNOWLES	2909 W. State Road 434, #121-131 Longwood, Florida 32779

At the first annual meeting the members shall elect one director for a term of one year, two directors for a term of two years and two directors for a term of three years; and at each annual meeting thereafter the members shall elect directors for a term of three years to fill the vacancies created by the expired terms.

## ARTICLE VIII - INCORPORATOR

The name and address of the incorporator of this corporation are as follows:

JEROME B. FREEDMAN  
2909 W. State Road 434, #121-131  
Longwood, Florida 32779

## ARTICLE IX - OFFICERS

The affairs of the Association shall be administered by the officers designated in the ByLaws of the Association as shall be elected by the Board of Directors at its first meeting following the first annual meeting of the general membership and they shall serve at the pleasure of the Board of Directors. Pending the election of the permanent officers of this Association by the Board of Directors, the following named persons shall be the temporary officers of the Association until their successors have been duly elected:

JEROME B. FREEDMAN - President  
BARRY S. GOODMAN - Vice-President/Treasurer  
CHRISTINA M. NOVOTNY - Secretary

## ARTICLE X - BYLAWS

ByLaws of the Association will be hereinafter adopted at the first meeting of the Board of Directors. Such ByLaws may be amended or repealed, in whole or in part, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy.

## ARTICLE XI - INDEMNIFICATION

The Association shall indemnify every director and every officer, his heirs, executors and administrators, to the fullest extent allowed by law, including, without limitation, indemnification against any and all losses, costs and expenses, liabilities including counsel fees, reasonably incurred in connection with any action, suit or proceeding to which an officer or director may be made a party by reason of his being or having been a director or an officer of the Association, except as to matters wherein he shall be finally adjudged in such action, suit or proceeding to be liable for, or guilty of, gross negligence or willful misconduct. The Association shall, to the extent available, obtain insurance covering all of its officers and directors against

liability or loss in connection with the foregoing matters for which indemnification is appropriate and for such other matters as may be allowed by law. The foregoing rights shall be in addition to and not exclusive of all other rights to which such director or officer may be entitled.

#### ARTICLE XII - DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of the members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed, and assigned to any nonprofit corporation, association, trust, or other organization to be devoted to such similar purposes.

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or storm water management system must be transferred to and accepted by an entity which would comply with Section 40C-42.027 F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

#### ARTICLE XIII - DURATION

Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

#### ARTICLE XIV - AMENDMENTS

Amendments to these Articles of Incorporation may be proposed by a resolution executed by at least 25% of each class of members of the Association, which proposal shall be presented to a quorum of members for their vote. Amendment of these Articles shall require the consent of two-thirds (2/3) of the members of the Association.

#### ARTICLE XV - CONFLICT

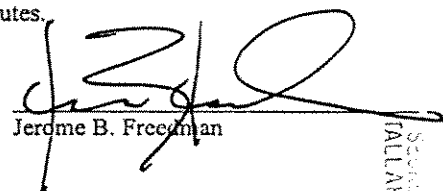
In the event that any provision of these Articles of Incorporation conflict with any provision of the Declaration, the provision of the Declaration in conflict therewith shall control.

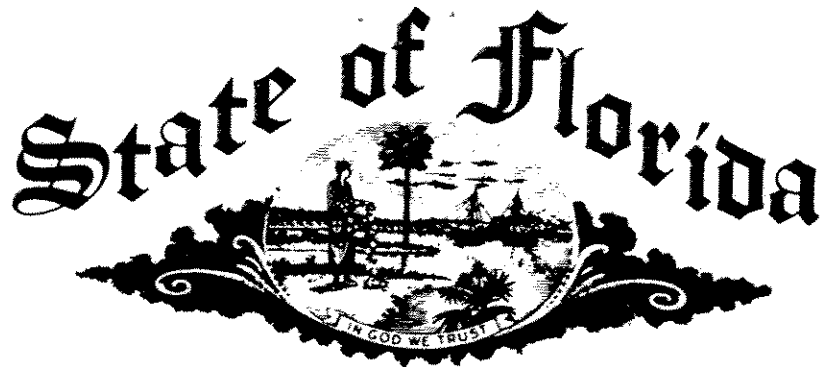
IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, the undersigned, constituting the incorporator of this Association, has executed these Articles of Incorporation, this 10th day of May, 2001.

  
JEROME B. FREEDMAN

#### ACCEPTANCE OF REGISTERED AGENT DESIGNATED IN ARTICLES OF INCORPORATION

JEROME B. FREEDMAN, having a business office identical with the registered office of the corporation named above, and having been designated as the Registered Agent in the above and foregoing Articles, is familiar with and accepts the obligations of the position of Registered Agent under Section 617.0503, Florida Statutes.

  
Jerome B. Freedman



Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of SPRING VALLEY HOMEOWNERS ASSOCIATION, INC., a Florida corporation, filed on May 11, 2001, as shown by the records of this office.

The document number of this corporation is N01000003322.



CR2EO22 (1-99)

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Eleventh day of May, 2001

*Katherine Harris*

Katherine Harris  
Secretary of State



FLORIDA DEPARTMENT OF STATE

Katherine Harris  
Secretary of State

May 11, 2001

CSC NETWORKS  
1201 HAYS STREET  
TALLAHASSEE, FL 32301

The Articles of Incorporation for SPRING VALLEY HOMEOWNERS ASSOCIATION, INC. were filed on May 11, 2001 and assigned document number N01000003322. Please refer to this number whenever corresponding with this office regarding the above corporation. The certification you requested is enclosed.

PLEASE NOTE: COMPLIANCE WITH THE FOLLOWING PROCEDURES IS ESSENTIAL TO MAINTAINING YOUR CORPORATE STATUS. FAILURE TO DO SO MAY RESULT IN DISSOLUTION OF YOUR CORPORATION.

A CORPORATION ANNUAL REPORT/UNIFORM BUSINESS REPORT MUST BE FILED WITH THIS OFFICE BETWEEN JANUARY 1 AND MAY 1 OF EACH YEAR BEGINNING WITH THE CALENDAR YEAR FOLLOWING THE YEAR OF THE FILING DATE NOTED ABOVE AND EACH YEAR THEREAFTER. FAILURE TO FILE THE ANNUAL REPORT/UNIFORM BUSINESS REPORT ON TIME MAY RESULT IN ADMINISTRATIVE DISSOLUTION OF YOUR CORPORATION.

A FEDERAL EMPLOYER IDENTIFICATION (FEI) NUMBER MUST BE SHOWN ON THE ANNUAL REPORT/UNIFORM BUSINESS REPORT FORM PRIOR TO ITS FILING WITH THIS OFFICE. CONTACT THE INTERNAL REVENUE SERVICE TO RECEIVE THE FEI NUMBER IN TIME TO FILE THE ANNUAL REPORT/UNIFORM BUSINESS REPORT AT 1-800-829-3676 AND REQUEST FORM SS-4.

SHOULD YOUR CORPORATE MAILING ADDRESS CHANGE, YOU MUST NOTIFY THIS OFFICE IN WRITING, TO INSURE IMPORTANT MAILINGS SUCH AS THE ANNUAL REPORT/UNIFORM BUSINESS REPORT NOTICES REACH YOU.


Should you have any questions regarding corporations, please contact this office at the address given below.

Claretha Golden, Document Specialist  
New Filings Section

Letter Number: 301A00028590

Account number: 072100000032

Amount charged: 78.75

Prepared by   
Elias N. Chotas, Esquire  
Dean, Mead, Egerton, Bloodworth,  
Capouano & Bozarth, P.A.  
800 N. Magnolia Avenue, Suite 1500  
Orlando, FL 32801

CFN 2005058047  
Bk 02814 Pgs 0610 - 625; (16pgs)  
DATE: 04/21/2005 11:04:09 AM  
JAMES C. WATKINS, CLERK OF COURT  
LAKE COUNTY  
RECORDING FEES 137.50

**SUPPLEMENTARY**  
**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**  
**OF**  
**SPRING VALLEY**

**THIS SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPRING VALLEY** (the "Supplementary Declaration") made as of April 20<sup>th</sup>, 2005 by Siena Home Corporation, a Florida corporation, 2909 W. State Road 434, Suite 121-131, Longwood, Florida 32779, hereinafter referred to as "Declarant."

**WITNESSETH:**

WHEREAS, Declarant filed the Declaration of Covenants, Conditions and Restrictions of Spring Valley on September 5, 2003 in Official Records Book 02400 pages 113-131 of the Public Records of Lake County, Florida (the "Declaration"); and

WHEREAS, Declarant subsequently filed the First Amendment to Declaration of Covenants, Conditions and Restrictions of Spring Valley on September 28, 2004 in Official Records Book 02665, pages 1215-1217 of the Public Records of Lake County, Florida; and

WHEREAS, pursuant to Article II, Section 3 of the Declaration, Declarant reserved to itself the unilateral right, privilege and option to add all or portions of the Additional Land (as defined in the Declaration) to the Property (as defined in the Declaration) by recording a Supplementary Declaration in the Public Records of Lake County, Florida; and

WHEREAS, the properties described in Exhibit "A" to this Supplementary Declaration are now a portion of Spring Valley and Declarant desires that they be subject to the Declarations;

NOW THEREFORE, Declarant hereby declares:

O0198941v2

1. The recitals set forth above are true and correct and are incorporated herein by reference.

2. The properties described in Exhibit "A" attached hereto and incorporated herein by reference are annexed to the Property and are subject to the Declaration.


3. The properties described in Exhibit "A" shall be held, sold, conveyed, leased, mortgaged and otherwise dealt with subject to the terms, easements, covenants, conditions, restrictions, reservations, liens and charges as set forth in the Declaration, as if each were fully set forth herein.

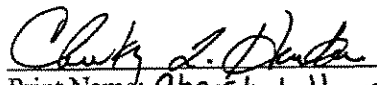
4. The terms and conditions of the Declaration shall be binding on each and every person having or acquiring any right, title or interest in the property described in Exhibit "A" hereto and shall inure to the benefit of each and every person, from time to time, owning or holding an interest therein.

5. The Articles and Bylaws of Spring Valley Homeowners Association, Inc., which pertain to the Property described in Exhibit "A" are annexed hereto as Exhibits "B" and "C," respectively.

IN WITNESS WHEREOF, Declarant has executed this Supplementary Declaration.

WITNESSES:

  
Print Name: Elias N. Cholas

  
Print Name: Christy L. Hunter

DECLARANT:

SIENA HOME CORPORATION,  
a Florida corporation

By:   
Jerome B. Freeman, President



STATE OF FLORIDA  
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 20<sup>th</sup> day of April, 2005, by Jerome B. Freedman, as President of SIENA HOME CORPORATION, a Florida corporation, on behalf of the corporation.

CHRISTY L. HUNTER  
NOTARY PUBLIC - STATE OF FLORIDA  
COMMISSION # DD405062  
EXPIRES 3/22/2009  
BONDED THRU 1-888-NOTARY1

AFFIX NOTARY STAMP

Christy L. Hunter  
Signature of Notary Public

(Print Notary Name)  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_  
☐ Personally known, or  
☒ Produced Identification  
Type of Identification Produced  
FL. DRIVER'S LICENSE

00198941v2

EXHIBIT "A"

That certain real property described in the following plats recorded in the Public Records of Lake County, Florida:

SPRING VALLEY PHASE II, according to the plat thereof recorded in Plat Book 47, pages 11 and 12.

SPRING VALLEY PHASE III, according to the plat thereof recorded in Plat Book 47, Pages 13 and 14.

SPRING VALLEY PHASE IV, according to the plat thereof recorded in Plat Book 48, Pages 25 -27.

SPRING VALLEY PHASE V, according to the plat thereof recorded in Plat Book 49, pages 45 and 46.

SPRING VALLEY PHASE VI, according to the plat thereof recorded in Plat Book 50, pages 26 and 27.

SPRING VALLEY PHASE VII, according to the plat thereof recorded in Plat Book 51, pages 75 and 76.

SPRING VALLEY PHASE VIII, according to the plat thereof recorded in Plat Book 53, pages 3 and 4.

O0198941v2

EXHIBIT "B"

ARTICLES OF INCORPORATION  
OF  
SPRING VALLEY HOMEOWNERS ASSOCIATION, INC.,  
a corporation not for profit

2001 MAY 11 PM 2:38  
SECOND JUDICIAL STATE  
TALLAHASSEE FLORIDA

In compliance with the requirements of Florida Statute Chapter 617, the undersigned, acting as incorporator of this Corporation pursuant to Chapter 617 of the Florida Statutes, hereby forms a corporation not-for-profit under the laws of the State of Florida and adopts the following Articles of Incorporation for such corporation:

ARTICLE I - NAME OF CORPORATION

The name of the corporation is Spring Valley Homeowners Association, Inc., a corporation not for profit under the provisions of Chapter 617 of the Florida statutes (hereinafter referred to as the "Association")

ARTICLE II - PRINCIPAL PLACE OF BUSINESS

The principal office of the Association is located at 2909 W. State Road 434, Suite 121-131, Longwood, Florida 32779.

ARTICLE III - INITIAL REGISTERED AGENT AND REGISTERED OFFICE:

JEROME B. FREEDMAN  
2909 W. State Road 434  
Suite 121-131  
Longwood, Florida 32779

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ARTICLE IV  
PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the Lots and Common Area (as those terms are defined in the Declaration referenced hereinafter) within the property described in the Declaration (as hereinbelow defined), as the same may be supplemented and added to from time to time and to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

- (a) exercise of all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in Florida Statutes Chapter 617 and 720 and in that certain Declaration of Covenants, Conditions, and Restrictions, herein called the "Declaration", applicable to the property and recorded or to be recorded in the Office of Clerk of the Court of Lake County, Florida, and as the same may be amended from time to time as therein provided, said Declaration being incorporated herein as if set forth at length;
- (b) fix, levy, collect, and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association;
- (c) acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;
- (d) borrow money, and with the assent of two-thirds (2/3) of each class of members, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;
- (e) dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the

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(g) have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Florida by law may now or hereafter have or exercise.

(h) the Association shall operate, maintain and manage the surface water or storm water management system(s) in a manner consistent with the St. Johns River Water Management District Permit Number 4-069-0359M-ERP and applicable District rules, and shall assist in the enforcement of the Declarations of Covenants, Conditions and Restrictions which relate to the surface water or storm water management system. The Association shall levy and collect adequate assessments against members of the Association for the maintenance and repair of the surface water or storm water management systems including but not limited to work within retention areas, drainage structures and drainage easements.

(i) the Association shall have the right and obligation to accept future phases into the Association.

#### ARTICLE V - MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Lot which is subject by covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of any obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association.

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The Association shall have two classes of voting membership:

Class A. Class A members shall be all Owners, with the exception of the Declarant, and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be members. The vote for such Lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B. The Class B member shall be the Declarant, as defined in the Declaration, or its designated successor in interest, and shall be entitled to two (2) votes for each vote held by an Owner and one (1) vote for each Lot owned by the Declarant. The Class B membership shall cease and be converted to Class A membership on the happening of one of the following events, whichever occurs earlier:

- (a) the date on which seventy-five percent (75%) of the Lots have been conveyed to homeowners, or
- (b) on January 1, 2015; or
- (c) within thirty (30) days after Declarant sends to the Association and each member notice that Declarant voluntarily wishes to turn over its control to the Association (hereinafter the "Turnover Date").

Members other than the Declarant are entitled to elect at least a majority of the members of the board of directors of the homeowners' association within three (3) months after ninety percent (90%) of the parcels in all phases of the community that will ultimately be operated by the homeowners association have been conveyed to members.

#### ARTICLE VII - BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of not more than nine (9) directors, nor less than three (3), who need not be members of the Association. The initial number of directors shall be three (3) and may be changed by amendment of the ByLaws of the Association. The names and address of the persons who are to act in the capacity of directors until the selection of their successors are:

BARRY S. GOODMAN                      2909 W. State Road 434, #121-131  
Longwood, Florida 32779

JEROME B. FREEDMAN                      2909 W. State Road 434, #121-131  
Longwood, Florida 32779

LISA A. KNOWLES                      2909 W. State Road 434, #121-131  
Longwood, Florida 32779

At the first annual meeting the members shall elect one director for a term of one year, two directors for a term of two years and two directors for a term of three years; and at each annual meeting thereafter the members shall elect directors for a term of three years to fill the vacancies created by the expired terms.

#### ARTICLE VIII - INCORPORATOR

The name and address of the incorporator of this corporation are as follows:

JEROME B. FREEDMAN  
2909 W. State Road 434, #121-131  
Longwood, Florida 32779

#### ARTICLE IX - OFFICERS

The affairs of the Association shall be administered by the officers designated in the ByLaws of the Association as shall be elected by the Board of Directors at its first meeting following the first annual meeting of the general membership and they shall serve at the pleasure of the Board of Directors. Pending the election of the permanent officers of this Association by the Board of Directors, the following named persons shall be the temporary officers of the Association until their successors have been duly elected:

JEROME B. FREEDMAN - President

BARRY S. GOODMAN - Vice-President/Treasurer

CHRISTINA M. NOVOTNY - Secretary

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#### ARTICLE X - BYLAWS

ByLaws of the Association will be hereinafter adopted at the first meeting of the Board of Directors. Such ByLaws may be amended or repealed, in whole or in part, at a regular or special meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy.

#### ARTICLE XI - INDEMNIFICATION

The Association shall indemnify every director and every officer, his heirs, executors and administrators, to the fullest extent allowed by law, including, without limitation, indemnification against any and all losses, costs and expenses, liabilities including counsel fees, reasonably incurred in connection with any action, suit or proceeding to which an officer or director may be made a party by reason of his being or having been a director or an officer of the Association, except as to matters wherein he shall be finally adjudged in such action, suit or proceeding to be liable for, or guilty of, gross negligence or willful misconduct. The Association shall, to the extent available, obtain insurance covering all of its officers and directors against

liability or loss in connection with the foregoing matters for which indemnification is appropriate and for such other matters as may be allowed by law. The foregoing rights shall be in addition to and not exclusive of all other rights to which such director or officer may be entitled.

#### ARTICLE XII - DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of the members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed, and assigned to any nonprofit corporation, association, trust, or other organization to be devoted to such similar purposes.

In the event of termination, dissolution or final liquidation of the Association, the responsibility for the operation and maintenance of the surface water or storm water management system must be transferred to and accepted by an entity which would comply with Section 40C-42.027 F.A.C., and be approved by the St. Johns River Water Management District prior to such termination, dissolution or liquidation.

#### ARTICLE XIII - DURATION

Existence of the Association shall commence with the filing of these Articles of Incorporation with the Secretary of State, Tallahassee, Florida. The Association shall exist in perpetuity.

#### ARTICLE XIV - AMENDMENTS

Amendments to these Articles of Incorporation may be proposed by a resolution executed by at least 25% of each class of members of the Association, which proposal shall be presented to a quorum of members for their vote. Amendment of these Articles shall require the consent of two-thirds (2/3) of the members of the Association.

#### ARTICLE XV - CONFLICT

In the event that any provision of these Articles of Incorporation conflict with any provision of the Declaration, the provision of the Declaration in conflict therewith shall control.

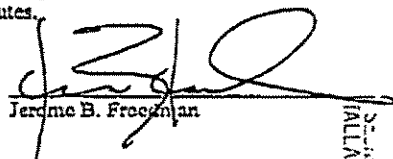
IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, the undersigned, constituting the incorporator of this Association, has executed these Articles of Incorporation, this 10th day of May, 2001.

  
JEROME B. FREEDMAN

ACCEPTANCE OF REGISTERED AGENT DESIGNATED  
IN ARTICLES OF INCORPORATION

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JEROME B. FREEDMAN, having a business office identical with the registered office of the corporation named above, and having been designated as the Registered Agent in the above and foregoing Articles, is familiar with and accepts the obligations of the position of Registered Agent under Section 617.0503, Florida Statutes.

  
Jerome B. Freedman

WordSpring Valley HOA Articles/May 10, 2001/2:20pm (jbf)

2001 MAY 11 PM 2:38  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

EXHIBIT "C"

02003 Pgs 1248 - 1255; (8pgs)  
DATE: 09/19/2001 12:29:05 PM  
JAMES C. WATKINS, CLERK OF COURT  
LAKE COUNTY  
RECORDING FEES \$1.00  
TRUST FUND 4.50

BYLAWS  
OF  
SPRING VALLEY HOMEOWNERS ASSOCIATION, INC.

ARTICLE I  
NAME AND LOCATION

The name of the corporation is SPRING VALLEY HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as the "Association". The principal office of the corporation shall be located at 2909 W. State Road 434, Suite 121-131, Longwood, Florida 32779, but meetings of members and directors may be held at such places within the State of Florida, as may be designated by the Board of Directors.

ARTICLE II  
DEFINITIONS

Section 1. "Association" shall mean and refer to SPRING VALLEY HOMEOWNERS ASSOCIATION, INC., its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions of Spring Valley.

Section 3. "Common Area" shall mean all real property owned by the Association for the common use and enjoyment of the Owners as described in the Declaration of Covenants, Conditions and Restrictions of Spring Valley.

Section 4. "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the Properties with the exception of the Common Area.

Section 5. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for performance of an obligation.

Section 6. "Declarant" shall mean and refer to SIENA HOME CORPORATION, a Florida corporation, its successors and assigns if such successors or assigns should acquire more than one undeveloped Lot from the Declarant for the purpose of development.

Section 7. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions of Spring Valley and all duly adopted amendments, supplements and exhibits thereto as recorded in the Public Records of Lake County, Florida.

Section 8. "Member" shall mean and refer to those persons entitled to membership as provided in the Declaration.

Section 9. "Community" shall mean the Property that is subject to the Declarations.

Section 10. "Assessment" shall mean a sum or sums of money payable to the Association by the owners of one or more parcels as authorized in the governing documents, which if not paid by the owner of a parcel, can result in a lien against the parcel.

Section 11. "Governing Documents" means:

(a) The recorded Declaration of Covenants, Conditions and Restrictions of Spring Valley and all duly adopted and recorded amendments, supplements and exhibits thereto; and

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(b) The articles of incorporation and bylaws of the Association and any duly adopted amendments thereto.

### ARTICLE III MEETING OF MEMBERS

Section 1. Annual Meetings. The first annual meeting of the Members shall be held within one year from the date of incorporation of the Association, and each subsequent regular annual meeting of the Members shall be held on the same day of the same month of each year thereafter, at the hour of 7:00 P.M. If the day for the annual meeting of the Members is a legal holiday, the meeting will be held at the same hour on the first day following which is not a legal holiday.

Section 2. Special Meetings. Special meetings of the Members may be called at any time by the president or by the Board of Directors, or upon written request of the Members who are entitled to vote one-fourth (1/4) of all of the votes of the Class A membership.

Section 3. Notice of Meetings. Written notice of each meeting of the Members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least 15 days before such meeting to each Member entitled to vote thereat, addressed to the Member's address last appearing on the books of the Association, or supplied by such Member to the Association for the purpose of notice. Such notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the purpose of the meeting. Alternatively, notice may be posted in a conspicuous place in the Community at least 48 hours in advance of a meeting, except in an emergency.

Section 4. Quorum. The percentage of voting interests required to constitute a quorum at a meeting of the Members shall be thirty percent (30%) of the total voting interests. If, however, such quorum shall not be present or represented at any meeting, the Members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

Section 5. Proxies. At all meetings of Members, each Member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Every proxy shall be revocable and shall automatically cease upon conveyance by the Member of his Lot.

### ARTICLE IV BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. Number and Qualification. The Association shall be managed by a Board of Directors, which shall have not more than nine (9) directors nor less than three (3). Each director shall be at least 18 years of age and need not be a Member of the Association during his/her directorship. The initial Board of Directors shall consist of the number of persons set forth in the Articles of Incorporation. The number of directors may be increased or decreased by action of the Members or the Board of Directors, provided that any action by the Board of Directors to effect such increase or decrease shall require the vote of a majority of the entire Board of Directors. No decrease shall shorten the term of any director then in office.

Section 2. Term of Office. The first Board of Directors shall consist of those persons elected by the Incorporators or named as the initial Board of Directors in the Articles of Incorporation of the Association, and they shall hold office until the first Annual Meeting of Members, and until their successors have been duly elected and qualify. At the first annual meeting the Members shall elect one director for a term of one year, two directors for a term of two years and two directors for a term of three years; at each annual meeting thereafter the Members shall elect directors for a term of three years. Each director shall hold office until the expiration of the term for which he was elected, and until his successor has been duly elected and qualified, or until his prior resignation or removal as hereinafter provided.

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Section 3. Removal. Any director may be removed from the Board, with or without cause, by a majority vote of the Members of the Association. In the event of death, resignation or removal of a director, his successor shall be selected by the remaining Members of the Board and shall serve for the unexpired term of his predecessor.

Section 4. Compensation. No director shall receive compensation for any service he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties provided Association approves such expenses.

#### ARTICLE V NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination. Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The Nominating Committee shall consist of a Chairman, who shall be a Member of the Board of Directors, and two or more Members of the Association. The Nominating Committee shall be appointed by the Board of Directors prior to each annual meeting of the Members, to serve from the close of such annual meeting until the close of the next annual meeting and such appointment shall be announced at each annual meeting. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled. Such nominations may be made from among Members or non-Members.

Section 2. Election. Election to the Board of Directors shall be by secret written ballot. At such election the Members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

#### ARTICLE VI MEETINGS OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held at such place and hour as may be fixed from time to time by resolution of the Board. Should said meeting fall upon a legal holiday, then that meeting shall be held at the same time on the next day which is not a legal holiday. Notice of all meetings of the Board shall be provided in accordance with Florida Statutes Section 720.303(2). The Board may establish a schedule for regular Board meetings.

Section 2. Special Meetings. Special meetings of the Board of Directors shall be held when called by the president of the Association, or by any two directors, after not less than three (3) days notice to each director.

Section 3. Quorum. A majority of the number of directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

#### ARTICLE VII POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board of Directors shall have power to:

- (a) adopt and publish rules and regulations governing the use of the Common Area and facilities, and the personal conduct of the Members and their guests thereon, and to establish penalties for the infraction thereof;

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(b) suspend the voting rights and right to use of the recreational facilities of a Member during any period in which such Member shall be in default in the payment of any assessment levied by the Association.

(c) exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provisions of these ByLaws, the Articles of Incorporation, or the Declaration;

(d) declare the office of a Member of the Board of Directors to be vacant in the event such Member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and

(e) employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. Duties. It shall be the duty of the Board of Directors to:

(a) cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the Members at the annual meeting of the Members, or at any special meeting when such meeting is requested in the manner specified herein;

(b) supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;

(c) prepare an annual budget that must reflect the estimated revenues and expenses for that year and the estimated surplus or deficit as of the end of the current year;

(d) prepare an annual financial report within 60 days after the close of the fiscal year. The Association shall provide each Member with a copy of the annual financial report or written notice that a copy of the financial report is available upon request at no charge to the Member. The financial report must consist of either

(1) Financial statements presented in conformity with generally accepted accounting principles; or

(2) A financial report of actual receipts and expenditures, cash basis, which report must show:

A. The amount of receipts and expenditures by classification; and

B. The beginning and ending cash balances of the Association.

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(e) as more fully provided in the Declaration, to:

(1) fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period;

(2) send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of each annual assessment period; and

(3) foreclose the lien against any property for which assessments are not paid within thirty (30) days after due date or to bring an action at law against the owner personally obligated to pay the same.

(f) issue, or to cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether or not any assessment has been paid. A reasonable charge may be made by the Board for the issuance of these certificates. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment;

(g) procure and maintain adequate liability and hazard insurance on property owned by the Association;

(h) cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;

(i) cause the proper maintenance to be carried out by the Association for the Common Area, Drainage Easement Areas, and any other easements shown on the Plat which are to be maintained by the Association as provided for in the Declarations of Covenants, Conditions and Restrictions of Spring Valley in accordance with applicable regulations of Lake County, Florida, the St. Johns River Water Management District and all other governmental entities with jurisdiction thereover; and

(j) perform all duties and obligations of the Association as set forth in the Declaration.

## ARTICLE VIII OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Offices. The officers of this Association shall be a president who shall at all times be a Member of the Board of Directors, a vice-president, a secretary, and a treasurer, and such other officers as the Board may from time to time by resolution create.

Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of the Members.

Section 3. Term. The officers of this Association shall be elected annually by the Board and each shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise disqualified to serve.

Section 4. Special Appointments. The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

Section 5. Resignation and Removal. Any officer may be removed from office with or without cause by the Board. Any officer may resign at any time by giving written notice to the Board, the president or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 6. Vacancies. A vacancy in any office may be filled by appointment by the Board. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.

Section 7. Multiple Offices. The same individual may simultaneously hold more than one office in a corporation.

Section 8. Duties. The duties of the officers are as follows:

### President

(a) The president shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes.

### Vice President

(b) The vice president shall act in the place and stead of the president in the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as may be required of him by the Board.

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#### Secretary

(c) The secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the Members; keep the corporate seal of the Association and affix it on all papers requiring said seal; serve notice of meetings of the Board and of the Members; keep appropriate current records showing the Members of the Association together with their addresses, and shall perform such other duties as required by the Board.

#### Treasurer

(d) The treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall co-sign all checks and promissory notes of the Association; keep property books of account; cause an annual audit of the Association books to be made by a public accountant at the completion of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting, and deliver a copy of each to each of the Members.

### ARTICLE IX COMMITTEES

The Association shall appoint a Design Control Committee, as provided in the Declaration, and a Nominating Committee, as provided in these ByLaws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose.

### ARTICLE X BOOKS AND RECORDS

The books, records and papers of the Association shall at all times, during reasonable business hours, be subject to inspection by any Member. The Declaration, the Articles of Incorporation and the ByLaws of the Association shall be available for inspection by any Member at the principal office of the Association, where copies may be purchased at reasonable cost.

### ARTICLE XI ASSESSMENTS

As more fully provided in the Declaration, each Member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid when due shall be delinquent. If the assessment is not paid within thirty (30) days after the due date, the assessment shall bear interest from the date of delinquency at the maximum rate authorized by law, but not in excess of 18 percent per annum, and the Association may bring an action at law against the Owner personally obligated to pay the same or foreclose the lien against the property, and interest, costs, and reasonable attorney's fees of any such action shall be added to the amount of such assessment. No Owner may waive or otherwise escape liability for the assessments provided for herein by nonuse of the Common Area or abandonment of his Lot.

The proportional share of expenses for each Member shall be computed by applying the fraction consisting of a numerator of one and a denominator equal to the total number of lots subject to the assessment.

### ARTICLE XII CORPORATE SEAL

The Association shall have a seal in circular form having within its circumference the words: SPRING VALLEY HOMEOWNERS ASSOCIATION, INC.

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ARTICLE XIII  
AMENDMENTS

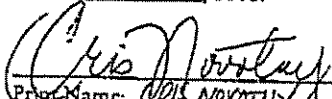
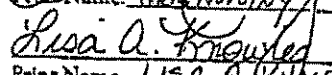
Section 1. These ByLaws may be amended, at a regular or special meeting of the Members, by a vote of a majority of a quorum as specified in Article III, Section 4, herein.

Section 2. In the case of any conflict between the Articles of Incorporation and these ByLaws, the Articles shall control; and in the case of any conflict between the Declaration and these ByLaws, the Declaration shall control.

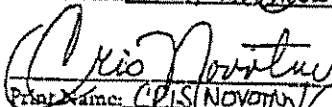
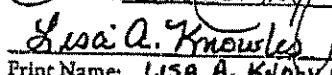
ARTICLE XIV  
MISCELLANEOUS


The fiscal year of the Association shall begin on the first day of January and end on the 31st day of December of every year, except that the first fiscal year shall begin on the date of incorporation.



IN WITNESS WHEREOF, we being all of the directors of the SPRING VALLEY HOMEOWNERS ASSOCIATION, INC., have hereunto set our hands this 14th day of September, 2001.

  
Print Name: CHRIS NOVOTNY  
  
Print Name: LISA A. KNOWLES

  
BARRY S. GOODMAN

  
Print Name: CHRIS NOVOTNY  
  
Print Name: LISA A. KNOWLES

  
JEROME B. FREEDMAN

  
Print Name: CHRIS NOVOTNY  
  
Print Name: Joanne Hughey

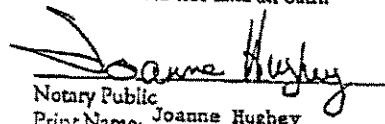
  
LISA A. KNOWLES

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STATE OF FLORIDA  
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 14th day of September, 2001, by BARRY S. GOODMAN, who is personally known to me and did not take an oath.

JOANNE HUGHEY  
Notary Public, State of Florida  
My comm. exp. Feb. 15, 2003  
Comm. No. CC603380

  
Notary Public  
Print Name: Joanne Hughey  
My Commission Expires: 2/15/03

STATE OF FLORIDA  
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 14th day of September, 2001,  
by JEROME B. FREEDMAN, who is personally known to me and did not take an oath.

JOANNE HUGHEY  
Notary Public, State of Florida  
My comm. exp. Feb. 15, 2003  
Comm. No. CC803380

Joanne Hughey  
Notary Public  
Print Name: Joanne Hughey  
My Commission Expires: 2/15/03

STATE OF FLORIDA  
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 14th day of September, 2001,  
by LISA A. KNOWLES, who is personally known to me and did not take an oath.

JOANNE HUGHEY  
Notary Public, State of Florida  
My comm. exp. Feb. 15, 2003  
Comm. No. CC803380

Joanne Hughey  
Notary Public  
Print Name: Joanne Hughey  
My Commission Expires: 2/15/01

CERTIFICATION

I, the undersigned, do hereby certify:

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THAT I am the duly elected and acting secretary of the SPRING VALLEY HOMEOWNERS  
ASSOCIATION, INC., a Florida corporation, and,

THAT the foregoing ByLaws constitute the original ByLaws of said Association, as duly adopted  
by the Board of Directors thereof, on the 14th day of September, 2001.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said  
Association this 14th day of September, 2001.

Christina M. Novotny  
Christina M. Novotny

This instrument prepared by:

Harold E. Scherr, Esq.  
2909 W. State Road 434, Suite 121  
Longwood, Florida 32779

W:\Spring Valley HOA ByLaws\August 29, 2001 B.35am (old)

Prepared by and return to:  
Harold E. Scherr, Esq.  
2909 West State Road 434  
Suite 121-131  
Longwood, FL 32779

CFN 2004130196  
BK 02665 Pgs 1215 - 1217; (3pgs)  
DATE: 09/28/2004 02:04:38 PM  
JAMES C. WATKINS, CLERK OF COURT  
LAKE COUNTY  
RECORDING FEES 27.00

*Return to:*  
*Rudolph M. Clocks*  
*150 Second Avenue North, 17th Fl.*  
*St. Petersburg, FL 33701*

**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
OF SPRING VALLEY**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF SPRING VALLEY ("First Amendment") is made this 22<sup>nd</sup> day of September, 2004, by Siena Home Corporation, a Florida corporation, 2909 West State Road 434, Suite 121-131, Longwood, Florida 32779, hereinafter referred to as "Declarant").

**WITNESSETH**

**WHEREAS**, Declarant created and established that certain Declaration of Covenants, Conditions and Restrictions of Spring Valley, dated August 3, 2001, recorded in O.R. Book 2011, Pages 1661-1679, and re-recorded in O.R. Book 2400, Pages 113-131, all in the Public Records of Lake County, Florida (the "Declaration"), and

**WHEREAS**, the Declaration was established in connection with, and for the facilitation of, the development of the real property described in Exhibit "A" of the Declaration (the "Property") as a single family residential community known as Spring Valley, and

**WHEREAS**, the description of the Property as contained in the Declaration includes, or may include, adjacent undeveloped real property (being more particularly described in Exhibit "A" attached to this First Amendment and hereinafter referred to as the "Excluded Property") which is not being developed as part of the Spring Valley single family residential community and should not be subject to the Declaration, and

**WHEREAS**, Declarant, by this First Amendment, intends to clarify and confirm that the Excluded Property shall not be subject to the Declaration,

**NOW THEREFORE**, Declarant hereby makes this First Amendment and declares as follows:

1. The foregoing recitals are true and correct and are incorporated in this First Amendment by reference.

2. To the extent that the Excluded Property, as described in Exhibit "A" attached hereto, is part of the Property and thereby subject to the Declaration, Declarant hereby declares that the Excluded Property be, and is hereby, excluded and removed as part of the Property and shall not be subject in any way to the Declaration for any terms or conditions thereof.

3. In the event of a conflict between the terms and conditions of this First Amendment and the terms and conditions of the Declaration, this First Amendment shall take precedence and govern. Except as specifically amended hereby, all terms and conditions of the Declaration shall remain in full force and effect.

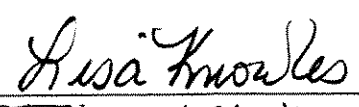
IN WITNESS WHEREOF, Declarant has made and declared this First Amendment on the date first above written.

DECLARANT

Siena Home Corporation,  
a Florida corporation

By: 

Jerome B. Freedman, President



Print Name: LISA KNOWLES



Print Name: JOANNE HUGHEY

STATE OF FLORIDA  
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of September, 2004, by JEROME B. FREEDMAN, President of Siena Home Corporation, a Florida corporation, on behalf of the corporation. He is personally known to me and did not take an oath.

  
Print Name: HAROLD E. SCHERR  
My Commission Expires: 6/1/05



Harold E. Scherr  
My Commission DD026829  
Expires June 01 2005



### LEGAL DESCRIPTION

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION, 32 TOWNSHIP 22, RANGE 26 EAST, LAKE COUNTY, FLORIDA; THENCE RUN NORTH  $00^{\circ}14'09''$  EAST, ALONG THE EAST LINE OF SAID SOUTHWEST  $\frac{1}{4}$ , A DISTANCE OF 630.69 FEET; THENCE RUN NORTH  $63^{\circ}57'11''$  WEST 161.74 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 250.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE 111.59 FEET THROUGH A CENTRAL ANGLE OF  $25^{\circ}34'28''$  TO THE POINT OF TANGENCY; THENCE RUN NORTH  $89^{\circ}31'40''$  WEST A DISTANCE OF 68.61 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH  $89^{\circ}31'40''$  WEST 334.98 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1640.00 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE 261.92 FEET, THROUGH A CENTRAL ANGLE OF  $09^{\circ}09'02''$ , A CHORD DISTANCE OF 261.64 FEET AND A CHORD BEARING OF NORTH  $17^{\circ}02'34''$  WEST TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 710.00 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE 465.91 FEET, THROUGH A CENTRAL ANGLE OF  $37^{\circ}35'54''$  TO A POINT OF COMPOUND CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 610.00 FEET; THENCE RUN NORTHEASTERLY ALONG THE ARC OF SAID CURVE 217.63 FEET, THROUGH A CENTRAL ANGLE OF  $20^{\circ}26'28''$  TO THE END OF SAID CURVE; THENCE RUN SOUTH  $53^{\circ}34'40''$  EAST, 10.00 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 600.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE 302.91 FEET, THROUGH A CENTRAL ANGLE OF  $28^{\circ}55'34''$ , A CHORD DISTANCE OF 299.71 FEET AND A CHORD BEARING OF NORTH  $50^{\circ}53'05''$  EAST TO THE POINT OF TANGENCY THENCE RUN NORTH  $65^{\circ}20'51''$  EAST 183.80 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 27; THENCE RUN SOUTH  $24^{\circ}47'41''$  EAST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE 843.58 FEET; THENCE DEPARTING SAID SOUTHWESTERLY RIGHT-OF-WAY LINE RUN SOUTH  $65^{\circ}12'19''$  WEST 465.75 FEET; THENCE RUN SOUTH  $00^{\circ}00'00''$  EAST 202.87 FEET TO THE POINT OF BEGINNING.