

MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 07333 Pgs 0799 - 802; (4pgs)
CLERK'S # 2010015353
RECORDED 02/10/2010 10:19:10 AM
RECORDING FEES 35.50
RECORDED BY T Smith

THIS INSTRUMENT WAS PREPARED BY
AND SHOULD BE RETURNED TO:

Gary M. Kaleita, Esquire
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
Post Office Box 2809
Orlando, FL 32802-2809
(407) 843-4600

**NOTICE OF PRESERVATION OF WINGFIELD NORTH
DECLARATION OF COVENANTS AND RESTRICTIONS**

THIS NOTICE OF PRESERVATION OF WINGFIELD NORTH DECLARATION OF COVENANTS AND RESTRICTIONS (the "Notice") is executed this 6th day of February, 2010, by **WINGFIELD NORTH HOMEOWNERS' ASSOCIATION, INC.**, a Florida non-profit corporation, whose address is c/o Sentry Management, Inc., 2180 W State Road 434, Suite 5000, Longwood, Florida 32779-5044 (the "Association");

WITNESSETH:

WHEREAS, the Association is the non-profit homeowners association formed for the governance of the residential subdivision known as Wingfield North located in Seminole County, Florida (the "Subdivision"); and

WHEREAS, the Subdivision is governed by the provisions of that certain Wingfield North Declaration of Covenants and Restrictions dated October 26, 1981 and recorded in Official Records Book 1373, Page 3, of the Public Records of Seminole County, Florida, as the same has been amended and supplemented from time to time (the "Declaration"); and

WHEREAS, pursuant to Sections 712.05 and 712.06, 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.

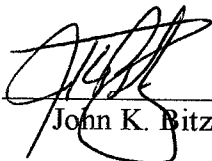
2. **Preservation of Declaration**. On Monday, February 1, 2010, the Board of Directors of the Association voted unanimously to preserve the Declaration and protect the Declaration from extinguishment by the operation of the Marketable Record Titles to Real Property Act, Chapter 712, Florida Statutes, pursuant to the provisions of Section 712.05, 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 among the Public Records of Seminole County, Florida.

3. **Statement of Marketable 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, 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.


WINGFIELD NORTH HOMEOWNERS' ASSOCIATION, INC., a Florida non-profit corporation

By: 
John K. Bitzer, President

STATE OF FLORIDA
COUNTY OF SEMINOLE

The foregoing instrument was acknowledged before me this 6th day of February, 2010, by John K. Bitzer, as President of WINGFIELD NORTH HOMEOWNERS' ASSOCIATION, INC., a Florida non-profit corporation, on behalf of the corporation. He is personally known to me or has produced FLDL as identification.

(NOTARY SEAL)


Notary Public Signature
Tara J Richardson
(Name typed, printed or stamped)

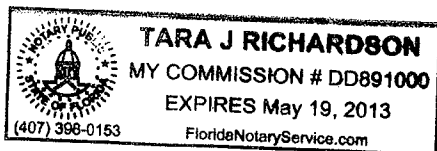


EXHIBIT A

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF SEMINOLE

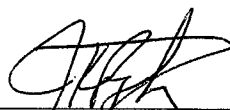
Before me, the undersigned authority, this day personally appeared **JOHN K. BITZER** ("Affiant"), who having been duly sworn, did depose and say as follows:

1. That Affiant is the President and is a Director of Wingfield North Homeowners' Association, Inc., a Florida non-profit corporation (the "Association").

2. That the Association is the homeowners association which governs the community known as Wingfield North, located in Seminole County, Florida, pursuant to that certain Wingfield North Declaration of Covenants and Restrictions dated October 26, 1981 and recorded in Official Records Book 1373, Page 3, Public Records of Seminole County, Florida, as the same has been amended from time to time (the "Declaration").

3. That the Board of Directors of the Association caused a statement in substantially the form required by Section 712.06(b), 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 February 1, 2010, at which the Board of Directors voted unanimously to preserve the covenants and restrictions contained in the Declaration. A copy of the Board's notice containing that statement is attached hereto as **Exhibit B**.

FURTHER AFFIANT SAYETH NOT.



John K. Bitzer, President and Director of
Wingfield North Homeowners' Association,
Inc.

The foregoing Affidavit was sworn to and subscribed before me this 6th day of February, 2010.

(NOTARY SEAL)



Notary Public Signature
Tara Richardson
(Name typed, printed or stamped)

EXHIBIT "B"

**NOTICE OF BOARD OF DIRECTORS VOTE ON
PROPOSED PRESERVATION OF
WINGFIELD NORTH DECLARATION
OF COVENANTS AND RESTRICTIONS**

Notice is hereby given to all Members of Wingfield North Homeowners' Association, Inc. (the "Association") that at the annual meeting of the Members which is to take place at 7:00 p.m. on Monday, February 1, 2010 at 350 Vista Oak Drive, Longwood, Florida 32779, the Board of Directors of the Association intends to vote on a proposal to preserve the Wingfield North Declaration of Covenants and Restrictions dated October 26, 1981 and recorded in Official Records Book 1373, Page 3 of the Public Records of Seminole County, Florida, as amended (collectively, the "Declaration").

Copies of the Declaration and other governing documents of the Association can be found on the "Resources" page of the Association's website, www.wingfieldnorth.com. If action is not taken before October 26, 2011 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, Florida Statutes.

If at least 2/3rds of the Board of Directors votes at the annual meeting 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 Wingfield North Homeowners' Association, Inc. (the "Association") has taken action to ensure that the Wingfield North Declaration of Covenants and Restrictions recorded in Official Records Book 1373, Page 3 of the Public Records of Seminole 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, Florida Statutes, to be recorded in the Public Records of Seminole 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.