

**AFFIDAVIT OF MAILING OR HAND DELIVERY
OF STATEMENT OF MARKETABLE TITLE ACTION**

STATE OF FLORIDA
COUNTY OF COLLIER

BEFORE ME, the undersigned authority, personally appeared Norman Brown, President of Valley Oak Homeowners' Association at the Vineyards, Inc. (the "Affiant"), who having been duly sworn, did depose and say as follows:

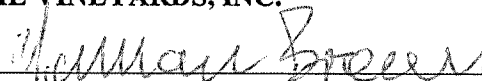
1. That the Affiant is the President and is a Director of Valley Oak Homeowners' Association at the Vineyards, Inc. (the "Association") a Florida not-for-profit corporation (the "Association").

2. That the Association is the homeowners' association which governs the community known as Valley Oak, located in Collier County, Florida, pursuant to that certain Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Valley Oak originally recorded on October 09, 1987 at OR Book 1301, Page 812 *et. seq.* of the Public Records of Collier 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 Florida Statutes section 712.06(1)(b) to be mailed or hand delivered 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 at 5435 Jaeger Rd. #4, Naples, FL 34109 on September 21, 2017 at 2 PM, 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 of Marketable Title Action is attached hereto.

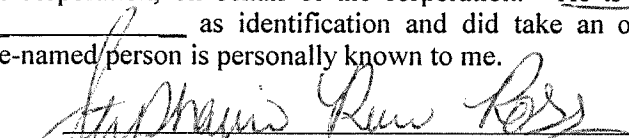
FURTHER AFFIANT SAYETH NOT.

**VALLEY OAK HOMEOWNERS' ASSOCIATION
AT THE VINEYARDS, INC.**



Norman Brown, President,

The foregoing instrument was sworn to before me this 1st day of October, 2017 by Norman Brown, as President of Valley Oak Homeowners' Association at the Vineyards, Inc. a Florida not-for-profit corporation, on behalf of the corporation. He is personally known to me, or has produced _____ as identification and did take an oath. If no type of identification is indicated, the above-named person is personally known to me.

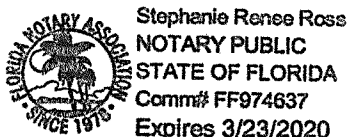


Notary Public Signature

Print Name: Stephanie Renee Ross

My Commission Expires: 3/23/20

/SEAL/



**NOTICE OF BOARD OF DIRECTORS VOTE
ON PROPOSED PRESERVATION OF DECLARATION OF PROTECTIVE
COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR VALLEY OAK**

Notice is hereby given to all members of Valley Oak Homeowners' Association at the Vineyards, Inc. (the "Association") that at the next meeting of the Board of Directors which is to take place at 5435 Jaeger Road, Suite 4, Naples, Florida, on September 21, 2017 at 2 PM the Board of Directors of the Association intends to vote on a proposal to preserve the Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Valley Oak, and all exhibits thereto, originally recorded on October 09, 1987 at OR Book 1301, Page 812 *et. seq.* in the Public Records of Collier County, Florida and as may be amended from time to time (the "Declaration").

If action is not taken before October 08, 2017 to preserve the Covenants, Conditions, 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 two-thirds ($\frac{2}{3}$) of the Board of Directors vote at the Board Meeting to preserve the Declaration, then the Declaration will be renewed for a period of thirty (30) years.

The following Statement is hereby given to all Members as required by Florida Statutes Chapter 712:

STATEMENT OF MARKETABLE TITLE ACTION

The Valley Oak Homeowners' Association at the Vineyards, Inc. (the "Association") has taken action to ensure that the Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Valley Oak, recorded in Official Records Book 1301, Page 812 *et. seq.* of the public records of Collier 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, the Association shall cause the notice required by chapter 712, Florida Statutes, to be recorded in the public records of Collier 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.

**NOTICE OF PRESERVATION OF DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR VALLEY OAK**

Pursuant to Chapter 712, Florida Statutes, the undersigned Claimant files this Notice of Preservation of Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Valley Oak and in support thereof states:

WHEREAS, Valley Oak Homeowners' Association at the Vineyards, Inc. (the "Association"), is a Florida corporation, not-for-profit, whose mailing address is c/o Newell Property Management, 5435 Jaeger Rd. #4, Naples, FL 34109, and whose Articles of Incorporation were originally filed in the office of the Secretary of State on October 09, 1987.

WHEREAS, the Association was organized for the purpose of operating the Association pursuant to that Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Valley Oak originally recorded on October 09, 1987 at OR Book 1301, Page 0812 *et. seq.* and on October 21, 1992 at OR Book 1763, Page 1051 *et. seq.* of the Public Records of Collier County, Florida, as supplemented, amended, and restated from time to time (the "Declaration").

WHEREAS, the property affected by this Notice is legally described on **Exhibit "A"** attached hereto and made a part hereof.

WHEREAS, pursuant to Section 712.05 and 712.06, Florida Statutes, the Association desires to and has taken the action necessary to preserve the covenants, conditions and restrictions which are the subject of the Declaration by 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. **Notice of Preservation.** 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 attached hereto 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 to be mailed to all members of the Association and further attached the original Statement of Marketable Title Action which was mailed to all members of the Association as **Composite Exhibit B**.
3. **Preservation of Declaration.** On 9/21/17 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 Title 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 that certain Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Valley Oak originally recorded on October 09, 1987 at OR Book 1301, Page 0812 *et. seq.* and on October 21, 1992 at OR Book 1763, Page 1051 *et. seq.* of the Public Records of Collier County, Florida, as supplemented, amended, and restated from time to time (the "Declaration"), for another period of thirty (30) years following the recordation of this Notice among

the Public Records of Collier County, Florida.

Dated this 6th day of October, 2017.

VALLY OAK HOMEOWNERS' ASSOCIATION
AT THE VINEYARDS, INC.



Witness Signature
Print Name: Wendy Martinez

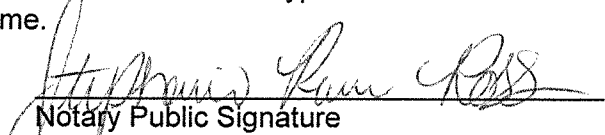
By: Norman Brown
Norman Brown, President



Witness Signature
Print Name: Cynthia Jackson

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 1st day of October, 2017, by Norman Brown, President of Valley Oak Homeowners' Association at the Vineyards,, Inc. a Florida Not-For-Profit Corporation, on behalf of the corporation. He is personally known to me or produced _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.



Notary Public Signature

Print Name: Stephanie Renee Ross

/SEAL/

My Commission Expires: 3/23/20



Stephanie Renee Ross
NOTARY PUBLIC
STATE OF FLORIDA
Comm# FF974637
Expires 3/23/2020

This instrument is being re-recorded to attach Exhibit "A".

**NOTICE OF PRESERVATION OF DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR VALLEY OAK**

Pursuant to Chapter 712, Florida Statutes, the undersigned Claimant files this Notice of Preservation of Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Valley Oak and in support thereof states:

WHEREAS, Valley Oak Homeowners' Association at the Vineyards, Inc. (the "Association"), is a Florida corporation, not-for-profit, whose mailing address is c/o Newell Property Management, 5435 Jaeger Rd. #4, Naples, FL 34109, and whose Articles of Incorporation were originally filed in the office of the Secretary of State on October 09, 1987.

WHEREAS, the Association was organized for the purpose of operating the Association pursuant to that Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Valley Oak originally recorded on October 09, 1987 at OR Book 1301, Page 0812 *et. seq.* and on October 21, 1992 at OR Book 1763, Page 1051 *et. seq.* of the Public Records of Collier County, Florida, as supplemented, amended, and restated from time to time (the "Declaration").

WHEREAS, the property affected by this Notice is legally described on **Exhibit "A"** attached hereto and made a part hereof.

WHEREAS, pursuant to Section 712.05 and 712.06, Florida Statutes, the Association desires to and has taken the action necessary to preserve the covenants, conditions and restrictions which are the subject of the Declaration by 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. **Notice of Preservation.** 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 attached hereto 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 to be mailed to all members of the Association and further attached the original Statement of Marketable Title Action which was mailed to all members of the Association as **Composite Exhibit B.**
3. **Preservation of Declaration.** On 9/21/17 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 Title 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 that certain Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Valley Oak originally recorded on October 09, 1987 at OR Book 1301, Page 0812 *et. seq.* and on October 21, 1992 at OR Book 1763, Page 1051 *et. seq.* of the Public Records of Collier County, Florida, as supplemented, amended, and restated from time to time (the "Declaration"), for another period of thirty (30) years following the recordation of this Notice among

*** OR 5436 PG 3963 ***

the Public Records of Collier County, Florida.

Dated this 6th day of October, 2017.

VALLY OAK HOMEOWNERS' ASSOCIATION
AT THE VINEYARDS, INC.

[Signature]

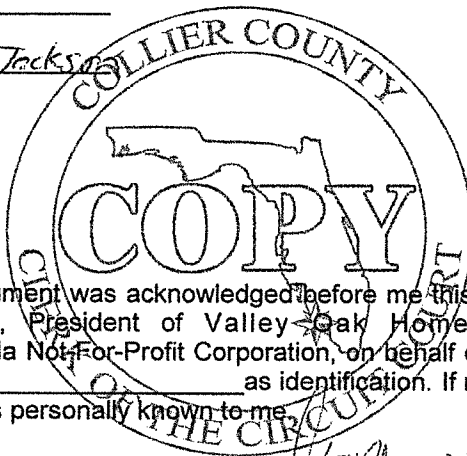
Witness Signature
Print Name: Wendie Martinez

By: [Signature]

Norman Brown, President

[Signature]

Witness Signature
Print Name: Cynthia Jackson



STATE OF FLORIDA
COUNTY OF COLLIER

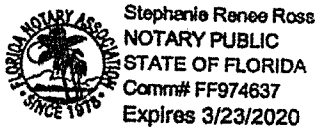
The foregoing instrument was acknowledged before me this 1st day of October, 2017, by Norman Brown, President of Valley Oak Homeowners' Association at the Vineyards, Inc. a Florida Not-For-Profit Corporation, on behalf of the corporation. He is personally known to me or produced _____ as identification. If no type of identification is indicated, the above-named person is personally known to me.

[Signature]

Notary Public Signature
Print Name: Stephanie Renee Ross

/SEAL/

My Commission Expires: 3/23/20



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VALLEY OAK SUBDIVISION DESCRIPTION

All of Blocks A, B, and C and all of Tract J & K in The Vineyards Unit One, as recorded in Plat Book 14, Pages 67 through 74, inclusive, of the Public Records of Collier County, Florida; and all of Blocks D, E, F, G, H and I, a Replat of Tract K of the Vineyards Unit One, as recorded in Plat Book 14, Pages 86 through 88, inclusive, of the Public Records of Collier County, Florida.

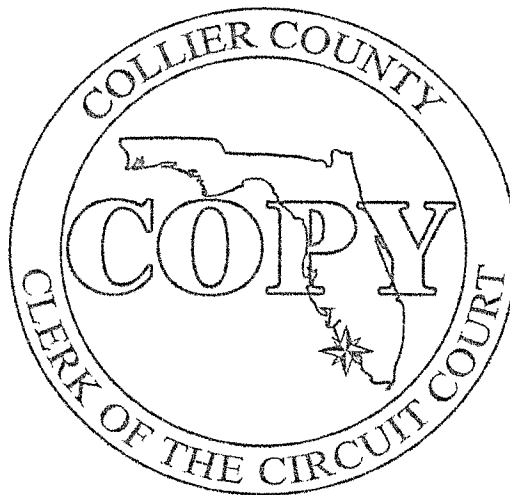


Exhibit "A"

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EXHIBIT B
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A strip of land of lying in Section 8, Township 49 South, Range 26 East, being part of The Vineyards Unit One Tract J as recorded in Plat Book 14, Pages 67 through 74 records of Collier County, State of Florida, for road purposes said strip being 60' wide lying 30' on each side of the following described line.

(Stonegate Court)

Beginning at the intersection of Arbor Boulevard and Stonegate Court as shown on said Vineyards Unit One Plat; thence N 15°26'34" W a distance of 266.91 feet; thence S 74°33'26" W a distance of 20.00 feet to a POINT OF ENDING, said point being the center of a cul de sac having a radius of 50 feet.

(Monterey Drive)

Beginning at the intersection of Arbor Boulevard and Monterey Drive as shown on said Vineyards Unit One Plat; thence N 67°33'47" W a distance of 1070.63 feet to the beginning of tangential circular curve concave to the northeast thence run northwesterly along the arc of said curve to right having a radius of 200.00 feet, through a central angle of 28°07'23", for a distance of 98.17 to the end of said curve; thence N 39°26'24" W a distance of 341.42 feet to a POINT OF ENDING, said point being the east line of Tract K.

(Santa Maria Lane)

Beginning at the intersection of Monterey Drive and Santa Maria Lane as shown on said Vineyards Unit One Plat, thence N 51°48'32" E a distance of 331.67 feet to POINT OF ENDING, said point being the intersection of Silverado Drive and Santa Maria Lane.

(Silverado Drive)

Beginning at the intersection of Monterey Drive and Silverado Drive as shown on said Vineyards Unit One Plat; thence N 22°42'12" E a distance of 264.42 feet to the beginning of a tangential circular curve concave to the southwest; thence run northwesterly along the arc of said curve to the left, having a radius of 55.00 feet, through a central angle of 90°02'16", for a distance of 86.43 feet to the end of said curve; thence N 67°20'04" W a distance of 535.61 feet to the beginning of a tangential circular curve concave to the northeast; thence run northwesterly along the arc of said curve to the right, having a radius of 200.00 feet, through a central angle of 27°10'32", for a distance of 94.86 feet to the end of said curve; thence N 40°09'32" W a distance of 292.32 feet to a POINT OF ENDING, said point being the east line of Tract K.

4091 Colonial Boulevard
Fort Myers, Florida 33912
813/936-4003
FAX: 813/936-4010

Naples: 813/649-1551
FAX: 813/649-7112

Marco Island: 813/394-1697
FAX: 813/394-5584

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Anchor Engineering

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EXHIBIT B
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A strip of land lying in Section 8, Township 49 South, Range 26 East, being a part of The Vineyards Unit One Tract S as recorded in Plat Book 14, Pages 86 through 88 records of Collier County, State of Florida, for road purposes said strip being 60 feet wide lying 30 feet on each side of the following described line:

(Monterey Drive)

Beginning at the west line of Tract J on Monterey Drive as shown on said Vineyards Unit One Plat; thence N 39°26'24" W a distance of 257.57 feet to the beginning of a tangential curve concave to the east; thence run northerly along the arc of said curve to the right, having a radius of 120.00 feet, through a central angle of 34°06'29", for a distance of 71.44 feet to the end of said curve; thence N 05°19'55" W a distance of 588.78 feet to the beginning of tangential circular curve concave to the southeast; thence run northeasterly along the arc of said curve to the right having a radius of 150.00 feet, through a central angle of 45°45'41", for a distance of 119.80 feet to the end of said curve; thence N 40°25'46" E a distance 283.62 feet to the beginning of a tangential circular curve concave to the northwest; thence run northerly along the arc of said curve to the left, having a radius of 120.00 feet, through a central angle of 46°40'47" for a distance of 97.77 feet to the end of said curve; thence N 06°15'01" W a distance of 252.71 feet to the beginning of a tangential circular curve concave to the east; thence run northeasterly along the arc of said curve to the right, having a radius of 180.00 feet, through a central angle of 49°49'45" for a distance of 156.54 feet to the end of said curve; thence N 43°34'44" E a distance of 406.51 feet to the beginning of a tangential circular curve concave to the southeast; thence run easterly along the arc of said curve to the right, having a radius of 125.00 feet, through a central angle of 41°02'21" for a distance of 89.53 feet to the end of said curve; thence N 84°37'05" E a distance of 382.01 feet to the beginning of tangential circular curve concave to the southwest; thence run southeasterly along the arc of said curve to the right, having a radius of 150.00 feet, through a central angle 35°14'38", for a distance of 92.27 feet to the end of said curve; thence S 60°08'17" E a distance of 71.05 feet to the beginning of a tangential circular curve concave to the west; thence run southeasterly, southerly and southwesterly along the arc of said curve to the right, having a radius of 75.00 feet, through a central angle of 102°34'10", for a distance of 134.26 feet to the end of said curve; thence S 42°25'53" W a distance of 128.07 feet to the beginning of a tangential circular curve concave to the northwest; thence run southwesterly along the arc of said curve to the right, having a radius of 150.00 feet, through a central angle of 41°49'05" for a distance of 109.48 feet to the end of said curve; thence S 84°14'58" W a distance of 196.78 to the beginning of a tangential curve concave to the southeast; thence

4081 Colonial Boulevard
Fort Myers, Florida 33912
813/936-4003

Naples: 813/649-1551
FAX: 813/649-7112

Marco Island: 813/394-1897

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run southerly along the arc of said curve to the left, having a radius of 140.00 feet, through a central angle of $39^{\circ}22'08''$ for a distance of 96.20 feet to the end of said curve; thence $S 44^{\circ}52'50'' W$ a distance of 189.79 feet to the beginning of tangential curve concave to the southeast; thence run southerly along the arc of said curve to the left having a radius of 110.00 feet, through a central angle of $51^{\circ}41'16''$, for a distance of 99.23 feet to the end of said curve; thence $S 06^{\circ}48'26'' E$ a distance of 251.80 feet to the beginning of tangential circular curve concave to the northeast; thence run southeasterly along the arc of said curve to the left having a radius of 220.00 feet, through a central angle of $24^{\circ}29'13''$, for a distance of 94.02 feet; thence $S 31^{\circ}17'39'' E$ 79.10 feet to a POINT OF ENDING, said point being the intersection of Silverado Drive and Monterey Drive.

(Silverado Drive)

Beginning at the west line of Tract J on Silverado Drive as shown on said Vineyards Unit One Plat; thence $N 40^{\circ}09'32'' W$ a distance of 183.56 feet to the beginning of a tangential circular curve concave to the northeast; thence run northerly along the arc of said curve to the right having a radius of 120.00 feet, through a central angle of $34^{\circ}47'41''$, for a distance of 72.87 feet to the end of said curve; thence $N 05^{\circ}21'51'' W$ a distance of 336.16 feet to the beginning of a tangential circular curve concave to the southeast; thence run northeasterly along the arc of said curve to the right having a radius of 125.00 feet through a central angle of $65^{\circ}36'00''$, for a distance of 143.12 feet to the end of said curve; thence $N 60^{\circ}14'09'' E$ a distance of 335.41 feet to the beginning of a tangential circular curve concave to the south; thence run southeasterly along the arc of said curve to the right, having a radius of 160.00 feet, through a central angle of $32^{\circ}50'59''$, for a distance of 91.73 feet to the end of said curve; thence $S 86^{\circ}54'52'' E$ a distance of 264.51 feet to the beginning of a tangential circular curve concave to the southwest; thence run southeasterly along the arc of said curve to the right having a radius of 200.00 feet, through a central angle of $33^{\circ}02'56''$, for a distance of 115.36 feet to the end of said curve; thence $S 53^{\circ}51'56'' E$ a distance of 493.69 feet to the beginning of a tangential circular curve concave to the northeast; thence run easterly along the arc of said curve to the left having a radius of 80.00 feet through a central angle of $51^{\circ}57'34''$, for a distance of 72.55 feet to the end of said curve; thence $N 74^{\circ}10'30'' E$ a distance of 168.12 feet; thence $S 15^{\circ}49'30'' E$ a distance of 20.00 feet to a POINT OF ENDING, said point being the center of a cul de sac having a radius of 50 feet.

(Sonoma Lane)

Beginning at the intersection of Monterey Drive and Sonoma Lane as shown on said Vineyards Unit One Plat; thence $S 89^{\circ}22'44'' E$ a distance of 264.86 feet to the beginning of a tangential circular curve concave to the north; thence run easterly along the arc of said curve to the left having a radius of 600.00 feet, through a central angle of $05^{\circ}14'08''$ for a distance of 54.83 feet to a POINT OF ENDING at the intersection of Monterey Drive, Sonoma Lane and

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Sonoma Court.

(Sonoma Court)

Beginning at the intersection of Monterey Drive, Sonoma Lane and Sonoma Court as shown on said Vineyards Unit One Plat, thence run easterly along the arc of a tangential circular curve to the left, having a radius of 600.00 feet, through a central angle of 05°14'08" for a distance of 55.02 feet to the end of said curve; thence N 80°07'55" E for a distance of 170.59 feet to the beginning of a tangential circular curve concave to the south; thence run easterly along the arc of said curve to the right, having a radius of 600.00 feet through a central angle of 14°07'37", for a distance of 14.79 feet to the end of said curve; thence S 85°44'28" E a distance of 50.35 feet to the beginning of a tangential circular curve concave to the north; thence run northeasterly along the arc of said curve to the left, having a radius of 95.00 feet, through a central angle of 27°23'51" for a distance of 45.43 feet to the end of said curve; thence N 66°51'44" E a distance of 92.28 feet to a POINT OF ENDING, said point being the center of a cul de sac having a radius of 50 feet.

(Cloudstone Court)

Beginning at the intersection of Monterey Drive and Cloudstone Court as shown on said Vineyards Unit One Plat; thence N 35°20'32" E a distance of 536.24 feet to a POINT OF ENDING, said point being the center of a cul de sac having a radius of 50 feet.

(Cinzano Court)

Beginning at the intersection of Silverado Drive and Cinzano Court as shown on said Vineyards Unit One Plat; thence N 37°21'59" E a distance of 311.65 feet to the beginning of a tangential circular curve concave to the southeast; thence run northeasterly along the arc of said curve to the right having a radius of 25.00 feet, through a central angle of 41°53'23" for a distance of 18.28 feet to the end of said curve; thence N 79°15'22" E a distance of 41.93 feet; thence S 10°44'38" E a distance of 20.00 feet to a POINT OF ENDING, said point being the center of a cul de sac having a radius of 50 feet.

