

111 N. Orange Avenue
Suite 1400
Orlando, Florida 32801

July 8, 2014

Board of Directors
Rose Hill Phase II Homeowners Association, Inc.
c/o Central Association Management, LLC
Attn. Frayda Morris
1136 E. Donegan Avenue
Kissimmee, Florida 34744

Re: MRTA/Preservation

Dear Member of the Board:

Enclosed for your review and corporate records, please find herein the original, recorded Notice of Preservation of Declaration of Covenants and Restrictions Rose Hill Phase II and Use Agreement ("Notice of Preservation") recorded on May 30, 2014 at Official Records Book 10751, Page 2977 in the Public Records of Orange County, Florida. Also enclosed, is the original Affidavit of Publication ("Affidavit") from the Winter Park/Maitland Observer of the Notice of Preservation of Declaration of Covenants and Restrictions Rose Hill Phase II and Use Agreement that was published on June 19, 2014 and June 26, 2014. Please be advised that our office has retained a copy of the Notice of Preservation and the Affidavit for our file.

Please note, the cost of publication was \$70.00. We have enclosed a copy of the invoice from Florida Legal Advertising, Inc. for the cost of publication. Please provide our office with a check made payable to Florida Legal Advertising, Inc., in the amount of \$70.00 so that we may submit payment to them for the publication of the Notice of Preservation.

As always, should you have any questions or concerns regarding this matter or any other legal matter, please do not hesitate to contact our office.

Sincerely,



Elizabeth A. Lanham-Patrie

ELP/mnr

This instrument prepared by and)
should be returned to:)

Elizabeth A. Lanham-Patrie, Esquire)
Becker & Poliakoff, P.A.)
111 North Orange Ave.)
Suite 1400)
Orlando, FL 32801)



**NOTICE OF PRESERVATION OF
DECLARATION OF COVENANTS AND RESTRICTIONS
ROSE HILL PHASE II
AND
USE AGREEMENT**

THIS NOTICE is being recorded pursuant to Sections 712.05 and 712.06, Florida Statutes, in order to preserve the easements, restrictions, covenants, conditions and all other provisions of the following documents:

- 1 Declaration of Covenants and Restrictions Rose Hill Phase II recorded at Official Records Book 3712, Page 2576 on November 12, 1985 ("Declaration"); and
 - 2 Use Agreement recorded at Official Records Book 3719, Page 2035 ("Use Agreement")
- all of the Public Records of Orange County, Florida.

The property affected by this Notice is described as: **Rose Hill Phase II, according to the Plat thereof as recorded at Plat Book 16, Pages 34 and 35 inclusive of the Public Records of Orange County, Florida.**

The name and address of the homeowners' association filing this Notice on behalf of the Members is Rose Hill Phase II Homeowners Association, Inc., a Florida non profit corporation, c/o Frayda Morris, Central Association Management, LLC, 1136 E. Donegan Ave., Kissimmee, FL 34744 (hereinafter "Association").

Attached hereto as **Exhibit "A"** is an Affidavit executed by the President of the Association affirming that the meeting's date, time, place and the Statement of Marketable Title Action required by Section 712.06(1)(b), Florida Statutes, was mailed to the Members at least seven (7) days prior to the Special Board of Directors Meeting, where the Board of Directors approved the preservation of the Declaration and Use Agreement.

By their signatures below, the President and Secretary of the Association hereby certify that preservation of the Declaration and the Use Agreement was duly approved by at least two-thirds (2/3) of the members of the Board of Directors at a Special Board of Directors Meeting held on **April 17, 2014**.

(Signatures on Next Page)

EXECUTED at Ocoee (city), Orange County, Florida, on this 1 day of May, 2014.

WITNESSES:

Frayda R. Morris
Print Name: Frayda Morris
Mike Kieres
Print Name: Mike Kieres

Brandy M. Smith
Print Name: Brandy Smith
Cindy L. Turek
Print Name: Cindy Turek

ROSE HILL PHASE II HOMEOWNERS
ASSOCIATION, INC.

By: [Signature]
Print Name: Kevin Gilbert
President
Address: 1136 East Doregan Ave
Kissimmee, FL 34784

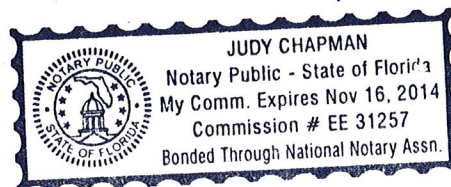
Attest: [Signature]
Print Name: Christine Gilbert
Secretary
Address: 1136 East Doregan Ave
Kissimmee FL 34784
(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF Osceola

THE FOREGOING INSTRUMENT was acknowledged before me this 1 day of May, 2014, by Kevin Gilbert and Christine Gilbert, as the President and Secretary, respectively, of **ROSE HILL PHASE II HOMEOWNERS ASSOCIATION, INC.**, a Florida not-for-profit corporation, who (check one) ☒ are personally known to me or ☐ produced _____ (type of identification) as identification. They acknowledged executing this document in the presence of two subscribing witnesses, freely and voluntarily, under authority duly vested in them by said corporation.

WITNESS my hand and official seal in the County and State last aforesaid on this 1 day of May, 2014.

[Signature]
Notary Public - State of Florida
Print Name: JUDY CHAPMAN
Commission No.: EE 31257
My Commission Expires: 11/16/2014



ACTIVE: R22982/354302:5464432_1_BPATRIE

EXHIBIT "A"

AFFIDAVIT OF KEVIN GILBERT

STATE OF FLORIDA
COUNTY OF ORANGE

BEFORE ME, the undersigned authority personally appeared **KEVIN GILBERT**, who, after first being duly sworn, deposes and says:

1. I am the President of Rose Hill Phase II Homeowners Association, Inc. (the "Association"), and I have personal knowledge of the matters contained herein and know them to be true and correct.

2. That a Special Board of Directors Meeting was scheduled for **Thursday, April 17, 2014 at 6:30 p.m.** That the Board of Directors of the Association caused a notice setting forth the date, time, place and the Statement of Marketable Title Action, which is set forth below, to be mailed to the Members of the Association not less than seven (7) days prior to the Special Board of Directors Meeting, at which the Board of Directors voted to preserve the Declaration of Covenants and Restrictions Rose Hill Phase II recorded at Official Records Book 3712, Page 2576 on November 12, 1985 ("Declaration") and the Use Agreement recorded at Official Records Book 3719, Page 2035 ("Use Agreement") both of the Public Records of Orange County, Florida currently burdening the property of the Members of the Association pursuant to Chapter 712, Florida Statutes.

STATEMENT OF MARKETABLE TITLE ACTION

The Rose Hill Phase II Homeowners Association, Inc. (the "Association") has taken action to ensure that the Declaration of Covenants and Restrictions Rose Hill Phase II recorded at Official Records Book 3712, Page 2576 on November 12, 1985 ("Declaration") and the Use Agreement recorded at Official Records Book 3719, Page 2035 ("Use Agreement") both of the Public Records of Orange County, Florida, all as may be amended from time to time, currently burdening the property of each and every member of the Association, retain 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 Orange 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.

(Signature on Next Page)

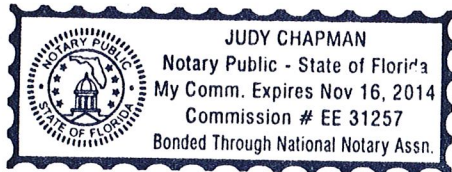
FURTHER AFFIANT SAYETH NAUGHT.

Affiant, KEVIN GILBERT

STATE OF FLORIDA
COUNTY OF OSCEOLA

The foregoing instrument was sworn and subscribed before me this 21st day of April, 2014, by **KEVIN GILBERT, as the President of Rose Hill Phase II Homeowners Association, Inc.**, a Florida not-for-profit corporation, on behalf of the corporation. He ☒ is personally known to me or ☐ has produced _____ as identification.

(NOTARY SEAL)



NOTARY PUBLIC - STATE OF FLORIDA
Print Name: JUDY CHAPMAN
Commission No.: _____
Commission Expires: _____

ACTIVE: R22982/354302:5498669_1_BPATRIE



Observer

Winter Park / Maitland

Published Weekly

Winter Park, Orange County, Florida

STATE OF FLORIDA

COUNTY OF ORANGE

Before the undersigned authority personally appeared Sharon P. Elkins, who on oath says that he/she is Publisher's representative of the Winter Park/Maitland Observer, a weekly newspaper published at Winter Park & Maitland in Orange County, Florida; that the attached copy of advertisement,

being a Notice of Preservation of Declaration of Covenants and Restrictions in the matter of Rose Hill Phase II and Use Agreement

In the issues of June 19, 2014 June 26, 2014

Affiant further says that the said Winter Park/Maitland Observer is a newspaper published at Winter Park & Maitland in said Orange County, Florida and that the said newspaper has heretofore been continuously published in said Orange County, Florida, each week and has been entered as periodicals matter at the post office in Winter Park in said Orange County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.



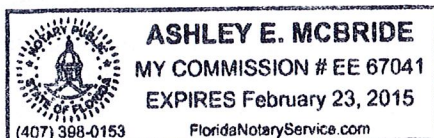
Sharon P. Elkins

Sworn to and subscribed before me this 26 day of June, 2014 by Sharon P. Elkins, who is personally known to me.



Ashley E. McBride

Notary Public, State of Florida
(SEAL)



NOTICE OF PRESERVATION OF DECLARATION OF COVENANTS AND RESTRICTIONS ROSE HILL PHASE II AND USE AGREEMENT

The Notice of Preservation of Declaration of Covenants and Restrictions Rose Hill Phase II and Use Agreement was recorded at Official Records Book 10751, Page 2977 in the Public Records of Orange County, Florida by Elizabeth A. Lanham-Patrie, Becker & Polakoff, P.A., 111 N. Orange Avenue, Suite 1400, Orlando, Florida, (407) 875-0955.

THIS NOTICE is being recorded pursuant to Sections 712.05 and 712.06, Florida Statutes, in order to preserve the easements, restrictions, covenants, conditions and all other provisions of the following documents:

1. Declaration of Covenants and Restrictions Rose Hill Phase II recorded at Official Records Book 3712, Page 2576 on November 12, 1985 ("Declaration"); and
2. Use Agreement recorded at Official Records Book 3719, Page 2035 ("Use Agreement")

all of the Public Records of Orange County, Florida. The property affected by this Notice is described as: Rose Hill Phase II, according to the Plat thereof as recorded at Plat Book 16, Pages 34 and 35 inclusive of the Public Records of Orange County, Florida.

The name and address of the homeowners' association filing this Notice on behalf of the Members is Rose Hill Phase II Homeowners Association, Inc., a Florida non profit corporation, c/o Frayda Morris, Central Association Management, LLC, 1136 E. Donegan Ave., Kissimmee, FL 34744 (hereinafter "Association").

Attached hereto as Exhibit "A" is an Affidavit executed by the President of the Association affirming that the meeting's date, time, place and the Statement of Marketable Title Action required by Section 712.06(1)(b), Florida Statutes, was mailed to the Members at least seven (7) days prior to the Special Board of Directors Meeting, where the Board of Directors approved the preservation of the Declaration and Use Agreement.

By their signatures below, the President and Secretary of the Association hereby certify that preservation of the Declaration and the Use Agreement was duly approved by at least two-thirds (2/3) of the members of the Board of Directors at a Special Board of Directors Meeting held on April 17, 2014.

EXECUTED at Ocoee (city), Orange County, Florida, on this 1 day of May, 2014.

WITNESSES:

FRAYDA MORRIS

MIKE KIERES

BRANDY M. SMITH

CINDY L. TURECK

ROSE HILL PHASE II HOMEOWNERS ASSOCIATION, INC.

By: KEVIN GILBERT

President

1136 East Donegan Avenue

Kissimmee, FL 34744

Attest: CHRISTINE GILBERT

Secretary

1136 East Donegan Avenue

Kissimmee, FL 34744

(CORPORATE SEAL)

STATE OF FLORIDA

COUNTY OF OSCEOLA

THE FOREGOING INSTRUMENT was acknowledged before me this 1 day of May, 2014, by KEVIN GILBERT and CHRISTINE GILBERT, as the President and Secretary, respectively, of ROSE HILL PHASE II HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, who are personally known to me. They ac-

knowledgeed executing this document in the presence of two subscribing witnesses, freely and voluntarily, under authority duly vested in them by said corporation.

WITNESS my hand and official seal in the County and State last aforesaid on this 1 day of May, 2014.

JUDY CHAPMAN

Notary Public - State of Florida

Commission No.: EE 31257

My Commission Expires: November 16, 2014

EXHIBIT "A"

AFFIDAVIT OF KEVIN GILBERT

STATE OF FLORIDA

COUNTY OF ORANGE

BEFORE ME, the undersigned authority personally appeared KEVIN GILBERT, who, after first being duly sworn, deposes and says:

1. I am the President of Rose Hill Phase II Homeowners Association, Inc. (the "Association"), and I have personal knowledge of the matters contained herein and know them to be true and correct.

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FURTHER AFFIANT SAYETH NAUGHT.

Affiant, KEVIN GILBERT

STATE OF FLORIDA

COUNTY OF OSCEOLA

The foregoing instrument was sworn and subscribed before me this 21st day of April, 2014, by KEVIN GILBERT, as the President of Rose Hill Phase II Homeowners Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation. He is personally known to me.

JUDY CHAPMAN

Notary Public - State of Florida

Commission No.: EE 31257

My Commission Expires: November 16, 2014

June 19, 26, 2014

R14-2965

[illegible]