

This Instrument Prepared by and Return to:
Robert L. Tankel, Esquire
Address:
Tankel Law Group
1022 Main Street, Suite D
Dunedin, Florida 34698

SPACE FOR RECORDING

**NOTICE OF PRESERVATION OF THE DECLARATION OF BRENTWOOD HILLS,
PURSUANT TO SECTIONS 712.05 AND 712.06, FLORIDA STATUTES**

WHEREAS, BRENTWOOD HILLS is a platted subdivision in Hillsborough County,
Florida, appearing in the following Plat Books:

1. Brentwood Hills Tract A, Unit 1, Plat Book 67, Pages 33-1 thru 33-4 recorded on February 13, 1989;
2. Brentwood Hills Tract A, Unit 2, Phase I, Plat Book 75, Pages 31, et seq. recorded on January 18, 1995;
3. Brentwood Hills Tract A, Unit 2, Phase II, Plat Book 79, Pages 73-1 thru 73-3 recorded on January 28, 1997;
4. Affidavit Filed Pursuant to Florida Statute 177.141 recorded in O.R. Book 8555, Page 0946, et. seq. on May 7, 1997 regarding easement on Plat Book 79, Page 73;
5. Brentwood Hills Tract B, Unit 1, Plat Book 67, Pages 27-1 thru 27-4 on January 25, 1989;
6. Brentwood Hills Tract B, Unit 2, Plat Book 73, Pages 35, et seq. recorded on February 10, 1994;
7. Affidavit Filed Pursuant to Florida Statute 177.141 recorded in O.R. Book 7782, Page 1900 on June 8, 1995 regarding corrections to Plat Book 73, Page 25;
8. Brentwood Hills Tract C, Plat Book 79, Pages 28, et seq. recorded on November 19, 1996;
9. Corrective Affidavit Filed Pursuant to Florida Statute 177.141 recorded in O.R. Book 8390, Page 0643 on December 16, 1996 regarding an error on Plat Book 79, Page 28;
10. Affidavit filed Pursuant to Florida Statute 177.141 recorded in O.R. Book 8765, Page 0393 on October 23, 1997 regarding error on Plat Book 79, Page 28;
11. Brentwood Hills Tract D/E, Unit 1, Plat Book 79, Pages 40, et. seq. recorded on December 12, 1996;
12. Affidavit Filed Pursuant To Florida Statute 177.141 recorded in O.R. Book 8433, Page 0486 on January 23, 1997 regarding errors in Plat Book 79, Page 40;
13. Brentwood Hills Tract D/E, Unit 2, Plat Book 81, Pages 68-1 thru 68-4, et. seq. on August 29, 1997;
14. Affidavit Confirming Error on Recorded Plat recorded in O.R. Book 8968, Page 0022 recorded on March 30, 1998 regarding errors in Plat Book 81, Page 68;

15. Brentwood Hills Tract F, Unit 1, Plat Book 75, Page 53, et. seq. recorded on April 21, 1995;
16. Affidavit Filed Pursuant to Florida Statute 177.141 recorded in O.R. Book 7782, Page 1899 on June 8, 1995 regarding street name error in Plat Book 75, Page 53;
17. Affidavit Filed Pursuant to Florida Statute 177.141 recorded in O.R. Book 8153, Page 1075 on May 20, 1996 regarding drainage easement in Plat Book 75, Page 53;
18. Affidavit Filed Pursuant to Florida Statute 177.141 recorded in O.R. Book 8187, Page 1825 on June 19, 1996 regarding errors in Plat Book 75, Page 53;
19. Corrective Affidavit Filed Pursuant to Florida Statute 177.141 recorded in O.R. Book 8207, Page 0616 on July 8, 1996 regarding error in Affidavit recorded in O.R. Book 8153, Page 1075;
20. Brentwood Hills Tract F, Unit 2, Plat Book 80, Pages 15, et. seq. recorded on February 28, 1997;
21. Brentwood Hills Tract G, Plat Book 67, Pages 28-1 thru 28-2 recorded on January 25, 1989; all in the Public Records of Hillsborough County, Florida.

WHEREAS, Scarborough-Sembler Joint Venture, a General Partnership, a Florida general partnership was the owner in fee simple of the property known as Brentwood Hills and subject to administration by Brentwood Hills Homeowners' Association, Inc. (the "Association") wishes to preserve the Declaration for Brentwood Hills, recorded on March 3, 1989 in O.R. Book 5639 at Page 1158, et. seq. of Hillsborough County, Florida, as amended from time to time, as follows: First Amendment recorded in O.R. Book 5658, Page 559, et. seq. on April 5, 1989; Second Amendment recorded in O.R. Book 6404, Page 073, et. seq. on October 14, 1991; Third Amendment recorded in O.R. Book 7061, Page 1092, et. seq. on July 29, 1993; Fourth Amendment recorded in O.R. Book 7389, Page 1307, et. seq. on May 11, 1994; Amendment to Declaration recorded in O.R. Book 7656, Page 1548, et. seq. on February 1, 1995; Sixth Amendment recorded in O.R. Book 7839, Page 253, et. seq. on July 31, 1995; Seventh Amendment recorded in O.R. Book 8253, Page 0498, et. seq. on August 16, 1996; Eighth Amendment recorded in O.R. Book 8377, Page 1808, et. seq. on December 9, 1996; Ninth Amendment recorded in O.R. Book 8510, Page 1161, et. seq. on April 1, 1997; Tenth Amendment recorded in O.R. Book 8510, Page 1165, et. seq. on April 1, 1997; Eleventh Amendment recorded in O.R. Book 8647, Page 0142, et. seq. on July 22, 1997; Amendment to Declaration recorded in O.R. Book 16471, Page 1921, et. seq. on May 15, 2006; Articles of Incorporation; Bylaws recorded in O.R. Book 5658, Page 563, et. seq. on April 5, 1989; Bylaws Amendment recorded in O.R. Book 16471, Page 1923, et. seq. on May 15, 2006; and Bylaw Amendment recorded in O.R. Book 17478, Page 212, et. seq. on February 15, 2007 (hereinafter referred to as the "Declaration") 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 Sections 712.05 and 712.06, Florida Statutes, to be recorded in the Public Records of Hillsborough 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; and

WHEREAS, Chapter 712, Florida Statutes provides for recording of a Notice in order to avoid the effects of the Marketable Record Title Act on the Declaration; and

WHEREAS, Section 712.06, Florida Statutes prescribes the exact requirements of the contents of the Notice required thereunder; and

WHEREAS, the Association is a Florida corporation not for profit, and has the right to enforce the Restrictions referred to above as set for the in the Declaration referred to above and Chapter 720, Florida Statutes; and

WHEREAS, a meeting of the Board of Directors was held as required by Section 712.05, Florida Statutes on November 19, 2018 at which time more than 2/3 of the Board of Directors voted to approve extension of the Declaration:

NOW, THEREFORE, Gerri Clifton, Secretary of the Association, upon being duly sworn states as follows:

In accordance with the requirements of Section 712.06(1), Florida Statutes, the following sub paragraphs are hereby set forth.

a. The name of the claimant desiring to preserve the Declaration for Brentwood Hills is Brentwood Hills Homeowners' Association, Inc., and the address is c/o McNeil Management Services, Inc., P.O. Box 6235, Brandon, Florida 33508.

b. The requirements of law are being satisfied by attaching to and recording with the Notice an Affidavit executed by the appropriate member of the board of directors of the homeowners' association affirming that the board of directors of the homeowners' association caused a statement in substantially the form required by law was or will be mailed or hand delivered to the members of that homeowners.

c. Certain lands were originally encumbered by the Declaration referenced above. In addition, certain other lands may have been made subject to the Declaration by later amendments, culminating in encumbering the property described herein above and incorporated herein.

d. The claim is based on the Declaration recorded in the Public Records of Hillsborough County, Florida as set forth herein above. To the extent that a later amendment amended, added to, or deleted a provision of a previous Declaration or amendment, this Notice is only intended to preserve and protect the provisions as amended, added to, or deleted; and is not intended to revive provisions which were amended or deleted by later amendments, except to the extent that a court may find that an amendment was ineffective to alter the previous provisions.

e. Attached as Exhibit "A" is the Notice of Special Board Meeting for the Purpose of Extending the Declaration for the Brentwood Hills Homeowners' Association, Inc.

f. Attached as Exhibit "B" is the Affidavit of Mailing Notice to owners.

g. This Notice shall be acknowledged in the same manner as deeds are acknowledged for record.

IN WITNESS WHEREOF, the undersigned hereby executes this Notice for the purposes stated herein above.

**BRENTWOOD HILLS
HOMEOWNERS' ASSOCIATION, INC.**

WITNESSES:

Jeanne M Wynja
Signature of Witness #1

Jeanne m. wynja
Printed Name of Witness #1

Jackie Boyd
Signature of Witness #2

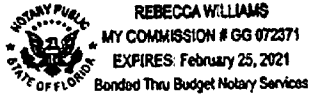
Jackie Boyd
Printed Name of Witness #2

By: *[Signature]*
Thomas Leavitt, President

Attest: *Gerri Clifton*
Gerri Clifton, Secretary

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 20th day of FEBRUARY, 2019 by Thomas Leavitt and Gerri Clifton, to me known to be the President and Secretary of BRENTWOOD HILLS HOMEOWNERS' ASSOCIATION, INC., on behalf of the corporation. They are personally known to me or have produced _____ and _____ as identification, and they acknowledged executing the same voluntarily under the authority duly vested in them by said corporation. If no type of identification is indicated, the above-named persons are personally known to me.



Rebecca Williams
NOTARY PUBLIC

REBECCA WILLIAMS
Printed Name of Notary Public

My Commission Expires:

**BRENTWOOD HILLS HOMEOWNERS' ASSOCIATION, INC.
NOTICE OF BOARD MEETING
FOR THE PURPOSE OF
EXTENDING OUR DECLARATION**

Dear Brentwood Hills Lot Owner:

The Board will be meeting on November 19, 2018 at 7:00 p.m. at Brentwood Hills Swim & Tennis Facility. The purpose of the meeting, in addition to other routine matters, is to vote for the authorization to extend our Declaration as described by Florida Statute 712.06(1)(b). The following will be presented for approval:

STATEMENT OF MARKETABLE TITLE ACTION

BRENTWOOD HILLS HOMEOWNERS' ASSOCIATION, INC. (the "Association") has taken action to ensure that the Declaration of Brentwood Hills recorded in O.R. Book 5632, Page 1158, et. seq. on March 3, 1989 of the Public Records of Hillsborough County, Florida, as amended from time to time by First Amendment recorded in O.R. Book 5658, Page 559, et. seq. on April 5, 1989; Second Amendment recorded in O.R. Book 6404, Page 073, et. seq. on October 14, 1991; Third Amendment recorded in O.R. Book 7061, Page 1092, et. seq. on July 29, 1993; Fourth Amendment recorded in O.R. Book 7389, Page 1307, et. seq. on May 11, 1994; Amendment to Declaration recorded in O.R. Book 7656, Page 1548, et. seq. on February 1, 1995; Sixth Amendment recorded in O.R. Book 7839, Page 253, et. seq. on July 31, 1995; Seventh Amendment recorded in O.R. Book 8253, Page 0498, et. seq. on August 16, 1996; Eighth Amendment recorded in O.R. Book 8377, Page 1808, et. seq. on December 9, 1996; Ninth Amendment recorded in O.R. Book 8510, Page 1161, et. Seq. on April 1, 1997; Tenth Amendment recorded in O.R. Book 8510, Page 1165, et. seq. on April 1, 1997; Eleventh Amendment recorded in O.R. Book 8647, Page 0142, et. seq. on July 22, 1997; Amendment to Declaration recorded in O.R. Book 16471, Page 1921, et. seq. on May 15, 2006; Articles of Incorporation; Bylaws recorded in O.R. Book 5658, Page 563, et. seq. on April 5, 1989; Bylaws Amendment recorded in O.R. Book 16471, Page 1923, et. seq. on May 15, 2006; and Bylaw Amendment recorded in O.R. Book 17478, Page 212, et. seq. on February 15, 2007 all of which are 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 Hillsborough 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.

BY ORDER OF THE BOARD OF DIRECTORS

EXHIBIT A

BRENTWOOD HILLS HOMEOWNERS' ASSOCIATION, INC.
Board of Directors Meeting - November 19, 2018

Directors Present: Jim Barber, Olin Barnett, Mark Braverman, Gerri Clifton, Charlie Leo and Tom Leavitt

Absent: Paul Pamrow

Also Present: Doug Pinner, LCAM and Jennifer Conti, LCAM – McNeil Mgmt. Svc., Inc.

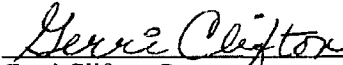
Tom Leavitt called the meeting to order at 7:00 p.m.

Mark Braverman made a motion that Brentwood Hills Homeowners' Association, Inc. (the "Association") has taken action to ensure that the Declaration for Brentwood Hills recorded in O.R. Book 5632, Page 1158, et. seq. on March 3, 1989, and as subsequently amended by: First Amendment recorded in O.R. Book 5658, Page 559, et. seq. on April 5, 1989; Second Amendment recorded in O.R. Book 6404, Page 073, et. seq. on October 14, 1991; Third Amendment recorded in O.R. Book 7061, Page 1092, et. seq. on July 29, 1993; Fourth Amendment recorded in O.R. Book 7389, Page 1307, et. seq. on May 11, 1994; Amendment to Declaration recorded in O.R. Book 7656, Page 1548, et. seq. on February 1, 1995; Sixth Amendment recorded in O.R. Book 7839, Page 253, et. seq. on July 31, 1995; Seventh Amendment recorded in O.R. Book 8253, Page 0498, et. seq. on August 16, 1996; Eighth Amendment recorded in O.R. Book 8377, Page 1808, et. seq. on December 9, 1996; Ninth Amendment recorded in O.R. Book 8510, Page 1161, et. seq. on April 1, 1997; Tenth Amendment recorded in O.R. Book 8510, Page 1165, et. seq. on April 1, 1997; Eleventh Amendment recorded in O.R. Book 8647, Page 0142, et. seq. on July 22, 1997; Amendment to Declaration recorded in O.R. Book 16471, Page 1921, et. seq. on May 15, 2006; Articles of Incorporation; Bylaws recorded in O.R. Book 5658, Page 563, et. seq. on April 5, 1989; Bylaws Amendment recorded in O.R. Book 16471, Page 1923, et. seq. on May 15, 2006; and Bylaw Amendment recorded in O.R. Book 17478, Page 212, et. seq. on February 15, 2007, all recorded in the Public Records of Hillsborough County, Florida. All 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 Hillsborough 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.

Seconded by Gerri Clifton; motion carried by a vote of 5 in favor and 1 against.

Mark Braverman made a motion to adjourn the meeting. Seconded by Gerri Clifton; motion was carried unanimously. The meeting adjourned at 9:39 p.m.

Submitted by:


Gerri Clifton, Secretary

AFFIDAVIT OF GERRI CLIFTON

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

Before me, the undersigned notary, appeared Gerri Clifton, Secretary of Brentwood Hills Homeowners' Association, Inc. who, upon being duly sworn, swears and states as follows:

1. I am over the age of 18 and am competent to make this Affidavit.

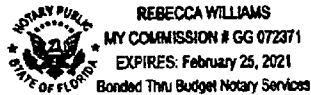
2. I hereby affirm that the Board of Directors of the Association caused a statement in substantially the form incorporated herein as the "Notice of Special Board Meeting" was hand delivered or mailed to the members of the Association at least seven (7) days prior to the meeting of the Board at which the Declaration was renewed in accordance with Chapter 712, Florida Statutes. The meeting was held on November 19, 2018, and the Notice was mailed or hand delivered on November 5, 2018.

FURTHER AFFIANT SAYETH NOT.

Gerri Clifton
Gerri Clifton, Secretary

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 20th day of FEBRUARY, 2019, by Gerri Clifton, ~~to me known to be the~~ Secretary of Brentwood Hills Homeowners' Association, Inc. She is personally known to me or ~~has produced _____ as~~ ~~identification.~~



Rebecca Williams
NOTARY PUBLIC

REBECCA WILLIAMS
Printed Name of Notary Public

My Commission Expires:

EXHIBIT B

This Instrument Prepared by and Return to:
Robert L. Tankel, Esquire
Address:
Tankel Law Group
1022 Main Street, Suite D
Dunedin, Florida 34698

SPACE FOR RECORDING

**NOTICE OF PRESERVATION OF THE DECLARATION OF BRENTWOOD HILLS,
PURSUANT TO SECTIONS 712.05 AND 712.06, FLORIDA STATUTES**

WHEREAS, BRENTWOOD HILLS is a platted subdivision in Hillsborough County,
Florida, appearing in the following Plat Books:

1. Brentwood Hills Tract A, Unit 1, Plat Book 67, Pages 33-1 thru 33-4 recorded on February 13, 1989;
2. Brentwood Hills Tract A, Unit 2, Phase I, Plat Book 75, Pages 31, et seq. recorded on January 18, 1995;
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True Copy

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WHEREAS, Scarborough-Sembler Joint Venture, a General Partnership, a Florida general partnership was the owner in fee simple of the property known as Brentwood Hills and subject to administration by Brentwood Hills Homeowners' Association, Inc. (the "Association") wishes to preserve the Declaration for Brentwood Hills, recorded on March 3, 1989 in O.R. Book 5639 at Page 1158, et. seq. of Hillsborough County, Florida, as amended from time to time, as follows: First Amendment recorded in O.R. Book 5658, Page 559, et. seq. on April 5, 1989; Second Amendment recorded in O.R. Book 6404, Page 073, et. seq. on October 14, 1991; Third Amendment recorded in O.R. Book 7061, Page 1092, et. seq. on July 29, 1993; Fourth Amendment recorded in O.R. Book 7389, Page 1307, et. seq. on May 11, 1994; Amendment to Declaration recorded in O.R. Book 7656, Page 1548, et. seq. on February 1, 1995; Sixth Amendment recorded in O.R. Book 7839, Page 253, et. seq. on July 31, 1995; Seventh Amendment recorded in O.R. Book 8253, Page 0498, et. seq. on August 16, 1996; Eighth Amendment recorded in O.R. Book 8377, Page 1808, et. seq. on December 9, 1996; Ninth Amendment recorded in O.R. Book 8510, Page 1161, et. seq. on April 1, 1997; Tenth Amendment recorded in O.R. Book 8510, Page 1165, et. seq. on April 1, 1997; Eleventh Amendment recorded in O.R. Book 8647, Page 0142, et. seq. on July 22, 1997; Amendment to Declaration recorded in O.R. Book 16471, Page 1921, et. seq. on May 15, 2006; Articles of Incorporation; Bylaws recorded in O.R. Book 5658, Page 563, et. seq. on April 5, 1989; Bylaws Amendment recorded in O.R. Book 16471, Page 1923, et. seq. on May 15, 2006; and Bylaw Amendment recorded in O.R. Book 17478, Page 212, et. seq. on February 15, 2007 (hereinafter referred to as the "Declaration") 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 Sections 712.05 and 712.06, Florida Statutes, to be recorded in the Public Records of Hillsborough 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; and

WHEREAS, Chapter 712, Florida Statutes provides for recording of a Notice in order to avoid the effects of the Marketable Record Title Act on the Declaration; and

WHEREAS, Section 712.06, Florida Statutes prescribes the exact requirements of the contents of the Notice required thereunder; and

WHEREAS, the Association is a Florida corporation not for profit, and has the right to enforce the Restrictions referred to above as set for the in the Declaration referred to above and Chapter 720, Florida Statutes; and

WHEREAS, a meeting of the Board of Directors was held as required by Section 712.05, Florida Statutes on November 19, 2018 at which time more than 2/3 of the Board of Directors voted to approve extension of the Declaration:

NOW, THEREFORE, Gerri Clifton, Secretary of the Association, upon being duly sworn states as follows:

In accordance with the requirements of Section 712.06(1), Florida Statutes, the following sub paragraphs are hereby set forth.

a. The name of the claimant desiring to preserve the Declaration for Brentwood Hills is Brentwood Hills Homeowners' Association, Inc., and the address is c/o McNeil Management Services, Inc., P.O. Box 6235, Brandon, Florida 33508.

b. The requirements of law are being satisfied by attaching to and recording with the Notice an Affidavit executed by the appropriate member of the board of directors of the homeowners' association affirming that the board of directors of the homeowners' association caused a statement in substantially the form required by law was or will be mailed or hand delivered to the members of that homeowners.

c. Certain lands were originally encumbered by the Declaration referenced above. In addition, certain other lands may have been made subject to the Declaration by later amendments, culminating in encumbering the property described herein above and incorporated herein.

d. The claim is based on the Declaration recorded in the Public Records of Hillsborough County, Florida as set forth herein above. To the extent that a later amendment amended, added to, or deleted a provision of a previous Declaration or amendment, this Notice is only intended to preserve and protect the provisions as amended, added to, or deleted; and is not intended to revive provisions which were amended or deleted by later amendments, except to the extent that a court may find that an amendment was ineffective to alter the previous provisions.

e. Attached as Exhibit "A" is the Notice of Special Board Meeting for the Purpose of Extending the Declaration for the Brentwood Hills Homeowners' Association, Inc.

f. Attached as Exhibit "B" is the Affidavit of Mailing Notice to owners.

g. This Notice shall be acknowledged in the same manner as deeds are acknowledged for record.

IN WITNESS WHEREOF, the undersigned hereby executes this Notice for the purposes stated herein above.

**BRENTWOOD HILLS
HOMEOWNERS' ASSOCIATION, INC.**

WITNESSES:

Jeanne M Wynja
Signature of Witness #1

Jeanne M. Wynja
Printed Name of Witness #1

Jackie Bond
Signature of Witness #2

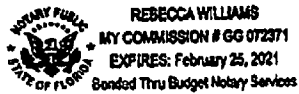
Jackie Bond
Printed Name of Witness #2

By: *[Signature]*
Thomas Leavitt, President

Attest: *Gerri Clifton*
Gerri Clifton, Secretary

STATE OF FLORIDA)
)
COUNTY OF HILLSBOROUGH)

The foregoing instrument was acknowledged before me this 20th day of FEBRUARY, 2019 by Thomas Leavitt and Gerri Clifton, to me known to be the President and Secretary of BRENTWOOD HILLS HOMEOWNERS' ASSOCIATION, INC., on behalf of the corporation. They are personally known to me or have produced _____ and _____ as identification, and they acknowledged executing the same voluntarily under the authority duly vested in them by said corporation. If no type of identification is indicated, the above-named persons are personally known to me.



Rebecca Williams
NOTARY PUBLIC
REBECCA WILLIAMS
Printed Name of Notary Public

My Commission Expires: