



Rcpt: 1542831 Rec: 333.00

DS: 0.00 IT: 0.00

08/14/13 L. Serio, Dpty Clerk

Prepared By: DAMIEN D'ASCENZIO, ESQUIRE BOOTH & COOK, P.A. 7510 Ridge Rd. Port Richey, FL 34668



PAULA S.O'NEIL, Ph. D. PASCO CLERK & COMPTROLLER 08/14/13 04:47pm 1 of 39 OR BK 8918 PG 480

## RESTRICTIONS

### **SHADOW LAKES**

KNOW ALL MEN BY THESE PRESENTS that the following restrictions and easements are hereby adopted and imposed by SHADOW LAKES HOMEOWNERS' ASSOCIATION, INC., hereinafter referred to as the "HOA", as Restrictions and Easements for:

#### SHADOW LAKES

#### Revival of Declaration of Covenants Notices

These restrictions have been prepared for revitalization pursuant to section 720.403, Fla. Stat. The original restrictions were created prior to October 1, 1995, more specifically said original restrictions were recorded on Official Records, Book 1141, Page 1608, Pasco County, Florida in 1981. The following Notices are provided in accordance with section 720.405(4), Fla. Stat.

- Any voting interest of each parcel owner shall be the same as the voting interest of the parcel owner under the previous governing documents;
- (ii) The proportional-assessment obligations of each parcel owner shall be the same as proportional-assessment obligations of the parcel owner under the previous governing documents;
- (iii) The amendment provisions are the same as the previous governing documents:
- (iv) There are no covenants added that are more restrictive on the affected parcel owners than the covenants contained in the previous governing documents, except as may be permitted under section 720.404(3), Fla. Stat.
- (v) These restrictions comply with the requirements for a declaration of covenants and other governing documents as specified in Chapter 720 of the Florida Statutes.

These restriction pertain to and are according to the plat thereof which is filed in Plat Book 19, Pages 26 and 27 of the Public Records of Pasco County, Florida. All lots in said subdivision are sold subject to the following restrictions and limitations which shall be covenants that shall run with the land and which are binding alike upon the heirs, personal representatives, assigns, successors in interest, whether in privity or not in privity, or purchasers from any parcel owner(s) or the HOA, or its successors or assigns, or by acceptance of a deed. All transferees agree to abide by, perform and carry out said restrictions, limitations and conditions as one of the express considerations of conveyance. These restrictions are to follow each successive transfer of Shadow Lakes property, whether or not mentioned by future grantors and shall be in full force

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and effect for thirty (30) years as of the effective date of recording of these restrictions in the Public Records of Pasco County, Florida, pursuant to section 720.408, Fla. Stat.

- 1. <u>RESIDENTIAL LOTS</u>: All lots in said subdivision shall be known and described as residential lots. No structure shall be erected on any parcel of the same other than one (1) single private family dwelling with attached private garage of the same architecture and general design as the residences, both to be constructed of new materials. No lot shall be reduced or increased in size by any method whatsoever without prior written consent of the HOA. Common areas are not subject to this restriction.
- 2. <u>MINIMUM FLOOR AREA</u>: All single family residences will have a minimum of one thousand (1,000) square feet for a one-story dwelling, and one thousand two hundred (1,200) square feet for a two-story dwelling, exclusive of screened porches, patios, breezeways or garages; outside wall dimensions may be used to determine square footage.
- GARAGE: All dwellings shall have at least a one-car garage. No carports shall be allowed.
- 4. <u>BUILDING SET-BACKS</u>: No dwelling walls shall be erected nearer than twenty (20) feet to any front street lot line nor nearer than seven and one-half (7½) feet to any interior lot line.
- 5. TYPE OF CONSTRUCTION: All dwellings on said lots must be constructed of new materials. The first floor walls of all dwellings shall be of frame, masonry, or masonry veneer construction. All concrete block houses and/or walls shall have a full stucco finish unless decorative block is used for decorative purposes. All roof coverings shall be cement tile, 240 pound asphalt shingle, or wood split shake, except Florida rooms, porches, or other flat deck areas may be built up roofing or aluminum. Any deviation from these approved materials must receive the specific written approval of the HOA. The exterior colors of all homes must be compatible with the surrounding land and shall only be earth tone combinations.
- 6. <u>FENCES, WALLS, OTHER STRUCTURES AND OBSTRUCTIONS</u>: Only wooden shadow-box fences, chain-link fences or white vinyl PVC may be constructed.
  - (A) No fence shall exceed six (6) feet in height.
  - (B) No fence shall be constructed past the front wall line of any dwelling.
  - (C) No fence may be constructed upon any lot without the written permission of the HOA.
- 7. <u>LANDSCAPING</u>: All dwellings shall be constructed with concrete driveways, walks, solid sodded front, side and rear yards.
- 8. <u>CLOTHES DRYING AREA</u>: Portable rotary or wind-up disappearing type clothes lines shall be used; no permanent clothes lines shall be authorized.

- 9. <u>TEMPORARY STRUCTURES</u>: Trailers, tents, shacks, barns, outbuildings, sheds, temporary buildings of any nature are expressly prohibited within this subdivision, and no temporary residence shall be permitted in unfinished residential buildings. No storage sheds shall be allowed on any lot within the confines of this subdivision. Temporary buildings or trailers may be used during daylight hours by contractors in connection with construction work in progress, but only upon written approval by the HOA.
- 10. <u>LIVESTOCK AND POULTRY</u>: No animals, livestock, birds or poultry of any kind shall be raised, bred or kept on any lot, except that not more than a total of two (2) dogs, cats, or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.
- 11. PARKING OF VEHICLES: No vehicle shall be parked on any part of this property except on paved streets and paved driveways. No trailers or commercial vehicles, other than those present on business, may be parked in the subdivision. Boats, motor homes, commercial vehicles, campers and other recreational vehicles shall be parked inside garages and concealed from view. All parking shall be in accordance with state, county and city regulations and laws.
- 12. <u>SIGNS</u>: No signs or promotional flags shall be displayed to the public view on any lot or building, except an owner of a lot may display a "For Sale" sign upon his lot not more than five (5) square feet; or a real estate agent, for an owner, may display his or her real estate "for sale" sign on the lot.
- 13. <u>RAPID COMPLETION</u>: The erection of any new building or repair of any building damaged by fire or otherwise shall be completed as rapidly as possible.

## 14. **GENERAL PROVISIONS:**

- (A) <u>ENFORCEMENT</u>: The HOA and any person or persons owning any real property which is subject to these restrictions shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges hereafter imposed by the provisions of this Declaration. Failure by any owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.
- (B) <u>SEVERABILITY</u>: Invalidation of any one of these covenants or restrictions by judgment or court order shall in no way affect any other provision which shall remain in full force and effect.
- (C) <u>AMENDMENT</u>: The covenants and restrictions of this Declaration shall run with and bind the land, for a term of thirty (30) years from the date this Declaration is recorded in accordance with section 720.408, Fla.Stat. This Declaration may be amended by a

signed written instrument approved by not less than seventy-five percent (75%) of the lot owners. Any amendment must be recorded in the Public Records of Pasco County, Florida.

- 15. <u>WATERWELLS</u>: Shallow well type waterwells shall be permitted upon a lot solely for the purpose of watering and caring for plants, trees, lawns, flowers and the like. Any such well shall be neatly concealed, protected, safe and shall be electrically operated.
- 16. <u>POWER AND TELEPHONE SERVICE</u>: All electric power lines and conduits, telephone cables, cable television conduits and other utilities shall be run underground, if possible. Perpetual easements for the installation and maintenance of utilities and drainage facilities as shown on the plat or replat, filed in the Public Records of Pasco County, Florida, are hereby reserved.
- 17. <u>SPECIFICATIONS</u>: All construction shall equal or exceed construction requirements as outlined in the Southern Standard Building Code and local building codes, zoning ordinances and deed restrictions.
- 18. <u>SWIMMING POOLS</u>: No swimming pool may be constructed which is not fully enclosed by an adequate screened enclosure or a minimum four (4) foot high locked fence. All swimming pools shall be below ground.

#### 19. GENERAL:

- (A) The ground grade or ground elevation of any portion of any lot may not be changed without the specific written consent of the HOA.
- (B) No curb, drainage structure, water line, sewer line or portion of any street shall be removed or altered for any purpose without the specific written consent of the HOA.
- (C) Owners of respective lots shall be directly responsible financially to the HOA or the proper authorities having jurisdiction for damage to the foregoing improvements resulting from the actions of employees or said owners or independent contractors furnishing labor or materials to or for said owners.
- (D) No structure shall be erected, placed or permitted and no alterations shall be permitted on the property which shall in any way hinder the surface or subsurface drainage of the property.
- (E) No noxious or offensive trade or commercial activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
- (F) No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers properly concealed from public view.

- (G) Each lot, whether occupied or unoccupied, shall be maintained clean and free from refuse, debris, and unsightly growth such as tall grass and weeds or such as may be considered a fire hazard. All buildings, fences and walls shall be maintained in a good state of exterior repair. In the event that any owner shall fault, neglect or omit to maintain or keep clean any parcel or property in the manner therein provided, after having been notified by the HOA to do so in writing addressed to such owner at his last known address, then the HOA for such purpose may enter upon said premises for the purpose stated in said notice, and the expense of carrying out such purpose shall be charged to the owner of such lot and shall become a lien thereon collectable and enforceable in the manner provided by law.
- (H) The terms "lot owners" and "parcel owners" as applied herein, are deemed interchangeable.
- 20. <u>APPLICATION TO FUTURE ADDITIONS</u>. These restrictions, limitations and covenants shall apply equally to all subsequent additions to Shadow Lakes and unless exceptions, additions, or modifications to these restrictions shall be filed contemporaneously with the filing of record of the plat for such subsequent additions.
- 21. <u>DISPUTE RESOLUTION</u>. All parcel owners and the HOA shall apply the dispute resolution process, as required, pursuant to section 720.311, Fla. Stat.
- 22. <u>IDENTIFICATION OF AFFECTED PARCELS</u>. Pursuant to section 720.405, Fla.Stat., the attached Schedule "A", same having been incorporated herein by reference, identifies each parcel owner that is to be subject to the governing documents by its legal description, and by the name of the parcel owner or the person in whose name the parcel owner is assessed on the last completed tax assessment in accordance with section 720.405(2), Fla. Stat.

[Signatures appear on following pages]

| SHADOW LAKES HOMEOWNERS' ASSOCIATION, INC.  |
|---|
| Print name: CAROLYN ROGERS  Position: President  Witness  |
| Witness   |
| STATE OF: FLORIDA<br>COUNTY OF: PASCO   |
| Acknowledged and subscribed before me by the President of Shadow Lakes Homeowners Association, Inc,, D who is personally known to me or D who has produced a 'Florida Drivers License or I. D. Card as identification, and sworn to and subscribed before on, 2013.  GWENITH W. MCKEE  MY COMMISSION # DD 952991  EXPIRES: April 18, 2014  Bonded Thru Budget Notary Services |
| NOTARY PUBLIC:  |
| (Print, type or stamp name of Notary) (Commission Number and Expiration Date)   |
| SHADOW LAKES HOMEOWNERS' ASSOCIATION, INC.  |
| Print name: M. JOBN Shap, 120   |
| Position: Secretary STATE OF: FLORIDA COUNTY OF: PASCO  |
| Acknowledged and subscribed before me by the Secretary of Shadow Lakes Homeowners' Association, Inc,, who is personally known to me or \( \subseteq \) who has produced a Florida Drivers License or I. D. Card as identification, and sworn to and subscribed  |
| before on 21, 2013.  GWENTH W. MCKEE MY COMMISSION & DD 952991 EXPIRES: April 18, 2014 Bonded The Burded Water States   |
| NOTARY PUBLIC:  (Print, type or stamp name of Notary)   |
| (Commission Number and Expiration Date)   |

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| SHADOW LAKES HOMEOWNERS' ASSO<br>By:  Carlyn Rock  Print name: Carolyn Rock  Position: President | Witness Witness Witness   |  |
|--|---|--|
| STATE OF: FLORIDA<br>COUNTY OF: PASCO  |   |  |
| Homeowners Association, Inc,   | efore me by the President of Shadow Lakes, IP who is personally known to me or □ who has Card as identification, and sworn to and subscribed, 2013.   |  |
| į  | NOTARY PUBLIC:  | GWENITH W. MCKEE<br>MY COMMISSION # DD 952991<br>EXPIRES: April 18, 2014<br>Bonded Thru Budget Notary Services |
| SHADOW LAKES HOMEOWNERS' ASSO  | OCIATION, INC.  |  |
| Print name: M.J. SHAPIRO Position: Secretary STATE OF: FLORIDA COUNTY OF: PASCO                  | James flyw<br>Witness<br>Witness  | <i>1</i> 0   |
| Homeowners' Association, Inc,  | efore me by the Secretary of Shadow Lakes  _, who is personally known to me or □ who has Card as identification, and sworn to and subscribed _, 2013. |  |
| ·  | (Commission Number and Expiration Date)   | GWENITH W. MCKEE<br>IY COMMISSION # DD 952991<br>EXPIRES: April 18, 2014<br>onded Thru Budget Notary Services  |

This signature page executed pursuant to Section 720.407 (2), Florida Statute.

| lame, | address and contact number of Organizing Co                          | ommittee members for SHADOW LAKES: |
|-------|--|------------------------------------|
| 1.    | Jeanne Kelly<br>12606 Palm Tree Court<br>Hudson, Florida 34669       | x Jaine Relley                     |
| 2.    | Fred L. Huslander<br>12508 Walnut Tree Lane<br>Hudson, Florida 34669 | x                                  |
| 3.    | Thomas Schmitz<br>12508 Shadow Ridge Blvd.<br>Hudson, Florida 34669  | x                                  |

Name, address and contact number of Organizing Committee members for SHADOW LAKES:

Jeanne Kelly
 12606 Palm Tree Court
 Hudson, Florida 34669

X\_\_\_\_\_

2. Fred L. Huslander 12508 Walnut Tree Lane Hudson, Florida 34669 x FL. Hundrey

Thomas Schmitz
 12508 Shadow Ridge Blvd.
 Hudson, Florida 34669

OR BK 8918 PG 489

| Name, address and contact number of Organizing Committee members for SHADOW LAKE  |    |
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| Name address and contact number of Chromizing Committee members for $XHAIIIIWIAK$ | :0 |

| <ol> <li>Jeanne Kelly</li> </ol> |                       |  |
|----------------------------------|-----------------------|--|
|                                  | 12606 Palm Tree Court |  |
|                                  | Hudson, Florida 34669 |  |

X\_\_\_\_\_

Fred L. Huslander
 12508 Walnut Tree Lane
 Hudson, Florida 34669

X\_\_\_\_\_

Thomas Schmitz
 12508 Shadow Ridge Blvd.
 Hudson, Florida 34669

x Thomas Schnit

|   |  | Maddaloni, Evelyn   |
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|   |  | Schroeder Mark 6 & Lynda 6                                |
| 69-2792 SHADOW LAUES PB 19 FG 26 LOT 49 CB 1768 PG 1216 55 SHADOW LAUES PB 19 FGS 26-27 LOT 50 OR 5458 PG 435 CB 5070 PG 1208             | 12601 Stadow Ridge Blvd, Hudson, Ft, 94669-2792<br>we M 22606 Palm Tree Ct, Hudson, Ft 94669-2825  | Kaily, Timothy J B. Jea                                   |
|   | LEND SHOOM ROJE BAY, HUGGO, FL 34663-2792  | Tomas, inches   |
|   |  |   |
|   | Churchil, Jacqueline 12609 Shadow Skire Bird, Hudson, Ft. 34609-2792   | Gardini, Pamela Sue & Churchill, Jacqueline<br>Yvonne     |
|   |  | Huddander Donald I  |
|   |  | Governate Frank & Joyce                                   |
|   | nmerfeld Mary Lou & Hurtado Serah D 12548 Shadow Ridge Blvd, Huckon, Fl. 34669-2789  | Sommerfeld Mary Lo  |
| <u> </u>  | icle 12542 Shadow Ridge Bird, Hutbon, FL 34669-2789  | Meliko Andrew & Patricia                                  |
| 69-2789 SHUDOW LAKES PB 19 PG 25 LOT 42 OR 4588 PG 167  | 12536 Shadow Ridge Blvd, Hudson, Ft 34669-2789   | Peal, Kimberly M  |
| 65-2789 SHADOW LAKES PB 19 PGS 28-27 LOT 41 OR 1979 PG 670  | led 12532 Shadow Ridge Blvd, Hudson, FL 34669-2789   | Skiba, Laurie A Deceased                                  |
| 59-2789 SHADOW LAKES PB 19 PGS 26-27 LOT 40 OR 7116 PG 364  | rustee 12578 Shadow Ridge Bird, Hudson, FL 34669-2789  | Wells Fargo Bank NA Trustee                               |
| 88-2789 SHADOW LAKES PB 19 PGS 36-27 LDT 39 OR 4175 PG 369  | 12524 Shadow Ridge Bird, Hudson, FL 34669-2789   | Schultz, Calvin H   |
| 559-2789 SHADOW LAKES PB 19 PG3 26-27 LOT 38 CB 6253 PG 729   | Indence 12520 Shadow Ridge BNd, Hudson, FL 34669-2789  | McNally Steven L & Kandance                               |
| 569-2789 SINDOW LAKES PB 19 PGS 26-27 LOT 97 OR 6311 PG 1887  | 12514 Shadow Ridge Bird, Hudson, Fl. 34669-2789  | Doyle-Brannen Darlene                                     |
| <u> </u>  | 12508 Shadow Ridge Blvd, Hudson, FL 34869-2789   | Schmitz, Thomas R   |
|   | 12502 Shadow Ridge Blvd, Hudson, FL 34669-2789   | Embey, John R   |
| 丄   | 12438 Shadow Ridge Blvd, Hudson, FL 34669-2764   | Sallah, Paul D.   |
| 569-2764 SHADOW LAKES PB 19 PGS 26-77 LOT \$3 OR 6506 PG 1645 & OR 8380 PG 1399   | 12430 Shadow Ridge Blvd, Hudson, FL 34669-2764   | Heat, Elizabeth L   |
| <u> </u>  | is & Adams, Doug 12432 Golden Oak Circle, Huckon, FL 34669-2780  | Jiminez, Liberty Andres & Adams, Doug                     |
| 669-7787 SHADOW LAKES PB 19 PGS 26-27 LOT 31 OR 3558 PG 542 & QR 7256 PG 226  | harles A 12414 Shadow Ridge Blvd, Hudson, FL 34569-2787  | Ellson, Patricia A & Charles A                            |
| 569-2787 SHADOW LAKES PB 19 PGS 26-27 LOT 90 OR 5224 PG 1403  | rs L 12408 Shadow Ridge Blvd, Hudson, FL 34669-2787  | Stone, Roger H & Debra L                                  |
| 569-2787 SHADOW LAKES PB 19 PG 25 LOT 29 OR 4324 PG 951   | a Joan 12402 Shadow Ridge Blvd, Hudson, FL 94669-2787  | linch, Robert B & Erma Joan                               |
| 669-2785 SHADOW LAKES PB 19 PGS 26-27 LOT 28 OR 3204 PG 1149  | zdith M 12338 Shadow Ridge Blvd, Hudson, FL 34669-2785   | Smith, Anthony F & Judith M                               |
| 669-2785 SHUDOW LAKES PB 19 PG 26 LOT 27 CR 1518 PG 1925  | 12332 Shadow Ridge Blvd, Hudson, FL 34669-2785   | Nissan , Finn B & Edith                                   |
| 869-2785 SHADOW LAKES PB 19 PGS 35-27 LOT 26 OR 5439 PG 709   | 12378 Shadow Ridge Bird, Hudson, FL 34669-2785   | Lambert, Billie   |
| 669-2785 SHADOW LAKES PB 19 PG 26 LDT 25 OR 8719 PG 1752  | Arme M 12320 Shadow Ridge Blvd, Hudson, FL 34669-2785  | Church, Robert A Jr & Anne M                              |
|   |  | Courchene, Richard D & Teresa N                           |
| 68-2728 SHADOW LAKES PB 19 PGS 26-27 LOT 22 OR 5712 PG 1860<br>69-2728 SHADOW LAKES PB 19 PGS 36-27 LOT 29 OR 7751 PG 1793                |  | Bernat, Edward  |
|   | 12333 Golden Oak Circle, Hudson, FL 34669-2728   | Ramsey, Janice A  |
|   | Jamie t 12403 Golden Oak Circle, Hudson, FL 346  | Nienhouse, Russel L & Jamie L<br>Wunder, Gertrude C       |
| 58-2728 SHADOW LAKES 98 12 PGS 16-27 LOT 12 OA 4440 PG 1297 SSA-2773 CHADOW LAKES 98 12 PGS 16-27 LOT 17 OA 4440 PG 1297                  | Schultz, Kurt R & Betancourt Jomany A 12415 Golden Oak Circle, Huckon, Ft 34669-2728 Wachob, Sharel A 12909 Golden Oak Circle, Huckon, Ft 34669-2778             | Schultz, Kurt R & Ber<br>Wachob, Sharel A                 |
|   | McCormick, Barbara J. 12428 Golden Oak Circle Havkon, El 346   | Szabunda, Grace V &                                       |
|   |  | Stimson, Maryanne<br>Walton, George                       |
| 369-2780 SHADOW LAKES PB 19 PG 316-27 LOT 12 ON 7909 PG 1063<br>569-2780 SHADOW LAKES PB 19 PG 36 LOT 13 ON 6919 PG 3471 B, OR 8252 PG 96 | 3  | Oscherwitz, Mark Steven                                   |
|   |  | Crooks , Roger J & J                                      |
|   | rione John A & Patricia Revocable Trust 12332 Golden Oat Circle, Hudson, Fl. 34669-2727<br>schet, John 12336 Golden Oat Circle, Hudson, Fl. 34669-2777           | Anzalone John A & I<br>Petrashek, John                    |
| 58-2727 SHADOW LACES PO 19 PG 26 LGT 7 OR 6142 PG 797 & OR 6177 PG 1694 589-2727 SHADOW LACES PO 19 PG 26-27 LGT 8 OR 5588 PG 445         | Nedmentil, Roger H 12328 Golden Oak Circle, Hudson, Fl. 94659-2777   | Redmerski, Roger H  |
|   |  | Attoon, David Edward & Krist Kay                          |
|   |  |   |
| 565-2727 SHADOW LAKES PE 19 PG 35 (LT 4 OR 1754 PG 354) 569-2727 SHADOW LAKES PE 19 PGS 35-27 (LT 5 OR 4259 PG 882)                       | 1232 October Oak Circle, Hudson, R. 34669-2727  Barbara 1 1230 Colden Oak Circle, Hudson, R. 34669-2727  Barbara 1 1230 Colden Oak Circle, Hudson, R. 34669-2727 | Batrouney, Erika Trustee<br>Holbsook, James E. B. Barbara |
| 11  | 11   | Davidson, Amanda Kay                                      |
| ட   | biblire, Larry Joo ir & Phonsawan M. 2500 Golden Oak Circle, Hudson, Ft. 346<br>razier, Maggan J. 12504 Golden Oak Circle, Hudson, Ft. 346                       | Abshire, Larry Joe A<br>Frazier, Meggan J                 |
|   |  |   |

SCHEDULE A TO SHADOW LAKES

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| SIADOW LAKES PB 19 PG 26 LOT 137 OR 5949 PG 1407 & OR 7337 PG 632  | 12501 Shadow Ridge Blvd, Hudson, FL 34669-2790 | Jackson, Leo                              |
|--|--|---|
| SHADOW LAKES PB 19 PGS 26-27 LOT 136 OR 9200 PG 1941 & OR 8008 PG 1073   | 12507 Shadow Ridge Blvd, Hudson, FL 34669-2790 | Ahmed, Amy                                |
| SHADOW LAKES PB 19 PG 26 LOT 135 OR 5622 PG 883  | 12513 Shadow Ridge Blvd, Hudson, FL 34669-2790 | Debraise, Jenny                           |
| \$14000W LAKES PB 19 PG 28 LOT 134 OR 817 PG 598   |  |   |
| SHADOW LAKES PB 19 PGS 26-27 LOT 133 OR 8159 PG 1713   |  | Smith, Diani & Jeffrey Mark               |
| SHADOW LAKES PB 19 PGS 26-27 LOT 132 OR 5062 PG 1815   | П  | Morris, Cynthia L                         |
| SHADOW LAKES PB 19 PGS 25-27 LOT 129 OR 8657 PGS 3679 & 3680   |  | Pacelli, Joseph & Rose                    |
| SMADOW LAKES PB 19 PGS 26-27 LOT 128 OR 7458 PG 901 & OR 7458 PG 903   |  | Drawdy, Bruce Allen Sy                    |
| SIADOW LAKES PB 19 PG 26 LOT 127 OR 8579 PG 2811   | 12625 Pecan Tree Dr, Hudson, Ft. 34669-2806    |   |
| SHADOW LAKES PB 19 PG 25 LOT 126 OR 6783 PG 449  | 12631 Pecan Tree Dr, Hudson, FL 34669-2806     | 12625 Pecan Tree Land Trust Allman P.L.   |
| SWDOW LAKES PB 19 PG 26 LOT 125 OR 7547 PG 411   | 12637 Peran Tree Dr, Hudson, FL 34669-2806     |   |
| SWDOW LAKES PB 19 PG 26 LOT 124 0A 1416 PG 1336  | 12707 Pecan Tree Dr. Hudson, Ft 34669-2808     | Marinelli, Paul S                         |
| SHADOW LAKES PB 19 PGS 15-27 LOT 122 OR 4044 PG 1262   | 12713 Pecan Tree Dr. Hudson, FL 34669-2808     |   |
| SHADOW LAKES PB 19 PG 26 LDT 121 DB 9585 PG 212  | 12717 Pecan Tree Dr. Hudson, FL 34669-2808     |   |
| SHADOW LAKES PB 19 PGS 26-27 LOT 117 OR 7752 PG 369 & OR 7752 PG 371   | 12723 Pecan Tree Dr. Hudson, Fl. 34669-2850    | Scott, Michael L                          |
| SHADOW LAXES PB 19 PGS 26-27 LOT 116 OR 5964 PG 629  | 12811 Pecan Tree Dr, Hudson, FL 34669-2850     |   |
| SHADOW LAKES PB 19 PG 26 LOT 114 OR 3797 PG 827 SHADOW LAKES PB 19 PG 26 LOT 115 OR 5951 PG 487  | 12817 Pecan Tree Dr. Hudson, Ft 34669-2850     |   |
| SHADOW LAKES PB 19 PG 26 LOT 113 OR 4282 PG 1189   | 12821 Page Tree Dr. Hudson, FL 34669-2850      | White, Wiley R & Wanda J                  |
| SHADOW LAXES PB 19 PG 26 LOT 112 OR 6846 PG 173 & OR 7017 PG 536   | 12829 Pecan Tree Dr, Hudson, FL 34669-2850     |   |
| SHADOW LAKES PB 19 PG 26 (OT 111 OB 3975 PG 1062   | 12833 Pecan Tree Dr. Hudson, FL 34669-2850     |   |
| SHADOW LAKES PB 19 PG 26 LOT 109 OR 2063 PG 919  | 12836 Pecan Tree Dr. Hudson, FI 34669-2849     | Federal National Mortgage Association     |
| SHADOW LAKES PB 19 PG3 26-27 LOT 108 OR 3307 PG 1649   | 12824 Pecan Tres Dr, Hudson, FL 34669-2849     | Ringwald, Drusilla Jean                   |
| SHADOW LAKES PB 19 PG 26 LOT 105 OR 2023 PG 1984 OR 9484 PG 344 &  | 12804 Pecan Tree Dr. Hudson, FL 34669-7849     |   |
| SHADOW LAKES PB 19 PGS 26-27 LOT 105 OR 1934 PG 1390   | 12738 Peran Tree Dr. Hudson, Ft. 34669-7881    |   |
| SHADOW LAKES PB 19 PGS 26-27 LOT 104 OR 8053 PG 1508 (TS)  | 12914 Banyan St, Hudson, Ft. 34669-2881        |   |
| SHADOW LAKES PB 19 PG 26-17 LOT 102 OR 6258 PG 646   | 12803 Red Maple Ct, Hudson, FL 34669-2851      | À   |
| SHADOW LAKES PB 19 PGS 26 & 27 LOT 101 OR 1519 PG 491  | 12807 Red Manie Ct, Hudson, FL 34669-2851      |   |
| SHADOW LAKES PB 19 PG 26 LOT 100 OR 8721 PG 3465   | 12740 Red Maple Ct, Hudson, FL 34569-2851      |   |
| SHADOW LAKES PB 19 PGS 26-27 LOT 98 DR 87778 BG 971  | 12726 Shade Tree Ct, Hudson, FL 34669-2815     | & Laura C                                 |
| SHADOW LAKES PB 19 PG 26 LOT 96 OR 35/41 PG 1806   | 12770 Shade Tree Ct, Hudson, Ft 94669-2816     | 1   |
| SHADOW LAKES PB 19 PGS 26-27 LOT 95 OR 8096 PG 1211  | 12915 Banyan St, Hudson, FL 34669-2882         |   |
| SHADOW LAKES PB 19 PGS 26-27 LOT 93 OR 5912 PG 1436  | 12921 Banyan St, Hudson, FL 34669-2882         | Kairawicz, William Bruce & Charlene M     |
| SHADOW LAKES PB 19 PGS 26-27 LOT 92 OR SA42 PG 575   | 12726 Pecan Tree Dr. Hudson, Ft. 34669-2807    |   |
| SHADOW LAKES PB 19 PG 26 LOT 91 OR 1467 PG 326   | 12714 Pecan Tree Dr. Hudson, FL 34669-2807     |   |
| SWADOW LVKES PB 19 PGS 26-27 LOT 90 OR 4/89 PG 970   | 12926 Lake Tree Ln, Hudson, FL 34669-2811      | Ť   |
| SHADOW LAKES PB 19 PG 26 LDT 68 OR 6579 PG 71  | 12920 Lake Tree In, Hudson, FL 34669-2811      | Dixon, Albert J & Sharon V                |
| SHADOW LAKES P8 19 PGS 26 & 27 LOT 87 OR \$659 PG 1025   | 12910 Lake Tree Ln, Hudson, FL 34669-2811      | Horwith Deborah A                         |
| SHADOW LAKES PB 19 PG 26 LOT 85 OR 5524 PG 184   | 12904 Lake Tree Ln, Hudson, FL 34669-2803      |   |
| SHADOW LAKES PB 19 PG 26 LOT 84 OR 4880 PG 1029 OR 4916 PG 1534  | 12834 Lake Tree In, Hudson, FI 34669-2803      | Gongola, Carol & Michael                  |
| SHADOW LAKES PB 19 PG 26 LOT 83 RB 1092 PG 31  | 12830 Lake Tree Ln, Hudson, FL 34669-2821      |   |
| SHADOW LAKES PB 19 PGS 26-27 LOT B2 OR 5258 PG 1866  | 12832 Walnut Tree Lt., Hudson, Ft. 34669-2821  | Burton, Matthew & Nicole                  |
| SHADOW LAKES P8 19 PG 26 LOT 80 OR 8581 PG 1261  | 12903 Lake Tree Lr. Hudson, Ft 94659-2812      |   |
| SIADOW LAKES PB 19 PG 26 LOT 79 OR 7698 PG 1884  | 12915 Lake Tree Ln, Hudson, FL 34669-2812      | Ordonez Parrona                           |
| SIADOW LAKES PB 19 PG 26 LOT 78 RB 1088 PG 1681 OR 4050 PG 147   | 12921 Lake Tree Ln, Hudson, FL 34669-2812      |   |
| ביים בין בר של אל שמתאוצ   | 12927 Lake Tree Ln, Hudson, FL 34669-2812      | Z.  |
| SIADOW LAKES PB 19 PGS 26-27 LOT 76 OR 7860 PG 1789  | 12926 Wahut Tree Lr. Hudson, FL 34669-2821     | Gimble, Francis S & Eva R & Gimble Athens |
| SHADOW LAKES PB 19 PG 36 LOT 74 OR 5504 PG 1412  | 12920 Wathut Tree Ln, Hudson, FL 34669-2821    | Enriquez, Maria                           |
| SWADOW LAKES PB 19 PGS 26-27 LOT 73 OR 3600 PG 1431  | 12908 Walnut Tree In, Hudson, Ft 34669-2821    | Taylor, Denise R                          |
| SHADOW LAKES PB 19 PG 28 LOT 72 OR 1593 PG 1068 OR 7985 PG 20  | 12902 Walnut Tree Ln, Hudson, FL 34669-2821    | Tully, Kathleen                           |
| SHADOW LAKES PB 19 PGS 26-27 LOT 70 OR 4240 PG 1363 & OR 6423 PG 1441  | 123836 Walnut Tree Ln, Hudson, FL 34669-2867   | Rice, Keth E & Lori A                     |
| SHADOW LAKES PB 19 PGS 26-27 LOT 69 OR 1912 PG 1792 OR 4665 PG 1850  | 1 1  | Barker, William E & Michele L             |
| SHADOW LAKES PB 19 PG 26 LOT 67 OR 4952 PG 1289  | 12835 Walnut Tree Ln, Hudson, Fl. 34669-2867   | Roulette, Ronald & Russo, Barbara         |
| CANDOLL LIBERT WATER AND THE ABOUT WATER AND T | 17839 Walnut Tree in Husban St 84650-2667      | Johansen Veronica W Revocable Living      |
| SHADOW LAKES PB 19 PG3 26-27 LOT 65 OR 3790 PG 913<br>SHADOW LAKES PB 19 PG3 26-27 LOT 66 OR 1267 PG 1784  | 12845 Walnut Tree Ln, Hudson, FL 34669-2867    | Auletta, Marian                           |
| SHADOW LAKES PB 19 PCS 26-27 LOT 64 OR 1515 PG 1290  | 12909 Wahut Tree Ln, Hudson, FL 34669-2822     | Desprete, Daniel & Maria M                |
| SHADOW LAKES PB 19 PG 26 LOT 62 OR 3018 PG 441   | 12921 Walnut Tree Ln, Hudson, FL 34669-2822    | Case, George F & Catherine M              |
| SHADOW LAKES PB 19 PG 26 LOT 60 OR 7230 PG 864   | 12929 Wahrut Tree Ln, Hudson, FL 34669-2813    | Prica, Samuel L. Jr                       |
| SHUDOW LAKES PB 19 PGS 26-27 LOT 58 OR 5594 PG 112   | 12540 Pecan Tree Dr, Hudson, Fl 34669-2813     | Remo, Wayne P & Candace M                 |
| SHADOW LAKES PR 19 PG 26 LOT SE OR \$139 PG 96   | 12536 Pecan Tree Dr., Hudson, Ft. 34669-2765   | Glover, David & Cynthia                   |
| SET SHOWS LET  |  |   |
| SHADON I MEE DE 10 DE 25 LOT EE OB BATTA DE 100  | 12535 Shadow Ridge SWd, Hudson, Ft 94669-2765  | Kane, Teresa                              |
| SHADOW LAKES PS 19 PG 26 LOT 54 OR 1606 PG 617   | 12537 Shadow Ridge Blvd, Hudson, FL 34669-2765 | Delancay, John W & Sandra L               |
|  |  |   |

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| Horn, Jamet I. & Kendrick, Rebecca M.       | 12439 Shadow Ridge Blvd, Hudson, Ft 94669-2788  | CHADOW! AVEX 80 10 DO 15 LOT 150 CO ACCES OF A   |
|---|---|--|
| Otron, Delroy                               | 12433 Shadow Ridge Blvd. Huston, FL 94660-27ea  |  |
|   |   | 7 200 Y 10 20 Y 10 20 Y 100 PG 1105  |
|   | 12421 Shadow Ridge Blvd, Hudson, FL 54669-2788  | SHADOW LAKES PR 19 PG 76 107 141 OF 1479 PG 1972   |
| Trust, Wilson, L Pauline                    |   | Section of the Association of the Section of the Se |
|   | 12417 Shadow Ridge Bird, Hudson, Ft. 94669-2788   | SHADOW I AND RE DE LOT 1 AT THE REPORT OF THE PROPERTY I WOODLING  |
|   |   |  |
| Smith, Eric & Kelly                         | 12411 Shadow Ridge Blvd, Hudson, FL 34669-2788  | SHADOW LAKES PB 19 PG3 25-27 LDT 143 OR 4166 PG 454  |
| Manderson, Walter L. & Lynthia, Mae         | 12405 Shadow Ridge Blvd, Hutbon, FL 34669-2788  | SHADOW LAXES PB 19 PG 26 LOT 144 OR 4108 PG 1933   |
| Bell, Ryan J & Boggess, Lauren J            | 12541 Shadow Ridge Blvd, Hudson, Ft. 34669-2788   | SHADOW LAKES PB 19 PGS 25-27 LOT 145 OR 6E20 PG 4NS  |
|   |   |  |
| White, Tenothy R Ir & Wright Danielle Marke | White, Timothy R.Ir & Wright Danielle Marte 12535 Shadow Ridge Blvd, Hudson, Fl. 34669-2786 | SHADOW LAKES PB 19 PG3 25-27 LCT 146 OR 6285 PG 446  |
| Puett, Charles                              | 12329 Shadow Ridge Blvd, Nudson, FL 34669-2786  | SHADOW LAKES PB 19 PGS 15-27 LOT 147 OR 1837 PG 8  |
| TyChewicz, Mark & Veronica                  | 12321 Shadow Ridge Blvd, Hudson,FL 34669-2786   | SHADOW LAKES PB 19 PGS 25-27 LOT 148 OR 4427 PG 724  |
| Graziano, Patricia                          | 12501 Shadow Ridge Blvd, Hudson,Fl, 34669-2784  | 121901 Shadow Ridga Bind, Hudon/F1 34699-1784 SHADOW LAKES PB 19 PGS 15-27 LOT 1/9 OR 5/7/8 PG 17/6  |
|   |   |  |

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# SHADOW LAKES HOMEOWNERS' ASSOCIATION, INC. A NON-PROFIT CORPORATION .

In compliance with the requirements of Chapter 617 of the Florida Statutes, the undersigned, all of whom are residents of Pasco County, Florida, and all of whom are of full age, have this day voluntarily associated together for the purpose of forming a corporation not for profit and do hereby certify:

#### ARTICLE I.

The name of the corporation is SHADOW LAKES HOMEOWNERS' ASSOCIATION INC., hereafter called the "Association."

#### ARTICLE II.

The principal office of the Association is located at 327 1/2 Jasmine Boulevard West, Port Richey, Florida 33568.

#### ARTICLE III.

Frederick J. Ahles, whose address is 8001 Pecan Tree Drive, New Port Richey, Florida 33553 is hereby appointed the initial registered agent of this Association.

#### ARTICLE IV.

## PURPOSE AND POWERS OF THE ASSOCIATION

This Association is established for the following purposes:

A. To maintain and preserve the entrance way to the following described real property:

Shadow Lakes Subdivision as the same appears of record in Plat Book 19, Pages 26 and 27, Public Records of Pasco County, Florida

Shadow Lakes Subdivision Unit 1 as the same appears of record in Plat Book 20, pp 27-29, Public Records of Pasco County, Florida

- B. To collect street light fees from the owners and residents of the real estate lots in said subdivision and to pay said fees to the appropriate utility company, association or district in order to assure the maintenance and operation of adequate street lighting therein.
- C. To enforce the restrictions that regulate and control the use of land in said subdivision.

  and to promote the health, safety and welfare of the residents within the above described real property and any additions thereto

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as may hereafter be brought within the jurisdiction of this Association and to exercise the following authority in that respect:

- (a) exercise all of the powers and privileges and to perform all of the duties and obligations of the Association applicable to said property.
- (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 an 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.
- (f) participate in mergers and consolidations with other nonprofit corporations organized for the same purposes or annex additional residential property and Common Area.
- (g) have and to exercise any and all powers, rights and privileges which a non-profit corporation organized under the laws of the State of Florida may now or hereafter have or exercise.

#### ARTICLE V.

#### MEMBERSHIP

Every person or entity who is a record owner of any real estate within the boundaries of the real property described in Article IV hereof shall be qualified to be a member of this Association

The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation.

## ARTICLE VI.

## VOTING RIGHTS

Each person or persons who own real estate within the perimeter of the above described real property shall be entitled to one (1) vote as a member of this Association. There shall be a ratio of one (1) vote for each form of ownership regardless of whether such ownership is singular, as joint tenants with rights of survivorship, as tenants in common, or as an estate by the entirety.

## ARTICLE VII.

## BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of seven (7) Directors, who shall be members of the Association. The number of directors may be changed by amendment of the By-Laws of the Association. The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

| NAME         |       | • |  |
|--------------|-------|---|--|
| Frederick J. | Ahles |   |  |

Curd R. Wohlgemuth

Elisabeth V. Angelini

Taime H. Neville

Eleanor B. Fisher

Betty G. Mandl

Phyllis M. Malec

#### ADDRESS

8001 Pecan Tree Drive New Port Richey, FL. 33553

8003 Pecan Tree Drive New Port Richey, FL. 33553

7808 Pecan Tree Drive New Port Richey, FL. 33553

7513 Golden Oak Circle New Port Richey, FL. 33553

7506 Lake Tree Lane New Port Richey, FL. 33553

7508 Lake Tree Lane New Port Richey, FL. 33553

7503 Lake Tree Lane New Port Richey, FL. 33553 At the first annual meeting the members shall elect two (2) Directors for a term of one year, four (4) directors for a term of two years and three (3) directors for a term of three years; and at each annual meeting thereafter the members shall elect respective directors for terms of three years each.

#### ARTICLE VIII.

#### OFFICERS

The officers of this Association shall be a President and a Vice-President, who shall at all times be members of the Board of Directors, a Secretary and a Treasurer, and such other officers as the Board may from time to time by resolution create. The election of officers shall take place at the first meeting of the Board of Directors which shall follow each annual meeting of the members. The names of the officers who are to serve until the first election or appointments are:

President

Frederick J. Ahles

Vice-President

Curd R. Wohlgemuth

Secretary

Elisabeth V. Angelini

Treasurer

Taime H. Neville

### ARTICLE IX.

#### BY-LAWS

The By-Laws of the Association shall be adopted, amended or rescinded, at a regular or special meeting of the membership hereof, where a quorum is in attendance by a majority vote of those members in attendance.

#### ARTICLE X.

## DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of each class of 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 the 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 non-profit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE XI.

#### DURATION

The corporation shall exist perpetually.

## ARTICLE XII.

### SUBSCRIBERS

The names and addresses of the subscribers are as follows:

| NAME                  | ADDRESS  |
|-----------------------|--|
| Frederick J. Ahles    | 8001 Pecan Tree Drive<br>New Port Richey, FL. 33553  |
| Curd R. Wohlgemuth    | 8003 Pecan Tree Drive<br>New Port Richey, FL. 33553  |
| Elisabeth V. Angelini | 7808 Pecan Tree Drive<br>New Port Richey, FL. 33553  |
| Taime H. Neville      | 7513 Golden Oak Circle<br>New Port Richey, FL. 33553 |
| Eleanor B. Fisher     | 7506 Lake Tree Lane<br>New Port Richey, FL. 33553    |
| Betty G. Mandl        | 7508 Lake Tree Lane<br>New Port Richey, FL. 33553    |
| Phyllis M. Malec      | 7503 Lake Tree Lane<br>New Port Richey, FL. 33553    |

## ARTICLE XIII.

### AMENDMENTS

Amendment to these Articles shall require the assent of sixty

(60%) percent of the entire ownership who are members of the Association

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, we, the undersigned, consti-

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tuting the incorporators of this Association, have executed these Articles of Incorporation, this 25th day of Enhancement 1982.

Traush Office Frederick J. Ahles

fruit R Wallagnith

Elisabeth V. Angelini

Taime H. Neville

Colimn D. Juler Eleanor B. Fisher

Betty G. Mandl

Phyllis M. Malec

STATE OF FLORIDA )
COUNTY OF PASCO )

I HEREBY CERTIFY that on this day personally appeared before me, the undersigned authority, duly authorized to render oaths and take acknowledgments, FREDERICK J. AHLES, CURD R. WOHLGEMUTH, ELISABETH V. ANGELINI, TAIME H. NEVILLE, ELEANOR B. FISHER, BETTY G. MANDL, and PHYLLIS M. MALEC who first being duly sworn, depose and say that they executed the above and foregoing Articles of Incorporation as their free and voluntary act and deed for the uses and purposes therein set forth and expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this

25th day of February, A.D. 198:

1 A.D. 1902.

Notary Public

(Notary Seal)

My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA AL LARGE MY COMMISSION EXPIRES APRIL 22 1285 SONDED THRU GELERAL INS. UNDERWRITERS

#### CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE FOR THE SERVICE OF PROCESS WITHIN FLORIDA, NAMING AGENT UPON WHOM PROCESS MAY BE SERVED

In compliance with Sections 607.034 and 48.091, Florida Statutes, the following is submitted:

That SHADOW LAKES HOMEOWNERS' ASSOCIATION, INC., a Non-Profit Corporation, desiring to organize or qualify under the laws of the State of Florida, with its registered office at City of Port Richey, State of Florida, has named Frederick J. Ahles, located at 8001 Pecan Tree Drive, New Port Richey, Florida 33553, as its agent to accept service of process within Florida.

Having been named to accept service of process for the above stated Corporation, at the place designated in this Certificate, I hereby agree to act in this capacity, and I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties.

0F

# SHADOW LAKES HOMEOWNERS' ASSOCIATION INC.

# ARTICLE I

The name of the corporation shall be SHADOW LAKES HOMEOWNERS' ASSOCIATION, INC., a Florida corporation, not for profit, hereinafter referred to as the "ASSOCIATION". The principal office of the corporation shall be located at 327 1/2 Jasmine Boulevard, Port Richey, Florida, 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

# **PURPOSES**

The purposes of the Association are those as are enumerated in in Article IV of the Articles of Incorporation of the Association. Subject to the said Articles of Incorporation, the Association is organized to provide for the operation, maintenance and improvement of Common Areas and common facilities within the perimeter of the real property described in the Articles of Incorporation, and to perform such other acts and services that, in the opinion of the Board of Directors and the members of the Association, will promote the enjoyment and benefit of the members of the Association.

## ARTICLE III

## **DEFINITIONS**

Defined terms in the Declaration of Covenants and Restrictions referred to in the Articles of Incorporation of this Association (hereinafter referred to as the "Declaration") are herein used as therein defined.

## ARTICLE IV

## MEETING OF MEMBERS

Section 1. Annual Meetings. The first annual meeting of the members shall be held on May 11, 1982, at the hour of 7:30 o'clock p.m., 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 same time. 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. The first meeting of the Board of Directors of the Association shall be held immediately succeeding the annual meeting of the members.

Section 2. Special Meetings. Special meetings of the members may be called at any time by the President or by a majority of the Board of Directors, or upon written request of the members. Written request of the members shall be in the form of a Petition signed by no less than one-third (1/3) of the total membership of the Association.

Section 3. Notice of Meetings. Written notice of each meeting shall be given by, or at the direction of, the Secretary or person authorized to call the meeting, by personal service or by mailing a copy of such notice, postage prepaid, at least fifteen (15) days before such meeting, to each member entitled to vote thereat,

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.

Section 4. Quorum. The presence at any Association meeting of one-third (1/3) of the members entitled to cast votes, or of their proxies, shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, Declaration or these By-Laws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat may adjourn the meeting from time to time, without notice other than announcement at the meeting.

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 terminate upon conveyance by the member of his or her real property

Section 6 Membership Status. Every person or entity who is a record owner of any real estate within the boundaries of the real property described in the Articles of Incorporation shall be qualified to 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 an obligation. Each member of the Association agrees by acceptance of the Deed to said property, to abide by the rules and regulations of the Association, and to pay such assessments or dues as shall be levied by the Board of Directors of the Association in accordance with these By-Laws and any amendments or resolution thereto.

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Section 7. Voting Rights. Each member shall be entitled toone (1) vote; provided, however, that there shall be a ratio of
only one (1) vote for each form of ownership regardless of whether
such ownership is singular, or joint tenants with rights of survivorship, as tenants in common, or as an estate by the entirety.

## ARTICLE V

# BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. Number. All Directors shall be members of the Association. The affairs of the Association shall be managed by a Board of Directors consisting of not less than seven (7) nor more than fifteen (15) members.

Section 2. Term of Office. At the first annual meeting the members shall elect two (2) Directors for a term of one (1) year, four (4) Directors for a term of two (2) years, and all additional Directors for a term of three (3) years; and at each annual meeting thereafter the members shall elect respective Directors for terms of three (3) years each.

Section 3. Removal and Vacancies. Any Director may voluntarily resign for any reason. Any Director may also be removed from the Board with or without cause, by a majority vote of the members of the Association, or by a majority vote of the Board of Directors. Should any Director miss three (3) consecutive Board meetings without the consent of the President or person authorized to be notified of an absence, then the said Director shall be automatically removed from office. In the event of death, resignation or removal of a Director, his or her successor shall be selected by the President with the approval of a majority of the members of the Board and shall serve for the unexpired term of his or her predecessor.

Section 4. Compensation. No Director shall receive compensation for any service he or she may render to the Association. However, any Director may be reimbursed for his or her actual expenses incurred in the performance of his or her duties.

Section 5. Action Taken Without a Meeting. The Directors shall have the right to take any action in the absence of a meeting which they could take at a meeting, by obtaining the written approval of all the Directors. Any action so approved shall have the same effect as though taken at a meeting of the Directors.

## ARTICLE VI

# NOMINATION AND ELECTION OF DIRECTORS

Nomination. Nomination for election to the Board Section 1. of Directors shall be made by a Nominating Committee consisting of no less than three (3) members of the Association. 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 who shall be appointed by the President, with the approval of a majority of the Board of Directors. The remaining members of the Nominating Committee shall be chosen by the Chairman of said Committee. The Nominating Committee shall be constituted and 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 in no case less than the number of vacancies that are to be filled. Nominations may be made from among members only.

Section 2. Election. Election to the Board of Directors shall be by secret written ballot. Ballots shall be prepared by the Nominating Committee. The President shall appoint no less than three (3) members who are not nominees or Directors to conduct the voting and the tabulation of the votes during the election. 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 VII

## MEETING OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held monthly without notice, at such place or 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.

Section 2. 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.

Section 3. Special Meetings. Special meetings shall be held in accordance with the provisions contained in Article IV, Section 2, hereinabove. In addition, special meetings of the Board of Directors shall be preceded by no less than three (3) days notice to each Director.

## ARTICLE VIII

# POWERS AND DUTIES OF THE BOARD OF DIRECTORS

<u>Section 1.</u> <u>Powers.</u> The Board of Directors shall have the power to:

- (a) Adopt and publish rules and regulations governing the use of the Common Area and Recreation Facility, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;
- (b) Suspend the voting rights and rights to use the Recreational Facility of a member during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended, after notice and hearing, for a period not to exceed sixty (60) days for infraction of published rules and regulations;
- (c) Exercise for the Association all powers, duties and authorities vested in or delegated to this Association and not reserved to the membership by other provisions of these By-Laws, the Articles of Incorporation, or the Declaration;
- (d) Employ managers, independent contractors, or such other employees as they may deem necessary, and to prescribe their duties;
- (e) Accept such other functions or duties with respect to the Properties, including Architectural Control, in addition to the maintenance responsibilities, as are determined from time to time to be proper by the majority of the Board of Directors.

- (f) Delegate to, and contract with, a mortgage company or financial institution responsibility for collection of the assessments of the Association;
- (g) As manager of the Association, all the powers authorized by Chapter 617 Florida Statutes, 1973, including all powers that are necessary and convenient to effect any and all of the purposes as stated in the Articles of Incorporation of the Association for which the Association is organized; and
- (h) To levy and collect regular and special assessments against the members of the Association to defray the costs and expenses of providing and securing services and facilities for the Association and of paying such Association obligations as personal and real property taxes: to levy and collect fines and penalties for the failure of Association members to pay assessments when due; and to institute appropriate legal proceedings to enforce. such assessments or fines.
- Section 2. Duties. It shall be the duty of the Board of Directors to:
  - (a) Cause to be kept a complete record of all of 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 statement is requested in writing by one-third (1/3) of the members.
  - (b) Supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;
    - (c) As 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

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.
- (d) Issue or 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;
- (e) Procure and maintain adequate liability and hazard insurance on the property owned by the Association;
- (f) Cause all officers or employees having fiscal responsibilit to be bonded, as it may deem appropriate;
  - (g) Cause the Common Areas to be maintained.

#### ARTICLE IX

# OFFICERS AND THEIR DUTIES

Section 1. Enumeration of Officers. The officers of this Association shall be a President and Vice President, who shall at all times be members of the Board of Directors. There shall also be a Secretary and a Treasurer, and such other officers as the Board may from time to time by resolution create, who shall all be members of the Board of Directors and members of the Association.

- Section 2. Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors which shall follow 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 or she 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. Officers may resign, be removed from office, or otherwise disqualified to serve as provided for in Article V, Section 3, hereinabove.
- Section 6. Vacancies. A vacancy in any office may be filled by appointment by the President, with the approval of a majority of the Board of Directors. The officer appointed to such vacancy shall serve for the remainder of the term of the officer replaced.
- Section 7. Multiple Offices. The offices of Secretary and Treasurer may be held by the same person. No person shall simultaneousl hold more than any one of the remaining offices except in the case of special offices created pursuant to Section 4 of this Article.
- Section 8. President. The President shall be the Chief Executive Officer of the Association and shall have general and active management of the business and affairs of the Association subject to the direction of the Board of Directors. He or she shall preside at all meetings of the Association members and of the Board of Directors. He or she shall see that orders and resolutions of

the Board are carried out.

The President shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes.

The President shall appoint all committees, temporary or permanent, and shall appoint all committee chairpersons, with the approval of a majority of the Board of Directors. The President shall be an ex-officio member of all committees except the Nominating Committee. The President shall not vote on resolutions except for the purpose of breaking a tie vote.

Section 9. Vice-President 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.

Section 10. Secretary. 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 same; 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 otherwise perform all the duties incident to his or her office together with such other duties as may be required by the Board.

Section 11. Treasurer. The Treasurer shall have custody of all the Association funds and financial records; shall keep full and accurate accounts of receipts and disbursements and render account thereof whenever required by the Board of Directors or the President; shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by

by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; shall prepare an annual budget and a statement of income and expenditures to be represented to the membership at its annual meeting, and deliver a copy of each to the members; and shall perform such other duties and exercise such other powers as the Board may from time to time prescribe. The Treasurer shall make all records and accounts available to any member for inspection at reasonable times, in accordance with the provisions of Article XI, hereinbelow.

ARTICLE X

COMMITTEES

OR BK 8918 PG 511

The Board of Directors shall appoint a Nominating Committee, a Security Committee, a Ways and Means Committee, a Social Committee and a Welcoming Committee. In addition, the Board of Directors shall appoint such other committees as may be deemed appropriate

from time to time for carrying out its purposes.

Section 1. Nominating Committee. The Nominating Committee shall be comprised of no less than three (3) members as provided for hereinabove. The purpose of the Nominating Committee shall be to select for nomination those persons most likely to benefit the Association and to promote its purposes and ideals and to encourage active participation in the Association by its members.

<u>Section 2.</u> <u>Security Committee</u>. The Security Committee shall promote the health, safety and welfare of the residents and members of the Association.

Section 3. Social Committee. The Social Committee shall plan, arrange and conduct social activities for purposes of encouraging a harmonious community, and encourage active participation by members

in social events of the Association.

Section 4. Ways and Means Committee. The Ways and Means
Committee shall devise, organize, and implement methods for
raising the necessary funds for the carrying out of the purposes
of the Association.

Section 5. Welcoming Committee. The function of the Welcoming Committee shall be to greet all new residents within the boundaries of the real property described in the Articles of Incorporation of the Association and to inform them of the Association, its purposes and functions, and to encourage active participation by new residents in the Association.

ARTICLE XI

OR BK 8918 PG 512

## 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 By-Laws of the Association shall be available for inspection by any member at the principal office of the Association, where copies may be purchased at a reasonable cost.

## ARTICLE XII

## **ASSESSMENTS**

As is 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 and are also the personal obligation of the member. The rights of membership are subject to the payment of these annual and special assessments, or dues. The membership rights of any person or any member whose interest in the Association is subject to assessments may be suspended by action of the Directors

during the period when the assessments remain unpaid; but, upon payment of such assessments, the member's rights and privileges shall be automatically restored.

### ARTICLE XIII

## CORPORATE SEAL

The Association shall have a seal in circular form having within its circumfrence the words: SHADOW LAKES HOMEOWNERS!
ASSOCIATION INC., A Florida corporation not for profit, 1982.

### ARTICLE XIV

## **AMENDMENTS**

Section 1. These By-Laws may be amended at a regular or special meeting of the members, by a vote of a majority of a quorum of the members present in person or by proxy.

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

#### ARTICLE XV

# INDEMNIFICATION OF OFFICERS AND DIRECTORS

Every officer and every director of the Association shall be indemnified by the Association for all expenses and liabilities, including reasonable attorney's fees, reasonably incurred by or imposed upon him or her in connection with any proceedings or settlement of any proceedings to which he or she may be a party or in which he or she may become involved by reason of his or her being or having been a Director or officer of the corporation, whether or not he or she is a Director or officer at the time such expenses are incurred; except that when the Director or officer

shall be adjudged guilty of willful misfeasance or malfeasance in the performance of his or her duties as such Director or officer these indemnification provisions shall not apply, provided, however, that in the event of any settlement the indemnification shall apply only when the Board of Directors approves such settlement and reimbursements as being in the best interest of the Association The foregoing right of indemnification shall be in addition to and not exclusive of any other rights to which such Director or officer may be entitled.

IN WITNESS WHEREOF, we being all of the Directors of SHADOW LAKE HOMEOWNERS' ASSOCIATION, INC., have hereunto set our hands this // th day of MAY, 1982.

OR BK 8918 PG 514

FREDERICK J. AHLES

LURD R. WOHLGEMUTH

LISABETH V. ANGELINI

TAIME H. NEVILLE

ELEANOR B. FISHER

LETTY G. MANDL

PHYLLIS M. MALEC

ALST H. LECZNAR

MARY E. LECZNAR

Rick Scott



# Jesse Panuccio EXECUTIVE DIRECTOR

FINAL ORDER NO. DEO-13-061

July 31, 2013

Damien D'Ascenzio, Esq. Booth & Cook, P.A. Ridgewood Executive Center 7510 Ridge Road Port Richey, FL 34668

OR BK 8918 PG 515

Re: Shadow Lakes

Dear Mr. D'Ascenzio:

The Department has completed its review of the proposed revived declaration of covenants and other governing documents for the Shadow Lakes community and has determined that the documents comply with the requirements of Chapter 720, Part III, Florida Statutes. Therefore, the proposed revitalization of the homeowners documents and covenants is approved.

Section 720.407(1), Florida Statutes, requires that no later than 30 days after receiving this letter, the organizing committee shall file the articles of incorporation of the Shadow Lakes Homeowners Association, Inc. with the Division of Corporations of the Department of State if the articles have not been previously filed with the Division. Also, Section 720.407(2), Florida Statutes, requires that the president and secretary of the Association execute the revived declaration and other governing documents in the name of the Association. The approved declaration of covenants, the articles of incorporation, this letter approval, and the legal description of each affected parcel must be recorded with the clerk of the circuit court in the county in which the affected parcels are located no later than 30 days after receiving approval from the Division of Corporations.

Section 720.407(4), Florida Statutes, requires that a complete copy of all of the approved, recorded documents be mailed or hand delivered to the owner of each affected parcel. The revitalized declaration and other governing documents will be effective upon recordation in the public records.

Damien D'Ascenzio, Esq. July 31, 2013 Page 2 of 4

FINAL ORDER NO. DEO-13-061

If you have any questions concerning this matter, please contact T. Christopher Long, Assistant General Counsel, at (850) 717-8530, or Rozell McKay, Government Analyst I, at (850) 717-8480.

Sincerely,

William Killings worth

**Director, Division of Community Development** 

OR BK 8918 PG 516

## **NOTICE OF ADMINISTRATIVE RIGHTS**

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES <u>NOT</u> ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED,

Damien D'Ascenzio, Esq. July 31, 2013 Page 3 of 4

#### FINAL ORDER NO. DEO-13-061

CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS **RECEIVED** BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON STREET, MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX (850) 921-3230

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

OR BK 8918 PG 517

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## FINAL ORDER NO. DEO-13-061

# **NOTICE OF FILING AND SERVICE**

Miriam Snipes, Agency Clerk

Department of Economic Opportunity 107 East Madison Street, MSC 110

Tallahassee, FL 32399-4128

## By U. S. Mail:

Damien D'Ascenzio, Esq. Booth & Cook, P.A. Ridgewood Executive Center 7510 Ridge Road Port Richey, FL 34668 OR BK 8918 PG 518

# By interoffice delivery:

T. Christopher Long, Assistant General Counsel Rozell McKay, Community Program Manager, Division of Community Planning