



INSTR # 2022319515
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 STACY M. BUTTERFIELD,
 CLERK OF COURT POLK COUNTY
 RECORDING FEES \$86.50
 RECORDED BY caramoor

Prepared by & Return to:
 Clayton & McCulloh
 Attn: Neal McCulloh
 1065 Maitland Center Commons Blvd.
 Maitland, FL 32751

the space above this line is reserved for recording purposes

**NOTICE OF RECORDING OF
 RESOLUTION OF THE BOARD OF DIRECTORS TO ENFORCE ALL OF THE
 RESTRICTIONS AND PROVISIONS WITHIN THE ASSOCIATION'S GOVERNING
 DOCUMENTS**

KNOW ALL MEN BY THESE PRESENTS:

That on this 14th day of November, 2022 the undersigned, Regency Place Homeowners' Association, Inc., a Florida not-for-profit corporation (hereinafter the "Association"), pursuant to Florida Statutes and the DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR REGENCY PLACE, recorded in Official Records Book 04129, Page 0195, *et seq.*, of the Public Records of Polk County, Florida, as may be amended and restated from time to time (hereinafter referred to as the "Declaration"), hereby gives notice of recording in the Public Records of Polk County, Florida the RESOLUTION OF THE BOARD OF DIRECTORS TO ENFORCE ALL OF THE RESTRICTIONS AND PROVISIONS WITHIN THE ASSOCIATION'S GOVERNING DOCUMENTS (hereinafter referred to as the "Resolution"). A copy of said Resolution is attached hereto and by reference made a part hereof. Said Resolution was approved by the Board of Directors of the Association (hereinafter referred to as the "Board") at a duly called and conducted Board Meeting.

The Resolution is hereby being recorded in an effort to ensure that record title notice of it will exist and so that the contents thereof will be self-evident in the public records. Additionally, the Association has endeavored to record same to provide record title notice of the validity, binding nature, and enforceability of the Resolution, as well as the Association's intent to enforce the terms and provisions of the Declaration and the other Association's Governing Documents.

The Association is a not-for-profit corporation created pursuant to Chapter 617, Florida Statutes and a homeowners association subject to Chapter 720, Florida Statutes. All terms and conditions of the Resolution as incorporated herein shall remain in full force and effect.

CERTIFICATION ON LAST PAGE
 STACY M. BUTTERFIELD
 CLERK OF THE CIRCUIT COURT

Signed, sealed and delivered
In the presence of:

[Signature]
(Sign - Witness 1)

Leticia Ramirez
(Print - Witness 1)

[Signature]
(Sign - Witness 2)

Sarah Henley
(Print - Witness 2)

**Regency Place Homeowners'
Association, Inc.**

Attest: [Signature]
(Sign)

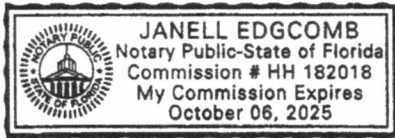
Sheri Wilson
(Print)

Secretary, **Regency Place Homeowners'
Association, Inc.**

STATE OF FLORIDA
COUNTY OF Polk

The foregoing instrument was acknowledged before me by means of physical presence or
 online notarization, this 9 day of December, 2022 by
Sheri Wilson as Secretary of Regency Place Homeowners' Association,
Inc., a Florida not for profit corporation, on behalf of the corporation. He/She is personally known
to me or has produced FLDLW425792568040 as identification.

(Seal)



[Signature]
Sign

Janelle Edgcomb
Print

CERTIFICATION ON LAST PAGE
STACY M. BUTTERFIELD
CLERK OF THE CIRCUIT COURT

IN WITNESS HEREOF, Regency Place Homeowners' Association, Inc. has caused these presents to be executed in its name, this 14th day of November, 2022.

Signed, sealed and delivered
In the presence of:

Leticia Ramirez
(Sign - Witness 1)

Leticia Ramirez
(Print - Witness 1)

[Signature]
(Sign - Witness 2)

Sarah Henley
(Print - Witness 2)

**Regency Place Homeowners'
Association, Inc.**

By: Charles Holland
(Sign)

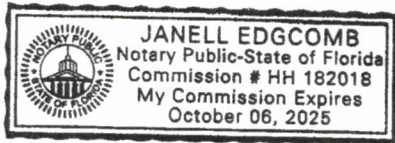
Charles Holland
(Print)

President, **Regency Place Homeowners'
Association, Inc.**

STATE OF FLORIDA
COUNTY OF Dix

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 9 day of December, 2022 by Charles Holland as President of Regency Place Homeowners' Association, Inc., a Florida not for profit corporation, on behalf of the corporation. He/She is personally known to me or has produced FDL H453148510150 as identification.

(Seal)



[Signature]
Sign

Janel Edgcomb
Print

CERTIFICATION ON LAST PAGE
STACY M. BUTTERFIELD
CLERK OF THE CIRCUIT COURT



Clayton & McCulloh

ATTORNEYS AT LAW
www.clayton-mcculloh.com

NEAL McCULLOH
Senior & Founding Partner
nmcculloh@clayton-mcculloh.com

Clayton & McCulloh, P. A.
Servicing 25 Counties
Respond to: Orlando Office

EXHIBIT A

October 17, 2022

To Owners and Residents of
Regency Place Homeowners' Association, Inc.

Dear Owner and/or Resident:

Pursuant to the Association's request, we have advised the Board of Directors regarding how it should address violations of the Association's Governing Documents (i.e., its Declaration, Articles of Incorporation, Bylaws and Rules and Regulations). Accordingly, we advised the Board that the Association should follow the Florida Statutes and implement the requirements of its Governing Documents. Additionally, we advised the Board that part of the purpose of the Governing Documents is to help preserve and protect your property values. However, to maintain and hopefully promote your property values, the Association needs to compel each Owner's and resident's compliance with the Governing Documents.

Unfortunately, we understand that prior Board(s) may not have uniformly, timely and consistently enforced the Governing Documents. Of course, this needs to be immediately corrected.

Given the above and to protect all Owners and residents, the Association intends in the future to enforce and compel compliance with all of the provisions within the Governing Documents. Accordingly, please be advised that you cannot rely upon any prior violation as a basis to justify a future violation. Similarly, you cannot rely upon any past inaction of the Board as a justification to violate the Governing Documents in the future.

In the event the Association is apprised of or becomes aware of a violation of its Declaration, Articles of Incorporation, Bylaws and/or its Rules and Regulations, the Covenant Enforcement Policy and Procedure that has been adopted to enforce the Governing Documents is as follows:

1. The Association intends to send an initial notice/letter to the violating Owner and/or Occupant pointing out the violation(s) and requesting compliance within the time specified therein (e.g., 14 days of the date of the letter);
2. If the violation(s) are not corrected within the time period specified in the first notice/letter (e.g., 14 days), the Association will send out its second notice/letter

Orlando Office:
The Clayton & McCulloh Building
1065 Maitland Center Commons Blvd.
Maitland, FL 32751
Phone: (407) 875-2655
Fax: (407) 875-3363

Toll Free: (888) 793-1486

Melbourne Area:
Phone: (321) 751-3449
Fax: (321) 751-3450

CERTIFICATION ON LAST PAGE
- STACY M. BUTTERFIELD
- CLERK OF THE CIRCUIT COURT

requesting and demanding compliance within the time specified therein (e.g., 14 days of the date of the letter);

3. If the violation(s) are still not corrected within the time period specified in the second notice/letter (e.g., 14 days), the Association will send out its third and final notice/letter requesting and demanding compliance and apprising the violating Owner and/or Occupant that the matter(s) will be turned over to the Association's law firm, Clayton & McCulloh to compel compliance unless the violation(s) are corrected within the time specified therein (e.g., 7 days of the date of the third letter);
4. If the violation(s) are not corrected within the time period specified in the Association's third letter (e.g., 7 days), this law firm (i.e., Clayton & McCulloh) will send a final letter demanding compliance.
5. If the violations are not corrected within the time specified in Clayton & McCulloh's letter, Clayton & McCulloh will escalate the matter into mediation and/or litigation as necessary to compel compliance.

The above time periods are only intended to be approximate. As such, the time periods to be specified in such notices/letters may be altered unilaterally by the Association and/or its management depending on the facts, conditions, etc. Accordingly, such time periods, notwithstanding anything to the contrary, may be altered in the sole unfettered discretion of the Association and/or its management without any further or advance notice of a change.

Please appreciate that in the event a violation is turned over to Clayton & McCulloh, this law firm will seek to compel compliance with the Governing Documents and may seek to recover the associated attorneys' fees and costs.

Notwithstanding the above, as an alternative and/or an additional remedy, the Association may, to the extent they are available, use and pursue its "self-help" rights. More specifically, to the extent that the Association's Governing Documents provide that the Association can go on an owner's lot, correct the violation(s) (e.g., mow the grass) and charge the owner the expense(s) associated therewith, the Association may choose to implement this remedy, where appropriate. Of course, if the Association avails itself of this alternative and/or additional remedy, the Association and/or this law firm shall, likewise, pursue recovery of all the associated expenses.

Please work with your Board of Directors for the benefit of the entire Community by complying with the Association's Governing Documents and appreciate that the letters and the enforcement action(s) referenced above are for the benefit of all the Owners. It is hoped that each and every Member (i.e., Owner) can appreciate the need for compliance by everyone. Additionally, please understand that the Florida Statutes, likewise, mandate that each owner and tenant comply with the

EXHIBIT A

Governing Documents. In fact, Section 720.305, Florida Statutes basically provides that a violation of the Governing Documents is a violation of Florida law and subjects the violator to payment of the Association's reasonable attorneys' fees.

Ultimately, the Association intends to compel compliance with each and every provision within the Governing Documents. Nevertheless, the violations which initially raise the most concern all revolve around the owners' and occupants' failure to prevent the development of unclean, unsightly or unkept conditions on the Lots and/or dwelling units including with respect to:

1. Owners' failure to maintain their yard (e.g., regularly mow, edge, trim, treat for weeds, replace dead areas of grass, etc.);
2. Owners' failure to maintain their fences; and
3. Owners' failure to timely paint or more specifically, repaint their home, as well as obtain the requisite ARC approval, therefore.

To reiterate, the Association intends to compel compliance with each and every provision of the Governing Documents. Accordingly, we hope this letter helps you to avoid violating the Governing Documents in the future, as well as avoid the need for the Association to undertake the enforcement action(s) listed above.

Please understand that this letter is not an indication that you are in violation of any of the Governing Documents. As such, this letter is only for the purpose of helping you avoid future violations. Accordingly, if you are currently violating the Association's Governing Documents, such matter(s) will be dealt with in separate correspondence

Given the above, it is hoped you appreciate that the Association has provided you with this letter as it seeks each owners' and residents' cooperation for the benefit of the Community and hopes that each of you will cooperate in this endeavor.

Please work with the Association for the benefit of your Community by complying with the Association's Governing Documents.

Sincerely,
CLAYTON & MCCULLOH



Neal McCulloh, Esq.
NM/rsw

EXHIBIT A

CERTIFICATION ON LAST PAGE
STACY M. BUTTERFIELD
CLERK OF THE CIRCUIT COURT

**RESOLUTION OF THE BOARD OF DIRECTORS
TO ENFORCE ALL OF THE RESTRICTIONS AND PROVISIONS WITHIN THE ASSOCIATION'S
GOVERNING DOCUMENTS**

WITNESSETH

WHEREAS, Regency Place Homeowners' Association, Inc. (hereinafter sometimes referred to as the "Association") is governed by a Board of Directors; and

WHEREAS, the Board of Directors wants to ensure that the Owners are apprised of its intent to enforce all of the restrictions and provisions set forth in the DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR REGENCY PLACE, recorded in O.R. Book 4129, Page 0195, *et seq.*, of the Public Records of Polk County, Florida, as amended and restated from time to time, as well as the balance of the Association's Governing Documents; and

WHEREAS, the Association in the past may not have timely, uniformly and consistently enforced all of its Governing Documents.

RESOLVED, that:

1. The Association shall enforce all of the restrictions and provisions set forth in the Association's Governing Documents forthwith;
2. The Association shall, within 60 days of the date hereof, by U.S. Mail Postage Pre-Paid, provide to each Owner at the address set forth in the Association's Official Records, Notice that it intends to enforce all of the restrictions and provisions set forth in the Association's Governing Documents (hereinafter referred to as the "Notice"); and
3. The Notice shall consist of a copy of this Resolution which includes a copy of Clayton & McCulloh's Rehabilitation Letter dated October 17, 2022, a copy of which is attached hereto as Exhibit "A"; and
4. The Association shall record a copy of the executed Resolution (with a copy of the Rehabilitation letter attached thereto) in the County's Public Records.

We, the undersigned Officers of Regency Place Homeowners' Association, Inc., hereby certify that the foregoing is a true and correct copy of the Resolution adopted at the meeting of the Board of Directors of the Association held on 14th day of November, 2022, which meeting was called after due notice was

given and at which meeting a quorum of the Board of Directors was present and that such Resolution was adopted upon a majority vote of the Board of Directors.

IN WITNESS WHEREOF, Regency Place Homeowners' Association, Inc. has caused these presents to be executed in its name, this 14th day of November, 2022.

Signed, sealed and delivered
In the presence of:

Regency Place Homeowners' Association, Inc.

Leticia Ramirez
(Sign - Witness 1)

By:

Charles Holland
(Sign)

Leticia Ramirez
(Print - Witness 1)

Charles Holland
(Print)

[Signature]
(Sign - Witness 2)

President, **Regency Place Homeowners' Association, Inc.**

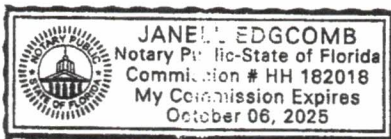
Sarah Hunley
(Print - Witness 2)

STATE OF FLORIDA

COUNTY OF Polk

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 9 day of December, 2022 by Charles Holland as President of Regency Place Homeowners' Association, Inc., a Florida not for profit corporation, on behalf of the corporation. He/She is personally known to me or has produced FDX #1483148510150 as identification.

(Seal)



[Signature]
Sign

Janel Edgcomb
Print

Signed, sealed and delivered
in the presence of:

Regency Place Homeowners' Association, Inc.

Leticia Ramirez
(Sign - Witness 1)

Attest:

Sheri Wilson
(Sign)

Leticia Ramirez
(Print - Witness 1)

Sheri Wilson
(Print)

[Signature]
(Sign - Witness 2)

Secretary, **Regency Place Homeowners' Association, Inc.**

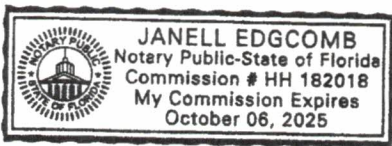
Sarah Hunley
(Print - Witness 2)

STATE OF FLORIDA

COUNTY OF Folk

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 9 day of December, 2022 by Sheri Wilson as Secretary of Regency Place Homeowners' Association, Inc., a Florida not for profit corporation, on behalf of the corporation. He/She is personally known to me or has produced FLD 1642579256804 as identification.

(Seal)



[Signature]
Sign

Janell Edgcomb
Print

Regency Place Homeowners' Association, Inc.

170 Lady Diana Drive, Davenport, FL 33837

regencyplacehomeowners.com

Ph 863-420-7799

RESOLUTION

Date 11-14-2022

FOR THE PURPOSE OF:

- approve - proposed rehabilitation letter written by Clayton & McCulloh dated 10-27-2022
- approve - pass & execute the proposed written Resolution by Clayton & McCulloh
- approve - execute the Notice of Recording
- approve - mailing owners & residents of Regency Place copies of Resolution, Exhibit A & Rehabilitation letter

FURTHER RESOLVED, the Board of Directors referred to in the foregoing resolutions is as follows:

RESOLUTION Approved by:

Charles Holland Charles Holland, President
John Rigg John Rigg, Vice President
Sheri Wilson Sheri Wilson, Secretary-Treasurer
Nancy H. Mitchell Nancy H. Mitchell, Director
Don BRACK DODD, Director
Lucy Rodriguez Lucy Rodriguez, Director
_____, Director

STATE OF FLORIDA, COUNTY OF POLK
This is to certify that the foregoing is a true and correct copy of the document now of record in this office. Witness my hand and Official Seal on 11/14/2022
This copy has been reviewed, and if required by law, redacted.
STACY M. BUTTERFIELD, CLERK CIRCUIT COURT
By Cara Moore D.C.



FURTHER RESOLVED, the Board of Directors is authorized to rely upon the aforesaid resolution until receipt of written notice of any change.

Certification

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution regularly presented to and adopted by the Board of Directors of Regency Place at a meeting duly called and held at Regency Place Pool this day of November 14, 2022 at which a quorum was present and voted, and that such resolution is duly recorded in the minute book of this corporation; that the officers named in said resolution have been duly elected or appointed to and are the present incumbents of the respective offices set after their respective names; and that the signatures set opposite their respective names are their true and genuine signatures.

Sheri Wilson Corporate Secretary
Sheri Wilson

