INSTR 20040187331
OR BK 07363 PG 3906

MARTHA O. HAYNIE, COMPTROLLER
ORANGE COUNTY, FL
03/26/2004 04:18:59 PM
REC FEE 42.00

Prepared By and Return To:
Richard E. Larsen, Esq.
Larsen & Associates, P.A.
55 E. Pine Street
Orlando, FL 32801
Telephone: (407) 841-6555

BY-LAWS

OF

ROSETTA VILLAS HOMEOWNERS ASSOCIATION, INC.

ARTICLE I

NAME: The name of the corporation is ROSETTA VILLAS HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as the "Association."

ARTICLE II

DEFINITIONS

Section 1. "Association" shall mean and refer to ROSETTA VILLAS HOMEOWNERS ASSOCIATION, INC., its successors and assigns.

Section 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions recorded at Official Records Book 5138, Page 473, Public Records of Orange County, Florida, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.

Section 3. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions recorded at Official Records Book 5238, Page 473, as may be amended from time to time.

Section 4. "Member" shall mean and refer to those persons entitled to membership as provided in said Declaration(s).

ARTICLE III

MEETING OF MEMBERS

Section 1. Annual Meetings. The Association shall hold an annual meeting of the membership in each year on a date and at an hour to be set by the Board of Directors.

Section 2. Special Meetings. Special meetings of the members may be called at any time by the president or by the Board of Directors, or upon written request of the members who are entitled to vote one-fourth (1/4) of all of the votes of the membership.

Section 3. Notice of Meetings. Written notice of each meeting of the members shall be given by, or at the direction of, the secretary or person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least 15 days before such meeting to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the 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 the meeting of members entitled to cast, or of proxies entitled to cast, one-third (1/3) of the votes of each class of membership shall constitute a quorum for any action except as otherwise provided in the Articles of Incorporation, the Declaration, or these By-Laws. If however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum as aforesaid shall be present or be represented.

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 cease upon conveyance by the member of his Lot.

ARTICLE IV

BOARD OF DIRECTORS: SELECTION: TERM OF OFFICE

Section 1. Number. The affairs of this Association shall be managed by a Board of directors, who must be members of the Association. The Board shall determine the number of directors, which shall never be less than three (3) or more than five (5).

Section 2. Term of Office. Each Director shall serve for a one (1) year term.

Section 3. Removal. Any director may be removed from the Board, with or without cause, by majority vote of the members of the Association. In the event of death, resignation or removal of a director, his successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his predecessor.

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

NOMINATION AND ELECTION OF DIRECTORS

Section 1. Nomination. Nomination for election to the Board of Directors shall be made by a Nominating Committee. Nominations may also be made from the floor at the annual meeting. The Nominating Committee shall be appointed by the Board and shall consist of three (3) members of the Association, who may also be Board members. A new Nominating Committee shall be appointed by the Board of Directors prior to each annual meeting of the members. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less than the number of vacancies that are to be filled.

Section 2. Election. Election to the Board of Directors shall be by secret written ballot. At such election of 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 VI

MEETINGS OF DIRECTORS

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held monthly at such place and 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. Special Meetings. Special meetings of the Board of Directors shall be held when called by the president of the Association, or by any two directors, after not less than forty-eight (48) hours notice to each Director.

Section 3. 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 duly held meeting at which a quorum is present shall be regarded as the act of the Board.

ARTICLE VII

POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 1. Powers. The Board of Directors shall have power to:

(a) adopt and publish rules and regulations governing the use of the common area, lots and facilities, and the personal conduct of the members and their guests thereon, and to establish penalties for the infraction thereof;

(b) exercise for the Association all powers, duties, and authority 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;

(c) declare the office of a member of the Board of Directors to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors; and

(d) employ a manager, an independent contractor, or such other employees as they deem necessary, and to prescribe their duties.

Section 2. Duties. It shall be the duty of the Board of Directors to:

(a) cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members;

(b) supervise all officers, agents and employees of this Association, and to see that their duties are properly performed;

(c) as more fully provided in the Declaration, to:

1) fix the amount of the annual assessment against each Lot in advance 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 after the due date or to bring an action at law against the owner personally obligated to pay the same.

(d) issue, or to 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 of 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 property owned by the Association;

(f) cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate;

(g) cause the Common Property to be maintained.

ARTICLE VIII

OFFICERS AND THEIR DUTIES

The Officers and their duties shall be as enumerated in the Articles of Incorporation.

ARTICLE IX

COMMITTEES

The Association shall appoint a nominating Committee as provided in these By-Laws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose.

ARTICLE X

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 reasonable cost.

ARTICLE XI

ASSESSMENTS

As more fully provided in the Declaration, each member is obligated to pay to the Association annual and special assessments. If an owner fails to pay the installment of an assessment when due, said assessment shall become immediately due and payable together with interest thereon and cost of collection thereof, and shall thereupon become a continuing lien on the Lot that shall bind such property in the hands of the Owner, his

heirs, devisees, personal representatives, and assigns, and shall also be the continuing personal obligation of the Owner against whom the assessment was levied.

If the assessment is not paid the Association may at any time thereafter bring an action to foreclose the lien against the Lot in like manner as a foreclosure of a mortgage on real property and/or a suit on the personal obligation against the owner. There shall be added to the amount of such assessment all costs associated with the collection of the assessment(s), including reasonable attorneys' fees. No owner may waive or otherwise escape liability for the assessments provided herein by non-use of the Common Property or abandonment of his Lot.

ARTICLE XII

CORPORATE SEAL

The Association shall have a seal in circular form having within its circumference the words:

ROSETTA VILLAS HOMEOWNERS ASSOCIATION, INC.
a not-for-profit Florida Corporation

ARTICLE XIII

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 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.

IN WITNESS WHEREOF, the Board of Directors of the ROSETTA VILLAS HOMEOWNERS ASSOCIATION, INC. hereby adopts these By-Laws at a duly held meeting of the Board of Directors on the 25 day of FEBRUARY, 2004.

Martin Willis
Witness Signature
Print name: MARTIN WILLIS

President Signature
Print name: LEONARD N. CLEMENTS
Address: 5844 RYWOOD DR
ORLANDO, FL [redacted]
32810

Witness Signature
Print name: _____

STATE OF FLORIDA
COUNTY OF ORANGE

THE FOREGOING instrument was acknowledged before me this 25 day of FEBRUARY, 2004 by LEONARD CLEMENTS, as President, who is personally known to me or produced identification (type of identification produced) _____.

Martin Willis
Notary Public-State of Florida
Stamp or Seal:

MARTIN WILLIS
MY COMMISSION # DD 223070
EXPIRES: July 1, 2007
Bonded Thru Budget Notary Services

(acting Secretary)

Martin Willis
Witness Signature
Print name: MARTIN WILLIS

Secretary Signature
Print name: DINO FONSECA
Address: 5654 RYWOOD DR

Witness Signature
Print Name: _____

STATE OF FLORIDA
COUNTY OF _____

THE FOREGOING instrument was acknowledged before me this 25 day of FEBRUARY, 2004 by DINO FONSECA, as Secretary, who is personally known to me or produced identification (type of identification produced) _____.

Martin Willis
Notary Public-State of Florida
Stamp or Seal:

MARTIN WILLIS
MY COMMISSION # DD 223070
EXPIRES: July 1, 2007
Bonded Thru Budget Notary Services

DOC # 20060360680 B: 9715 P: 0668
06/19/2006 11:58:51 AM Page 1 of 2
Rec Fee: $18.50 Doc Type: RST
Martha O. Haynie, Comptroller
Orange County, FL
MB - Ret To: TAYLOR & CARLS PA

This instrument prepared by and should be returned to:

Richard M. Coln, Esquire
TAYLOR & CARLS, P.A.
850 Concourse Parkway South
Suite 105
Maitland, FL 32751
(407) 660-1040

Cross Reference to Official Records Book 7363, Page 3906 of the Public Records of Orange County, Florida.

CERTIFICATE OF FIRST AMENDMENT TO THE BY-LAWS OF ROSETTA VILLAS HOMEOWNERS ASSOCIATION, INC.

THIS IS TO CERTIFY that the following language amending Article II, Section 3 and Article VI, Section 1 constitutes the First Amendment to the By-Laws of Rosetta Villas Homeowners Association, Inc., as originally recorded on March 26, 2004 in Official Records (OR) Book 7363, Page 3906 in the Public Records of Orange County, Florida ("By-Laws"). This First Amendment was duly and properly adopted pursuant to the provisions of Article XIII, Section 1 of the By-Laws, by the approval of a majority of a quorum of those members attending a meeting, either in person or by proxy, held on June 5, 2008.

Article II, Section 3 of the By-Laws is hereby amended to read as follows:

Section 3. "Declaration" shall mean and refer to the Declaration of Covenants, Conditions and Restrictions recorded at Official Records Book ~~5238~~ **5138**, Page 473, as may be amended from time to time.

Article VI, Section 1 of the By-Laws is hereby amended to read as follows:

Section 1. Regular Meetings. Regular meetings of the Board of Directors shall be held ~~monthly~~ **quarterly** at such place and 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.

Except as specifically set forth herein, all other terms and conditions of the By-Laws shall continue in full force and effect without modification. The effective date of these amendments shall be the date of recording of this instrument in the Public Records of Orange County, Florida.

Additions to the Declaration are indicated by **bold underline**; deletions are indicated by ~~strikeout~~.

EXECUTED at Orlando, Orange County, Florida, on this 6 day of June, 2008.

WITNESSES:

ROSETTA VILLAS HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation.

Louise H. Jefferson
Print Name: Louise H. Jefferson

By: Rebekah Yen
Rebekah Yen, President

Andy Alvarez
Print Name: Andy Alvarez

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 6 day of June, 2008, by Rebekah Yen, as President, of ROSETTA VILLAS HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, on behalf of the corporation. She [ ] is personally known to me or [X] has produced Florida Drivers License as identification.

(NOTARY SEAL)

JULIE LYNN L. BUHAIN
Notary Public - State of Florida
My Commission Expires Jul 17, 2011
Commission # DD 695439
Bonded Through National Notary Assn.

Julie Lynn L Buhain
Notary Public-State of Florida
Print Name: Julie Lynn L Buhain
Commission No.: DD 695439
My Commission Expires: JUL 17, 2011

Additions to the Declaration are indicated by **bold underline**; deletions are indicated by ~~strikeout~~.

Rosetta Villas HOA, INC – Rose Pointe & Rosetta Villas

Community Guidelines and Rules

1. **Exterior Appearance:** Exterior of homes and all elements (e.g., Driveways, Lawns, Sidewalks, Fences, Interior window coverings, Etc.) visible to the public eye must be tidy and neat at all times.

1-A. Exterior of homes and all elements must be maintained so that there is no visible disrepair or disorder (e.g., deterioration, discoloration, fading, dirt, stains, debris, trash, broken or missing pieces). **Repaired areas or replaced items** (e.g., roof shingles, windows, walls or any section thereof) must be uniform in appearance (i.e., in color, quality and size) to the existing or current structure.

1-B. Garage doors or windows facing the street shall not be left open if materials not consistent with the HOA rules are exposed to the public eye (e.g. refuse, clutter, commercial equipment). **Window Coverings** (e.g., curtains, blinds) and other interior elements visible to the public eye (through the glass) must be white, beige or of natural wood tones. No windows shall be covered with sheets, newspaper, aluminum foil or similar materials. Window tinting requires prior approval by the HOA.

1-C. Driveways and Sidewalks must be free of excessive dirt and stains. Seams and cracks in cement must be kept grass and weed free.

2. **Exterior Alterations and Additions:** (e.g., Porches, Shade structures, Fences, Play sets, Landscaping alterations, and Other Visible Changes) require prior written approval by the Association's Architectural Review Committee (ARC) by way of an ARC form; design, color, and size must be consistent with the architectural design of the home. **ANY Exterior Painting** of your home, driveway or fence **requires prior written approval by the ARC**. (Please note: Failure to get approval could be costly, requiring a repaint of the structure or correction to the unapproved modification.)

3. **Parking & Storage:** No parking of Commercial Vehicles or Equipment in the public eye. Commercial vehicles, vehicles which display advertising, vehicles with exposed work equipment (e.g., ladders, pipes), tractors, trailers, campers, boats and junk vehicles must not be parked or stored in any areas of the subdivision that are visible to the public eye. No parking on the grass.

4. **Recreational or Work Equipment:** (e.g., Basketball hoops, Toys, Grills) must be stored out-of-sight when not in use. **Equipment or any portion thereof** including swings, play sets and umbrellas (not concealed by a privacy fence) must be of neutral colors and subdued tones. **Hanging laundry** or drying apparatus shall not be visible from the street or from the ground level of a neighboring lot.

5. **Recreational Activities:** Basketball and sports that obstruct the flow of traffic must be kept at least 5 feet away from the street. Activities must not encroach onto your neighbor's property. Noise should be kept under control, so not to diminish your neighbor's peaceful enjoyment of their property.

6. **Refuse, Trash, Recycling and Yard Waste:** shall not be placed in the front of the property **prior to 6:00 PM** on the day prior to collection. All containers **must be removed before 6:00 PM** on the day of collection. **In between collections refuse** must be kept within the garage; or if placed outside shall be kept behind the fence or in an area not noticeable from the street or from your neighbor's property. Household refuse set outside must be placed in sanitary containers and must have lids.

7. **Landscaping Guidelines & Rules:** **All Lawns, Shrubs and Trees** must be have a neat and well-cared-for appearance year-round. (See landscaping details outlined in **7-A** through **7-E**.)

7-A. Lawn Appearance: **Height of lawn grass must not exceed six (6) inches** and must be healthy and green. Lawns should be mowed and edged on a **weekly basis** during the growing season (i.e. April through October) to insure that grass does not exceed six (6) inches. During the cool season (i.e. November through March) lawns should be mowed once every two weeks. **All borders** including sidewalks, driveways, flowerbeds, side/s of home and curb lines along the street **must be mechanically edged**. Grass and debris must be removed from all paved areas including the street. Excessive grass clipping (i.e. clumped, noticeable) should be removed from the lawn. Bare spots in sod must be patched within three (3) weeks. (Other Landscaping Rules Cont'd on Page 2).

 (Cont'd on page 2)

7-B. Planting Areas (e.g., flowerbeds): **All parcels must have planting areas with healthy shrubs** (planted and maintained) in the front of the property. All parcels must have at least two (2) trees, a minimum of seven (7) feet in height (Covenant Art VI, Sec 6.15). Planting areas must have defined borders (i.e. borders shall be mechanically edged in the absence of hardscape edging). **Planting areas must be free of weeds, grass and debris;** bare areas must be mulched to prevent unwanted growth and soil erosion. Mulch must be of natural tones such as the color of bark, cedar or river rock. Vegetable gardens and plants cultivated for food must be kept in rear yards and/or shielded from the public view with approved fencing or shrubbery.

7-C. Shrubs and Trees: shall be pruned on a regular basis to ensure a neat appearance and to prevent the shrub or tree's mature spread from outgrowing the planting space. See details * outlined below.

* **Dead or dying vegetation** shall be removed. * **Tree or Shrub removal** must include the stump removal.
* **Stray branches and shoots** on hedge plantings, bushes, and trees shall be pruned.
* **Bushes (or closely grown shrubs)** planted below any front window must not exceed the height of the middle of the (entire) window. * **Shrubs and trees** must not block a clear view of the front door from the street.
* **Branches must not block** house numbers nor encroach entryways, walkways and driveways.
* **Shrubs planted within three (3) feet of any exterior wall** in or near the front entryway area must not exceed the height of the lowest adjacent roof line.
* **Shrubs planted directly to the right or left sides of the garage opening** must not exceed the height of the lowest adjacent roof line nor encroach the garage opening more than one (1) foot on each side of the opening.
* **Tree clearance** - Lower branches and "suckers" in between the ground and the tree crown shall be pruned from the main trunk to a six (6) foot height to provide clearance for lines of sight; this pertains to species with an anticipated width exceeding eight (8) feet.
* **Tree branches** should not touch the house siding. Tree branches should not touch the roof shingles.

7-D. Landscaping Alterations and New Trees: Visible changes to your landscaping are subject to Architectural Review Committee (ARC) approval. Front planting areas may not be removed or altered without ARC approval. **The installation of a new tree (of any size) requires prior written ARC approval.** A neighborhood awareness form should be completed for any new tree planted within 5 (five) feet of your neighbor's property line. Given our small lot sizes, **no new tree** should exceed a height of 40 feet high or 20 feet wide during its lifetime. We recommend small evergreen trees (e.g. Bottle Brush, Dwarf Magnolias, Palms). Consideration should be taken in the placement of new trees and shrubs so they do not become a nuisance to neighboring property owners. Fruit trees shall be planted in rear yards only.

7-E. Exterior Ornamental Decorations (e.g., Potted plants, Statues, Lighting, Etc.): are subject to ARC approval. Ornaments must be of earth tones. **Ornaments and pots may only be placed** in established flowerbeds or in the front entryway areas (e.g., porch, right/left sides of garage opening) adjacent to the house. Up to eight (8) pieces combined will be allowed in the front/side areas of each parcel providing ornamentation design does not appear crowded. **Ornaments and pots may not be placed in the driveway** nor obstruct garage access for two vehicles. Except for approved lighting posts and trellises accompanied with landscaping, no ornament or statue shall exceed three (3) feet in height. Pots with dying plants or debris must be removed. This section (7-E) does not include holiday decorations, which are outlined below in section 8 of these guidelines.

8. Seasonal Decorations & Temporary Displays: are subject to ARC approval and must not conflict with the HOA's Covenant on Signs, Art VI, 6.6. **Winter Holiday Seasons** (including but not limited to: Christmas, Hanukkah, Kwanzaa, etc) - decorations may be up from Thanksgiving through Jan 15. All other commonly recognized holidays (Halloween, 4th of July and etc) – decorations will be allowed from two weeks before the holiday through one week after the holiday. Decorations for holidays that are not part of the Winter Holiday Season must be subdued in nature and are restricted to the front entryway or front window areas. Decorations must reflect the present season.

9. Enforcement / Occupancy Information Policy: Each member (i.e. parcel owner) and the member's tenants, guests, and invitees occupying the parcel are governed by the Association and must abide by the Associations' rules (as provided by FL SS 720). Owners must inform their tenants, guests and invitees of the Association's Guidelines and Rules prior to their moving in. Owners (or their property managers and agents) must register the names of all residents, tenants, and invitees (i.e. all adult persons age 18 or older) occupying the property (along with copies of any executed lease agreements) with the Association within 30 days of occupancy. Owners are responsible for registering their contact information with the Association and keeping it up to date.

Version 08/05/2014. (Notes: Board Ratified with revisions on 08/05/14 for clarification of the "growing season" and "cool season" months. Prior versions ratified on 11/19/2008 and 1/29/2013. These adopted guidelines and rules serve to clarify some of the CCR's and do not replace them. See the complete set of HOA Governing documents for other guidelines, rules and ARC restrictions.)

DOC# 20100287948 B: 10047 P: 4463
05/20/2010 12:30:45 PM Page 1 of 2
Rec Fee: $18.50
Deed Doc Tax: $0.70
Intangible Tax: $0.00
Mortgage Stamp: $0.00
Martha O. Haynie, Comptroller
Orange County, FL
MB - Ret To: ROSETTA VILLAS HOMEOWNERS

Prepared by and Return to:

Karen Wonsetler PA
860 North Orange Ave.
Suite 135
Orlando, Florida 32801

Quit Claim Deed of Landscape Easement

Made this 19th day of MAY, 2010 A.D.by **Islington, Inc.**, A Florida Corporation, hereinafter called the grantor, to **Rosetta Villas Homeowners Association, Inc. A Florida Corporation**, whose post office address is: P.O. Box 941173, Maitland FL 32794 hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal re-presentatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of $ TEN AND NO/100 DOLLARS ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby remise, release, and quit claim unto the grantee forever, all the right, title, interest, claim and demand which the said grantor has in and to, all that certain land situate in Orange County, Florida, viz:

The landscape easement on Lots 1 to 8 as shown in the Notes on the Plat of Rosetta Villas recorded in Plat Book 35 Page 114 of the Public Records of Orange County, Florida.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining which, includes but not limited to: plants, the brick entryway structure, subdivision signs, and lighting, irrigation and security systems.

To Have and to Hold, the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behoof of the said grantee forever.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Printed Name RITA M. REID

Witness Printed Name MARVIN L. BEAMAN, JR.

(Corporate Seal)

GRANTOR: Bernard J Martin, President of Islington, Inc.,
A Florida Corporation,
Address: 506 Wymore Road, Winter Park, FL 32789

State of Florida

County of Orange

The foregoing instrument was acknowledged before me this 19 day of May, 2010, by **Bernard J. Martin, President of ISLINGTON, INC.**, who is personally known to me or who has produced photo id as identification.

Rita M. Reid

Notary Public

Print Name: RITA M. REID

My Commission Expires:

RITA M. REID
Commission DD 691192
Expires July 24, 2011

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
MAR 21 2000

Orange Co FL 2000-0131355
03302000 09:19:27am
OR Bk 5971 Pg 542
Rec 19.50

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS AMENDING AND RESTATING A MUNICIPAL SERVICE TAXING UNIT/BENEFIT UNIT FOR MAINTENANCE OF RETENTION POND(S) IN

Rosetta Villas and Rose Pointe

WHEREAS, the Board of County Commissioners of Orange County, Florida, (hereinafter known as the "Board") is the governing board of Orange County, Florida (hereinafter known as the "County") pursuant to its charter and,

WHEREAS, by the Resolution dated December 10, 1996, the Board established the Rosetta Villas Municipal Service Taxing Unit/Benefit Unit (hereinafter known as the "MSTU/BU") for maintenance of retention pond(s) (hereinafter known as the "Resolution)", said Resolution being recorded in Official Records Book 5179, Pages 288 through 292, Public Records of Orange County, Florida;

WHEREAS, the County has now received a request, in writing, from Bernard J. Martin, President (hereinafter known as the "Developer") of Islington, Inc. for the amendment of such Resolution to combine and include the subdivisions which are more fully described below in that portion of the unincorporated area of Orange County; and

WHEREAS, the Board has determined that the amendment of the MSTU/BU, the purpose of which is to combine and include the subdivisions which are more fully described below to provide for maintenance of the county-dedicated retention pond(s) as requested by the Developer, together with the other information pertaining to the operation of the proposed MSTU/BU submitted therewith, to be feasible, necessary to facilitate the services desired, and in the public interest, and that the properties will be benefited, now and in the future, and that the MSTU/BU should be amended,

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. The **Rosetta Villas** Resolution for maintenance of retention pond(s), which is recorded in Official Records Book **5179**, Pages **288 through 292**, Public Records of Orange County, Florida, is hereby amended as the **Rosetta Villas and Rose Pointe MSTU/BU**. This MSTU/BU is to combine and include said subdivisions, the boundaries of which appear on the recorded plats of **Rosetta Villas and Rose Pointe** subdivisions, Plat Book **35**, Pages **113 and 114 for Rosetta Villas and Plat Book 41**, Pages **125 and 126 for Rose Pointe**, Section **30**, Township **21**, Range **29**, and Lots **1 through 23** and Lots **28 through 36 for Rosetta Villas** and Lots **1 through 56 for Rose Pointe**, Public Records of Orange County, Florida. The purpose of such MSTU/BU is to provide for collection and disbursal by the County of such funds as may be necessary for the payment of administrative costs and appropriate reserves for cash balance and the minimum maintenance services to be performed on the retention pond(s) located on Tract **"A" located in Rosetta Villas for Rosetta Villas and Rose Pointe** subdivisions, which pond(s) have been dedicated to Orange County on the plats thereof and constructed in accordance with standards approved by the Orange County Public Works Division.

RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS

STATE OF FLORIDA, COUNTY OF ORANGE§
I HEREBY CERTIFY this is a copy of a document approved by the BCC on MAR 21 2000
MARTHA O. HAYNIE, COUNTY COMPTROLLER
By: MAR 27 2000
Deputy Clerk Date SEAL

G:\Ocon\Publicwk\Retent\rosetta.res.doc

OR Bk 5971 Pg 543
Orange Co FL 2000-0131355

The Developer understands that this MSTU/BU is created solely for the purpose of maintaining the retention pond(s) located on Tract "A" located in Rosetta Villas for Rosetta Villas and Rose Pointe subdivisions, and that no other pond(s) or infrastructure improvements located within the Rosetta Villas and Rose Pointe subdivisions may be maintained, constructed, reconstructed, improved, or repaired with the non-ad valorem assessments collected from this MSTU/BU.

3. The County shall perform or cause to be performed minimum maintenance services in the retention pond area(s), which maintenance shall be limited to mowing, weed control, mosquito control, maintenance and repair of the structural integrity of control devices, and periodic major repairs and improvements to the retention pond(s). Such maintenance shall not include curb and paved roadway maintenance and repair, signage maintenance and repair, or maintenance of or replacement of landscaping improvements. The County may subcontract with any party for the performance of the maintenance services described herein.

4. Upon completion of construction of the retention pond(s) and the placement of those pond(s) into operation, the Board shall determine the estimated non-ad valorem assessment amount required to pay the expense of maintaining and operating the retention pond(s) in the MSTU/BU. This non-ad valorem assessment is levied for the first time as of **November 1, 2000**, and will be levied each and every year thereafter until discontinued by the Board. The Board may increase or decrease the amount of the assessment by twenty percent (20%) each and every year thereafter to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenue generated by the assessment. It is the intent of the County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSTU/BU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSTU/BU as provided hereafter. Additional amounts will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem assessments subject to the provision of Section 197.3632, Florida Statutes, and for the establishment and maintenance of a reserve for cash balance for the purpose of paying expenses from October 1 of the ensuing fiscal year until the time when the revenue for that year are expected to be available and a cash reserve for periodic major repairs and improvements to the retention pond(s). Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSTU/BU hereby amended and the County will be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating, maintaining, and administering the MSTU/BU, including the establishment and maintenance of an appropriate reserve for cash balance, is **$2,376.00**, and the estimated annual assessment to each freeholder is **$27.00**. Proceeds of collection of such assessments as provided hereinafter are to be put into a special fund of the County to the credit of the MSTU/BU, and are to be used only by the district as provided herein.

5. Upon completion of construction of the retention pond(s) and the placement of those pond(s) into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSTU/BU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be necessary to pay the estimated expense of the maintenance of the retention pond(s) and the administration of the MSTU/BU. Such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount toward such maintenance. After the adoption of the non-ad valorem special assessment roll by the Board, the Property Appraiser shall

OR Bk 5971 Pg 544
Orange Co FL 2000-0131355

extend the assessment upon the non-ad valorem special assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such assessment may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, the Board shall certify said non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County taxes. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs of having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, Section 197.3632, Florida Statutes, shall be used.

6. Non-ad valorem special assessments authorized by this resolution will be collected in the manner provided for the collection of ad valorem taxes under Florida Law in accordance with Section 197.3632, Florida Statutes. The Board authorizes utilization of this method for collection for all affected parcels. The non-ad valorem special assessment will be listed on the assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector, as provided by Florida Law. If a contract is signed between a subcontractor for maintenance service and Orange County, the effective date of enactment of the contract will coincide with the receipt of the collection of the MSTU/BU special assessment.

7. In the event of division or splitting of any of the tax parcels or lots assessed herein, any such newly subdivided or split parcels shall be included in the MSTU/BU assessments.

8. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of his or her title when the ad valorem method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board. Each property owner affected by this resolution has been provided first class mail notice of the time and place of the public hearing at which this resolution was adopted. However, under Section 119.07, Florida Statutes, certain records may be noted as exempt and confidential. This public record exemption may cause certain property owners not to receive the above first class mail notice, but a public hearing notice, subject to the provisions of Section 197.3632, Florida Statutes, has been published in a newspaper of general circulation within Orange County four times preceding the public hearing.

9. It is understood and agreed between the County and the Developer that (if applicable) as the Rosetta Villas and Rose Pointe subdivisions expand, the additional Additions, Phases, Sections, Units, and/or etc., as the case may be, may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration.

10. The Board of County Commissioners shall be the governing board of this Municipal Service Taxing Unit/Benefit Unit.

OR Bk 5971 Pg 545
Orange Co FL 2000-0131355

Recorded - Martha O. Haynie

11. This resolution which amends and restates the resolution recorded in Official Records Book 5179, Pages 288 through 292, is controlling and supersedes the resolution recorded in Official Records Book 5179, Pages 288 through 292, Public Records of Orange County, Florida

ADOPTED THIS 21ST DAY OF MARCH, 2000

ORANGE COUNTY, FLORIDA

BY: Byron W. Brooks
for ORANGE COUNTY CHAIRMAN

DATE: MAR 21 2000

ATTEST: Martha O. Haynie, County Comptroller
as Clerk of the Board of County Commissioners

BY: [illegible]
DEPUTY CLERK

BOARD OF COUNTY COMMISSIONERS · ORANGE COUNTY FLORIDA ·

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 10 1996 V.S. B.S

Orange Co FL 5895593
12/31/96 03:27:14pm
OR Bk 5179 Pg 2851
Rec 24.00

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
ESTABLISHING A MUNICIPAL SERVICE TAXING UNIT/BENEFIT UNIT FOR
MAINTENANCE OF RETENTION POND(S) IN

Rosetta Villas

WHEREAS, Chapter 125.01 (01) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Taxing Unit/Benefit Units (hereinafter known as the "MSTU/BU") for any part of the unincorporated areas of Orange County; and

WHEREAS, the Board of County Commissioners of Orange County (hereinafter known as the "Board") has received a request, in writing, from Bernard J. Martin, President (hereinafter known as the "Developer") of Islington, Inc. for the establishment of such an MSTU/BU in that portion of the unincorporated area of Orange County to be known as Rosetta Villas subdivision(s) and which is more fully described below; and

WHEREAS, the Board has determined that the establishment of an MSTU/BU, the purpose of which is to provide for minimum maintenance of the county-dedicated retention pond(s) as requested by the Developer, together with the other information pertaining to the operation of the proposed MSTU/BU submitted therewith, to be feasible, necessary to facilitate the services desired, and in the public interest, and that the properties within Rosetta Villas subdivision(s) will be benefitted, now and in the future, and that the proposed MSTU/BU should be created,

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. There is hereby established and created the Rosetta Villas MSTU/BU, the boundaries of which appear on the recorded plat(s) of Rosetta Villas subdivision(s), Plat Book 38, Page(s) 113 & 114, Lots 1 through 36, Section 30, Township 21, Range 29, Public Records of Orange County, Florida. The purpose of such MSTU/BU is to provide for collection and disbursal by Orange County of such funds as may be necessary for the minimum maintenance services to be performed on the retention pond(s) located on Tract(s) "A" of Rosetta Villas subdivision(s), which pond(s) have been dedicated to Orange County on the plat(s) thereof and constructed in accordance with standards approved by the Orange County Public Works Division. The Developer understands that this MSTU/BU is created solely for the purpose of maintaining the retention pond(s) located on Tract(s) "A" of Rosetta Villas subdivision(s), and that no other pond(s) or infrastructure improvements located within the Rosetta Villas subdivision(s) may be maintained, constructed, reconstructed, improved, or repaired with the non-ad valorem assessments collected from this MSTU/BU.

3. The County shall perform or cause to be performed minimum maintenance services in the retention pond area(s), which maintenance shall be limited to mowing, weed control, mosquito control, and maintenance and repair of the structural integrity of control devices. Such maintenance shall not include curb and paved roadway maintenance and repair, signage maintenance and repair, or maintenance of or replacement of landscaping improvements. The County may subcontract with any party for the performance of the maintenance services described herein.

4. Upon completion of construction of the retention pond(s) and the placement of those pond(s) into operation, the Board shall determine the estimated non-ad valorem assessment amount required to pay

RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS

OR Bk 5179 Pg 289
Orange Co FL 5895593

the expense of maintaining and operating the retention pond(s) in the MSTU/BU. This non-ad valorem assessment is levied for the first time as of November 1, 1997, and will be levied each and every year thereafter until discontinued by the Orange County Board of County Commissioners. The local governing board may increase or decrease the amount of the assessment by twenty percent (20%) to any effected property based on the benefit, which the Board will provide or has provided to the property with the revenue generated by the assessment. It is the intent of Orange County that the uniform method for the levy, collection, and enforcement of non-ad valorem assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSTU/BU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSTU/BU as provided hereafter. An additional amount will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem assessments subject to the provision of Section 197.3632, Florida Statutes. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSTU/BU hereby created and the County will be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating, maintaining, and administering the MSTU/BU is $1,944.00, and the estimated annual assessment to each freeholder is $54.00. Proceeds of collection of such assessments as provided hereinafter are to be put into a special general account by the County to the credit of the MSTU/BU, and are to be used only by the district as provided herein.

5. Upon completion of construction of the retention pond(s) and the placement of those pond(s) into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSTU/BU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be necessary to pay the estimated expense of the maintenance of the retention pond(s) and the administration of the MSTU/BU. Such sums shall be assessed against the real property of each individual freeholder on a pro rata basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount toward such maintenance. After the adoption of the non-ad valorem special assessment roll by the Board, the Property Appraiser shall extend the assessment upon the non-ad valorem special assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such assessment may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, the Board shall certify said non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County taxes. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs of having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The uniform method for the levy, collection, and enforcement of non-ad valorem assessments, Section 197.3632, Florida Statutes, shall be used.

6. Non-ad valorem special assessments authorized by this resolution will be collected in the manner

OR Bk 5179 Pg 290
Orange Co FL 5895993

provided for the collection of ad valorem taxes under Florida Law in accordance with Section 197.3632, Florida Statutes. The Board authorizes utilization of this method for collection for all effected parcels. The non-ad valorem special assessment will be listed on the assessment roll for all effected parcels and will be included in the notice of proposed property taxes and the tax notice for each effected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector, as provided by Florida Law. If a contract is signed between a subcontractor for maintenance service and Orange County, the effective date of enactment of the contract will coincide with the receipt of the collection of the MSTU/BU special assessment.

7. Each property owner effected by this resolution has been provided first class mail notice of the potential for loss of their title when the ad valorem method of collection is used and that all effected property owners have a right to appear at the hearing and to file written objections with the Board, and of the time and place of the public hearing at which this resolution was adopted.

8. It is understood and agreed between the County and the Developer that (if applicable) as the Rosetta Villas subdivision(s) expands, the additional Additions, Phases, Sections, Units, and/or etc., as the case may be, may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration.

9. The Board of County Commissioners shall be the governing Board of this Municipal Service Taxing Unit/Benefit Unit.

OR Bk 5179 Pg 291
Orange Co FL 5895593

ADOPTED THIS 10th DAY OF December, 19 96

ORANGE COUNTY, FLORIDA

BY: _____
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

DATE: DEC 11 1996

ATTEST: Martha O. Haynie, County Comptroller
as Clerk of the Board of County Commissioners

BY: _____
DEPUTY CLERK

OR Bk 5179 Pg 292
Orange Co FL 5895593
Recorded - Martha O. Haynie

ORANGE COUNTY COMPTROLLER

CERTIFICATION

STATE OF FLORIDA

§

COUNTY OF ORANGE

I HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution establishing an Municipal Service Taxing Unit/Benefit Unit for maintenance of retention pond(s) in Rosetta Villas, adopted by the Board of County Commissioners at its regular meeting held December 10, 1996, which is on file in the office of the Comptroller Clerk of the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of the Board of County Commissioners, Orange County, Florida, this 17th day of December 1996.

Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida

By: _____
Roellyn M. Stapleton
Deputy Clerk

APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 10 1996

Orange Co FL 5895600
12/31/96 03:28:47pm
OR Bk 5179 Pg 3507
Rec 24.00

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
ESTABLISHING A MUNICIPAL SERVICE TAXING UNIT/BENEFIT UNIT FOR
STREETLIGHTING FOR

Rosetta Villas

WHEREAS, Chapter 125.01 (1) (q), Florida Statutes, grants Orange County the power to establish Municipal Service Taxing Units/Benefit Units (hereinafter known as "MSTU/BU") for any part of the unincorporated areas of Orange County; and

WHEREAS, the Board of County Commissioners of Orange County (hereinafter known as the "Board") has received a request, in writing, from Bernard J. Martin, President (hereinafter known as the "Developer") of Islington, Inc. for the establishment of such an MSTU/BU in that portion of the unincorporated area of Orange County to be known as Rosetta Villas subdivision(s) and which is more fully described below; and

WHEREAS, the Board has determined that the establishment of an MSTU/BU, the purpose of which is to provide for streetlighting as requested by the Developer, together with the other information pertaining to the operation of the proposed MSTU/BU submitted therewith, to be feasible, necessary to facilitate the services desired, and in the public interest, and that the properties within Rosetta Villas subdivision(s) will be benefitted, now and in the future, and that the proposed MSTU/BU should be created,

THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

1. The foregoing "WHEREAS" clauses are presumed to be true and correct and are hereby incorporated into the text of the resolution.

2. There is hereby established and created the Rosetta Villas MSTU/BU, the boundaries of which appear on the recorded plat(s) of Rosetta Villas subdivision(s), Plat Book 35, Page(s) 113 and 114, Lots 1 through 38 and Parcel Identification number 30-21-29-0000-00-037, Section 30, Township 21, Range 29, Public Records of Orange County, Florida. The purpose of such MSTU/BU is to provide for collection and disbursal by Orange County of such funds as may be necessary to pay the annual expense of standard operation and maintenance of streetlighting equipment within the MSTU/BU, including streetlighting fixtures, poles, wires, conduits, and all appurtenances necessary for such streetlighting, and for payment of electrical services and current used in their operation. It is the understanding of Orange County that the Florida power Corporation is to construct, or has constructed in accordance with standards approved by the Orange County Public Works Division, all necessary streetlighting equipment at no expense to the County, prior to or during construction of those portions of Rosetta Villas subdivision(s) and that the Florida power Corporation will assume standard maintenance and operation of such equipment, subsequent to such construction, including computation of the annual and monthly charges for such standard maintenance and operation. Such equipment is to include 20 - 4000 lumen high pressure sodium post top fixtures at $5.84 per fixture, per month and 20 - 14 foot fiber glass poles at $1.60 per pole, per month for a yearly rate of $1,800.00, which includes energy costs and excludes the cost of administering the district as set out below, or at a rate or rates as may be set by the property constituted legal authorities who control, govern and set the rates for the Florida power Corporation for the services described herein. It is further understood by Orange County that the Florida power Corporation may construct such streetlighting equipment only in those portions of the MSTU/BU as may be necessary concurrent with the development of Rosetta Villas subdivision(s) and that the streetlighting district created herein will be operated only in such portions of the MSTU/BU until such

RECORDING DEPARTMENT: RETURN TO FINANCE & ACCOUNTING SPECIAL ASSESSMENTS

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OR Bk 5179 Pg 308
Orange Co FL 5895600

construction is completed in other portions of the MSTU/BU; provided that if such construction is only to be in portions of such MSTU/BU, a complete legal description of the portion or portions developed be filed with the Clerk of the Board of County Commissioners. After presentation and approval by the Board, it is understood and agreed between the County and the Developer that (if applicable) as Rosetta Villas subdivision(s) expands the additional Additions, Phases, Sections, Units and/or etc., as the case may be, may be permitted to join into this Resolution under the same terms and conditions as represented herein, by presenting an appropriate amendatory resolution to the Board for consideration. It is further understood that the contract between Orange County and the Florida power Corporation will not be effective until November 1, 1997. Streetlights installed prior to this date are the responsibility of the developer and not Orange County. It is further understood that only 20 - 4000 lumen high pressure sodium post top fixtures at $5.84 per fixture, per month and 20 - 14 foot fiber glass poles at $1.60 per pole, per month are approved for this MSTU/BU. Any additional streetlighting will be the responsibility of the developer.

3. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, the Board shall determine the estimated non-ad valorem assessment amount required to pay the standard expense of maintaining and operating the streetlighting equipment in the MSTU/BU. This non-ad valorem assessment is levied for the first time as of November 1, 1997 and will be levied each and every year thereafter until discontinued by the Orange County Board of County Commissioners. The local governing Board may increase or decrease the amount of the assessment by twenty percent (20%) to any affected property based on the benefit, which the Board will provide or has provided to the property with the revenue generated by the assessment. Any cost exceeding standard operating and maintenance expense as determined by the Board shall be paid by the property owners within Rosetta Villas subdivision(s) and Parcel identification number 30-21-29-0000-00-037. It is the intent of Orange County that the Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, as Section 197.3632, Florida Statutes, grants, shall be used for collecting the non-ad valorem assessments. One and one half dollars ($1.50) for each lot or parcel of land shall be added by the Board to cover the costs of administering the MSTU/BU and the total amount so determined shall be specially assessed against the real property of the freeholders in the MSTU/BU as provided hereafter. An additional amount will be added to provide for reimbursement of necessary administrative costs incurred by the Property Appraiser and Tax Collector for the collection of non-ad valorem assessments subject to the provision of Section 197.3632, Florida Statutes. Administrative costs shall include, but not be limited to, those costs associated with personnel, forms, supplies, data processing, computer equipment, postage, and programming. The County may spend from its general fund, such sums as may be necessary to operate, maintain, and administer the MSTU/BU hereby created and the County will be reimbursed to such extent at such time as such assessments have been collected. The estimated annual cost of operating, maintaining, and administering such streetlighting equipment is $2,827.00 and the estimated annual charge to each individual freeholder is $71.00. Proceeds of collection of such assessments as provided hereinafter are to be put into a special general account by the County to the credit of the MSTU/BU, and are to be used only by the district as provided herein.

4. Upon completion of construction of such streetlighting equipment and the placement of such equipment into operation, and for each and every year thereafter, a non-ad valorem special assessment roll setting forth a description of each lot or parcel of land subject to the non-ad valorem special assessments in the MSTU/BU as provided herein, including homesteads, shall be prepared by the Property Appraiser and delivered to the Board, which shall levy a non-ad valorem special assessment upon such lots or parcels as may be owned by individual freeholders, according to the recorded plat(s) of Rosetta Villas subdivision(s), Plat Book 35, Page(s) 113 and 114 and Parcel identification number 30-21-29-0000-00-037, such sums as shall be necessary to pay the estimated expense of the annual operation and maintenance of such streetlighting equipment and administration of the district, provided that such sums shall be assessed against the real property of each individual freeholder on a pro rata

basis, and not on an ad valorem basis, so that each freeholder shall, at all times, pay an equal amount towards such cost. After the adoption of the non-ad valorem special assessment by the Board, the Property Appraiser shall extend the assessment upon the non-ad valorem assessment roll, which roll shall be fully completed prior to the time said Board sits as the Board of Tax Adjustment, during which time such assessments may be protested, reviewed, equalized, and adjusted to conform to the provisions of Sections 197.3632 and 197.3635, Florida Statutes. After adjournment as the Board of Tax Adjustment, said Board shall certify the non-ad valorem special assessment roll in the same manner and at the same time as the County Tax Roll is certified and delivered to the Tax Collector, and the said non-ad valorem special assessments shall be collected in the same manner and shall have the same priority rights, discounts for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, and issuance and sale of tax certificates and tax deeds for non-payment, and be subject to the same delinquent interest and penalties, and be treated in all respects the same as County taxes. Said non-ad valorem special assessments, when collected by the Tax Collector shall be remitted to said Board, who shall deposit the same in such depository as shall be designated by the Board who shall apply the same to monthly bills rendered by the Florida power Corporation. From the proceeds of said non-ad valorem special assessments, the Board shall pay the costs for having a non-ad valorem special assessment roll made and extended. The Tax Collector's office shall receive all fees and costs of sale as provided by law for the collection of ad valorem taxes, advertising, sale of lands, and issuance and sale of certificates. The Uniform Method for the levy, collection, and enforcement of non-ad valorem assessments, Section 197.3632, Florida Statutes, will be used.

5. Non-ad valorem special assessments authorized by this resolution will be collected in the manner provided for the collection of ad valorem taxes under Florida Law in accordance with Section 197.3632, Florida Statutes. The Board authorizes utilization of this method for collection for all affected parcels. The non-ad valorem special assessment will be listed on the assessment roll for all affected parcels and will be included in the notice of proposed property taxes and the tax notice for each affected parcel. These non-ad valorem special assessments will be subject to all collection provisions applicable to ad valorem taxes, including discount for early payment, prepayment by installment method, deferred payment, penalty for delinquent payment, issuance of and sale of tax certificates and tax deeds for non-payment, and commissions of the Property Appraiser and the Tax Collector as provided by Florida Law.

6. Each property owner affected by this resolution has been provided first class mail notice of the potential for loss of their title when the ad valorem method of collection is used and that all affected property owners have a right to appear at the hearing and to file written objections with the Board, and of the time and place of the public hearing at which this resolution was adopted.

7. The Board of County Commissioners shall be the governing Board of said Municipal Service Taxing Unit/Benefit Unit.

OR Bk 5179 Pg 310
Orange Co FL 5895600

ADOPTED THIS 10th DAY OF December, 19 96

ORANGE COUNTY, FLORIDA

BY: _____
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

DATE: DEC 11 1996

ATTEST: Martha O. Haynie, County Comptroller
as Clerk of the Board of County Commissioners

BY: _____
DEPUTY CLERK

OR Bk 5179 Pg 311
Orange Co FL 5895600

Recorded - Martha O. Haynie

CERTIFICATION

STATE OF FLORIDA

§

COUNTY OF ORANGE

I HEREBY CERTIFY that the foregoing is a true and correct copy of the resolution establishing an Municipal Service Taxing Unit/Benefit Unit for streetlighting for Rosetta Villas, adopted by the Board of County Commissioners at its regular meeting held December 10, 1996, which is on file in the office of the Comptroller Clerk of the Board of County Commissioners.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of the Board of County Commissioners, Orange County, Florida, this 17th day of December 1996.

Martha O. Haynie, County Comptroller
As Clerk of the Board of County Commissioners
Orange County, Florida

By: _____
Rosilyn M. Stapleton
Deputy Clerk

DEED BOOK 401 PAGE 568

THIS INDENTURE, made the 14 day of Jan in the year of our Lord One thousand nine hundred and twenty, between J. E. Rose & Wife Tillie J. Rose, of the County of Orange and State of Fla, party of the first part, and the County of Orange, in the State of Florida, party of the second part,

WITNESSETH, That the party of the first part, in consideration of the sum of $ 1.00 paid by the party of the second part, the receipt whereof is hereby acknowledged, does hereby give and grant to the party of the second part and its successors a right-of-way for public road purposes and full authority to enter upon, construct and operate a road over and upon a strip of land (25) Twenty-five feet in width over the following described lands situate in Orange County aforesaid, to-wit:

On the East side of N. 5/8 of S. E. 1/4 of N. E. 1/4 of Sec. 30, T. 21, South, R. 29, East.
Also on the East side of S. 1/2 of N. E. 1/4 of N. E. 1/4 of Sec. 30, T. 21, South, Range 29, East;

TO HAVE AND TO HOLD the said easement or right-of-way unto the party of the second part and its successors so long as the party of the second part and its successors shall use the same as and for a public road.

IN WITNESS WHEREOF the party of the first part has hereunto set _____ hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

W M Stone
Clara S. Stone

J. E. Rose (SEAL)
Tillie J. Rose

Tillie J. Rose

JUN 29 1949 BOOK 807 PAGE 310 226663

KNOW ALL MEN BY THESE PRESENTS That the undersigned in consideration of the sum of One Dollar and other valuable consideration, the receipt of which is hereby acknowledged, grant and convey to FLORIDA POWER CORPORATION, a Florida Corporation and to its successors, assigns and lessees, the right, privilege and easement forever, to construct, operate and maintain an electric power line for the transmission and distribution of electricity, including necessary communication and other wires, guages, poles, guy and brace poles, anchors, ground connections, attachments, fixtures, equipment and accessories desirable in connection therewith, over, upon and across the following described tract of land in Orange County, State of Florida, to-wit:

S½ of NE¼ of NE¼, Southeast of Railroad right-of-way, of Section 30, Twp. 21 South, Rge. 29 East.

Center line of said H-frame line will be located fifty (50) feet southeast of and parallel with center line of railroad track.

Right-of-way clearing is restricted to fifty (50) feet from center line of said power line and danger timber.

Any poles located in grove will be placed so as not to interfere with cultivation of same and no fruit trees shall at any time be cut.

[illegible] together with the right to patrol, inspect, alter, improve, repair and rebuild the same and to remove such lines, wires, guages, poles, attachments, equipment and accessories including the right to increase or decrease the number of wires and voltage, together with all rights and privileges necessary or convenient for the full enjoyment or use thereof, for the purpose above described, including the right to trim, cut and keep clear all trees, limbs and undergrowth along said lines and all trees adjacent thereto that may, in any way, endanger the proper operation of the same, including also, the right to enter over adjoining lands of the grantors for the purpose of exercising the rights and privileges herein granted.

The grantors covenant that they have the right to convey the said easement, that the grantee, its successors and assigns, shall have quiet and peaceable possession, use and enjoyment of said easement [illegible]

IN WITNESS WHEREOF, the grantors have hereunto affixed their hands and seals this 1st day of April, A. D. 1949.

CONSIDERATION LESS THAN $100.00

Signed, sealed and delivered in the presence of:

Tillie J. Rose
By Ethelyn Rose Tarpl
Attorney in fact (L. S.)

(L. S.)

(L. S.)

(L. S.)

FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF ORANGE COUNTY, FLORIDA, ON JUN 29 1949 AND RECORDED IN BOOK NO. 807 ON PAGE 310

AND RECORD VERIFIED

Arthur W. Nelvell CLERK

STATE OF FLORIDA
COUNTY OF Orange } ss.:

I, D. Jerome Thompson, a Notary Public within said County and State, do hereby certify that Ethelyn Rose Tarpl, Attorney in fact for Tillie J. Rose, a widow personally appeared before me this day and acknowledged that the execution of the foregoing instrument [illegible] said * wife of being by me privately examined separate and apart from her said husband, did acknowledge that she made herself a party to and executed said instrument for the purpose of relinquishing, releasing, alienating and conveying all her right, title, interest, property and estate whatsoever, whether of dower, homestead, fee-simple or otherwise in and to the property therein described and for all the purposes in said instrument mentioned, and that she executed the same freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.

Witness my hand and official seal in said county and state, this 1st day of April, A. D. 1949.

D. Jerome Thompson
Notary Public

(Notarial Seal)

My commission expires: Notary Public, State of Florida at Large. My commission expires Sept. 20, 1949. Bonded by Aetna Surety Co. of N. Y.

NOTE: The signatures [illegible] whether husband is married or [illegible] attested by two witnesses and the acknowledgment must state [illegible] must be acknowledged by the wife.

[redacted]

JUL 26 1949 Adeline Isaacson and husband BOOK 809 PAGE 9 228077

99971 BOOK 157 PAGE 71

Florida-Individual Form F-2012-1949

KNOW ALL MEN BY THESE PRESENTS That the undersigned in consideration of the sum of One Dollar and other valuable consideration, the receipt of which is hereby acknowledged, grant and convey to FLORIDA POWER CORPORATION, a Florida Corporation and to its successors, assigns and lessees, the right, privilege and easement forever, to construct, operate and maintain a single phase line for the transmission and distribution of electricity, including necessary communication and other wires, guys, poles, guy and brace poles, anchors, ground connections, attachments, fixtures, equipment and appurtenances desirable in connection therewith, over, upon and across the following described tract of land in Seminole & Orange Counties, State of Florida, to wit:

Lot 63, Southerly of railroad right-of-way, of Section 30, Twp. 21 South, Range 29 East; E½ of SW¼ of Sec. Southeast of railroad right-of-way, of section 30, Twp. 21 South, Range 29 East. SW¼, SW¼, SE¼, S.E. of R.R. Right of Way of Sec. 19, T21S, R29E

Center line of said E-Frame line will be located fifty (50) feet northeast of and parallel with center line of railroad track.

Right-of-way clearance is restricted to fifty (50) feet from center line of said power line and danger timber, any poles located in groves on lot 63 will be placed so as not to interfere with cultivation of same and no fruit trees shall at any time be cut.

together with the right to patrol, inspect, alter, improve, repair and rebuild the same and to remove such lines, wires, guys, poles, attachments, equipment and accessories including the right to increase or decrease the number of wires and voltage, together with all rights and privileges necessary or convenient for the full enjoyment or use thereof, for the purpose above described, including the right to trim, cut and keep clear all trees, limbs and undergrowth along said lines and all trees adjacent thereto that may, in any way endanger the proper operation of the same, including also, the right to enter over adjoining lands of the grantors for the purpose of exercising the rights and privileges herein granted.

The grantors covenant that they have the right to convey the said easement, that the grantee shall have quiet and peaceable possession, use and enjoyment of said easement and that the grantors will make such further assurances of said easement as may be required.

IN WITNESS WHEREOF, the grantors have hereunto affixed their hands and seals this 26th day of March, A. D. 1949

CONSIDERATION LESS THAN $100.00

Signed, sealed and delivered in the presence of:

Adeline Isaacson (L. S.)

Leonard Isaacson (L. S.)

(L. S.)

(L. S.)

FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT AND COUNTY COMPTROLLER, ORANGE COUNTY, FLORIDA, THIS JUL 26 1949 AT 12 O'CLOCK P. M. AND RECORDED IN DEED BOOK NO. 809 ON PAGE 9

Arthur W. Newell CLERK

STATE OF FLORIDA
COUNTY OF Orange } ss:

I, R. Jerome [illegible], a Notary Public within said County and State, do hereby certify that Adeline Isaacson and Leonard Isaacson personally appeared before me this day and acknowledged the due execution of the foregoing instrument, and the said Adeline Isaacson wife of Leonard Isaacson being by me privately examined, separate and apart from her said husband, did acknowledge that she made herself a party to and executed said instrument for the purpose of relinquishing, releasing, surrendering and conveying all her right, title, interest, property and estate whatsoever, whether of dower, homestead, fee simple or otherwise in and to the property therein described, and for all the purposes in said instrument mentioned, and that she executed the same freely and voluntarily and without any compulsion, constraint, apprehension or fear of or from her said husband.

Witness my hand and official seal in said county and state, this 26th day of March, A. D. 1949.

(Notarial Seal)

Notary Public
My commission expires [illegible]

NOTE: The signature of a grantor who is a married person must be attested by two witnesses and the witness acknowledgment must state that the grantor is married or [illegible] instrument must be acknowledged by the wife.