



BAUMAN
BAUMAN
& KANNER
ATTORNEYS AT LAW

RECEIVED JUN 26 2012

DAVID M. BAUMAN, ESQ.
DANIEL J. KANNER, ESQ.*
*ALSO ADMITTED TO PRACTICE IN WASHINGTON, D.C.

4050 WEST BROWARD BOULEVARD
PLANTATION, FLORIDA 33317

PHONE 954.424.3306
FAX 954.424.3309

JEROME A. BAUMAN
(1931-2007)

June 22, 2012

Ms. Suze Hirning
TMG Management
PO Box 802
Pompano Beach, Fl. 33061

RE: Bermuda Isles of Boca Rio
MRTA Act

Dear Suz:

Enclosed herewith please find the original recorded docs for the Preservation of Use Rights under the Marketable Record Title Act for Bermuda Isles of Boca Rio which were filed in Palm Beach County.

I have clipped together the first two pages which are to be mailed to all owners.

If you have any questions, please let me know asap.

Have a great day.

Very truly yours,

C. Canfield



THIS INSTRUMENT PREPARED BY:
DAVID M. BAUMAN, ESQ.
Bauman & Kanner P. A.
7119 W. Broward Blvd.
Plantation, Florida 33317

CFN 20120229553
OR BK 25257 PG 1684
RECORDED 06/11/2012 09:30:34
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1684 - 1693; (10pgs)

**NOTICE OF PRESERVATION OF USE RIGHTS
UNDER THE MARKETABLE RECORD TITLE ACT
BERMUDA ISLES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.**
(a Florida corporation not-for-profit)

Pursuant to Chapter 712, Florida Statutes, the undersigned Claimant files herewith this Notice of Preservation of Use Rights, and in support thereof, further states as follows:

The name and address of the entity filing this Notice of Preservation of Use Rights is **BERMUDA ISLES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC.**, (the "Association"), a Florida not-for-profit corporation, c/o **David M. Bauman, Esq., 4050 W. Broward Blvd., Plantation, Fl. 33317**, the Articles of Incorporation of which were originally filed in the office of the Secretary of State on November 24, 1986, The Association having been organized for the purpose of operating and administering the property homeowners association pursuant to the recorded covenants and restrictions pertaining thereto which were filed of record in the Official Records of Palm Beach County, Florida as follows:

Name	Recording Date	OR Book	Page
BERMUDA ISLES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC.	12/11/86	5103	142

The Association has sent a Statement of Marketable Title Action in the form set forth in Florida Statutes 712.06(1)(b), to all members of the Association, and attaches hereto, and by this reference, makes a part hereof, an Affidavit executed by a member of the Association's Board of Directors affirming that the Board of Directors has caused the Statement of Marketable Title Action to be mailed to all members of the Association, and further attaches hereto, and by this reference, makes a part hereof, the original Statement of Marketable Title Action which was mailed to all members of the Association, as composite Exhibit "A".

A full and complete description of the lands affected by this Notice of Preservation of Use Rights, is attached hereto, and by this reference, made a part hereof as composite Exhibit "B".

The real property interest claimed under this Notice of Preservation is the right to preserve those certain use restrictions, covenants, and agreements set forth in:

Official Records Book 5103 at page 142 of the Public Records of Palm Beach County, Florida, as may be amended from time to time.

A true and accurate copy of which is attached hereto, and by this reference, made a part hereof as Exhibit "C".

Sealed and delivered
In the presence of:

Witness:

Charles Lima

Print Name:

Melissa Cutrone

Witness:

Melissa Cutrone

Print Name:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was sworn to, subscribed and acknowledged before me this 1 day of June 2012, by Robert Jacobs, the President of **BERMUDA ISLES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC** who [] is personally known by me [] produced identification, to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed same.

**BERMUDA ISLES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.**

By: [Signature]

ROBERT JACOBS


Print Name:

Its: _____

[Signature]
NOTARY PUBLIC:

Suzanne Hirning
PRINT NAME

My commission expire:

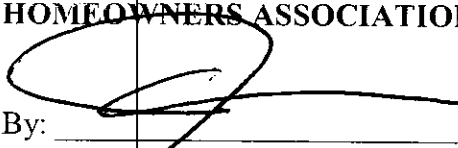
NOTARY PUBLIC-STATE OF FLORIDA
 Suzanne M. Hirning
Commission # EE013980
Expires: AUG. 02, 2014
BONDED THRU ATLANTIC BONDING CO., INC.

**AFFIDAVIT OF SERVICE OF
STATEMENT OF MARKETABLE TITLE ACTION**

I, the undersigned Robert Jacobs, Agent for the Association whose name appears at the bottom of this Affidavit do hereby swear and affirm that a copy of the attached Statement of Marketable Title Action for **BERMUDA ISLES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC** has been mailed or hand delivered in accordance with Florida Statutes 712.06.

Acknowledged this 11 day of October, 2011.

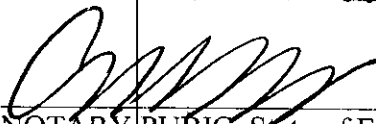
**BERMUDA ISLES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.**

By: 
Agent For the Association

STATE OF FLORIDA
COUNTY OF PALM BEACH


I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, PERSONALLY APPEARED, Robert Jacobs, who is personally known to me or has produced a Florida Drivers License as identification and who did take an oath and, after being duly cautioned and sworn, deposes and says that h/she has freely and voluntarily executed this AFFIDAVIT OF SERVICE OF STATEMENT OF MARKETABLE TITLE ACTION, and that he/she has set his/her hand and seal thereto.

SWORN TO AND SUBSCRIBED before me this 11 day of Oct, 2011.


NOTARY PUBLIC, State of Florida

My commission expires:

My commission number:

NOTARY PUBLIC-STATE OF FLORIDA
 Suzanne M. Hirning
Commission # EE013980
Expires: AUG. 02, 2014
BONDED THRU ATLANTIC BONDING CO., INC.

The Declaration of Covenants and Restrictions for Bermuda Isles at Boca Rio Homeowners Association, Inc. recorded on December 11, 1986, in Official Records Book 5103 at Page 142, et seq.:

Dated this 12 day of December, 2011.

**BERMUDA ISLES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.**

[Signature]
Witness Signature

KARLA GAVA
Printed Name

[Signature]
Witness Signature

KATHI MACDONALD
Printed Name

By: [Signature]
, President

ATTEST: [Signature]
, Secretary

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 12 day of December, 2011 by Robert Tucker, as President of Bermuda Isles at Boca Rio Homeowners Association, Inc. a Florida corporation, on behalf of the corporation. He is personally known to me or has produced Personally Known as identification.

[Signature]
Notary Public, State of Florida

Suzanne Hirning
Printed Name


Commission Expires: STATE OF FLORIDA
Suzanne M. Hirning
Commission # EE013980
Expires: AUG. 02, 2014
 BONDED BY ATLANTIC BONDING CO., INC.

EXHIBIT B

To

**NOTICE OF PRESERVATION OF USE RIGHTS
UNDER THE MARKETABLE RECORD TITLE ACT**

LEGAL DESCRIPTION OF PROPERTY:

See, Declaration of Covenants, Conditions and Restrictions recorded in Official Records
Book 5103, Page 142, of the Public Records of Palm Beach County, Florida,

EXHIBIT C

To

**NOTICE OF PRESERVATION OF USE RIGHTS
UNDER THE MARKETABLE RECORD TITLE ACT**

**BERMUDA ISLES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC.
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

**AFFIDAVIT OF MAILING OR HAND DELIVERING OF
STATEMENT OF MARKETABLE TITLE ACTION
TO LOT OWNERS.**

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

BEFORE ME, personally appeared Robert Jacobs, who after being duly sworn, deposes and says that the Statement of Marketable Title Action approved at the special meeting of the Board of Directors of Bermuda Isles at Boca Rio Homeowners Association, Inc. for preservation of use restrictions under Marketable Record Title Act held October 11, 2011, at 6:30p M, at:

Notice and Agenda

was mailed or hand delivered in accordance with the Bylaws and applicable law. The notice was mailed or hand delivered to each lot owner at the address last furnished to the Association, as such address appears on the books of the Association, on October 11 September 16, 2011.

BERMUDA ISLES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.

By: [Signature]

October The foregoing instrument was acknowledged before me this 11 day of October, 2011, by Robert Jacobs as President of BERMUDA ISLES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC. a Florida not-for-profit corporation, on behalf of the corporation. He/she is personally known to me, or has produced personally known as identification and did take an oath. If no type of identification is indicated, the above-named person is personally known to me.

[Signature]
Notary Public: State of Florida:

Suzanne Hirning
Print Name:

Commission expires:

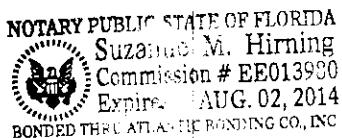


EXHIBIT A

To

**NOTICE OF PRESERVATION OF USE RIGHTS
UNDER THE MARKETABLE RECORD TITLE ACT**

Affidavit affirming that the Association's Board of Directors has caused a Statement of Marketable Title Action To be mailed or hand delivered to the members of the Association.

BERMUDA ISLES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.

c/o TMG Management
631 E. Atlantic Blvd.
Pompano Beach, Fl. 33060

**NOTICE OF SPECIAL MEETING OF BOARD OF DIRECTORS
FOR PRESERVATION OF USE RESTRICTIONS UNDER
MARKETABLE RECORD TITLE ACT**

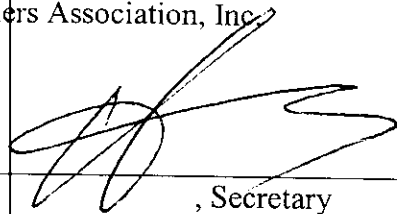
The Board of Directors of Bermuda Isles at Boca Rio Homeowners Association, Inc. will hold a special meeting on October 11, 2011, at 6:30 p M, at:

8201 Severn Drive, Boca Raton, FL 33433

The sole agenda item at the special meeting of the Board of Directors will be a vote on preservation of recorded use restrictions in accordance with Chapter 712 of the Florida Statutes, the Marketable Record Title Act. This Notice is being furnished to you, at the address maintained on the books and records of the Association by U.S. Mail, postage prepaid, at least seven (7) days in advance of the meeting in compliance with Section 712.05(1), Florida Statutes, The Statement of Marketable Title Action is Attached.

Bermuda Isles at Boca Rio
Homeowners Association, Inc.

By: _____


_____, Secretary

STATEMENT OF
MARKETABLE TITLE ACTION

Bermuda Isles at Boca Rio Homeowners Association, Inc. (the "Association") has taken action to insure that the Declarations of Covenants, Restrictions and Easement enforced by Bermuda Isles at Boca Rio Homeowners Association, Inc. currently burdening the property of the members of the Association in the Bermuda Isles at Boca Rio community, retain their status as the source of marketable title with regard to the transfer of a member's residence in this community. Said Declarations are recorded as follows:

The Declaration of Covenants and Restrictions recorded on December 11, 1986, in Official Records Book 5103 at Page 142, et seq.

This document has been or may be amended from time to time.

To this end, the Association shall cause the notice required by Chapter 712, Florida Statutes, to be recorded in Public Records of Palm Beach County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association and the applicable Statute.

BERMUDA ISLES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.

By: _____

, President

Attest: _____

, Secretary

THIS INSTRUMENT PREPARED BY:
DAVID M. BAUMAN, ESQ.
Bauman & Kanner P. A.
7119 W. Broward Blvd.
Plantation, Florida 33317

**NOTICE OF PRESERVATION OF USE RIGHTS
UNDER THE MARKETABLE RECORD TITLE ACT
CYPRESS LAKES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.**
(a Florida corporation not-for-profit)

Pursuant to Chapter 712, Florida Statutes, the undersigned Claimant files herewith this Notice of Preservation of Use Rights, and in support thereof, further states as follows:

The name and address of the entity filing this Notice of Preservation of Use Rights is **CYPRESS LAKES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC.**, (the "Association"), a Florida not-for-profit corporation, c/o **David M. Bauman, Esq., 4050 W. Broward Blvd., Plantation, FL 33317**, the Articles of Incorporation of which were originally filed in the office of the Secretary of State on **June 10, 1986**. The Association having been organized for the purpose of operating and administering the property homeowners association pursuant to the recorded covenants and restrictions pertaining thereto which were filed of record in the Official Records of Palm Beach County, Florida as follows:

Name	Recording Date	OR Book	Page
CYPRESS LAKES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC.	6/19/86	4913	673

The Association has sent a Statement of Marketable Title Action in the form set forth in Florida Statutes 712.06(1)(b), to all members of the Association, and attaches hereto, and by this reference, makes a part hereof, an Affidavit executed by a member of the Association's Board of Directors affirming that the Board of Directors has caused the Statement of Marketable Title Action to be mailed to all members of the Association, and further attaches hereto, and by this reference, makes a part hereof, the original Statement of Marketable Title Action which was mailed to all members of the Association, as composite Exhibit "A".

A full and complete description of the lands affected by this Notice of Preservation of Use Rights, is attached hereto, and by this reference, made a part hereof as composite Exhibit "B".

The real property interest claimed under this Notice of Preservation is the right to preserve those certain use restrictions, covenants, and agreements set forth in:

Official Records Book 4913 at page 673 of the Public Records of Palm Beach County, Florida, as may be amended from time to time.

A true and accurate copy of which is attached hereto, and by this reference, made a part hereof as Exhibit "C".

Sealed and delivered
In the presence of:

CYPRESS LAKES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.

Witness:

Print Name:

Witness:

Print Name:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was sworn to, subscribed and acknowledged before me this 1 day of June, 2014, by Pearce Breslow the President of CYPRESS LAKES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC who X is personally known by me X I produced identification, to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed same.

NOTARY PUBLIC

PRINT NAME

My commission expire:

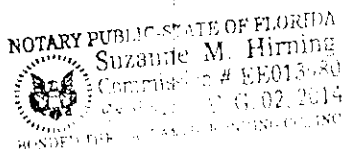


EXHIBIT A

To

**NOTICE OF PRESERVATION OF USE RIGHTS
UNDER THE MARKETABLE RECORD TITLE ACT**

Affidavit affirming that the Association's Board of Directors has caused a Statement of Marketable Title Action to be mailed or hand delivered to the members of the Association.

**AFFIDAVIT OF SERVICE OF
STATEMENT OF MARKETABLE TITLE ACTION**

I, the undersigned _____, Agent for the Association whose name appears at the bottom of this Affidavit do hereby swear and affirm that a copy of the attached Statement of Marketable Title Action for **CYRESS LAKES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC** has been mailed or hand delivered in accordance with Florida Statutes 712.06.

Acknowledged this 1 day of June, 2014.

**CYPRESS LAKES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.**

By: Rance Brasler
Agent for the Association

STATE OF FLORIDA
COUNTY OF PALM BEACH

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, PERSONALLY APPEARED, Rance Brasler, who is personally known to me or has produced a Florida Drivers License as identification and who did take an oath and, after being duly cautioned and sworn, deposes and says that h/she has freely and voluntarily executed this AFFIDAVIT OF SERVICE OF STATEMENT OF MARKETABLE TITLE ACTION, and that he/she has set his/her hand and seal thereto.

SWORN TO AND SUBSCRIBED before me this 1 day of June, 2014.

[Signature]
NOTARY PUBLIC, State of Florida

My commission expires:

My commission number:

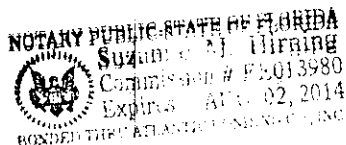


EXHIBIT B

To

**NOTICE OF PRESERVATION OF USE RIGHTS
UNDER THE MARKETABLE RECORD TITLE ACT**

LEGAL DESCRIPTION OF PROPERTY:

See, Declaration of Covenants, Conditions and Restrictions recorded in Official Records Book 4913, Page 673, of the Public Records of Palm Beach County, Florida.

EXHIBIT C

To

NOTICE OF PRESERVATION OF USE RIGHTS
UNDER THE MARKETABLE RECORD TITLE ACT

CYPRESS LAKES AT BOCA TIO HOMEOWNERS ASSOCIATION, INC.
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

June 7, 2011

Cypress Lakes at Boca Rio
Homeowners Association, Inc.
c/o TMG Management
631 E. Atlantic Blvd.
Pompano Beach, FL

Attn: Board of Directors

Dear Members of the Board:

Please allow this letter to follow our previous conversations regarding the effect of the Marketable Record Title Act ("MRTA" or "Act") on the Declaration of Covenants and Restrictions of Cypress Lakes at Boca Rio Homeowners' Association, Inc.

Marketable Records Title Act

The Act, set forth in Chapter 712, Florida Statutes, provides that interests in real property are extinguished after thirty (30) years, with limited exceptions, unless preserved through compliance MRTA.

MRTA, found at Chapter 712 of the Florida Statutes, is primarily intended to facilitate real estate transactions, by eliminating "stale claims" against real property. The general yardstick for MRTA extinguishment is thirty (30) years from the "root of title."

Florida's courts have held that covenants and restrictions are subject to MRTA extinguishment. It is important to understand that the duration of covenants is different than MRTA extinguishment. Stated otherwise, covenants and restrictions have not expired on their own terms.

Obviously, the Effects of MRTA can be harsh. Among the more notable consequences are the inability to enforce use restrictions, and loss of the right to collect assessments.

MRTA extinguishes covenants and restrictions after thirty (30) years from the "root of title." Which most often is the initial deed from the Developer to a purchaser. If deeds

used in chain of title specifically reference the recording information (the Official Records Book and Page Number in the county) for the covenants and restrictions, then the covenants are preserved for thirty (30) years from that "root of title." However, in most counties throughout Florida, conveyance is typically by reference to a plat or other legal description (instead of by reference to an Official Records Book and Page Number of the covenants and restriction), which does not prevent MRTA extinguishment of covenants and restrictions. Likewise, generic conveyances referencing "covenants and restriction's of record" do not prevent MRTA extinguishment.

Florida's courts have not specifically addressed whether amendments of covenants and restrictions, the restatement of covenants and restrictions, or "republishing," serve as a "title transactions" and thus start a new thirty-year "clock". Case law from the Fifth District Court of Appeal suggests that the amendment, restatement, or republication of covenants are not "title transactions" so as to prevent MRTA extinguishment. However, a very vague reference in a case from the same District suggest otherwise. When given the choice, we recommend that associations not rely on amended, restated, or republished restriction for MRTA preservation purposes. Moreover, since your community has not recorded a set of Amended and Restated Covenants and Restrictions, reliance upon the vague case law is not suggested.

Accordingly, the most prudent yardstick for assessing potential MRTA expiration is thirty (30) years from the recordation date for the original covenants and restrictions, unless the Association had taken the specific action described hereon.

A vote of the homeowners were required in the past for the preservation action. However, as of July 1, 2003, the MRTA statute was amended so that you will no longer have to take a vote of the membership to comply with MRTA. Under the current statute, the Board can vote to preserve the covenants and comply with MRTA.

Enclosed herewith please find all the documents necessary to prevent MRTA extinguishment of the Declaration of Covenants and Restrictions.

The notice of the Board meeting **MUST** be mailed to **ALL OWNERS** at least seven (7) days in advance of the Board meeting, which is why it is advisable to include this notice in another mailing. Posting is also required, but is not sufficient alone. The notice of the Board meeting, which I have prepared and enclosed, entitled "Notice of Board Meeting Pursuant to Marketable Records Title Act." Includes an agenda and must also state the date, time and place of the meeting. The enclosed "Affidavit of Mailing and Posting of Notice to Lot Owners" should be executed certifying the date and the notice of Board Meeting was mailed.

At the Board meeting, at least two-thirds (2/3) of the total membership **of the Board** (not two-thirds of those present) must vote in favor of preserving the covenants. If this is not done, your recorded covenants may be extinguished from title and will no longer have any force or effect against the property owners in the community. It is very wise to address this issue now, since the original Declaration was recorded on June 19, 1986, and

therefore may be readdressed in the event you fail to obtain the approval of at least two-thirds (2/3's) of the entire membership of the Board.

After the Board approves the preservation of the recorded documents, a notice must be recorded by the Clerk of the Palm Beach County Public Records. I have enclosed such a notice, entitled "Notice of Preservation of Use Restrictions Under Marketable Records Title Act." Consistent with numbered paragraph 2 of this particular notice, I have prepared a Statement of Marketable Title Action for the Board to approve and mail to all owners an Affidavit verifying such mailing. The Affidavit and Statement will be attached to the Notice of Preservation of Use Restrictions Under Marketable Record Title Act as an exhibit thereto, to establish compliance with the requirements of MRTA.

Please proceed as follows:

1. Please mail the Notice of Special Meeting of the Board of Directors to all lot owners at least seven (7) days before the date of the Board meeting. Obviously, the pertinent information needs to be filled in. In addition, please have the officer mailing the Notice (typically the Secretary) execute the Affidavit of Mailing and Posting of Notice to Lot Owners.
2. Approve a motion at the Board meeting by at least two-thirds (2/3) of the total Board to preserve the covenants and restrictions in Declaration and the attachments thereto. Same should be documented in the minutes with a roll call vote of the Board.
3. Mail the Statement of Marketable Title Action to all lot owners after the Board meeting has adjourned. Please make sure that you complete the Affidavit by filling in the date of the Board meeting at which the Statement of Marketable Title Action was approved by the Board, as well as the date on which the statement was mailed out to all owners.
4. Then furnish the undersigned with a copy of the Notice and minutes of the Board Meeting, the completed Affidavit and Statement of Marketable Title and the Association's complete Roster List (containing all the names and address of the members of the community. We will calculate the recording costs and Records the Notice of Preservation of Use Restrictions Under Marketable Record Title Act, with the attached Statement of Marketable Title Action, Affidavit, copy of the existing covenants and roster list attached as exhibits in the Public Records of Palm Beach County, Florida.

Please bear in mind that I will need a complete list of all owners and the addresses of all lots in the Community when you return the documents identified in Paragraph 4 above to me after the Board has voted and mailed out the required information to the owners. That information will have to be attached to, and recorded, with the Marketable Record Title Act filing in the County. I will not be able to tell you the exact cost of recording until I have your address list. However, it may be significant. Nonetheless, this action is crucial

to the continued enforceability of the covenants and restrictions. While there is a procedure in the Homeowners' Associations Act (Chapter 720, Florida Statutes) to reinstate the covenants once they have been extinguished, that procedure is far more cumbersome because it requires a vote of the membership and requires extensive property searches, filing with the Department of Community Affairs for approval, etc. It is a good alternative for those communities that are not aware of the law in advance and did not avail themselves of the procedures contained in Chapter 712, Florida Statutes, but are more costly than extending the restrictions in advance (for a community of your size you would have to expect to spend \$8,000 or more).

Please contact me if you have any questions or comments whatsoever.

Very truly yours,

David M. Bauman, Esq.

The Declaration of Covenants and Restrictions for Cypress Lakes at Boca Rio Homeowners Association, Inc. recorded on June 19, 1986, in Official Records Book 5103 at Page 142, et seq.:

Dated this 11 day of October, 2011.

**CYPRESS LAKES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.**

Witness Signature

By: Francis Bralen

President

Printed Name

Witness Signature

ATTEST: [Signature]

Secretary

Printed Name

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 11 day of October, 2011, by Francis Bralen, as President of Cypress Lakes at Boca Rio Homeowners Association, Inc. a Florida corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification.

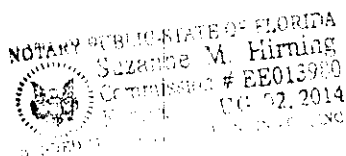
[Signature]

Notary Public, State of Florida

Suzanne Herring

Printed Name

Commission expires:



CYPRESS LAKES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.
c/o TMG Management
631 E. Atlantic Blvd.
Pompano Beach, Fl. 33060

**NOTICE OF SPECIAL MEETING OF BOARD OF DIRECTORS
FOR PRESERVATION OF USE RESTRICTIONS UNDER
MARKETABLE RECORD TITLE ACT**

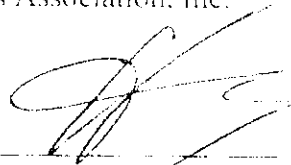
The Board of Directors of Cypress Lakes at Boca Rio Homeowners Association, Inc.
will hold a special meeting on Oct 11, 2011, at 6:00 p M. at:

8201 Severn Dr. Boca Raton, FL 33422

The sole agenda item at the special meeting of the Board of Directors will be a vote on
preservation of recorded use restrictions in accordance with Chapter 712 of the Florida
Statutes, the Marketable Record Title Act. This Notice is being furnished to you, at the
address maintained on the books and records of the Association by U.S. Mail, postage
prepaid, at least seven (7) days in advance of the meeting in compliance with Section
712.05(1), Florida Statutes. The Statement of Marketable Title Action is Attached.

Cypress Lakes at Boca Rio
Homeowners Association, Inc.

By: _____



Secretary

**AFFIDAVIT OF MAILING OR HAND DELIVERING OF
STATEMENT OF MARKETABLE TITLE ACTION
TO LOT OWNERS.**

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

BEFORE ME, personally appeared Peana Breslow, who after being duly sworn, deposes and says that the Statement of Marketable Title Action approved at the special meeting of the Board of Directors of Cypress Lakes at Boca Rio Homeowners Association, Inc. for preservation of use restrictions under Marketable Record Title Act held October 11, 2011, at 6:30 PM, at:

Shon Seven Drive, Boca Raton, FL 33433

was mailed or hand delivered in accordance with the Bylaws and applicable law. The notice was mailed or hand delivered to each lot owner at the address last furnished to the Association, as such address appears on the books of the Association, on September 28, 2011.

CYPRESS LAKES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.

By: Peana Breslow

October The foregoing instrument was acknowledged before me this 11 day of October, 2011, by Peana Breslow as President of CYPRESS LAKES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC. a Florida not-for-profit corporation, on behalf of the corporation. He/she is personally known to me, or has produced personally known as identification and did take an oath. If no type of identification is indicated, the above-named person is personally known to me.

[Signature]
Notary Public, State of Florida:

Suzanne Herring
Print Name:

Commission expires:

NOTARY PUBLIC STATE OF FLORIDA
Suzanne L. Herring
Commission # EE018730
Expires AUG 27, 2014
BONTE FILM ATLANTIC REGIONAL, INC.

STATEMENT OF
MARKETABLE TITLE ACTION

Cypress Lakes at Boca Rio Homeowners Association, Inc. (the "Association") has taken action to insure that the Declarations of Covenants, Restrictions and Easement enforced by Cypress Lakes at Boca Rio Homeowners Association, Inc. currently burdening the property of the members of the Association in the Cypress Lakes at Boca Rio community, retain their status as the source of marketable title with regard to the transfer of a member's residence in this community. Said Declarations are recorded as follows:

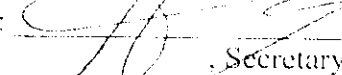
The Declaration of Covenants and Restrictions recorded on June 19, 1986, in Official Records Book 4913 at Page 673, et seq.

This document has been or may be amended from time to time.

To this end, the Association shall cause the notice required by Chapter 712, Florida Statutes, to be recorded in Public Records of Palm Beach County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association and the applicable Statute.

**CYPRESS LAKES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.**

By:  President

Attest:  Secretary

THIS INSTRUMENT PREPARED BY:
DAVID M. BAUMAN, ESQ.
Bauman & Kanner P. A.
7119 W. Broward Blvd.
Plantation, Florida 33317

CFN 20120229553
OR BK 25257 PG 1684
RECORDED 06/11/2012 09:30:34
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 1684 - 1693; (10pgs)

**NOTICE OF PRESERVATION OF USE RIGHTS
UNDER THE MARKETABLE RECORD TITLE ACT
_BERMUDA ISLES AT BOCA RIO
_HOMEOWNERS ASSOCIATION, INC.**
(a Florida corporation not-for-profit)

Pursuant to Chapter 712, Florida Statutes, the undersigned Claimant files herewith this Notice of Preservation of Use Rights, and in support thereof, further states as follows:

The name and address of the entity filing this Notice of Preservation of Use Rights is **BERMUDA ISLES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC.**, (the "Association"), a Florida not-for-profit corporation, c/o **David M. Bauman, Esq., 4050 W. Broward Blvd., Plantation, Fl. 33317**, the Articles of Incorporation of which were originally filed in the office of the Secretary of State on November 24, 1986, The Association having been organized for the purpose of operating and administering the property homeowners association pursuant to the recorded covenants and restrictions pertaining thereto which were filed of record in the Official Records of Palm Beach County, Florida as follows:

Name	Recording Date	OR Book	Page
BERMUDA ISLES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC.	12/11/86	5103	142

The Association has sent a Statement of Marketable Title Action in the form set forth in Florida Statutes 712.06(1)(b), to all members of the Association, and attaches hereto, and by this reference, makes a part hereof, an Affidavit executed by a member of the Association's Board of Directors affirming that the Board of Directors has caused the Statement of Marketable Title Action to be mailed to all members of the Association, and further attaches hereto, and by this reference, makes a part hereof, the original Statement of Marketable Title Action which was mailed to all members of the Association, as composite Exhibit "A".

A full and complete description of the lands affected by this Notice of Preservation of Use Rights, is attached hereto, and by this reference, made a part hereof as composite Exhibit "B".

The real property interest claimed under this Notice of Preservation is the right to preserve those certain use restrictions, covenants, and agreements set forth in:

Official Records Book 5103 at page 142 of the Public Records of Palm Beach County, Florida, as may be amended from time to time.

A true and accurate copy of which is attached hereto, and by this reference, made a part hereof as Exhibit "C".

Sealed and delivered
In the presence of:

**BERMUDA ISLES AT BOCA RIO
HOMEOWNERS ASSOCIATION, INC.**

Witness:

James Lima

Print Name:

Melissa Cutrone

Witness:

Melissa Cutrone

Print Name:

STATE OF FLORIDA
COUNTY OF PALM BEACH

By:

ROBERT JACOBS

Print Name:

Its:

The foregoing instrument was sworn to, subscribed and acknowledged before me this 1 day of June 2012, by Robert Jacobs, the President of **BERMUDA ISLES AT BOCA RIO HOMEOWNERS ASSOCIATION, INC** who [] is personally known by me [] produced identification, to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed same.

NOTARY PUBLIC:

Suzanne Hirning
PRINT NAME

My commission expire:

NOTARY PUBLIC-STATE OF FLORIDA
Suzanne M. Hirning
Commission # EE013980
Expires: AUG. 02, 2014
BONDED THRU ATLANTIC BONDING CO., INC.

Visual on Admin

From: Stamps.com Account Support <no-reply@stamps.com>

To: tmgsuzeh <tmgsuzeh@aol.com>

Subject: Postage Purchase Confirmation

Date: Mon, Jul 30, 2012 3:29 pm

Dear Bermuda Isles at,

Thank you for your postage purchase. Please note that the following transaction has been successfully posted to your account.

DATE	DESCRIPTION	PAYMENT METHOD	AMOUNT
07-30-2012 12:29 PDT	Purchase	Visa	\$100.00

Your current available postage account balance is \$102.59.

For support please visit our website at <http://www.stamps.com/support/postage/>
If you require contact information log in to your Stamps.com account and select the Support tab.

Your user name is: banyanhoa.

Sincerely,

Stamps.com Account Support Team

For more information about Stamps.com(R), visit us at
www.stamps.com

From: Clayton at HOA Sites <clayton@hoa-sites.com>
To: tmgsuzeh <tmgsuzeh@aol.com>
Subject: Banyan Lake - HOA Sites - Upgrade
Date: Tue, Jun 19, 2012 9:49 am

Hello Suze,

Your association has been an active client with us since 10/21/08. It appears you're happy with our services as you've recently renewed (in the last six months) and that is why I am reaching out to you today.

Three years ago we started offering three plans to new customers (Lite, Pro & Plus). The version you are on is our oldest plan (Traditional), which we no longer offer. Your plan is very close to our Pro plan, those some of our Pro features are not compatible with your version. The trade-off by keeping you on this plan was not raising the annual price to you (so your services fee is \$350 vs. \$450 for new customers) and we have not done that.

What we're doing now is going through all of our Traditional plan clients and offering them the opportunity to upgrade. However there is cost in it. We have to move all of your content over, basically it is like creating a new website from scratch (but we handle everything).

If someone were to inquire last week about doing this, they would pay our fees and the new annual rate of \$450 per year. In your case we're willing to keep you on the same pricing structure and only charge you the fees (listed below) and not raise your annual fee.

\$200 Re-Design Fee – Which means you could change to any design you wanted.
\$100 Content Management Fee – Movement of all content, documents, etc.

Going to this newest version would put you on a platform that could no longer be outdated (new features have been rolling out monthly). We have went to an entirely new way of coding and because of this clients on the oldest version miss out on some really great features and new capabilities.

By charging the onetime fee, you're locking in a price that a new customer couldn't get for annual renewal. It's our way of saying thanks for being a valued customer. We have never raised prices on our clients and we don't intend to anywhere in the near future.

How long has it been since you have seen our Features/Pricing page? We now offer a Reservations, RSVP, Questionnaire, Request Manager, Folder Viewer and many others. We're also consistently rolling out new features. All these features are included with the Pro plan at no additional cost.

Is this something your association would be interested in? It's a limited time offer, so please notify us one way or the other that you would like to discuss or there is no interest.

Thanks,
Clayton

P.S. HOA Sites is itself getting a new look and feel. It will be rolled out shortly, but the even better part of that is we're also in the process of upgrading all designs to allow a separate Home page that is more visually appealing w/ custom graphics. Should you be in line for this upgrade we would let you choose from our new designs before they are rolled out to the public. So if you were ever thinking about changing designs this is the time to do it.