

Prepared by and return to:
Kelly L. Hellmuth, Esq.
Holland & Knight, LLP
50 N. Laura St., Suite 3900
Jacksonville, FL 32202

**REVIVED AMENDED AND RESTATED COVENANTS AND RESTRICTIONS
UNIT 3-B
FOXMEADOW**

THIS REVIVED AMENDED AND RESTATED DECLARATION of covenants and restrictions is made effective by the parcel owners in Unit 3-B of the community of Foxmeadow (the "Grantors"), for Foxmeadow, Unit 3-B (the "Grantee"), this 23rd day of April, 2020.

Recitals

A. The original developer for Unit 3-B of the community of Foxmeadow, recorded those certain Covenants and Restrictions, in Official Record Book 525, Page 245, public records of Clay County, Florida, covering all lots in Unit 3-B of Foxmeadow, as recorded in Plat Book 15, pages 59, 60, and 61 of the public records of Clay County, Florida, which referenced the Covenants and Restrictions of Foxmeadow, Unit 3-A, as recorded in Official Record Book 471, Pages 108, 109, and 110, and as corrected by those Covenants and Restrictions recorded in Official Records Book 511, pages 337, 338, 339, and 340 (hereinafter referred to as the "Previous Declaration").

B. All of the land encumbered by the Previous Declaration is depicted on the plat for Unit 3-B of Foxmeadow, as recorded in Plat Book 15, Pages 59, 60 and 61, of the Public Records of Clay County, Florida, and as more particularly described as follows:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 39, and 40, FOXMEADOW UNIT 3B, according to plat thereof as recorded in Plat Book 15, pages 59, 60, and 61, of the public records of Clay County, Florida.

C. The parcel owners of the land encumbered by the Previous Declaration, as shown on the public records or last completed tax assessment roll of Clay County, are as follows:

Lot 1 – Paul Simkonis & Maria E. Simkonis
Lot 2 – Charles E. Renshaw
Lot 3 – Jeffrey L. Elliott & Jennifer L. Elliott
Lot 4 – William Bryan Terhune & Denise Terhune
Lot 5 – T&S Investment Properties, LLC
Lot 6 – Keystone Building Corporation

- Lot 7 – Keystone Building Corporation
- Lot 8 – Keystone Building Corporation
- Lot 9 – Keystone Building Corporation
- Lot 10 – Keystone Building Corporation
- Lot 11 – Keystone Building Corporation
- Lot 12 – Robert A. Reed, Sr. & Rose H. Reed
- Lot 13 – Steven Curtis Street & Lori Street
- Lot 14 – Shawn M. Northcraft & Virgilia Northcraft
- Lot 15 – Virginia B. Strode
- Lot 16 – Randy Lamban Jordan
- Lot 17 – Dale W. Hinton & Linda J. Hinton
- Lot 18 – David E. Anderson & Debra Georganne Wood
- Lot 19 – Eddie Osvaldo Rodriguez & Elizabeth Costa Rodriguez
- Lot 20 – Michelle M. Crossley-Taylor & Donald F. Taylor
- Lot 21 – Joan Powers
- Lot 22 – Wayne E. Waller & Della Waller
- Lot 23 – Cynthia L. Cannaday
- Lot 24 – Steven G. DeFazio & Brenda K. DeFazio
- Lot 25 – Daniel S. Bischoff & Ursula A. Bischoff
- Lot 26 – Ronald W. Berlin
- Lot 27 – Brittini M. Dennison & Kyle M. Dennison
- Lot 28 – Gerald M. O’Meara
- Lot 29 – Karianne M. Bonello
- Lot 30 – Mitchell D. Bulmer & Rebecca J. Bulmer
- Lot 31 – Carole L. Schroeder
- Lot 32 – Thomas C. Walejko & Martha E. Walejko, as Trustees
- Lot 33 – James R. Wight & Marilyn Wight
- Lot 39 – Scott White & Kenda L. White & Carole L. Schroeder
- Lot 40 – Douglas Brian Nall, Jr.

D. The covenants and restrictions contained in the Previous Declaration expired pursuant to Chapter 712, Florida Statutes, also known as the Marketable Record Title Act.

E. The organizing committee for Foxmeadow, Unit 3-B (the “Organizing Committee”), consists of the following record owners of legal title of parcels located in Unit 3-B of Foxmeadow:

Robert A. Reed Sr. and Rose H. Reed, 1205 Cactus Cut Rd., Middleburg, FL 32068; telephone: 904-203-0154

Dale W. Hinton and Linda Hinton, 4055 Wagon Wheel Ct., Middleburg, FL 32068; telephone: 904-282-0291

Ronald W. Berlin, 1147 Cactus Cut Rd., Middleburg, FL 32068; 904-838-7754

F. The Organizing Committee for Foxmeadow Unit 3-B does hereby submit these Revived Amended and Restated Covenants and Restrictions for Foxmeadow Unit 3-B, pursuant to §720.403 and §712.12 of the Florida Statutes, as the “Revived Declaration”.

G. The community of Foxmeadow Unit 3-B is not subject to a homeowners’ association within the meaning of §720.301 of the Florida Statutes. Nevertheless, the Revived Declaration makes certain changes to the Previous Declaration by vesting certain rights that were previously vested in the developer of Foxmeadow (or the developer’s designated representative) in the Foxmeadow Civic Association, Inc. (the “Civic Association”), a Florida not-for-profit corporation that is a social welfare organization described in Internal Revenue Code section 501(c)(4). Thus, the existing Articles of Incorporation and Bylaws of the Civic Association are attached as Exhibit A.

H. The voting interests of each parcel owner of Foxmeadow, Unit 3-B under this Revised Declaration are the same as the voting interests of such owner under the existing Articles of Incorporation and Bylaws of the Civic Association.

I. The proportional assessment obligations of each parcel owner of Foxmeadow, Unit 3-B under this Revived Declaration are the same as the proportional assessment obligations of each such owner under the existing Articles of Incorporation and Bylaws of the Civic Association, which is to say, there are no proportional assessment obligations of any such owner.

J. The amendment provisions of this Revised Declaration are the same as the amendment provisions under the existing Articles of Incorporation and Bylaws of the Civic Association.

K. This Revived Declaration governs only the lots which were originally encumbered by the Previous Declaration and does not contain covenants that are more restrictive on the parcel owner of Foxmeadow, Unit 3-B than the covenants contained in the Previous Declaration and the amendments thereto, except that the Revived Declaration has an effective term of longer duration than the term of the Previous Declaration.

L. A majority of the parcel owners of Foxmeadow Unit 3-B have approved in writing this Revived Declaration and the existing Articles of Incorporation and Bylaws of the Civic Association, as set forth below.

M. The Organizing Committee executes the following Revived Amended and Restated Covenants and Restrictions in the name of Foxmeadow, Unit 3-B.

NOW THEREFORE, the Organizing Committee hereby revives all terms and provisions of the Previous Declaration for Unit 3-B of Foxmeadow as amended and restated as follows:

1. Said land shall be used for residential purposes exclusively. No structure shall be erected, altered or permitted to remain on any lot or building plot on said land other than one single family dwelling not to exceed two stories in height, together with the necessary outbuildings thereof. The term outbuildings shall be construed to include only a detached garage and/or barn for not to exceed three cars, to which may be attached a laundry, tool, or servant’s room, a detached children’s playhouse, and like detached outbuildings incident to use of the lot

or plot for single family purposes. No building or other structure at any time situate on said land shall be used as a hospital, sanitarium, church, charitable, religious or philanthropic institution, or for business or manufacturing purposes and no duplex residence, garage apartment or apartment house shall be erected or placed on or allowed to occupy said land.

2. No building shall be located nearer to the front lot line or nearer to the side street line, than building setback lines shown on the recorded plat. In any event, no building shall be located on any residential building plot nearer than 100 feet to front lot line, 15 feet to any side lot line, nor nearer than 25 feet to the rear lot line; provided, however, that the eaves and cornices of any such building may project not more than 4 feet within such 15 foot reservation; the front lot line mentioned in this covenant being the side of the lot abutting a dedicated street; and further provided that no structure shall be permitted nearer than 50 feet to a side street line on any corner plot. Notwithstanding the foregoing, Lots 6, 7, 8, 9, 10, and 11 of Foxmeadow Unit 3-B are excluded from the front building setback line requirement as shown on the recorded plat, and the front setback line is reduced from 100 feet to 50 feet.

3. No noxious or offensive trade or activity shall be carried on, on said land nor shall anything be done thereon which shall become an annoyance or nuisance to the neighborhood. No animals, livestock or poultry shall be kept, raised or maintained on said land except dogs, cats, and household pets so long as they are not kept, maintained or bred commercially. Said animals are to be restricted to their owner's real property at all times and said animals shall not be permitted to run loose at any time, unless accompanied by said animal's owner. Said owner must further be an adult. No commercial advertising or display signs and no large or unsightly sign shall be permitted on said land. No trailer, tent, basement or shack to be used wholly or partly, permanently or temporarily for residential purposes shall be allowed to occupy said land, nor shall any structure be erected upon said land unless it shall conform to and be in harmony with existing structures and the restrictions therein. Nothing herein shall be construed to prevent the Foxmeadow Civic Association, Inc. or its agents from erecting or maintaining on any part of said land owned by it, such commercial and display signs and temporary structures as may reasonably be required by it for its exempt purposes.

4. The ground floor area of each residence, exclusive of open porches, garages, or car-ports, shall not be less than one thousand, four hundred (1,400) square feet for a one story dwelling, nor less than one thousand (1,000) square feet for a dwelling of more than one story.

5. No outbuildings or drives, walks, fences, walls or swimming pools shall be erected or constructed on any lot on said land prior to the erection or construction of a permanent residence thereon. Garage openings toward the front or street shall be appropriately screened.

6. Said land shall not be subdivided or sold or leased in parcels except as provided in this paragraph; that the Foxmeadow Civic Association, Inc. may subdivide (by deed or otherwise) or replat any or part of said plat in any way it deems fit to do so, including the use of lots or any part thereof, for road purposes, provided that no residence shall be erected upon or allowed to occupy resubdivided or replatted lots, having a square foot area smaller than forty thousand (40,000). In case of such resubdividing or replatting, all restrictions herein contained shall apply to each lot so created.

7. The Foxmeadow Civic Association, Inc. reserves unto itself a perpetual alienable and releasable privilege and right on, and under the ground to construct, maintain and use electric, telephone, wires, cables, conduits, sewers, water-mains and other suitable equipment for the conveyance and use of electricity, telephone, water or other public conveniences or utilities on, in or over the easement reserves for utilities or other purposes shown on said plat, and on, in or over a ten foot strip at the back, side and front lines of each lot, where no such easement is shown on said plat, and the Foxmeadow Civic Association, Inc. shall have the unrestricted right and power to release said easement.

8. No residence, fences or walls, outbuildings, or swimming pool shall be erected, placed, altered or allowed on said land until the plans, specifications and location of the same shall have been approved in writing by the Foxmeadow Civic Association, Inc.

9. The mass indiscriminate cutting down of trees is expressly prohibited without the written consent of the Foxmeadow Civic Association, Inc., EXCEPT those areas where buildings and other improvements shall be located, i.e. , homes, patios, driveways, gardens, parking and recreational areas, etc. Also selective cutting and thinning for lawns and other general improvements shall be permitted. However, where trees have been removed it shall be mandatory that the tree stumps shall be removed simultaneous with the tree.

10. The exterior of each residence and all outbuildings shall be constructed of material that require a minimum of maintenance, such as: the use of brick, aluminum, redwood, pressure treated lumber, copper and similar materials.

No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Foxmeadow Civic Association, Inc. as to quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building set-back line unless similarly approved by the Foxmeadow Civic Association, Inc. The Foxmeadow Civic Association, Inc. further reserves the right to change, or alter, or to release any violation of the building restriction line, in order to save trees, to provide adequate back, front and side yards, to further provide uniformity in house setbacks, to prevent a house from being placed in an undesirable location with respect to another house, or for any other, good, sufficient, or valid reason.

The Foxmeadow Civic Association, Inc.'s approval or disapproval as required in these covenants shall be in writing. In the event the Foxmeadow Civic Association, Inc. fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

All septic tanks and drain fields shall be installed on the front portion of the lot. Wells and pumps shall be at the rear of the lot and spacing between said well and septic shall exceed 100 feet.

11. No dwelling shall be permitted on any lot at a cost of less than twenty-five thousand dollars (\$25,000.00), based upon cost levels prevailing on the date these covenants were first recorded; it being the intention and purpose of the covenant to assure that all dwellings shall be of quality of workmanship and materials substantially the same or better than that which could be produced on the date these covenants were first recorded at the minimum cost stated herein for the minimum permitted dwelling size.

12. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty (30) years from this date, unless an instrument signed by a majority of the then parcel owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

13. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants either to restrain or to recover damages, provided no violation shall work a reverter or forfeiture of the title.

Invalidation of any one of these covenants by judgement or court order shall in no wise affect any of the provisions which shall remain in full force and effect.

[Signatures on the following pages]

ADOPTION & DEDICATION

We hereby certify that the members of the Organizing Committee for Unit 3-B of Foxmeadow, being Robert A. Reed Sr. and Rose H. Reed, Dale W. Hinton and Linda Hinton, and Ronald W. Berlin, hereby execute these Revived Amended and Restated Covenants and Restrictions in the name of Foxmeadow Unit 3-B. In witness whereof, Robert A. Reed Sr. and Rose H. Reed, Dale W. Hinton and Linda Hinton, and Ronald W. Berlin have caused these presents to be signed this 3rd day of January, 2020.

Kelly L. Hellmuth
Witness: Kelly L. Hellmuth

Robert A. Reed Sr.
Robert A. Reed, Sr.

Martha P. Hellmuth
Witness: Martha P. Hellmuth

Kelly L. Hellmuth
Witness: Kelly L. Hellmuth

Rose H. Reed
Rose H. Reed

Martha P. Hellmuth
Witness: Martha P. Hellmuth

Kelly L. Hellmuth
Witness: Kelly L. Hellmuth

Dale W. Hinton
Dale W. Hinton

Martha P. Hellmuth
Witness: Martha P. Hellmuth

Kelly L. Hellmuth
Witness: Kelly L. Hellmuth

Linda Hinton
Linda Hinton

Martha P. Hellmuth
Witness: Martha P. Hellmuth

Kelly L. Hellmuth
Witness: Kelly L. Hellmuth

Ronald W. Berlin
Ronald W. Berlin

Martha P. Hellmuth
Witness: Martha P. Hellmuth

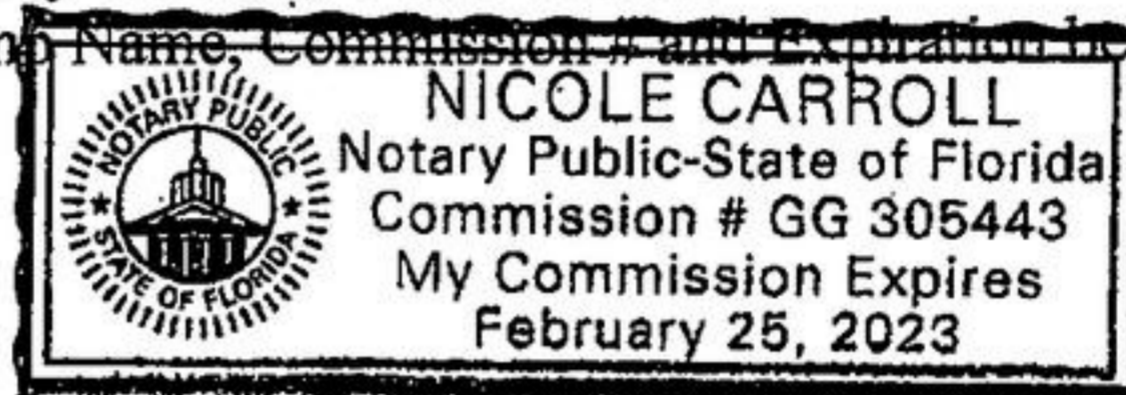
State of Florida
County of Clay

Acknowledged and subscribed before me by means of physical presence or online notarization by Robert A. Reed, Sr., who is personally known to me, or has produced DRIVERS LICENSE as identification, and who executed the foregoing instrument and acknowledged before me that he executed the same freely and voluntarily for the uses and purposes therein expressed, at Middleburg, Florida, in the county of Clay and State of Florida, this 3rd day of January, 2020.

Nicole Carroll

Notary Public, State of Florida

(Stamp Name, Commission # and Expiration below)



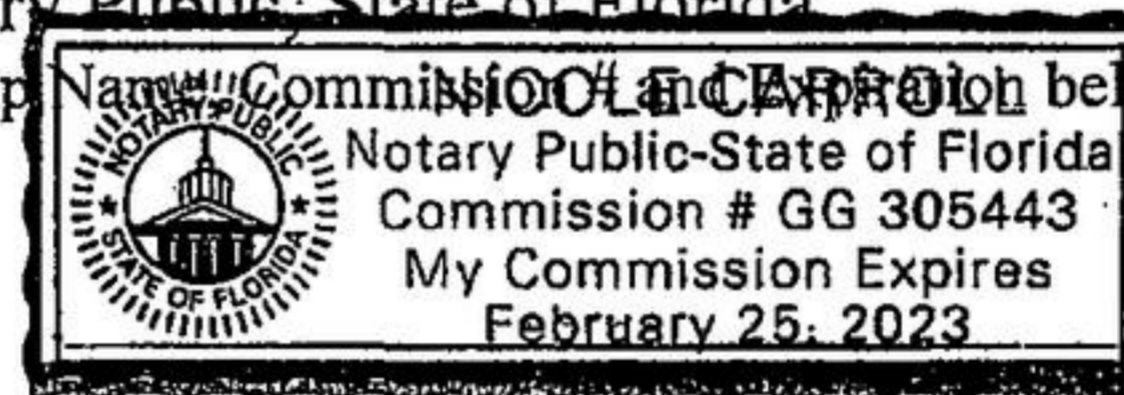
State of Florida
County of Clay

Acknowledged and subscribed before me by means of physical presence or online notarization by Rose H. Reed, who is personally known to me, or has produced DRIVERS LICENSE as identification, and who executed the foregoing instrument and acknowledged before me that she executed the same freely and voluntarily for the uses and purposes therein expressed, at Middleburg, Florida, in the county of Clay and State of Florida, this 3rd day of January, 2020.

Nicole Carroll

Notary Public, State of Florida

(Stamp Name, Commission # and Expiration below)



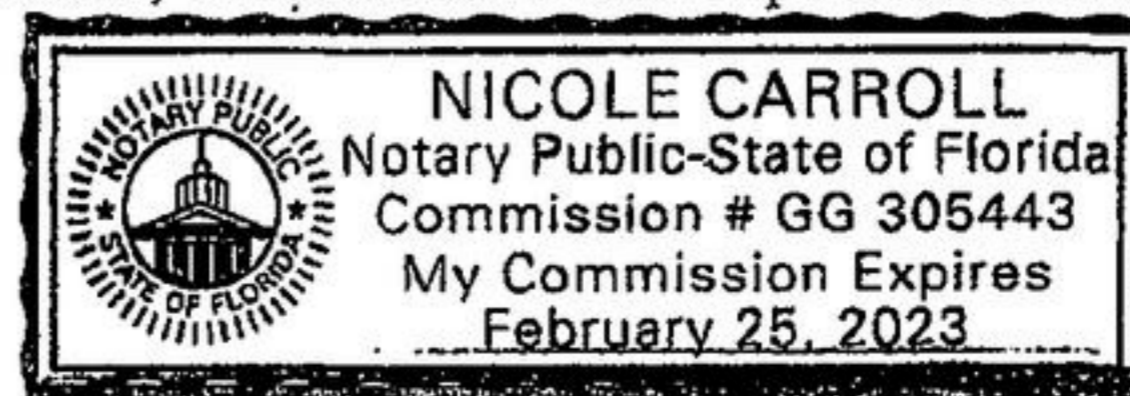
State of Florida
County of Clay

Acknowledged and subscribed before me by means of physical presence or online notarization by Dale W. Hinton, who is personally known to me, or has produced DRIVERS LICENSE as identification, and who executed the foregoing instrument and acknowledged before me that he executed the same freely and voluntarily for the uses and purposes therein expressed, at Middleburg, Florida, in the county of Clay and State of Florida, this 3rd day of January, 2020.

Nicole Carroll

Notary Public, State of Florida

(Stamp Name, Commission # and Expiration below)



State of Florida
County of Clay

Acknowledged and subscribed before me by means of physical presence or online notarization by Linda J. Hinton, who is personally known to me, or has produced DMV'S LICENSE as identification, and who executed the foregoing instrument and acknowledged before me that she executed the same freely and voluntarily for the uses and purposes therein expressed, at Middleburg, Florida, in the county of Clay and State of Florida, this 3rd day of January, 2020

[Handwritten Signature]

Notary Public, State of Florida
(Stamp Name, Commission # and Expiration below)
NICOLE CARROLL
Notary Public-State of Florida
Commission # GG 305443
My Commission Expires
February 25, 2023

State of Florida
County of Clay

Acknowledged and subscribed before me by means of physical presence or online notarization by Ronald W. Berlin, who is personally known to me, or has produced DMV'S LICENSE as identification, and who executed the foregoing instrument and acknowledged before me that he executed the same freely and voluntarily as such owner for the uses and purposes therein expressed, at Middleburg, Florida, in the county of Clay and State of Florida, this 3rd day of January, 2020

[Handwritten Signature]

Notary Public, State of Florida
(Stamp Name, Commission # and Expiration below)
NICOLE CARROLL
Notary Public-State of Florida
Commission # GG 305443
My Commission Expires
February 25, 2023

ACCEPTANCE OF REVISED DECLARATION:

This is to certify that Foxmeadow Civic Association, Inc., a corporation under the laws of the State of Florida, accepts the above Revived Amended and Restated Covenants and Restrictions for Foxmeadow, Unit 3-B. In witness whereof, Foxmeadow Civic Association, Inc., has caused these presents to be signed by its current President, by and with the authority of its Board of Directors, in its name this 2nd day of January, 2020.

FOXMEADOW CIVIC ASSOCIATION, INC., a Florida not-for-profit corporation

Ronald W. Berlin
Witness: Ronald W. Berlin


Martha P. Hellmuth
Martha P. Hellmuth, President

Lynette Berlin
Witness: Lynette Berlin

State of Florida
County of Clay

Acknowledged and subscribed before me by means of physical presence or online notarization by Martha P. Hellmuth, President of Foxmeadow Civic Association, Inc., who is personally known to me, or has produced Florida Driver License as identification, and who executed the foregoing instrument and acknowledged before me that she executed the same freely and voluntarily as such officer for the uses and purposes therein expressed, at Middleburg, Florida, in the county of Clay and State of Florida, this 2nd day of January, 2017.

Irene Jasmine M. Jayco
Notary Public, State of Florida
(Stamp Name, Commission # and Expiration below)

 **Irene Jasmine M. Jayco**
State of Florida
My Commission Expires 10/03/2022
Commission No. GG 265140

ARTICLES OF INCORPORATION
OF
FOXMEADOW CIVIC ASSOCIATION, INC.

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

ARTICLE I

The name of the corporation is FOXMEADOW CIVIC ASSOCIATION, INC., hereinafter called the "Association."

ARTICLE II

The principal office of the Association is located at 4081 Saddlehorn Trail, Middleburg, Florida, 32068.

ARTICLE III

David G. Venter, whose address is 4081 Saddlehorn Trail, Middleburg, Florida, 32068, is hereby appointed the initial registered agent of this Association.

ARTICLE IV

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance of certain landscaping, certain property and certain other improvements on and within that certain tract of property commonly known as "Foxmeadow" the entire tract being described on Schedule A which is attached to these Articles of Incorporation and the specific land or property as may be designated or specified by Ahpla, Inc., 1712 Kingsley Avenue, Orange Park, Florida, 32073, and approved by a two-thirds (2/3) vote of the members, and to promote the health, safety and welfare of the residents within the properties and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

A. Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in those

Covenants and Restrictions of Foxmeadow hereinafter called the "Covenants" applicable to the properties and recorded or to be recorded among the Public Records of Clay County, Florida, and as the same may be amended from time to time as therein provided, said Covenants being incorporated herein as if set forth at length.

B. Fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Association By-Laws; to pay all expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association.

C. Acquire (by gift, purchase or otherwise), own, hold, improve build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association.

D. Borrow money, and with the assent of two-thirds (2/3) of the voting members mortgage, pledge, deed in trust or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred.

E. Dedicate, sell or transfer all or any part of the common area to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of the voting members agreeing to such dedication, sale or transfer.

F. Participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional residential property and common area, provided that any such merger, consolidation or annexation shall have the assent of two-thirds (2/3) of the voting members.

G. Have and exercise any and all powers, rights and privileges which a corporation organized under the nonprofit corporation law of the State of Florida by law may now or hereafter have or exercise.

ARTICLE V

MEMBERSHIP

Every person or entity as outlined in Article 3, Section 1, of the attached By-Laws, shall be a member of the Association.

ARTICLE VI

VOTING RIGHTS

The Association membership shall have voting rights as outlined in Article 3, Sections 1 and 2, of the attached By-Laws.

ARTICLE VII

OFFICERS

The affairs of this Association shall be managed by five (5) Officers, who must be members of the Association.

All officers, by their election by the voting membership, shall also constitute the Executive Board of this Association.

The names and addresses of those persons who are to act as initial officers of the Association until the election of their successors are:

| <u>NAME</u> | <u>TITLE</u> | <u>ADDRESS</u> |
|---------------------|----------------------------|--|
| David G. Venter | President | 4081 Saddlehorn Trail Middleburg, Florida 32068 |
| David A. Reddick | Vice President | 4170 Sidewinder Trail Middleburg, Florida 32068 |
| Bruce T. Wolfe | Treasurer | 4201 Sidewinder Trail Middleburg, Florida 32068 |
| Deanna Brashear | Recording Secretary | 7271 Cottonwood Court Middleburg, Florida 32068 |
| Mary Ellen Turville | Corresponding Secretary | 1033 Foxmeadow Trail Middleburg, Florida 32068 |

The above-named officers are to serve until the organizational meeting of the Association to be held as soon after incorporation as practicable. The officers, except for the President, shall hold office for one (1) year and shall be elected by written ballot on the date of the annual meeting. The President shall be elected for two years. During the second year of his term, he shall serve as Ex-Officio President of the Executive Board.

ARTICLE VIII

INDEMNIFICATION

Every Executive Board Member and every officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon him in connection with any proceeding or any settlement of any proceeding to which he may be a party or in which he may become involved by reason of his being or having been an Executive Board Member or officer of the

Association, whether or not he is an Executive Board Member or officer of the Association at the time such expenses are incurred, except when the Executive Board Member or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of his duties; provided, that in the event of a settlement, the indemnification shall apply only when the Executive Board approves such settlement and reimbursement as being for the best interest of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such Executive Board Member or officer may be entitled.

ARTICLE IX

DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by not less than two-thirds (2/3) of the voting members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes. This Article is subject to the provisions of Section 617.05 of the Florida Statutes.

ARTICLE X

DISPOSITION OF ASSETS UPON DISSOLUTION

Upon dissolution of the Association, subject to the provisions of Section 617.05 of the Florida Statutes, the Association's assets, both real and personal, shall be dedicated to an appropriate public agency or utility to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Association. In the event that such dedication is not accepted, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to purposes as nearly as practicable the same as those to which they were required to be devoted by the Association.

ARTICLE XI

DURATION

The Association shall exist perpetually.

ARTICLE XII

AMENDMENTS

Amendments to these Articles may be proposed either by the Officers or upon the written request of the members who are entitled to vote one-fourth (1/4) of the votes of the Class, Active Members, and shall become effective upon the affirmative vote of Seventy-Five Percent (75%) of the entire membership present at any regular or special meeting of members duly called for that purpose.

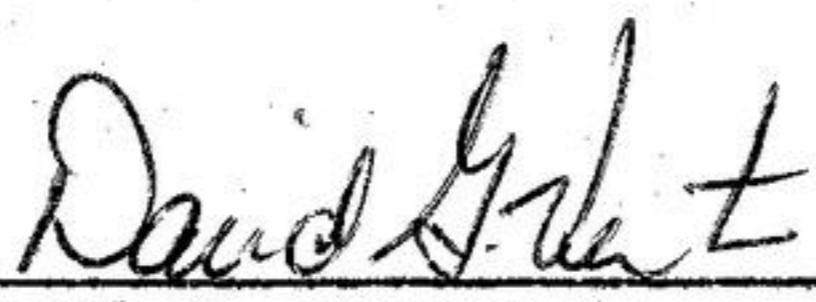
ARTICLE XIII

INCORPORATORS

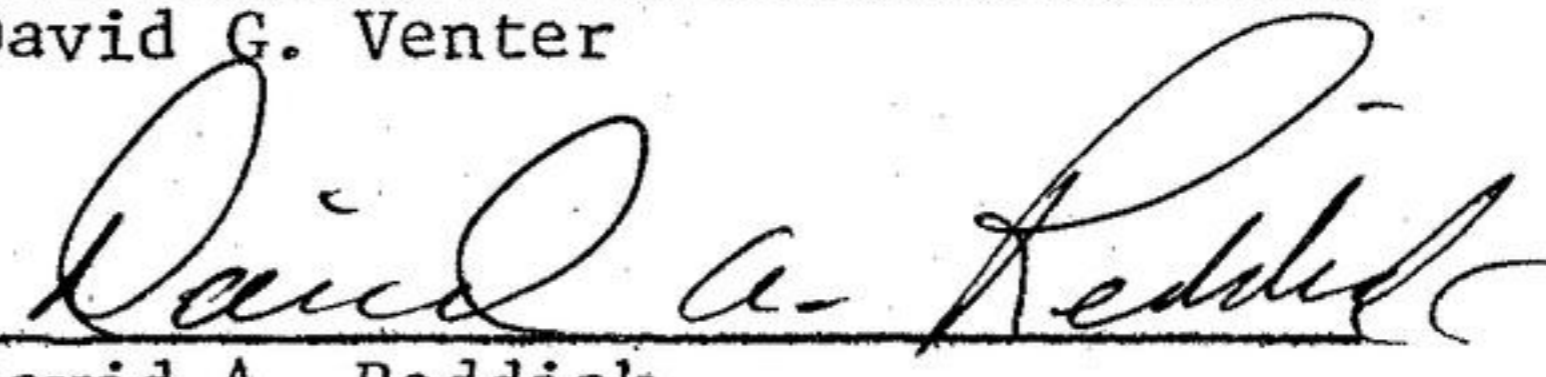
The name and address of each incorporator is:

| <u>NAME</u> | <u>ADDRESS</u> |
|------------------|--|
| David G. Venter | 4081 Saddlehorn Trail Middleburg, Florida 32068 |
| David A. Reddick | 4170 Sidewinder Trail Middleburg, Florida 32068 |
| Bruce T. Wolfe | 4201 Sidewinder Trail Middleburg, Florida 32068 |

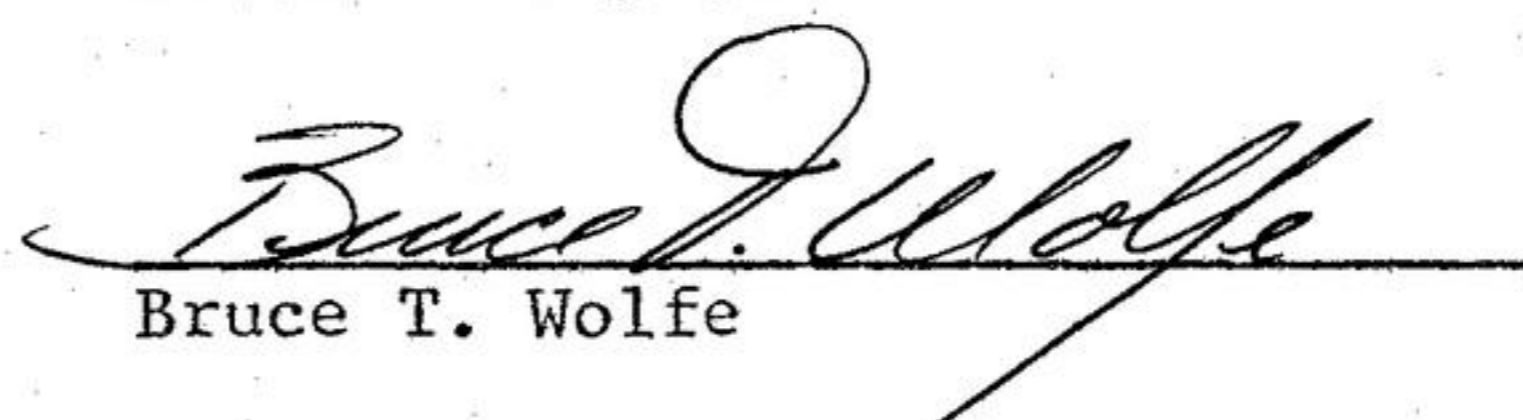
IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, we, the undersigned, constituting the incorporators of this Association, have executed these Articles of Incorporation, this 27th day of June, 1978.



David G. Venter



David A. Reddick



Bruce T. Wolfe

State of Florida
County of Clay

The foregoing instrument was acknowledged before me this _____ day of June, 1978, by DAVID G. VENTER, DAVID A. REDDICK and BRUCE T. WOLFE.

Notary Public, State of Florida
My Commission Expires:

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

ARTICLE 1 - NAME

The name of the association shall be: FOXMEADOW CIVIC ASSOCIATION INC., a non-profit organization.

ARTICLE 2 - MEMBERSHIP

The purpose of the association shall be as follows:

1. To develop the civic and social interest of its members, to advance community welfare, and to protect the property and investments within the units of Foxmeadow.
2. To undertake definite service in the community.
3. To promote fellowship and cooperation among the members.
4. To disseminate information of general interest to the community.
5. To develop community spirit and cooperation.
6. To provide a governmental body functioning under democratic principles.

ARTICLE 3 - MEMBERSHIP

Section 1 - Eligibility

A. Active members -

1. Property owners of Foxmeadow shall be eligible for membership. A membership entity shall consist of the Owner (s) of Record of the single dwelling unit, not to exceed 2 votes per dwelling.
2. All family members of a member entity under 18 years of age are recognized as active members, excepted from voting and dues.

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

B. Associate Members -

The following may acquire membership excluding voting privileges by payment of one-half of the regular dues and registration fee.

1. Relatives of membership entity who have established residence within the confines of the property owner (s).
2. Additional immediate members of membership entity over 18 years of age.

C. Optional Members -

The following shall have the privilege of joining said organization upon approval of the Executive Board, using by - laws already established in Article 3, Section 2.

1. Person (s) who are renting homes from property owner (s).
2. Person (s) who are residing with property owner (s) other than immediate family or as stated above.

Section 2 - Voting

Voting shall be limited to members in good standing and confined to one vote for each member entity. To retain voting privileges all dues shall be paid in full. Voting shall be reinstated at anytime by full payment of membership dues. Unless stated elsewhere herein; approval of voted-upon topic shall be constituted by a 2/3 vote or a quorum. A quorum shall consist of at least 2/3 of the voting membership present.

ARTICLE 4 - MEETINGS

Section 1

The fiscal year shall be January 1 - December 31.

Section 2

General membership meetings shall be held 4 times yearly as set by the Executive Board.

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

Section 3

Executive Board Meetings shall be convened two (2) weeks prior to any regular membership meeting or at the discretion of the President.

Section 4

Special membership meetings may be called at anytime by the President or Executive Board by 2/3 majority vote of the Board or by 2/3 of the voting membership of the Association by petition to the President.

Section 5

Each membership entity shall be entitled to seven (7) days notice of any special meeting and each Executive member shall receive 48 hours notice of a special meeting.

Section 6

All business meetings of the Association shall be conducted according to Robert's Rules of Order.

Section 7

Each membership entity shall be entitled to seven (7) days notice of regular meetings, and seven (7) days notice of annual meetings.

Section 8

Agenda of all membership meetings shall include reports from all committee chairpersons on the plans and statues of the Foxmeadow Civic Association, Inc., its finances and programs, and matters affecting the community. Business proposed by the Board will be considered and opportunity given for business to be initiated from the floor. Guests from outside the membership, upon invitation from or with the approval of the board, may speak on topics affecting the community. Fair opportunity for an opposing speaker will be given.

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

ARTICLE 5 - OFFICERS

Section 1

The officers of the Association will be;

1. President
2. 1st Vice President
3. 2nd Vice President
4. Treasurer
5. Recording Secretary
6. Corresponding Secretary

Section 2

All officers shall by their election by the voting of membership, be members of the Executive Board.

ARTICLE 6 - DUTIES OF OFFICERS

Section 1 - President

1. Shall call and preside over meetings of the members and the Executive Board.
2. Appoint and remove chairpersons and members of all committees with the advise and consent of the Executive Board.
3. Act as an ex-officio member of all committees, except Nominating.
4. Act as Chief Executive of Foxmeadow Civic Association and manage its affairs.
5. Be responsible for educating the Executive Board of the By - Laws.

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

Section 2 - Vice Presidents

A. 1st Vice President

1. In the event of the absence of the President, the 1st Vice President shall preside.
2. In the event the office of President is vacated, the 1st Vice President shall become President for remaining term of office.

B. 2nd Vice President

1. Be active in suggesting needed committees.
2. Report to the President no later than seven (7) days before monthly meetings, a thorough report of respective committees.
3. In the event of the absence of both the President and the 1st Vice President, the 2nd Vice President shall preside.

Section 3 - Treasurer

1. Shall be responsible for receipt, custody and disbursing of all Foxmeadow Civic Association funds, as approved by the Board and within the annual budget.
2. Shall be responsible for maintaining of the necessary accounts.
3. Shall be responsible for a financial report at each meeting of the members and of the Board.
4. Shall be bonded with the premium to be paid by the Foxmeadow Civic Association. The Board shall name the amount and the bonding company.
5. Shall have the authority to draw checks in the name Foxmeadow Civic Association. All checks shall be counter-signed by either the President or one of the Vice Presidents.

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

Section 4 - Recording Secretary

1. Keep all official records, files and other Association property.
2. Maintain a "Calendar of Events"
3. Performs such other duties pertaining to the office as may be assigned by the Association membership or Executive Board.
4. Be responsible for reporting on and maintaining records of agenda items.

Section 5 - Corresponding Secretary

1. Maintain an up-to-date membership list.
2. Shall send out notice of meetings of the Association.
3. Act as Parliamentarian.
4. Shall be responsible for producing the monthly newspaper.

ARTICLE 7 - NOMINATIONS AND ELECTIONS AND TERMS OF OFFICE

Section 1 - Nominations

The Nominating Committee shall select at least two (2) candidates for each office. However, only one individual from any one membership entity may serve in office at any one time. Additional nominations may be made from the floor at the last general meeting of the fiscal year. Prior written consent shall be obtained from all nominees selected or nominated from the floor. The Nominating Committee shall present and disseminate the list of nominees to all members at the last general meeting of the fiscal year.

Section 2 - Elections

Elections of officers shall be by written ballot on the day of the annual meeting. The elections will take place no later than 1 1/2 hours prior to start of the annual meeting. The installation of newly elected officers shall be the last order of business of this meeting.

Section 3 - Terms of Office

Except for the President, all officers and appointed committees shall serve for a term of one year. The President shall be elected for two years.

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

ARTICLE 8 - EXECUTIVE BOARD - DUTIES & POWERS OF

Section 1

The Executive Board shall consist of all the officers of the Foxmeadow Civic Association as set forth in Article 5.

Section 2

The purpose of the Executive Board is to coordinate the work of the committees and officers as a clearing center for policies and plans affecting the Association and its entire program. To accomplish this purpose its functions are:

1. Direct to appropriate committees the work which needs to be done for the effective functioning of the Association.
2. Act on proposals, problems, and plans which have been formulated by committees, officers, and Association members.
3. Approve committee budgets and expenditures.
4. Appointing a replacement of an officer must be done by majority vote of the Board, provided that the succession to these officers is not defined elsewhere herein.
5. All decisions made by the Board shall have the approval of the majority of its members.

ARTICLE 9 - COMMITTEES

Section 1 - Standing Committees

All standing committee chairpersons shall be appointed by the President. Appointments shall be subject to approval of the Executive Board. The standing committees shall consist of :

- | | |
|-------------------------------------|-----------------------------|
| 1. Auditing committee | 2. Nominating committee |
| 3. Public Affairs Committee | 4. Beautification Committee |
| 5. Membership & Welcoming Committee | 6. Fund Raising Committee |
| 7. Amendments and Rules Committee | 8. Finance Committee |

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

Section 2

Special Committees may be established by the President at his discretion, subject to approval of the Executive Board.

Section 3

The Auditing Committee shall consist of not more than 3 members and a chairperson and shall:

1. Set up the record keeping procedures for the Association.
2. Recommend to the Executive Board changes in the record keeping procedures.
3. Make an audit of the records and accounts of the Recording Secretary and the Treasurer at the end of their administration, at the discretion of the auditing committee, and when prescribed by the Executive Board. Their findings shall be reported to the Executive Board.
4. Make yearly audit at the end of the fiscal year and furnish a copy to the Executive Board.

Section 4

The Nominating Committee shall:

1. Consist of 5 representatives appointed by the President with the approval of the Executive Board.
2. There shall not be more than one representative from any unit.

Section 5

The Public Affairs Committee shall:

1. May consist of at least one chairperson from each unit.
2. Keep the members of the Association advised of any zoning or political matters that affect Foxmeadow or any of its residents.
3. Notify the members of the Association of any special events that will affect Foxmeadow or its residents.

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

4. Notify public communications systems of matters of importance happening in the community.
5. Shall be responsible for press correspondence and publication of all social and civic events of the Association.

Section 6

The Membership & Welcoming Committee shall:

1. Consist of a chairperson and a member from each unit.
2. Present new residents for membership in the Association.
3. Keep a record of attendance at regular meetings.
4. Help new residents get acquainted with the residents of Foxmeadow

Section 7

The Beautification Committee shall:

1. Consist of a chairperson and a member from each unit.
2. Organize projects to beautify the Foxmeadow community.
3. Supervise beautification projects.
4. Encourage individuals to take care of their property.

Section 8

The Fund Raising Committee shall:

1. Consist of not more than 3 members and a chairperson.
2. Present fund raising projects to the Executive Board
3. Organize and supervise all fund raising projects

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

Section 9

The Amendment & Rules Committee shall:

1. Consist of not more than 3 members and a chairperson.
2. Receive and review amendments to the by - laws and the Constitution and shall forward their recommendations to the Executive Board.
3. Interpret and enforce the rules that govern the Association.

Section 10

The Finance Committee shall:

1. Consist of the Treasurer, as advisor, a chairperson & not more than 3 members.
2. Prepare an annual budget.
3. Review registration fee and annual dues.
4. Advise members as needed of delinquency in dues

ARTICLE 10 - DUES AND FINANCES

Section 1 - Annual Dues

The annual dues shall be \$35.00 per family. Said dues shall be subject to adjustment as necessary.

Section 2 - Memberships

Membership dues are not transferable or refundable

Section 3 - Fees

Fees for admission to Civic Association functions or events, other than membership meetings, will be set by the Finance Committee.

Section 4 - Budget

A budget initiated by the Finance Committee shall be submitted at the first membership meeting of each fiscal year for approval.

FOXMEADOW CIVIC ASSOCIATION BY - LAWS

Section 5 - Borrowing of Funds

There shall not be borrowing of Civic Association funds by any officer, member or any other individual or organization.

Section 6 - Expenditures

1. Expenditures over \$300.00 on any project must be voted on by the membership.
2. Expenditures over \$50.00 must be approved by the majority of the Executive Board.

ARTICLE 11 - ASSOCIATION SEAL

This Association shall have a seal, upon which seal be inscribed the name of the Association, the year of its creation, and the words, "Incorporated State of Florida."

ARTICLE 12 - AMENDMENTS

Amendments to the By - Laws may be presented to the Amendment and Rules Committee of the Association in writing by any member in good standing. After review of the Board, they shall be submitted to the entire membership of the Association present at the next regular general or special meeting immediately following their dissemination to the membership.

ARTICLE 13 - DISSOLUTION

Dissolution of the Association shall occur only after written notification of proposed dissolution has been submitted to the Executive Board and the membership of the Association and the proposal to dissolve has been adopted by approval of a quorum of the membership of the Association present at the next regular general or special meeting immediately following the proposal. The proposal must contain a plan for distribution of remaining assets.

Ron DeSantis
GOVERNOR



Ken Lawson
EXECUTIVE DIRECTOR

April 17, 2020

Kelly L. Hellmuth, Esq.
Holland & Knight LLP
50 North Laura Street, Suite 3900
Jacksonville, Florida 32202

**Re: Foxmeadow Civic Association, Inc. – Foxmeadow Unit 3-B, Approval;
Determination Number: 20069**

Dear Ms. Hellmuth:

The Department of Economic Opportunity (Department) has completed its review of the Proposed Revived Declaration of Covenants and Restrictions (Declaration of Covenants) and other governing documents for the Foxmeadow Civic Association, Inc. – Foxmeadow Unit 3-B (Association), and has determined that the documents comply with the requirements of Chapter 720, Part III, Florida Statutes. Therefore, the proposed revitalization of the Association's Declaration of Covenants is approved.

The Association is required to comply with the requirements in sections 720.407(1) - (3), Florida Statutes, including recording the documents identified in section 720.407(3), Florida Statutes, in the county's public records. The revitalized declaration and other governing documents will be effective upon recording. Immediately upon recording the documents in the public records, the Association is required to mail or hand deliver a complete copy of all approved recorded documents to the owner of each affected parcel as provided in section 720.407(4), Florida Statutes.

If you have any questions concerning this matter, please contact the Department of Economic Opportunity, Office of the General Counsel, at (850) 245-7150.

Sincerely,

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/ss/rm

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
850.245.7105 | www.floridajobs.org
www.twitter.com/FLDEO | www.facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

Kelly L. Hellmuth, Esq.

April 17, 2020

Page 2 of 2

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS DETERMINATION HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF RECEIPT OF THIS DETERMINATION. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON ST., MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX 850-921-3230
AGENCY.CLERK@DEO.MYFLORIDA.COM

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF RECEIPT OF THIS DETERMINATION.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES.

PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.