

**THIS INSTRUMENT PREPARED BY  
AND RECORD AND RETURN TO:**

Bryan E. Blackburn, Attorney  
1921 Dewey Place  
Jacksonville, FL 32207

**NOTICE OF PRESERVATION OF HARBOUR WOODS-  
PHASE TWO DECLARATION OF COVENANTS AND RESTRICTIONS**

**THIS NOTICE OF PRESERVATION OF HARBOUR WOODS-PHASE TWO  
DECLARATION OF COVENANTS AND RESTRICTIONS** (the "Notice") is executed this  
5<sup>th</sup> day of February, 2015, by **Harbour Woods Civic Association, Inc.**, a Florida non-profit  
corporation, whose post office address is 11405 Breakwater Row South, Jacksonville, Florida  
32225 (the "Association");

**W I T N E S S E T H:**

**WHEREAS**, the Association is the non-profit homeowners association formed for the  
governance of the residential subdivision known as Harbour Woods Unit 2 located in Duval  
County, Florida (the "Subdivision"); and

**WHEREAS**, the Subdivision is governed by the provisions of that certain Harbour  
Woods-Phase Two Covenants and Restrictions recorded in Official Records Book 5917, Page  
1899, of the current Public Records of Duval County, Florida (the "Declaration"); and

**WHEREAS**, pursuant to Sections 712.05 and 712.06, Florida Statutes, the Association  
desires to and has taken the actions necessary to preserve the covenants and restrictions which  
are the subject of the Declaration by the filing of this Notice;

**NOW THEREFORE**, the Association does hereby state and declare as follows:

1. **Recitals.** The recitals set forth above are true and correct and are incorporated  
herein by reference.

2. **Preservation of Declaration.** On Thursday, January 22, 2015, the Board of  
Directors of the Association voted unanimously to preserve the Declaration and protect the  
Declaration from extinguishment by the operation of the Marketable Record Titles to Real  
Property Act, Chapter 712, Florida Statutes, pursuant to the provisions of Section 712.05, Florida  
Statutes. Accordingly, this Notice has the effect of preserving the Declaration for a period of not  
longer than thirty (30) years following the recordation of this Notice among the Public Records  
of Duval County, Florida.

3. **State of Marketable Title Action.** Attached to this Notice as **Exhibit "A"** is an  
Affidavit executed by the President of the Association (also being a member of the Board of  
Directors) affirming that the Board of Directors of the Association caused a statement meeting  
the requirements of Section 712.06, Florida Statutes, to be included in a notice which was mailed  
to all owners of property within the Plat of Harbour Woods Unit 2 (including all members of the  
Association), a copy of which is attached hereto as **Exhibit "B"**.

**IN WITNESS WHEREOF**, the Association has executed this Notice in manner and form sufficient to bind it as of the date set forth above.

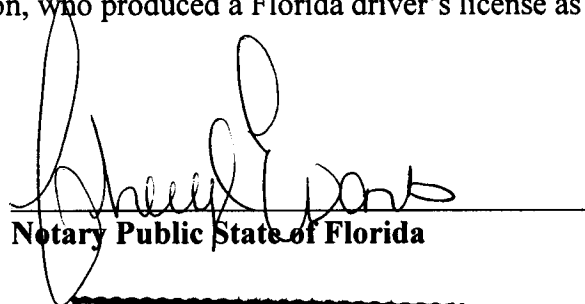
**Harbour Woods Civic Association, Inc., a  
Florida non-profit corporation**



**By: Douglas D. McCandless; Its: President**

**STATE OF FLORIDA  
COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of February, 2015, by **Douglas D. McCandless, as President of Harbour Woods Civic Association, Inc., a Florida non-profit corporation**, on behalf of the corporation, who produced a Florida driver's license as identification.



**Notary Public State of Florida**



**EXHIBIT "A"**  
**AFFIDAVIT**

**STATE OF FLORIDA**  
**COUNTY OF DUVAL**

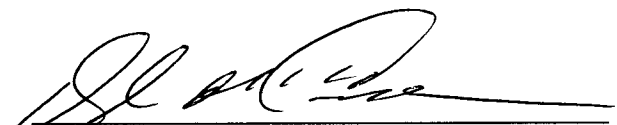
Before me, the undersigned authority, this day personally appeared **Douglas D. McCandless** ("Affiant"), who having been duly sworn, did depose and say as follows:

1. The Affiant is the President and is a Director of Harbour Woods Civic Association, Inc., a Florida non-profit corporation (the "Association"), having been elected to office on November 1, 2014.

2. That the Association is the homeowners association which governs the community known as Harbour Woods Unit 2, located in Duval County, Florida pursuant to that certain Harbour Woods-Phase Two Covenants and Restrictions recorded in Official Records Book 5917, Page 1899, of the current Public Records of Duval County, Florida (the "Declaration").

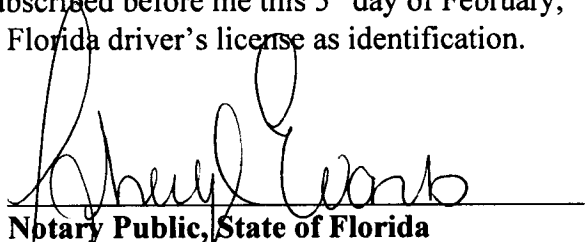
3. That the Board of Directors of the Association caused a statement in substantially the form required by Section 712.06(b), Florida Statutes, to be mailed to all Owners of property within the Plat of Harbour Woods Unit 2, as recorded in Plat Book 38, Page 93 of the public records of Duval County, Florida (including all Members of Harbour Woods Civic Association, Inc.) (the "Owners/Members") not less than seven (7) days prior to the meeting of the Board of Directors of the Association held on Thursday, January 22, 2015, at which the Board of Directors voted unanimously to preserve the covenants and restrictions contained in the Declaration. A copy of the Board's notice containing that statement is attached hereto as **Exhibit "B"**.

**FURTHER AFFIANT SAYETH NOT.**



**Douglas D. McCandless, President and  
Director of Harbour Woods Civic  
Association, Inc.**

The foregoing Affidavit was sworn to and subscribed before me this 5<sup>th</sup> day of February, 2015, by **Douglas D. McCandless**, who produced a Florida driver's license as identification.

  
**Notary Public, State of Florida**

**EXHIBIT "B"**

**NOTICE OF BOARD OF DIRECTORS VOTE ON PROPOSED PRESERVATION OF HARBOUR WOODS-PHASE TWO COVENANTS AND RESTRICTIONS**

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Notice is hereby given to all Owners of property within the Plat of Harbour Woods Unit 2, as recorded in Plat Book 38, Page 93 of the public records of Duval County, Florida (including all Members of Harbour Woods Civic Association, Inc.) (the "Owners/Members") that at the meeting of the Owners/Members which is to take place at 7:00 P.M. on Thursday, January 22, 2015 at Resurrection Episcopal Church, 12355 Ft. Caroline Road, Jacksonville, Florida 32225, the Board of Directors of the Association intends to vote on a proposal to preserve the Harbour Woods-Phase Two Covenants and Restrictions recorded in Official Records Book 5917, Page 1899, of the current Public Records of Duval County, Florida (the "Declaration").

If action is not taken to preserve the covenants and restrictions contained in the Declaration, then the Declaration will be extinguished in accordance with Florida's Marketable Record Titles to Real Property Act, Chapter 712, Florida Statutes.

If at least 2/3rds of the Board of Directors votes at the annual meeting to preserve the Declaration, then the Declaration will be renewed as a matter of law for a period of thirty (30) years.

The following statement is hereby given to all Owners/Members as required by the provisions of Section 712.05 and 712.06, Florida Statutes.

**STATEMENT OF MARKETABLE TITLE ACTION**

The Harbour Woods Civic Association, Inc. (the "Association") has taken action to ensure that the Harbour Woods-Phase Two Covenants and Restrictions recorded in Official Records Book 5917, Page 1899, of the current Public Records of Duval County, Florida, as may be amended from time to time, currently burdening the property of each and every Owner/Member of the Association, retains its status as the source of marketable title with regard to the transfer of an Owners's residence. To this end, if the proposal to preserve the Declaration is approved, the Association shall cause the notice required by Chapter 712, Florida Statutes, to be recorded in the Public Records of Duval 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.