

After Recording, Return To:

Jeffrey Rembaum, Esquire  
Kaye Bender Rembaum, PLLC  
9121 N. Military Trail, Suite 200  
Palm Beach Gardens, FL 33410

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**NOTICE OF PRESERVATION OF THE  
DECLARATION OF COVENANTS, RESTRICTIONS AND LIMITATIONS FOR  
THE GARDEN HOMES AT GROVE ISLE**

Pursuant to Chapter 712, Florida Statutes, the Marketable Record Title Act ("MRTA"), the undersigned does record this Notice of Preservation of the Declaration of Covenants, Restrictions and Limitations for The Garden Homes at Grove Isle (this "Notice") to preserve and protect the Declaration of Covenants, Restrictions and Limitations for The Garden Homes at Grove Isle, as further identified herein, from extinguishment by operation of MRTA.

1. This Notice is filed by The Garden Homes at Grove Isle Association, Inc., a Florida not-for-profit corporation (the "Association"), charged with the enforcement of the rights, obligations and duties set forth in the Declaration of Covenants, Restrictions and Limitations for The Garden Homes at Grove Isle, recorded in the Official Records of Indian River County, Florida in Official Records Book 792, Page 36, as amended from time to time, with a post office address of c/o FirstService Residential, 3055 Cardinal Drive, Suite 200, Vero Beach, Florida 32963.

2. A full and complete description of the lands affected by this Notice is attached hereto as **Exhibit "A"** and incorporated as if fully set forth herein.

3. Pursuant to section 712.06(1)(b), Florida Statutes, the required affidavit of a member of the Board of Directors of the Association (the "Board"), affirming that the Board did provide the required notice to the members of the Association as required under the provisions of MRTA, is attached hereto as **Exhibit "B"** and incorporated as if fully set forth herein.

4. This Notice preserves the Declaration of Covenants, Restrictions and Limitations for The Garden Homes at Grove Isle, recorded in the Official Records of Indian River County, Florida in Official Records Book 792, Page 36, as amended from time to time. This preservation action shall include and extend to all amendments of said Declaration.



EXHIBIT "A"

## LEGAL DESCRIPTION

## THE GARDEN HOMES AT GROVE ISLE

LEGAL DESCRIPTION

COMMENCING at the intersection of the East right-of-way of U.S. Highway No. 1 and the East-West 1/4 Section line of Section 30, Township 33 South, Range 40 East, run South 88°24'05" East along said 1/4 Section line 84.77 feet to the POINT OF BEGINNING; thence continue South 88°24'05" East along said 1/4 Section line 1580.99 feet; thence South 01°35'55" West, 227.82 feet; thence South 31°35'55" West, 60.00 feet; thence North 58°24'05" West, 74.11 feet, to the Point of Curvature of a curve concave to the Southwest, having a central angle of 30°00'00", a radius of 95.00 feet and a chord bearing of North 73°24'05" West; thence Northwesterly along said curve 49.74 feet; thence North 88°24'05" West, 208.32 feet; thence North 01°35'55" East, 5.00 feet; thence North 88°24'05" West, 490.00 feet; thence South 01°35'55" West, 5.00 feet; thence North 88°24'05" West, 157.43 feet, to the Point of Curvature of a curve concave to the Southeast having a central angle of 110°17'37", a radius of 170.00 feet and a chord bearing of South 38°27'07" West; thence Southwesterly along said curve 327.25 feet; thence South 18°41'41" East, 347.84 feet; thence South 71°18'19" West, 320.00 feet to the East right-of-way of U.S. Highway No. 1; thence North 18°41'41" West, 120.00 feet along the East right-of-way of U.S. Highway No. 1; thence North 71°18'19" East, 260.00 feet; thence North 18°41'41" West, 227.64 feet, to a Point of Curvature of a curve concave to the Southeast having a central angle of 38°00'47", a radius of 230.00 feet and a chord bearing of North 00°18'42" East; thence Northerly along said curve 152.59 feet; thence North 70°40'54" West, 59.13 feet, along a line radial to the above mentioned curve; thence North 88°24'05" West, 194.26 feet to a point on a line that lies 80.00 feet Easterly of and measured at right angles to the East right-of-way of U.S. Highway No. 1; thence North 18°41'41" West, 154.99 feet, along said line to the Point of Curvature of a curve concave to the Northeast having a central angle of 00°54'03", a radius of 11,267.20 feet and a chord bearing of North 18°14'40" West; thence Northwesterly along said curve 177.15 feet to the POINT OF BEGINNING. All lying and being in Indian River County, Florida. Said parcel contains 10.290 Acres.

## LEGAL DESCRIPTION:

COMMENCING AT THE CENTER OF SECTION 30, TOWNSHIP 33 SOUTH, RANGE 40 EAST; THENCE RUN SOUTH 88 24'05" EAST ALONG THE EAST-WEST ONE-QUARTER SECTION LINE A DISTANCE OF 907.39 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 01 35'55" WEST A DISTANCE OF 227.82 FEET; THENCE RUN SOUTH 31 35'55" WEST A DISTANCE OF 60.00 FEET; THENCE RUN SOUTH 58 24'05" EAST A DISTANCE OF 79.37 FEET; THENCE RUN NORTH 31 35 55' EAST A DISTANCE OF 91.75 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE RUN NORTHEASTERLY ALONG THE CURVE HAVING A CENTRAL ANGLE OF 60.00'00". A RADIUS OF 100 FEET, AN ARC DISTANCE OF 104.72 FEET TO A POINT OF TANGENCY;

THENCE RUN SOUTH 88 24'05" EAST A DISTANCE OF 578.77 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 36.47'35", A RADIUS OF 170 FEET, AN ARC DISTANCE OF 109.17 FEET; THENCE RUN NORTH 38 23'30" EAST A DISTANCE OF 279.55 FEET TO SAID EAST-WEST ONE-QUARTER SECTION LINE;

THENCE RUN NORTH 88 24'05" WEST ALONG SAID ONE-QUARTER SECTION LINE A DISTANCE OF 1019.23 FEET TO THE POINT OF BEGINNING. ALL LYING IN AND BEING IN INDIAN RIVER COUNTY, FLORIDA.

**EXHIBIT "B"**

**AFFIDAVIT OF BOARD OF DIRECTORS OF  
THE GARDEN HOMES AT GROVE ISLE ASSOCIATION, INC.**

**BEFORE ME**, the undersigned authority, personally appeared and the undersigned, who after being duly sworn, deposes and states as follows:

I am a member, as well as the President, of the Board of Directors (the "Board") of The Garden Homes at Grove Isle Association, Inc., a Florida not-for-profit corporation (the "Association"), and the Board did cause a statement of marketable title action in substantially the same form required by section 712.06(1)(b), Florida Statutes, to be mailed or hand delivered in accordance with section 712.05(1), Florida Statutes, to the members of the Association in connection with that certain Notice of Preservation of the Declaration of Covenants, Restrictions and Limitations for The Garden Homes at Grove Isle (the "Notice") affecting the lands described in **Exhibit "A"** of the Notice, such lands being commonly known as The Garden Homes at Grove Isle.

I further attest that at a meeting of the Board held in accordance with the requirements of Chapter 712, Florida Statutes, at least two-thirds (2/3) of the members of the entire Board approved preserving and protecting the Declaration of Covenants, Restrictions and Limitations for The Garden Homes at Grove Isle, recorded in the Official Records of Indian River County, Florida in Official Records Book 792, Page 36, as amended from time to time, and all amendments thereto, from extinguishment by operation of Chapter 712, Florida Statutes.

This affidavit is given in fulfillment of the requirements of section 712.06(1)(b), Florida Statutes, and in furtherance of preserving and protecting the Declaration of Covenants, Restrictions and Limitations for The Garden Homes at Grove Isle, recorded in the Public Records of Indian River County, Florida in Official Records Book 792, Page 36, as amended from time to time, and all amendments thereto from extinguishment by operation of Chapter 712, Florida Statutes.

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**[SIGNATURE PAGE FOLLOWS]**

**AFFIDAVIT OF BOARD OF DIRECTORS OF  
THE GARDEN HOMES AT GROVE ISLE ASSOCIATION, INC.**

**SIGNATURE PAGE**

**Signed, Sealed and Delivered  
in the presence of:**

**THE GARDEN HOMES AT GROVE ISLE  
ASSOCIATION, INC.,**  
a Florida not-for-profit corporation

Megan Miller  
Print Name: Megan Miller  
Robert R. Matlock  
Print Name: Robert R. Matlock

By: Nancy Skarlis  
NANCY SKARLIS, its President  
Date: 12-14-2015

STATE OF FLORIDA            )  
  ) ss:  
COUNTY OF INDIAN RIVER )

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of December, 2015, by Nancy Skarlis, as President of The Garden Homes at Grove Isle Association, Inc., a Florida not-for-profit corporation, who is personally known to me or produced \_\_\_\_\_ as identification and did not take an oath.

Kelly Hagen  
Notary Public, State of Florida  
Kelly Hagen  
Print Name of Notary Public

My Commission Expires: 9-8-17

