



PORT MALABAR HOLIDAY PARK
MOBILE HOME PARK RECREATION DISTRICT

215 Holiday Park Boulevard NE
Palm Bay, Florida 32907-2196

BOARD OF TRUSTEES

MEETING AGENDA

February 24, 2014 - 7:00 PM

Joanne Gaughan
Chairman

Rebecca "Becky" Earnest
1st Vice-Chairman

Harald Albinus
2nd Vice-Chairman

Marion "Molly" Stone
Secretary

Allison Kelly
Assistant Secretary

Philias Matton
Treasurer

Marilyn Spall
Assistant Treasurer

Rodney "Rod" Lindsay
Trustee

Daniel "Dan" O'Connell
Trustee

Cheryl Ennis
District Manager

Karl Bohne, Jr.
District's Attorney

* To comment on an item, after you have been recognized by the Chair, please go to the microphone and clearly give your name and address for the record. You may speak for up to three minutes. Note: If formal action is to be taken on an item by the Board, public comment will be requested prior to the vote.

NOTE: MINUTES OF BOARD MEETING ARE PREPARED IN SUMMARY FORM ONLY. PER CHAPTER 286.0105 FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL A DECISION OF THE BOARD HE/SHE SHOULD ARRANGE FOR A VERBATIM RECORD OF THE PROCEEDINGS WHICH INCLUDES THE TESTIMONY IN EVIDENCE ON WHICH THE APPEAL IS MADE.

"A community intended and operated for persons 55 and older"

1. **Call to order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Announcements by Chairman**
5. **Board Meeting Minutes - Approval of the January 27, and February 10, 2014 Board Meeting minutes**
 - Attachment: January 27, 2014 meeting minutes
 - Motion to approve minutes
 - Trustee comment
 - Call for vote

 - Attachment: February 10, 2014 meeting minutes
 - Motion to approve minutes
 - Trustee comment
 - Call for vote
6. **“One Community Neighborhood Initiative” – Robert Loring, Land Development Division, City of Palm Bay Liaison for “One Community”**

Improvements to Holiday Park Blvd from CVS to Gate and along Haverford La –
Ideas/Discussion/Vision
7. **Manager’s Report**
 - Attachment: February Managers Report
 - Motion to accept report
 - Public comment
 - Trustee comment
 - Call for vote
8. **Consideration of approving amendment to the DOR’s Removal of Home Pad , Structure, Accessory and Debris and to set date and time for vote [continued from 2/10/14]**
 - Attachment: Resolution No. 2014-01, Amendment to DOR’s, Exhibit A (Previously Distributed to the Board)
 - Trustee comment
 - Public comment
 - Motion to amend the DOR’s and schedule a vote on [date and time] or postpone until entire “Restated DOR’s” are complete
 - Call for vote
9. **Consideration of amending Deed of Restrictions 3- G, N, and O**
 - Attachments: 3) G, N, & O
 - Trustee comment
 - Public comment

10. Consideration of formation of a committee to review complaints as suggested by resident

Trustee Comment

Public Comment

Motion to form committee

Call for vote

11. Trustee Reports

12. Public Comment

13. Trustees remarks

14. Adjournment



PORT MALABAR HOLIDAY PARK
MOBILE HOME PARK RECREATION DISTRICT

215 Holiday Park Boulevard NE
Palm Bay, Florida 32907-2196

**BOARD OF TRUSTEE
WORKSHOP MEETING**
January 27, 2014 -7:00 PM

**Draft subject to
change until
approved by The
Board of Trustees**

1. Call to order

By: Joanne Gaughan, Chairman, at 7:00 P.M.

2. Invocation

By: Molly Stone

3. Pledge of Allegiance

Led by: Joanne Gaughan, Chairman

4. Roll Call

By: Marion "Molly" Stone, Secretary; Joanne Gaughan, Chairman; Rebecca "Becky" Earnest, 1st Vice Chairman; Harald Albinus, 2nd Vice Chairman; Marion "Molly" Stone, Secretary; Allison Kelly, Assistant Secretary; Philias "Phil" Matton, Treasurer; Marilyn Spall, Assistant Treasurer; and Rodney "Rod" Lindsay, Trustee. All acknowledged their presence. Cheryl Ennis, District Manager was present with Sharon Johnson recording.

5. Announcements by Chairman

With a lengthy meeting planned, Joanne Gaughan said she had no announcements at this time but asked that item 13a be added to the agenda to discuss the purchase of property and home. Becky Earnest made a "motion to add 13a to the agenda New Mobile Home Units". Phil Matton seconded the motion. A vote was called. Motion carried.

6. Board Meeting Minutes - Approval of the January 13, 2014 Board Meeting minutes

The minutes from the January 13, 2014 Board meeting were posted on the District website and bulletin board for review as well as distributed to the Board prior to the meeting. Becky Earnest "made a motion to approve the minutes with changes". Harald Albinus seconded the motion. The changes were noted. With no other comments, a vote was called. Motion carried.

7. Manager's Report

The manager's report was posted on the District website and bulletin board for review as well as distributed to the Board prior to the meeting. Cheryl Ennis reviewed the District Managers report.

Phil Matton asked whether someone else besides the office personnel could do decals. Marilyn Spall suggested that maybe the Block Captains could remind residents when decals are issued. It was also suggested that it could be listed on the new Holiday Park Channel when that becomes available.

John LaLima 1055 Sunflower Lane, recommended that decals be done in January rather than December.

Harald Albinus made a “motion to accept the Managers Report.” Becky Earnest seconded the motion. A vote was called. Motion carried.

8. **Consideration of appointing new member to the Architectural Control Committee.**
Keith Rittscher resigned from the **Committee** due to family illness, his resignation was accepted by the board.

Cliff Halcomb 1019 Moonlight CT, said he had a contractor’s license when he retired and is willing to accept the appointment on the ACC Board. Allison Kelly made a motion to accept Cliff Halcomb to the ACC Board. Phil Matton seconded the nomination. A vote was called. Motion Carried.

9. **Committee to Review the Deed of Restrictions – Moving Forward**

Joanne Gaughan stated that due to illnesses and resignations, Allison Kelly asked that the Committee to review the Deed of Restrictions be disbanded. Joanne Gaughan reminded the residents that all the Deed of Restrictions, Ordinances, Policies and By-laws are on the website for everyone to review. Joanne Gaughan said that beginning with the next meeting in February, the Deed of Restrictions will be reviewed and we will discussing openly until each and every Deed of Restriction, that we have has been reviewed starting with #1, 3 with sub sections D, H, & I.

Allison Kelly suggested that Board Members be distributed copies of the minutes from the meetings the Committee had. Allison noted that the minutes would be put into the Trustee mailboxes before the next meeting in February.

10. **Consideration of approving contractor to abandon well at Recreation building**

A quote summary for the proposed project contained three bids and was given to the Board prior to the meeting as well as posted on the District’s website and bulletin board for review. Cheryl Ennis reviewed the project for the Board and residents.

Cheryl Ennis explained that Aqua Source came to inspect the well and check the flow rate. It was determined that with the 3-inch pipe that was there, it was only running about 1/3 of rate it should whether or not it would be useful was answered as the well started to leak out the side with the pressure and determined the pipe was rusted through and would have to be abandoned. She said that there are 5 valves that go to this system and that before the roadway work was done this irrigation system handled the area around the Rec Center and parking lot.

There are 3 quotes to abandon the existing well and then to dig a new well.

The procedure to abandon a well is to pour concrete down the well until sealed. Florida Well Drilling was the company we went with when closing the well by the gate and we were charged

per bag of concrete used to seal the well which cost \$1575.00. Aqua Source is giving us a flat rate while the other companies are charging a per bag fee along with a base price.

Molly Stone asked if Aqua Source will guarantee that price inclusive for filling with cement?

Becky Earnest made a motion to accept the bid from Aqua Source for the flat rate of \$1,100.00. Rod Lindsay seconded the motion. A vote was called. Motion carried.

John LaLima asked if one company gave a better price for both abandoning and drilling a new well. It was explained that costs for both were given as line items by all three contractors where we could use the whole bid or just the line item pricing.

11. Consideration of approving contractor to drill new deep well for irrigation at Recreation building

A quote summary for the proposed project contained three bids and was given to the Board prior to the meeting as well as posted on the District's website and bulletin board for review. Cheryl Ennis reviewed the project for the Board and residents.

The prices were from the same 3 contractors, Perry & Leighty, Aqua Source, and Florida Well Drilling that gave us pricing for the abandonment.

Phil Matton made a motion to approve Aqua Source to drill the new well for \$2400.00. Marilyn Spall seconded the motion. A vote was called. Motion carried.

12. Consideration of purchasing a John Deere Gator TS off the State Contract less \$500 trade in \$5347.14. (\$5000.00 in capital outlay grounds equipment) Gator was picked up by Everglades Farm Equipment for repair and it was determined that the motor had no compression, the transmission is leaking. Cost to repair unknown. New motor with labor ~\$3000.00.

A quote from John Deere for replacement Gator was given to the Board for review as well as posted on the district website and bulletin board for review. Cheryl Ennis reviewed the problem noted above.

Rod Lindsay asked if this gator is one of our older pieces.

Becky Earnest asked what the consensus is for how long they last. Cheryl explained that the vendors said they usually last about 2000 hours on average.

Harald Albinus asked if this gator was powered by diesel as diesel has a much longer life. He also explained that there are several others manufactures that have these types of equipment such as Jacobson and Cushman and suggested checking out the prices before we decide as well as the prices on diesel equipment.

Molly Stone asked if it is the way that they are used and if we should be replacing them as soon as we are. (The equipment is 7 years old and has just over 2000 hours)

Marilyn Spall asked as to how many we have now and do we have different models. Cheryl explained that all four of the turf carts are John Deere and run on gas.

Joanne Gaughan tabled this so that other quotes can be received and brought back at the next meeting.

13. Projects - Building Improvements & Beautification

Cheryl Ennis presented photos and drawings for suggested improvements needed to the pool's valves and electrical room while Joanne Gaughan explained the photos and drawing.

Improvements to the exterior restrooms and laundry were shown and suggested removing the showers and saunas and adding changing areas in the restrooms. Then presented were drawings and photographs of beautification improvements to the R.V. compound area and to the entrance to the Recreation building.

Joanne Gaughan stated that Cheryl received information regarding Beautification Grants that are becoming available with the City Palm Bay, and will be looking into getting more info on this.

13a. *Added to Agenda:* New Mobile Home Units

Joanne said that it had been suggested that we, as a community, look into buying a piece of property in the park and put a new mobile home unit on it saying that a new home could be insured and that every property in here could fit a 16ft wide mobile home.

Mary Evans, 140 Holiday Park Blvd, stated that the park demolished a unit on a piece of property on Holiday Park and were told by the attorney that the District owns it. Mary Evans asked who owns the property now. She was told it would be looked into.

Barbara Hoffman, 1021 Little CT. stated that she is assuming that the park would buy a piece of property, and then turn around and sell. Would the mobile home manufacturer like to partner with us or could we get a house on consignment.

Bud Getz, 1142 Keystone CT has been traveling around to manufacturers as they are looking to replace their unit. He said that at the end of the year they sell the year end models at a discount and thought that looking most likely in October would be a good time.

The property at 105 Holiday Park is a real problem with the concrete for the Park and Cheryl Ennis explained with our DOR's as they stand now there is not much that can be done. She said the property was purchased in a tax sale for over \$8000 and the tax certificates are in excess of \$20,000.

John LaLima 1055 Sunflower asked if the Park had the legal right to buy and sell property. The answer was yes.

14. Public Comment

Mike DePrete, 1041 Laurel, said a bulldozer was mentioned regarding removing driveways and said all we need is a landscaper with a backhoe.

Barbara Hoffman, 1021 Little CT asked if we could plant shrubs to cover the area at 105 Holiday Park. It was said that there is no Holiday Park easement that we could plant trees or shrubs in.

Carol Helton, 342 Holiday Park, said that she has been home collating and documenting the DOR's and thought that committee was supposed to put together the Deed of Restrictions for the Board to review. She said that she has 40 years of real estate law experience and is concerned and felt it was going to be a chore for the Board to do at a once a month meeting.

Joanne Gaughan said that they would review DOR's at every meeting and try to make it as simple as possible. She said we want to rewrite the Deed of Restrictions. She asked for Carol Helton's input. She thought that everyone knew that the committee was going to be disbanded.

15. Trustees remarks

Phil Matton said he had asked the office to get a quote on replacing the doors on the office for security and thanked everyone for coming.

Becky Earnest said that there were 90 people in attendance and added that we need this kind of attendance to get things done. She said that the Chili's fundraiser made about \$200.00.

Molly Stone was concerned with the glass beads used for line striping and the effect on animal's feet. It was said that the glass beads are round and would have not consequences.

Harald Albinus commented on the dance that was Saturday night where he DJ'd and said that this is not a retirement community, but a good party place.

16. Adjournment

Becky Earnest made a motion to adjourn. Harold Albinus seconded the motion. A vote was called. The meeting was adjourned at 8:55 pm.



PORT MALABAR HOLIDAY PARK
MOBILE HOME PARK RECREATION DISTRICT

215 Holiday Park Boulevard NE
Palm Bay, Florida 32907-2196

**BOARD OF TRUSTEE
REGULAR MEETING**
February 10, 2014 -7:00 PM

1. Call to order

By: Joanne Gaughan, Chairman, at 6:59 P.M.

2. Invocation

By: Molly Stone

3. Pledge of Allegiance

Led by: Joanne Gaughan, Chairman

4. Roll Call

By: Marion "Molly" Stone, Secretary; Joanne Gaughan, Chairman; Rebecca "Becky" Earnest, 1st Vice Chairman, Harald Albinus, 2nd Vice Chairman; Marion "Molly" Stone, Secretary; Allison Kelly, Assistant Secretary, Philias "Phil" Matton, Treasurer; Marilyn Spall, Assistant Treasurer; and Rodney "Rod" Lindsay, Trustee. All acknowledged their presence. Cheryl Ennis, District Manager was present with Sharon Johnson recording.

5. Announcements by Chairman

Joanne Gaughan reminded residents and renters to lock up their homes, cars and belongings. Joanne Gaughan also asked for item 9a be added to the agenda for removal of the folding doors. Becky Earnest made "a motion to review pricing on the removal of the bi-fold doors in the recreation hall". A vote was called. Motion carried.

6. Treasure's Report

Presentation of the financial reports for December 2013 were made by Phil Matton. Copies of the reports were distributed to the Board, posted on the District's bulletin board and website prior to the meeting for review. With no questions or comments from the Trustees or residents, the report will be filed for audit.

7. Project updates – Trustees - District Manager

Cheryl Ennis updated the Trustees and residents on the ongoing projects. She said that the well abandonment and new well drilling would begin sometime next week and explained that landscapers had been contacted and quotes would be forthcoming and planned to present at the next meeting. Cheryl Ennis also discussed the Bright house cable that was being put in and the need to make a decision on how the community would like to see the TV station run and whether it would operate 24/7 or an 8 – 10 hr. day. This would be important when purchasing the computer that would run the program and the cooling system that would be needed. In addition, it was mentioned that Joe Vale from the Miller Group, the contractor that did the last road project,

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change until
approved by The
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came in and looked at Floral Ct. and said they would be in here sometime the end of March/April to improve the drainage.

Becky Earnest asked about Pleasant Ct and Cheryl Ennis said she could have a contractor come and see what could be done about the road.

Phil Matton said that pricing for the doors had been received for \$1716.00 and with the couple of incidences; we had in the park he would like to see the project done. Joanne Gaughan asked for the pricing to be distributed to the Board. Becky Earnest asked for a second quote. Marilyn Spall asked for an explanation of the TV station and it was explained that Bright House was supplying the District with its own station where we could list the activities or notices and information for the Park residents.

Cheryl Ennis explained that she had Burton Paving who was doing the white stripping with the beading come back in as there were several concerns and issues with the way it was coming out. We managed to get a few Board Members with the Contractor to discuss the concerns and issues that had arisen while they were putting the beading down. All in all we were not happy with the project. Burton Paving did end up taking off a considerable amount off the bill.

Harald Albinus did not have anything to report on Safety.

Allison Kelly had nothing to report at this time.

Becky Earnest stated that the ACC will have a Special Meeting regarding proposed changes to the DOR. This meeting will be posted and open to the public.

Rod Lindsay stated that most all the vehicles in the compound had been brought up to date with decals and only a few were still outstanding. Rod stated that he also has been approached from the pool players who would like to see another pool table purchased. He said some nights with the amount of pool players there is not enough time to get all the games in.

Public Comment on Projects:

Marvin Locke, 1190 Seminole, represented the pool players and said they have anywhere up to 40 players a night and two pool tables makes it almost impossible to get all the games done. Another pool table would give us what we need in order to accommodate all the players. In order to put another table in we would have to move a wall or do something different. He said there is room in the pool hall if we were to take out part of the library and move that wall out. Cost of a pool table ranges between \$3000.00 and \$5000.00. No matter what the weather these people play every night.

Rod Lindsay spoke with Cheryl regarding getting quotes on another pool table. She spoke with someone who works on pool tables and suggested that maybe we could find one on "Craig's List" and then have it resurfaced between \$600 to \$700.00. However, we still have the space problem.

Joanne Gaughan stated that this issue of buying a pool table would be put on an agenda in the near future.

8. Consideration of approving Aqua Source to install 5hp motor, timer, filters, plumbing, and electrical cost \$2960.00

Cheryl Ennis explained that American Pump and Melbourne pump were both called to check the quote received from Aqua Source for the pricing on the motor as well as an electrician called who recommended purchasing the items from a well contractor saying we would get the best pricing from them.

A motion was made by Phil Matton to approve the quote by Aqua Source for a price of \$2960.00 to complete the irrigation and pump system and also install the motor, timer, filters, plumbing and electrical of the well. Marilyn Spall seconded the motion. A vote was called. Motion carried.

9. Consideration of approving the purchase of a new Turf Cart

The Board was given copies of the quotes from three vendors with a total of 5 turf carts along with a comparison chart. Becky Earnest made a motion to approve the 500 lb cargo gas John Deere turf cart for a price of \$5,347.14 with a \$500.00 trade in from Everglade. Molly Stone seconded the motion. Allison Kelly asked as to what type of warranty was given. Cheryl explained that she was told that they should run around 2000 hours.

John LaLima, 1055 Sunflower Lane, asked what the warranty is not as to how many hours should they last. Exactly how long are they going to guarantee it for?

Roger Frenette, 1007 Moonlight CT, asked about keeping maintenance logs on the grounds equipment for preventive maintenance and asked if the records are for public review. Mr. Frenette also asked that we the audience should see the 3 quotes that were received when talking about an item. Cheryl explained that all quotes are posted on the bulletin board as well as and on the Web Site.

Joanne Gaughan asked if we should wait until we find out what exactly the warranty is before voting on it. The consensus was to go forward and vote.

A vote was called. Motion carried.

9a. Added to the Agenda Quotes (2) For the Removal of the Bi-Fold Doors in the Rec Hall.

Joanne Gaughan explained that these doors have been broken for several years and the removal of the track and possible repair of the beam that the track is on.

Marilyn Spall asked about the big difference in prices of the 2 quotes, one is for \$800.00 with AL Phoenix with a clear notation stating that quote does not include repairing of the beam and the other quote is for \$2100.00 with Acousti Engineering which includes repairing the beam.

Rod Lindsay asked if there is a reason why we should have to take down the beam after the track is taken off. A coat of paint could be put on.

Allison Kelly asked as to why can't our maintenance department take down the track doors.

Phil Matton explained that they are very heavy. We would have to rent a metal cutter and cut around 4 feet up and trying to remove the heavy bi-fold doors someone might get hurt so for \$800.00 it would be well worth it.

Becky Earnest made "a motion to accept the bid for \$800.00 from AL Phoenix to take the room divider down". Rod Lindsay seconded the motion.

Phil Matton asked if taking the channel down is part of the deal with AL Phoenix.

Howard Sprague, 126 Holiday Park, wanted to know what was wrong with letting those doors just stay there. There are a lot of other things that should be done here, pool players need another table to play on which is an activity as well as the Bocci Court, which needs renovations. Why are we not spending money on those things?

A vote was called to accept AL Phoenix for \$800.00 to take down the doors, with one opposed. Motion carried.

10. Discussion - Deed of Restriction concrete pad removal

Joanne Gaughan stated that it was very evident that many people are very upset with properties that homes are being taken down and pads and other materials are being left on the property. Since it wasn't in our Deed of Restrictions we approached the Attorney and asked if we could make a resolution or amendment to the Deed of Restrictions so we could have those concrete structures taken down and removed. We did receive a draft back from the attorney and copies have been handed out.

The Board and Residents discussed the proposed Amendment to the Declaration of Condition, Covenants and Restrictions affecting property located in Port Malabar Holiday Park regarding abandoned structures and concrete slabs. (see attached)

Rod Lindsay did state that there is nothing in there regarding bringing the land back to grade.

Cheryl Ennis said she had already noted that on the memo given to the Board to add grading and sod.

Harald Albinus stated that since it is not going to be grandfathered in he wants to make everyone aware that all the people are responsible for their concrete slabs.

Cheryl Ennis explained that there are a couple of things to be added and re-worded. We did have someone remove a home last year and they reseeded after they were done removing the unit.

Molly Stone asked if we should be specific to say re-grade and reseed in there as there is nothing stating that. Also does not see the word plantings as nothing is specified. It does say debris, property or other improvements. Should we assume other improvements includes plantings to be cleaned out.

John LaLima, 1055 Sunflower Lane, stated that based on this he wants to know how it affects the property that has been there for 5 years and vacant.

Joanne Gaughan explained again that written notice will be sent and owners will be given up to 6 months and then we have the right to take the concrete down. This will have to go out for a vote. John then asked if we can do more of the Deed of Restrictions so that we do not have to have a mailing every couple of months.

Joanne Gaughan asked the Trustees if they wanted to move forward with this one and do a mass mailing or do you want to wait to finish all the Deed of Restrictions and have just one mailing.

Rod Lindsay suggests that we send the Attorney the recommended changes and then bring them back to be voted on now.

Dan O'Connell agrees that we should start now.

Marilyn Spall agrees that on this particular one that we should get it started.

Phil Matton stated that it was long overdue especially that lot when you first come in the Park and to start now.

Harald Albinus did not want to do this now.

Allison Kelly agrees to start now with this one.

Molly Stone agrees and does understand that it would mean two mailings but this has been a thorn in our side.

Becky Earnest said definitely now.

Jean Beach, 1090 Moonlight, thought it should be done now and that it should specify that plantings be removed. Jean Beach also thought that if an owner needed an extension it should be an application through the ACC Board.

Roger Frenette, 1007 Moonlight, did not think 30 days was enough to remove the pad. He suggested that we should give additional time should there be a catastrophic event. He also thought it should be reseeded. This was already noted and will be included.

Rene St. Pierre, 222 Fantasy, suggested that if a home is going to be removed that the pads and driveways be removed at that time.

Bud Getz, 1142 Keystone, said that it is not always necessary to take out a pad if a new home is going to fit.

Donna Matton, 265 Holiday, agreed that it should be dependent on the needs of the owner, and recommendations of the contractor and whether or not the new home would fit, and if a home was going to be placed back on the property.

Allison Kelly suggested it be specified that if a mobile home is not going to be replaced that the slab is removed at the time of demolition.

Joanne Gaughan said the suggested changes will be sent to the Attorney and the document be brought back to the Board for a vote on whether or not to move forward at this time.

11. Discussion on Deed of Restriction 1 & 3 D, H, & I

Trustees and residents discussed the DOR items on the agenda resulting in the following DOR amendments:

#1 See Attached
#3D See Attached
#3H See Attached
#3I See Attached

Joanne Gaughan said that at the next meeting the Board would review 3 - G, N and O.

12. Public Comment

No Comments

13. Trustees remarks

Becky reminded residents about the fundraiser at Rooney's and asked everyone to carry a light at night while walking.

Allison Kelly, asked everyone to read the DOR and come prepared to discuss.

14. Adjournment

Becky Earnest made a motion to adjourn the meeting. Motion was seconded. A vote called and the meeting was adjourned at 8:45.

DOR's 2/10/14

PORT MALABAR HOLIDAY PARK shall be a mobile/modular home community. Each and every mobile /modular home placed or installed upon any lot within the PORT MALABAR HOLIDAY PARK, as a whole shall:

1. Conform to the Architectural Control Committee rules and regulations approved by the Board of Trustees and

- (a) Be of a width of not less than sixteen (16) feet and
- (b) Be inspected and approved by a majority of members of the District Architectural Control Committee as to the age, appearance, condition, and structural standards and
- (c) Appearance relating to color of mobile or modular home and sheds install on a lot shall be in keeping with Florida color palate as state in the Architectural Control Committee rules and regulations and
- (d) Be installed on the lot only by an authorized installation agency approved by the District's Board of Trustees and in the manor designated by the District's Architectural Control Committee. Installation as used in this subparagraph shall include, but not be limited to leveling, blocking, tying down, removal or masking of hitch, skirting, and installation of an approved set of steps.

3. With respect to each residential lot:

Rewritten 2/10/14

CLOTHESPOLE

- (d) No clotheslines or clothes poles may be placed on any lot, except for one “umbrella-type” clothes pole for each lot, which shall be placed in the rear of the lot. Clothes pole shall be removed when owner is not in residence.

3. With respect to each residential lot:

RESTATED - 2/10/14

(h) All numbered lots in PORT MALABAR HOLIDAY PARK are designated as residential lots which shall not be used for any other purpose than the housing of one single family.

3. With respect to each residential lot:

Restated 2/10/14

- (i) No animals, snakes, other reptiles, livestock, or poultry of any kind shall be kept, raised or bred on any residential lot, except that aquarium fish and caged birds shall be permitted to be kept as pets on a residential lot. Provided, however, household pets shall not, at any time, be permitted to become a public or private nuisance. The term "Household pets" shall be deemed to mean small dogs, cats, and rabbits not to exceed 25 pounds mature weight. No household pet shall be permitted to run at large and shall be restrained by a leash whenever the owner thereof removes same from the individual lot or lots occupied by the owner. No more than more than two (2) such household pets may be maintained on the owner's property at one time. Pets should not be allowed to stray onto property other than that of the pets' owner. Owners are responsible for cleaning up after their pets. Owners shall also abide by the rules and regulations set by Brevard County Animal Services.



PORT MALABAR HOLIDAY PARK MOBILE HOME PARK RECREATION DISTRICT

215 Holiday Park Boulevard NE
Palm Bay, Florida 32907-2196

Manager's Report – February 2014

1. Shrubs between the parking lot and Center were cut back. We will see how they grow back in the spring and look at some options to improve this area.
2. The well abandonment is complete and the new well dug. The electrical and timers have been replaced and the lines will be tested and repairs made to the sprinkler heads and pipes where needed. I have quotes from two landscaping companies and we are waiting for one more and should have this available for vote at the next meeting.
3. I have contacted VA Paving to look at Pleasant Ct. At this time, I am waiting for an appointment with them to look at the problem.
4. A.L. Phoenix was contacted about removing the folding doors and we are working on scheduling the project with them and hope to have it scheduled for next week.
5. I have contacted the Palm Bay police department about the incidences in the Park and they have increased patrols and have agreed to have a car in the park when available, but please keep your homes, cars, bicycles etc. locked up. If you can put up lights with motion sensors this will help too. The Police have scheduled a Cop Dot presentation for March 3, a device used to return stolen property.
6. The Grounds crew took apart the fence along the canal on Moonlight and cleaned out the leaves to help with drainage. Please do not rake leaves or debris into these drains.
7. Recycle bin – Becky Earnest left and article with me about a company that is recycling electronics so we called them and had them bring one in to see how it would work out. We can put RECHARGABLE Batteries only, flat screen monitors, or TVs electronic equipment such as radios, printers, cords, floppy disks. If you are not sure, ask before you put items in the bin.
8. Mary Evans asked about the property at, 140 Holiday Park, who owned the property. Yes, the District did own the property briefly but it was purchased in a tax sale and is owned by someone else.
9. I had applied for grant money after the fence around the R.V. compound was complete and we received a check for \$3000.00 for the improvement. The grant was written for the reduction in liability to the District.
10. We installed a new sign at the pool regarding alcoholic beverages. It was reported that residents and or guests are drinking at the pool. Food and beverages are not allowed inside the pool deck.

**AMENDMENT TO THE
DECLARATION OF CONDITIONS, COVENANTS AND RESTRICTIONS AFFECTING
PROPERTY LOCATED IN PORT MALABAR HOLIDAY PARK, UNIT ONE AND
TWO**

THIS AMENDMENT to the Declaration of Conditions, Covenants and Restrictions Affecting Property Located in Port Malabar Holiday Park, Unit One and Two (the Deed Restrictions) is made this ____ day of _____, 2014.

WITNESSETH

WHEREAS, Port Malabar Holiday Park Mobile Home Park Recreation District (Recreation District) is a mobile home park recreation district organized and existing under the laws of the State of Florida; and,

WHEREAS, the original Deed Restrictions were recorded in the Public Records of Brevard County, Florida at ORB 1115, PG 886, and amended by an instrument recorded in the Public Records of Brevard County, Florida at ORB 1147, PG 101, and ORB 3001, PG 3935, and ORB 3001, PG 3942, and ORB 3001, PG 3951, and amended by the following, including but not limited to, Ordinances of Port Malabar Holiday Park Mobile Home Park Recreation District: 84-1, 84-2, 85-1, 85-2, 85-3, 85-4, 85-5, 85-6, 87-1, 88-1, 88-2, 88-3, 89-1 and Resolution 2012-3 recorded in the official records of Brevard County, Florida at ORB 6588, PG 258; and,

WHEREAS, the Deed Restrictions provide, at Section 7, that the Deed Restrictions may be amended from time to time by a majority of the lot owners in the subdivision; and

WHEREAS, the Board of Trustees have determined that the Deed Restrictions should be further amended and such amendment should be put to a vote of the lot owners; and,

WHEREAS, the Board of Trustees have determined that mobile sites within the District where a mobile home has been removed, and not replaced, but other improvements such as concrete slabs, abandoned accessory structures and other conditions remain on such sites causes blight and unsightly conditions affecting the aesthetic appearance of the District and has the potential of causing reduced values to other improved sites within the District directly affects the health, safety and welfare of the community; and,

WHEREAS, the Board of Trustees have determined that to protect the health, safety and welfare of the District an amendment to the Deed Restrictions is necessary; and,

WHEREAS, a public meeting was held by the Board of Trustees of the Recreation District on _____ and a majority of the lot owners approved this amendment.

NOW THEREFORE, the Board of Trustees of Port Malabar Holiday Park Mobile Home Park Recreation District declares that the Declaration of Conditions, Covenants and Restrictions Affecting Property Located in Port Malabar Holiday Park, Unit One dated February 18, 1970 are amended as follows:

Section 1. Section 4 of the Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two

is hereby amended by adding a new subsection (g) to read as follows:

“(g) 1. In the event that a mobile home located on a Lot should be removed for any reason the lot owner shall have 60 days to either install a replacement mobile home on the lot in accordance with these Declarations or, if no replacement home is to be installed, remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including landscaping, except utilities, and at the time the home is removed and after all pads/driveways and or structures debris, property or other improvements are removed the property owner shall grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass (Should a catastrophic event happen which prevents an owner from meeting the requirements of this paragraph an application for extension shall be made to the Architectural Control Committee where the need for and an extension is documented, reviewed and granted by the Committee). In the event that a replacement mobile home is not installed on such Lot or if the lot owner fails to remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including landscaping, except utilities and all pads/driveways and or structures debris, property or other improvements are not removed and the property owner does not grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass the District shall have the right, but not the obligation, to remove the home pad or slab and any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and all pads/driveways and or structures debris, property or other improvements and the District may grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass.

2. Prior to the District commencing such remedial measures above, the District shall give 30 days written notice to the lot owner at the last known address on file with the District, via certified mail, return receipt of the District’s intent to remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and all pads/driveways and or structures debris, property or other improvements and grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass. The notice shall also state that the lot owner has 30 days from the date of the notice to remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and all pads/driveways and or structures debris, property or other improvements and shall grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass. If the lot owner fails to comply with the notice the District may take action for removal of the home pad or slab and any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and or structures debris, property or other improvements

and grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass. The costs of such remedial work performed by the District shall be come a lien of the lot in question and the District shall be entitled to record such lien in the Public Records of Brevard County, Florida and shall be entitled to foreclose said lien by filing an action for foreclosure in the Circuit court in and for the Eighteenth Judicial Circuit, Brevard County.

3. For any Lot that does not have a mobile home on it at the time of adoption of this Amendment, the lot owner shall have a period of six (6) months to either install a replacement mobile home on the lot in accordance with these Declarations or remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and or structures debris, property or other improvements and shall grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass. Upon the adoption of this Amendment, the district shall send written notice to the lot owner at the last known address on file with the District, via certified mail, return receipt that they have six (6) months to either install a replacement mobile home on the lot in accordance with these Declarations or remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities, and or structures debris, property or other improvements and shall grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass. In the event that a replacement mobile home is not installed on such Lot or if the lot owner fails to remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and or structures debris, property or other improvements and grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass the District shall have the right, but not the obligation, to remove the home pad or slab and any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and or structures debris, property or other improvements and grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass. In such event the procedures and remedies described in subsection (g) 2 above shall apply”.

Section 2. The remaining provisions of The Declaration of Conditions, Covenants and Restrictions Affecting Property Located in Port Malabar Holiday Park, Unit One and Two dated February 18, 1970 as recorded in ORB 1115, Pages 886 through 890 of the Public Records of Brevard County, Florida, and any other amendments, regardless of format, thereto which are not inconsistent or in conflict with this amendment shall remain in full force and effect and are hereby readopted and restated.

IN WITNESS WHEREOF the chairperson and secretary of Port Malabar Holiday Park Mobile Home Park Recreation District have executed this amendment on the day and year first written above.

Port Malabar Holiday Park Mobile Home Park
Recreation District

By: _____, Its Chairperson

STATE OF FLORIDA)
COUNTY OF BREVARD)

SWORN AND SUBSCRIBED before me this _____ day of _____, 2014 by
_____ who is personally known to me or _____ who produced
_____ as identification.

Notary Public

Attest

Secretary of Port Malabar Holiday Park
Mobile Home Park Recreation District

STATE OF FLORIDA)
COUNTY OF BREVARD)

SWORN AND SUBSCRIBED before me this _____ day of _____, 2014 by
_____ who is personally known to me or _____ who produced
_____ as identification.

Notary Public

RESOLUTION NO. 2014-01

RESOLUTION OF THE BOARD OF TRUSTEES OF PORT MALABAR HOLIDAY PARK MOBILE HOME PARK RECREATION DISTRICT, BREVARD COUNTY FLORIDA; CALLING AND SCHEDULING A VOTE OF THE LOT OWNERS IN PORT MALABAR HOLIDAY PARK MOBILE HOME PARK RECREATION DISTRICT TO AMEND THE DECLARATION OF RESTRICTIONS, CONDITIONS, COVENANTS AND RESERVATIONS AFFECTING PROPERTY LOCATED IN PORT MALABAR HOLIDAY PARK, UNIT ONE AND UNIT TWO RELATING TO THE REPLACEMENT OF MOBILE HOMES ON LOTS AFTER REMOVAL OF AN EXISTING MOBILE ON A PARTICULAR LOT OR IF NO REPLACEMENT HOME IS INSTALLED THEN REQUIRING THE LOT OWNER TO REMOVE THE HOME PAD OR SLAB, ANY ACCESSORY STRUCTURES AND THE ACCOMPANYING SLAB OR PAD FOR SUCH ACCESSORY STRUCTURE AND ANY DEBRIS, PROPERTY OR OTHER IMPROVEMENTS INCLUDING PLANTINGS, EXCEPT UTILITIES AND AFTER ALL PADS/DRIVEWAYS AND OR STRUCTURES DEBRIS, PROPERTY OR OTHER IMPROVEMENTS INCLUDING PLANTINGS ARE REMOVED THE PROPERTY OWNER SHALL GRADE AND SOD THE LOT TO PREVENT EROSION USING A "DROUGHT TOLERANT" VARIETY OF GRASS SUCH AS PENSACOLA & TIFTON 9 BAHIA GRASS; (SHOULD A CATASTROPHIC EVENT HAPPEN WHICH PREVENTS AN OWNER FROM MEETING THE REQUIRMENTS OF THIS PARAGRAPH AN APPLICATION FOR EXTENSION SHALL BE MADE TO THE ARCHITECTURAL CONTROL COMMITTEE WHERE THE NEED FOR AN EXTENSION IS DOCUMENTED, REVIEWED AND GRANTED BY THE COMMITTEE) PROVIDING FOR THE MANNER IN WHICH SUCH VOTE SHALL BE CONDUCTED; ESTABLISHING THE FORM OF THE BALLOT FOR SUCH VOTE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Board of Trustees for Port Malabar Holiday Park Mobile Park Recreation District has recommended that amendments to the Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two be submitted to the lot owners of the District; and,

WHEREAS, The Board of Trustees for Port Malabar Holiday Park Mobile Park Recreation District desires to submit the said amendments to the Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two for ratification by a majority of the lot owners of the District as one (1) ballot question.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF PORT MALABAR HOLIDAY PARK MOBILE HOME PARK RECREATION DISTRICT, BREVARD COUNTY, FLORIDA, as follows:

Section 1.

A vote to amend the Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two is also hereby called and scheduled to be held on _____, to determine whether amendments to the Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two relating the replacement of mobile homes on lots after removal of an existing mobile on a particular lot or if no replacement home is installed then requiring the lot owner to, at the time of removal of the home, remove the home pad or slab, any accessory structures and the

accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and after all pads/driveways and or structures are removed the property owner shall grade and sod the lot to prevent erosion using a "drought tolerant" variety of grass such as Pensacola & Tifton 9 Bahia grass, (Should a catastrophic event happen which prevents an owner from meeting the requirements of this paragraph an application for extension shall be made to the Architectural Control Committee where the need for and an extension is documented, reviewed and granted by the Committee) shall be approved by a majority of the lot owners in the District. The place for voting shall be the Holiday Park Recreation Center, 215 Holiday Park Boulevard NE, Palm Bay, Florida, 32907 or by mail ballot.

Section 2.

The ballot to be used at such vote shall contain a statement of the proposed subject matter of the question and shall provide facilities for lot owners to vote for or against such Amendment in one (1) separate ballot questions. Said ballot shall be in substantially the following form:

BALLOT

**Port Malabar Holiday Park Mobile Home Park Recreation District,
Brevard County, Florida**

Question 1. Shall Section 4 of the Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two be Amended by Adding a New Subsection "g" to Require the Replacement of Mobile Homes on Lots After Removal of an Existing Mobile on a Particular Lot or if No Replacement Home is Installed then Requiring The Lot Owner to, at the Time of the Removal of the Home, Remove the Home Pad or Slab, Any Accessory Structures and the Accompanying Slab or Pad for Such Accessory Structure and Any Debris, Property or Other Improvements Including Plantings, Except Utilities and After All Pads/Driveways and or Structures are Removed the Property Owner Shall Grade and Sod the Lot to Prevent Erosion Using a "Drought Tolerant" Variety of Grass Such as Pensacola & Tifton 9 Bahia grass. (Should a Catastrophic Event Happen which Prevents an Owner from Meeting the Requirements of this Paragraph an Application for Extension Shall be Made to the Architectural Control Committee where the Need for an Extension is Documented, Reviewed and Granted by the Committee).

____ Yes
____ No

Instruction to voters: If you are in favor of the adoption of the foregoing mark the space to the left of the word "YES". If you are not in favor of the adoption of the foregoing amendment, mark the space to the left of the word "NO".

Lot/Property Address: _____ (only one vote per lot)

Print Owner's Name: _____

Signature of Owner: _____

Date of Signature: _____

Section 3.

Notice of the said vote in substantially the form showing in Exhibit B to this Resolution shall be posted at the District office and mailed to all lot owners at the address on file in the District office.

Section 4.

If the amendment to the Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two described in Question No. 1, hereinabove is approved by the lot owners of the District, then such amendment shall take effect immediately upon adoption.

Section 5.

This Resolution shall take effect immediately upon its adoption.

This Resolution was then declared to be duly passed and adopted this 1st day of April, 2013.

Port Malabar Holiday Park
Mobile Home Park Recreation
District

By: _____,
Its Chairperson

EXHIBIT A

PORT MALABAR HOLIDAY PARK MOBILE HOME PARK RECREATION DISTRICT Language of Proposed Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two Changes

(In all cases, words crossed out with ~~strike through~~ are to be deleted and words underlined are to be added.)

REFERENDUM QUESTION:

Question Number 1: Shall Section 4 of the Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two be amended by adding a new subsection “g” requiring the replacement of mobile homes on lots after removal of an existing mobile on a particular lot or if no replacement home is installed then requiring the lot owner to, at the time the home is removed, remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and after all pads/driveways and or structures debris, property or other improvements including plantings are removed the property owner shall grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass (Should a catastrophic event happen which prevents an owner from meeting the requirements of this paragraph an application for extension shall be made to the Architectural Control Committee where the need for and an extension is documented, reviewed and granted by the Committee) as follows:

“(g) 1. In the event that a mobile home located on a Lot should be removed for any reason the lot owner shall have 60 days to either install a replacement mobile home on the lot in accordance with these Declarations or, if no replacement home is to be installed, remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including landscaping, except utilities, and at the time the home is removed and after all pads/driveways and or structures debris, property or other improvements are removed the property owner shall grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass (Should a catastrophic event happen which prevents an owner from meeting the requirements of this paragraph an application for extension shall be made to the Architectural Control Committee where the need for and an extension is documented, reviewed and granted by the Committee). In the event that a replacement mobile home is not installed on such Lot or if the lot owner fails to remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including landscaping, except utilities and all pads/driveways and or structures debris, property or other improvements are not removed and the property owner does not grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass the District shall have the right, but not the obligation, to remove the home pad or slab and any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and all pads/driveways and or structures debris, property or other improvements and the District may grade and sod the lot to prevent erosion using a “drought tolerant” variety of grass such as Pensacola & Tifton 9 Bahia grass.

2. Prior to the District commencing such remedial measures above, the District shall give 30 days written notice to the lot owner at the last known address on file with the District, via certified mail, return receipt of the District's intent to remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and all pads/driveways and or structures debris, property or other improvements and grade and sod the lot to prevent erosion using a "drought tolerant" variety of grass such as Pensacola & Tifton 9 Bahia grass. The notice shall also state that the lot owner has 30 days from the date of the notice to remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and all pads/driveways and or structures debris, property or other improvements and shall grade and sod the lot to prevent erosion using a "drought tolerant" variety of grass such as Pensacola & Tifton 9 Bahia grass. If the lot owner fails to comply with the notice the District may take action for removal of the home pad or slab and any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and or structures debris, property or other improvements and grade and sod the lot to prevent erosion using a "drought tolerant" variety of grass such as Pensacola & Tifton 9 Bahia grass. The costs of such remedial work performed by the District shall be come a lien of the lot in question and the District shall be entitled to record such lien in the Public Records of Brevard County, Florida and shall be entitled to foreclose said lien by filing an action for foreclosure in the Circuit court in and for the Eighteenth Judicial Circuit, Brevard County.

3. For any Lot that does not have a mobile home on it at the time of adoption of this Amendment, the lot owner shall have a period of six (6) months to either install a replacement mobile home on the lot in accordance with these Declarations or remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and or structures debris, property or other improvements are removed the property owner shall grade and sod the lot to prevent erosion using a "drought tolerant" variety of grass such as Pensacola & Tifton 9 Bahia grass. Upon the adoption of this Amendment, the district shall send written notice to the lot owner at the last known address on file with the District, via certified mail, return receipt that they have six (6) months to either install a replacement mobile home on the lot in accordance with these Declarations or remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities, and or structures debris, property or other improvements and shall grade and sod the lot to prevent erosion using a "drought tolerant" variety of grass such as Pensacola & Tifton 9 Bahia grass. In the event that a replacement mobile home is not installed on such Lot or if the lot owner fails to remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and or structures debris, property or other improvements and grade and sod the lot to prevent erosion using a "drought tolerant" variety of grass such as Pensacola & Tifton 9 Bahia grass the District shall have the right, but not the obligation, to remove the home pad or slab and any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and or structures debris, property or other improvements and grade and sod the lot to prevent erosion using a "drought tolerant" variety of grass such as Pensacola & Tifton 9 Bahia grass. In such event the procedures and remedies described in subsection (g) 2 above shall apply".

NOTICE OF VOTE FOR AMENDMENTS
PORT MALABAR HOLIDAY PARK MOBILE PARK RECREATION DISTRICT
BREVARD COUNTY, FLORIDA

Public notice is hereby given that on _____; the issue of whether the PORT MALABAR HOLIDAY PARK MOBILE PARK RECREATION DISTRICT shall adopt an amendment to the Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two will be submitted to the lot owners of the PORT MALABAR HOLIDAY PARK MOBILE PARK RECREATION DISTRICT and will appear as one ballot question.

The Board of Trustees for Port Malabar Holiday Park Mobile Park Recreation District has adopted a resolution calling the said vote on the following question:

AS TO QUESTION 1.

Shall Section 4 of the Declaration of Restrictions, Conditions, Covenants and Reservations Affecting Property Located in Port Malabar Holiday Park, Unit One and Unit Two be amended requiring the replacement of mobile homes on lots after removal of an existing mobile on a particular lot or if no replacement home is installed then requiring the lot owner to remove the home pad or slab, any accessory structures and the accompanying slab or pad for such accessory structure and any debris, property or other improvements including plantings, except utilities and after all pads/driveways and or structures debris, property or other improvements are removed the property owner shall grade and sod the lot to prevent erosion using a "drought tolerant" variety of grass such as Pensacola & Tifton 9 Bahia grass?

The place of voting shall be at the Holiday Park Recreation Center, 215 Holiday Park Boulevard NE, Palm Bay, Florida, 32907 or by mail ballot. All lot owners shall be entitled to participate and vote.

A complete copy of the proposed amendments is available at the District Office.