

This instrument was prepared by:
Richard A. Weller, Esquire
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1401 8th Avenue West
Bradenton, FL 34205

NOTICE
RIVENDELL COMMUNITY ASSOCIATION, INC.

WHEREAS, that the Rivendell Community Association, Inc. ("Association"), is the Florida not for profit corporation that administers and enforces the Declaration of Restrictive Covenants, Conditions and Restrictions for Rivendell, as recorded in Official Records Book 2842, Pages 2626 et seq., as amended, of the Public Records of Sarasota County, Florida (the "Restrictions");

WHEREAS, Edward D. Lin and Suzanna L. Lin (the "Owners") are the owners of Lot 34, Parcel B, Rivendell Unit 2, as per Plat thereof recorded in Plat Book 39, Pages 11, 11A through 11G, of the Public Records of Sarasota County, Florida, with a street address of 1109 Millpond Court, Osprey, FL 34229 (the "Property").

WHEREAS, the Owners installed a fruit tree garden in 1998 along the perimeter of the dwelling and on Association-owned property adjacent to the Property, and has maintained an oversized mailbox for the Property.

WHEREAS, the Association has previously taken the position that the fruit trees have been grandfathered and were not considered a violation of the Association's rules, regulations, or restrictions as the fruit trees existed due to previous actions by the developer and prior Boards of Directors.

WHEREAS, the Association recognizes that due to the amount of time that the mailbox and the fruit trees have been in place on the Property and due to previous actions by the developer and prior Boards of Directors, that it does not have the legal authority to pursue legal action requiring the removal of the mailbox and/or the trees at this time or in the future.

NOW THEREFORE, the Association certifies as follows:

1. The above-referenced recitals are true and correct and incorporated into this Notice.
2. The purpose of this Notice is to provide official notice of the Association's position regarding the acceptance of the installation of the oversized mailbox and the fruit tree plantings on the Property and the Association-owned property adjacent to the Property:
 - A. The mailbox and fruit trees on the Property, as they exist as of the date of this Notice, shall be permitted to remain for so long as they exist for the benefit of the Owners. The Owners are not permitted to expand the size of the mailbox without approval of the Association. The Owners are not permitted to expand the number of fruit trees that are currently on the Property unless the plantings are consistent with the Association's rules, regulations, and restrictions, and are approved in writing by the Association. The Owners may maintain the number of fruit trees for so long as the Owners own the Property. Upon sale of the Property, any subsequent owners shall not be permitted to plant additional fruit trees or replace such fruit trees as they die or are removed for any reason, unless approved in writing by the Association. In addition, any subsequent owners that replace the mailbox must replace the mailbox with a mailbox that complies with the Association's restrictions, rules, or regulations.
 - B. The Owners, and any subsequent owners of the Property, shall not be permitted to plant any additional fruit trees or vegetation on the Association-owned property adjacent to the Property.

C. In the event that any fruit trees on the Association-owned property adjacent to the Property become diseased, die, or are otherwise removed, they cannot be replaced unless approved in writing by the Association. The Owners shall be required to maintain the plantings in good order and otherwise abide by the Association's covenants and restrictions.

IN WITNESS WHEREOF, the undersigned have set their hands and seals the 13 day of AUGUST 2020.

Signed, Sealed and Delivered
In the Presence of,

[Signature]
RIVENDELL COMMUNITY ASSOCIATION, INC.

By: John Fitzgibbon
Its: Secretary

[Signature]
Witness Signature
STEPHEN M BRAGG

Print Name
Mary E. Vanik
Witness Signature
MARY E. VANIK
Print Name

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 13 day of AUGUST, 2020 by John Fitzgibbon, as Secretary of RIVENDELL COMMUNITY ASSOCIATION, INC. (He/she is personally known to me or has produced FL DRIVERS LIC. as identification and who did not take an oath.

[Signature]
Notary Public

