

This Instrument Prepared By:
Wright & Casey, P.A.
340 North Causeway
New Smyrna Beach, Florida 32169

**NOTICE OF PRESERVATION OF DECLARATION OF RESTRICTIONS OF
SAVANNAH SQUARE HOMEOWNERS ASSOCIATION, INC., UNDER THE
MARKETABLE RECORD TITLE ACT**

Pursuant to Chapters 712 and 720.3032, Florida Statutes, the undersigned Claimant files this Notice to preserve and protect covenants and restrictions from extinguishment under Marketable Record Title Act, and in support thereof states:

1. The name and address of the entity filing this Notice is **SAVANNAH SQUARE HOMEOWNERS ASSOCIATION, INC.** (the "Association"), a Florida corporation, not-for-profit, with a mailing address of 430 NW Lake Whitney Place, Port St. Lucie, FL 34986, having been organized for the purpose of operating and administering a homeowners association pursuant to the Association's Articles of Incorporation of which were originally filed in the office of the Secretary of State on February 25, 1994, and pursuant to the recorded covenants recorded at Official Records Book 0507, Page 0902, et seq., of the Public Records of Flagler County, Florida.

2. The community affected by this Notice is as depicted and legally described in that certain Plat located at Map Book 30, Pages 28-31, of the Official Records of Flagler County, Florida, a copy of which is attached hereto as **Exhibit A** and made a part hereof.

3. Attached hereto and made a part hereof is an Affidavit executed by a member of the Board of Directors of the Association affirming that the Board of Directors desires to preserve the covenants and restrictions of the Association from extinguishment under the Marketable Record Title Act, Chapter 712.

4. This notice does constitute a notice to preserve and protect covenants or restrictions from extinguishment under the Marketable Record Title Act.

5. The Association's Board of Directors approved the Statement of Marketable Title Action at a properly noticed board meeting held on November 8, 2023, and as such renewed the Association's Declaration Restrictions for another thirty (30) years.

6. The real property interest claimed under this Notice is the right to preserve those certain use restriction, covenants, and agreements set forth in the Declaration of Restrictions of Savannah Square Homeowners Association, Inc., recorded in Official Records Book 0507, Page 0902, et seq., of the Public Records of Flagler County, Florida, and as thereafter subsequently amended, as it may thereafter be amended in accordance with the terms, provisions and conditions thereof.

This Notice is filed on behalf of the Savannah Square Homeowners Association, Inc., as of this 10TH day of November, 2023.

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF FLAGLER

Before me, the undersigned authority duly authorized to administer oaths and take acknowledgments, personally appeared BARRY NAUS, hereinafter Affiant, who is President of the Board of Directors of the Savannah Square Homeowners Association, Inc., a Florida non-profit corporation, hereinafter the "Association," who, upon first being duly sworn did depose and say as follows:

At a properly noticed meeting of the Board of Directors of the Association held on November 8, 2023, the following statement, in substantial form, was approved by the Board of Directors:

The SAVANNAH SQUARE HOMEOWNERS ASSOCIATION, INC. (the "Association"), with a mailing address of 430 NW Whitney Lake Place, Port St. Lucie, FL 34986, has taken action to ensure that the Declaration of Restrictions of Savannah Square Homeowners Association, Inc., recorded in Official Records Book 0507, Page 0902, of the Public Records of Flagler County, Florida, and as thereafter subsequently amended, currently burdening the property of each and every member of the Association retains its status as the source of marketable title with regard to the transfer of a member's residence. To this end, the Association shall cause the notice required by chapters 712 and 720, Florida Statutes, to be recorded in the public records of Flagler 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.

A full and complete description of all land affected by this notice are depicted and legally described in that certain Plat located at Map Book 30, Pages 28-31, of the Official Records of Flagler County, Florida, a copy of which is attached hereto as Exhibit A, and as further set forth in the Declaration of Restrictions recorded in Official Records Book 0507, Page 0906, Public Records of Flagler County, Florida, and as thereafter subsequently amended.

The covenants and restrictions preserved by this notice are as follows: Declaration of Restrictions of Savannah Square Homeowners Association, Inc., recorded in Official Records Book 0507, Page 0902, of the Public Records of Flagler County, Florida, and as thereafter subsequently amended.

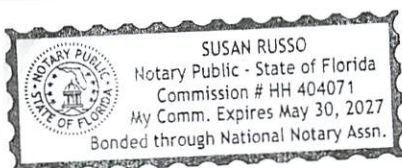
Affiant further sayeth not.

SAVANNAH SQUARE HOMEOWNERS ASSOCIATION, INC.
A Florida Non-Profit Corporation

By: *Barry S Naus*
Printed Name: BARRY NAUS
Its: PRESIDENT

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 10 day of November, 2023 by BARRY NAUS, as President of SAVANNAH SQUARE HOMEOWNERS ASSOCIATION, INC., a Florida not for profit corporation, on behalf of the corporation. He is personally known to me or has produced _____ as identification.

[SEAL]



Susan Russo
Notary Public
Printed Name: *Susan Russo*

My commission expires:

STATEMENT OF MARKETABLE TITLE ACTION

Notice is given that the Savannah Square Homeowners Association, Inc.'s Board of Directors held a board meeting on November 8, 2023, at which time the below Statement of Marketable Title Action was considered and approved by the Board of Directors:

The SAVANNAH SQUARE HOMEOWNERS ASSOCIATION, INC. (the "Association"), with a mailing address of 430 NW Lake Whitney Place, Port St. Lucie, FL 34986, intends to take action to ensure that the Declaration of Restrictions of Savannah Square Homeowners Association, Inc., recorded in Official Records Book 0507, Page 0902, of the public records of Flagler County, Florida, and as thereafter subsequently amended, currently burdening the property of each and every member of the Association, retains its status as the source of marketable title with regard to the transfer of a member's residence. To this end, the Association shall cause the notice required by Chapters 712 and 720, Florida Statutes, to be recorded in the public records of Flagler County, Florida. Copies of the notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association.

The legal description of the lands affected by this notice are depicted and legally described in that certain Plat located at Map Book 30, Pages 28-31, of the Official Records of Flagler County, Florida, a copy of which is attached hereto as **Exhibit A** and made a part hereof.

The covenants and restrictions preserved by this notice are as follows: Declaration of Restrictions of Savannah Square Homeowners Association, Inc., recorded in Official Records Book 0507, Page 0902, of the Public Records of Flagler County, Florida, and as thereafter subsequently amended.

SAVANNAH SQUARE HOMEOWNERS
ASSOCIATION, INC., a Florida Non-Profit Corporation

By: Barry S. Naus

Print Name: BARRY NAUS

Title: President

EXHIBIT

SUBDIVISION PLAT OF SAVANNAH SQUARE

SITUATED IN FLAGLER COUNTY, FLORIDA
RESERVED PARCEL "B" AND A PORTION OF RESERVED PARCEL "K" OF THE
SUBDIVISION MAP WYNNFIELD - SECTION 20, MAP BOOK 7, PAGES 32 THROUGH 42.
LYING IN GOVERNMENT SECTION 13, TOWNSHIP 11 SOUTH, RANGE 31 EAST,
FLAGLER COUNTY, FLORIDA.

CERTIFICATE OF APPROVAL BY COUNTY COMMISSION OF FLAGLER COUNTY, FLORIDA

THIS IS TO CERTIFY, THAT ON THE 6TH DAY OF October 1983
THE FOREGOING PLAT WAS APPROVED BY THE COUNTY COMMISSION OF FLAGLER
COUNTY, FLORIDA, UPON THE FOLLOWING EXPRESS STIPULATIONS:

- THE LIMITED UTILITY EASEMENTS RESERVED HEREIN ARE SUBSERVIENT AND INFERIOR TO THE USE OF THE STREET AND RIGHTS-OF-WAY AS AND FOR PUBLIC THROUGHFARE AND INCIDENTAL DRAINAGE, AND ANY INTERFERENCE WITH THE USAGE OF THE DEDICATED ROAD RIGHTS-OF-WAY SHALL BE PERMITTED ONLY WITH THE PRIOR CONSENT OF THE BOARD OF COUNTY COMMISSIONERS, OR ITS AUTHORIZED AGENT, AND THE OWNER OF THE UTILITY EASEMENT SHALL BE RESPONSIBLE FOR ANY DAMAGE OR INTERFERENCE WITH THE USE OF THE RIGHTS-OF-WAY AS A PUBLIC THROUGHFARE ARISING BY VIRTUE OF THE EXERCISE OF ITS EASEMENT RIGHTS.
- ITT COMMUNITY DEVELOPMENT CORPORATION, AS DEDICATOR, AND THE BOARD OF COUNTY COMMISSIONERS OF FLAGLER COUNTY AS RECIPIENT OF THE DEDICATION FOR AND ON BEHALF OF THE PUBLIC, STIPULATE THAT NO PROVISION HEREIN SHALL BE CONSTRUED AS CREATING AN OBLIGATION UPON ANY GOVERNING BODY TO PERFORM ANY ACT OF CONSTRUCTION OR MAINTENANCE WITHIN THE HEREIN DEDICATED RIGHT-OF-WAY EXCEPT WHEN SUCH OBLIGATION IS VOLUNTARILY ASSUMED BY THE APPROPRIATE GOVERNING BODY. THE SURFACE WATER MANAGEMENT SYSTEM IS PRIVATELY OWNED AND MAINTAINED.

BOARD OF COUNTY COMMISSIONERS OF
FLAGLER COUNTY, FLORIDA
BY: James H. Wilby 11-13-84
CHAIRMAN
ATTEST: [Signature]

CERTIFICATE OF CLERK

I HEREBY CERTIFY, THAT THE FOREGOING PLAT WAS FILED FOR
RECORD ON THE 21ST DAY OF November, 1983, AT Dunnell, FL.
FILE # [Signature]
CLERK (1973-1975) MEMBER OF THE
BOARD OF COUNTY COMMISSIONERS
FLAGLER COUNTY, FLORIDA

CERTIFICATE OF APPROVAL BY THE PLANNING BOARD

THE FLAGLER COUNTY PLANNING BOARD HEREBY APPROVES THE FINAL PLAT FOR THE
SAVANNAH SQUARE SUBDIVISION
DATE: 11-1-83 BY: [Signature]
CHAIRMAN
FLAGLER COUNTY PLANNING BOARD

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY, THAT ON THE 28TH DAY OF December, 1983, THIS
PLAT WAS APPROVED
BY: [Signature] PE
COUNTY ENGINEER

CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY, THAT ON THE 6TH DAY OF December, 1983, THIS
PLAT WAS APPROVED
BY: [Signature]
COUNTY ATTORNEY

NOTE: THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND
IN THE PUBLIC RECORDS OF THIS COUNTY.



Plat Agreement OR book 504 pgs 146-146
Letter on payment of 1993 taxes OR book 504 pgs 1467-1468
Letter on project OR book 504 pgs 1469
Letter on construction estimates OR book 504 pgs 1470-1475
Bk 504 pgs 1474-1476

LEGAL DESCRIPTION:
A portion of land lying in Government Section 13, Township 11 South, Range 30 East, being all of Reserved Parcel "B" and a portion of Reserved Parcel "K" of the Subdivision Plat Wynnfield Section 20 recorded in Map Book 7, Pages 32 through 42 of the Public Records of Flagler County, Florida, being more particularly described as follows:
The POINT OF BEGINNING being the most westerly corner of said Reserved Parcel "B" thence South 45°27' East a distance of 740.24 feet to a point of curvature, thence 142.84 feet along a curve to the left, concave southwesterly, having a central angle of 07°42", a radius of 4284.37 feet, a chord bearing of South 41°10' East and a chord distance of 142.83 feet to a point on the northwesterly right-of-way line of Wynnfield Drive, said point being on a curve, thence northwesterly 765.32 feet along said right-of-way and along a curve to the left having a central angle of 10°20", a radius of 2378.78 feet, a chord bearing of North 57°27' East and a chord distance of 762.02 feet, thence bearing and curve North 37°20' East a distance of 413.37 feet, thence North 77°40' East a distance of 320.20 feet, thence South 24°27' West a distance of 404.21 feet, range North 72°40' West along Wynnfield Drive a distance of 80.48 feet, thence departing Wynnfield Drive North 34°42' East a distance of 404.74 feet, thence North 77°20' East a distance of 320.70 feet, thence North 83°53' West along the boundary of

Reserved Parcel "K" a distance of 205.47 feet, thence North 48°17' West a distance of 61.80 feet, thence North 0°20' East a distance of 27.74 feet, thence North 02°02' West a distance of 215.23 feet, thence South 50°27' East a distance of 151.30 feet, thence South 51°17' East a distance of 151.30 feet, thence South 07°02' East a distance of 238.89 feet, thence departing Reserved Parcel "B" North 45°27' East a distance of 400.00 feet, thence South 44°17' East along the common boundary of Reserved Parcel "L" and "K" a distance of 1381.00 feet to the POINT OF BEGINNING.
Subject to easements for drainage recorded in Official Records Book 456, Pages 98 through 141, of the Public Records of Flagler County, Florida.
Parcel containing 30.2842 acres more or less.
Bearings refer to the Triangulation and Level System of the First Zone of Florida and locally referenced to the Subdivision Map of Wynnfield Section 20, Map Book 7, Pages 32 through 42, Flagler County, Florida.

Certificate of ownership and taxes paid
OR book 504, pg 1477

DEDICATION AND RESERVATION

KNOW ALL MEN BY THESE PRESENTS, THAT ITT COMMUNITY DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, THE OWNER OF THE LAND DESCRIBED ON THIS PLAT HAS CAUSED THE LAND TO BE SURVEYED AND PLATTED AS SHOWN, AND HEREBY DEDICATES THIS PLAT TO BE KNOWN AS 'SAVANNAH SQUARE' (EXCEPT AND RESERVING SAID TITLE, ITS SUCCESSORS OR ASSIGNS, SEVERABLE NON-EXCLUSIVE EASEMENTS ON, UNDER AND ABOVE THE LAND DEDICATED AS PUBLIC RIGHTS - OF-WAY AND TWENTY-FIVE FEET (25') OTHER USE OF THE CENTERLINE OF ALL OTHER RIGHTS-OF-WAY HEREUPON TO REMAIN UNALTERED, TO REPLACE FACILITIES AND STRUCTURES FOR THE FOLLOWING DESIGNATED PUBLIC OR PRIVATE UTILITY PURPOSES:

- SAWYER SEWER SERVICES, WHETHER GRANTY OR FORCE MAIN DESIGN
- WATER SERVICE
- CABLE TELEVISION
- ELECTRICAL SERVICE
- TELEPHONE SERVICE
- OTHER UTILITIES AND SERVICES
- THE SURFACE WATER MANAGEMENT SYSTEM IS PRIVATELY OWNED AND MAINTAINED.

IN WITNESS WHEREOF, THE SAID CORPORATION HAS CAUSED THIS PLAT DEDICATION AND RESERVATION TO BE EXECUTED BY THEIR DAILY AUTHORIZED CORPORATE OFFICERS UPON THIS DATE:

WITNESSED AND SEALED IN THE
PRESENCE OF
Robert Wilson
Robert P. Goad
DATE: 11-30-83 1983
ITT COMMUNITY DEVELOPMENT CORPORATION
BY: James E. [Signature] PRESIDENT
[Signature] SECRETARY

STATE OF FLORIDA COUNTY OF FLAGLER

I HEREBY CERTIFY THAT ON THIS DAY BEFORE ME THE OFFICERS DAILY AUTHORIZED IN THE STATE AND COUNTY RECORDS HAVE TO TAKE ACKNOWLEDGMENTS PERSONALLY APPEARED JAMES E. GARDNER AND ROBERT G. CLAY, JR., THE PRESIDENT AND SECRETARY, RESPECTIVELY OF ITT COMMUNITY DEVELOPMENT CORPORATION, A DELAWARE CORPORATION, WHO SEVERALLY ACKNOWLEDGED EXECUTING THE FOREGOING DEDICATION AND RESERVATION, IN THE NAME OF AND FOR THE CORPORATION AFFIXING ITS CORPORATE SEAL AND THAT THEY WERE DAILY AUTHORIZED BY THE CORPORATION SO TO DO.

WITNESSED BY PUBLISHED AND OFFICIAL SEAL IN THE COUNTY AND STATE NAMED ABOVE THIS 30TH DAY OF November, 1983.
Robert P. Goad
NOTARY PUBLIC
STATE OF FLORIDA AT LARGE
BY COMMISSION EXPIRES 1-84

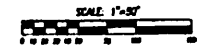
CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED, BEING A LICENSED AND REGISTERED LAND SURVEYOR, DOES HEREBY CERTIFY THAT ON THE 6TH DAY OF December, 1983, HE COMPLETED THE SURVEY OF THE LANDS AS SHOWN IN THE FOREGOING PLAT, THAT SAID PLAT IS A CORRECT REPRESENTATION OF THE LANDS THEREIN DESCRIBED AND PLATTED, THAT PERMANENT METEORIC MONUMENTS HAVE BEEN PLACED AS SHOWN THEREON AS REQUIRED BY CHAPTER 177, FLORIDA STATUTES, AND THAT SAID LAND IS LOCATED IN FLAGLER COUNTY, FLORIDA.
DATE: 11/09/83

R. J. BURROUGHS
FLORIDA REGISTERED LAND SURVEYOR
CERTIFICATE NO. 2842

LAND SURVEY BY: TOMOKA ENGINEERING ASSOCIATES, INC.
DAYTONA BEACH, FLORIDA

LAND SURVEY BY: TOMOKA ENGINEERING ASSOCIATES, INC.
DAYTONA BEACH, FLORIDA

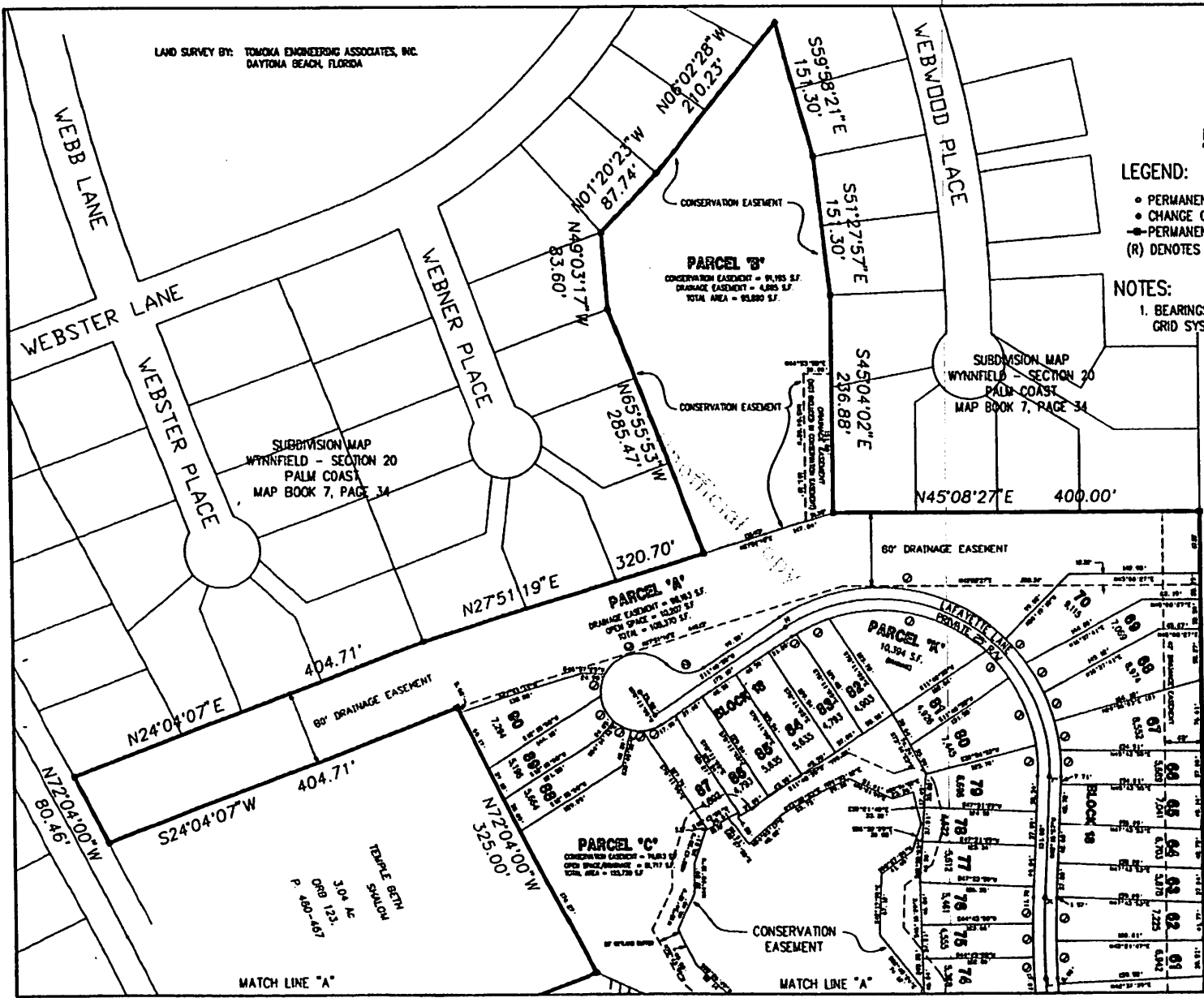


LEGEND:

- PERMANENT CONTROL POINT
- CHANGE OF DIRECTION (NO MARKERS SET)
- PERMANENT REFERENCE MONUMENT
- (R) DENOTES RADIAL LOT LINE

NOTES:

1. BEARINGS REFER TO THE TRANSVERSE MERCATOR GRID SYSTEM OF THE EAST ZONE OF FLORIDA.



SUBDIVISION MAP
WYNNFIELD - SECTION 20
PALM COAST
MAP BOOK 7, PAGE 34

SUBDIVISION MAP
WYNNFIELD - SECTION 20
PALM COAST
MAP BOOK 7, PAGE 34

THE SAVANNAH SQUARE SUBDIVISION LIES ENTIRELY WITHIN FLOOD ZONE "C". FLOOD ZONE INFORMATION SCALED FROM FLOOD INSURANCE RATE MAP FOR FLAGLER COUNTY, FLORIDA, PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

COUNTY PANEL NUMBER 120005 0040 B
EFFECTIVE DATE: FEB. 3, 1988

CONSERVATION EASEMENTS SHALL BE IN ACCORDANCE WITH CHAPTER 704.06 FLORIDA STATUTES.

ALL LOTS ARE WITHIN BLOCK 1B

NO CONSTRUCTION ACTIVITIES SHALL BE ALLOWED WITHIN THE AREAS DESIGNATED AS WETLAND BUFFERS WITHIN THE EXCEPTION OF THOSE ACTIVITIES SPECIFICALLY ALLOWED IN SECTION 6102 (RIT) LINES OF THE LAND DEVELOPMENT CODE OF FLAGLER COUNTY.

RESERVED PARCEL "L"
PARKVIEW STREAM (100' DRAINAGE R/W)
54°51'33"E 1395.00'

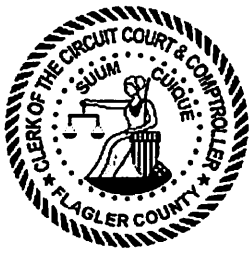
**SUBDIVISION PLAT
OF
SAVANNAH SQUARE**

SEATED IN
FLAGLER COUNTY, FLORIDA
OWNED BY
FTT COMMUNITY DEVELOPMENT CORPORATION
1 CORPORATE DRIVE, PALM COAST, FLORIDA, 32151

MATCH LINE "A"

MATCH LINE "A"

TEMPLE BATH
SHED
3.0' x
08' 12"
P. 460-467



Receipt # 2023041833
Transaction # 1486766
Cashier By: Sydney
Cashier Date: December 14, 2023

Name: WRIGHT & CASEY PA
Address: 340 NORTH CAUSEWAY
NEW SMYRNA BEACH, FL 32169

DOCUMENTS

Correspondence					
Restrictions		CFN: 2023053746	Book: 2833	Page: 156	Total Fees: \$69.50
Check	11237				Amount: \$69.50
					Total Fees: \$69.50
					Total Payments: \$69.50



WRIGHT & CASEY P.A.
SURFCOASTLAW.COM

December 5, 2023

Clerk of Circuit Court
Attn: Recording Department
1769 E. Moody Boulevard, Bldg. 1
Bunnell, Florida 32110

RE: Savannah Square Homeowners Association, Inc.
Notice of Preservation of Declaration

Dear Clerk of Court:

Enclosed for recording please find a Notice of Preservation of Declaration to be recorded in the Public Records of Flagler County, Florida. Our check in the amount of \$69.50 is also enclosed for the recording fee. Please return the original recorded document to me in the enclosed envelope.

Please contact my office if you have any questions. Thank you for your assistance.

Sincerely,

Erin E. Wollett
ewollett@surfcoastlaw.com
Enclosures

340 North Causeway
New Smyrna Beach, Florida 32169
Telephone (386) 428-3311 Fax (386) 427-9516