

# *Sandalfoot Cove One Homeowner's Association, Inc.*

June 1, 2022

Dear Homeowner(s):

The Association is in the process of reviving the governing documents of Sandalfoot Cove One Homeowner's Association, Inc. pursuant to sections 720.403 - 720.407 of the Florida Statutes. As a part of this process, we have enclosed for your review a copy of the proposed Revived Declaration which includes the following as exhibits: a legal description of each parcel that is subject to the Revived Declaration together with the names of the applicable parcel owners; a graphic depiction of the property that is governed by the Revived Declaration; a copy of the existing Articles of Incorporation; and a copy of the existing Bylaws of the Association.

The Florida Statutes require communities with homeowners associations to revive their covenants every 30 years if the documents are not renewed prior to the 30 year deadline. This effort to adopt a Revived Declaration is being undertaken to insure that the existing Declaration remains in full force and effect. **The proposed Revived Declaration does not change the terms of the existing Declaration. No changes to our existing rules will occur.**

Enclosed, you will also find a document titled *Written Consent to Approve or Disapprove the Revitalization and Revival of the Declaration*. On **Page 2** of this document, under the heading "**Approval or Disapproval of Revival**", is to be used as your **ballot** to indicate your approval of the Revived Declaration.

**IT IS IMPORTANT THAT YOU FILL OUT AND SIGN PAGE 2 OF THE ATTACHED WRITTEN CONSENT AND RETURN THE CONSENT TO THE ASSOCIATION ASAP.**

In the meantime, if you have any questions, please feel free to contact the Board of Directors.

Sincerely,

Board of Directors

**WRITTEN CONSENT TO APPROVE OR DISAPPROVE  
THE REVITALIZATION AND REVIVAL OF THE  
“DECLARATION OF CONDITIONS, COVENANTS, RESTRICTIONS AND  
RESERVATIONS AFFECTING PROPERTY LOCATED IN SANDALFOOT COVE”  
PURSUANT TO SECTIONS 720.406 -407, FLA. STAT.**

A. The undersigned is either the sole owner or co-owners of the parcel designated in the undersigned Lot (the “Lot”). The undersigned is otherwise being entitled to membership in the Sandalfoot Cove One Homeowner’s Association, Inc. (the “Association”) by virtue of the ownership of said parcel.

B. The undersigned hereby executes this Written Consent on behalf of the Owner(s) of the Lot pursuant to the provisions of Section 720.405 and 617.0701(4)(a), Fla. Stat., for the purpose of expressing approval or disapproval on the revitalization and revival of certain documents entitled Declaration of Conditions, Covenants, Restrictions and Reservations Affecting Property Located in Sandalfoot Cove, recorded in Official Records Book 1729, at Page 285; Official Records Book 23281, at Page 443; Official Records Book 25894, at Page 1539; and Official Records Book 26776, at Page 355; all of the Public Records of Palm Beach County, Florida (collectively, the “Previous Declaration”). The Declaration is hereinafter referred to as both the “Previous Declaration” and the “Revived Declaration”.

C. The undersigned hereby acknowledges and agrees that Sandalfoot Cove One Homeowner’s Association, Inc. is a residential community eligible to revive its covenants under Florida Statutes sections 720.403-407, because:

1. All parcels proposed to be governed by the Revived Declaration were once governed by the Previous Declaration that has ceased to govern some or all of the parcels in the community; and
2. The proposed Revived Declaration does not contain covenants that are more restrictive on the parcel owners than the covenants contained in the Previous Declaration (except as may be provided by Fla. Stat. S. 720.404(3)(a)-(e)); and
3. The procedure being used to revive the Previous Declaration is in accord with the requirements of Section 720.405(6), Fla. Stat.

D. Further, the undersigned acknowledges and agrees that:

1. The Association is an existing Florida corporation, not-for-profit, and the Articles of Incorporation and Bylaws of the Association are those currently existing; and
2. The proposed Revived Declaration provides that the voting interest of each parcel owner shall be the same as the voting interests of the parcel owner under the Previous Declaration; and

3. The proposed Revived Declaration provides that the proportional-assessment obligations of each parcel owner shall be the same as the proportional-assessment obligations of the parcel owner under the Previous Declaration; and
4. The proposed Revived Declaration provides the same respective amendment provisions as the Previous Declaration and other governing documents; and
5. The proposed Revived Declaration provides no covenants that are more restrictive on the affected parcel owners than the covenants contained in the Previous Declaration; and
6. This Written Consent shall be binding on the successors, assigns, heirs, executor or beneficiaries of the undersigned.

E. The undersigned acknowledges receipt of a copy of the complete text of the proposed Revived Declaration, the existing Articles of Incorporation and existing Bylaws of the Association and a graphic depiction of the property to be governed by the Revived Declaration simultaneous with receipt of this Written Consent form.

F. The undersigned, by execution of this instrument, waives the calling of a meeting and formal notice of same.

**APPROVAL OR DISAPPROVAL OF REVIVAL**

**Should the owners of parcels in the subdivision agree in writing to the Revived Declaration of Conditions, Covenants, Restrictions and Reservations Affecting Property Located in Sandalfoot Cove, and the existing governing documents of the homeowners' association, copies of which accompanied this mailing?**

\_\_\_\_\_ **YES**

\_\_\_\_\_ **NO**

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
*Signature*

Address: \_\_\_\_\_

\_\_\_\_\_  
Print Name

**PLEASE RETURN SIGNED FORM TO:**  
Sandalfoot Cove One Homeowner's Association,  
Inc.  
c/o Grant Property Management  
1599 NW 9<sup>th</sup> Avenue, Suite 2  
Boca Raton, FL 33486  
Attn: Gary Gutenstein

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
Print Name