

Prepared by and return to:
Colby Keefe, Esq.
Henderson Franklin Starnes & Holt, P.A.
1715 Monroe Street
Fort Myers, Florida 33901

**REVIVED DECLARATION OF COVENANTS AND DEED RESTRICTIONS
FOR THE TIMBERS**

THIS REVIVED DECLARATION OF COVENANTS AND DEED RESTRICTIONS FOR THE TIMBERS is made and adopted on the date hereinafter set forth by The Timbers Property Owners' Association, Inc., a Florida not-for-profit corporation, hereinafter referred to as the "Association."

RECITALS:

WHEREAS, King Symonds Realty, Inc., a Florida corporation (hereinafter referred to as "Developer" or "Developers"), recorded that certain Declaration of Covenants and Deed Restrictions on October 11, 1988 in Official Records Book 2022, Page 0443, et seq. of the Public Records of Lee County, Florida ("First Declaration"), subjecting the property more particularly described in the attached **Exhibit A** to the covenants, conditions, restrictions, easements, charges and liens set forth in the First Declaration;

WHEREAS, the Declarant subsequently recorded that certain First Amendment to the Declaration of Covenants and Deed of Restrictions for The Timbers on October 17, 1989 at Official Records Book 2103, Page 2021, et seq., of the Public Records of Lee County, Florida;

WHEREAS, the Declarant subsequently recorded that certain Second Amendment to the Declaration of Covenants and Deed of Restrictions for The Timbers on July 7, 1990 at Official Records Book 2161, Page 3237, et seq., of the Public Records of Lee County, Florida;

WHEREAS, the Declarant subsequently recorded that certain Third Amendment to the Declaration of Covenants and Deed of Restrictions for The Timbers on March 11, 1991 at Official Records Book 2207, Page 3028, et seq., of the Public Records of Lee County, Florida;

WHEREAS, the covenants, conditions, and restrictions contained in the recorded documents above have expired pursuant to Chapter 712, Florida Statutes, also known as the Marketable Record Title Act;

WHEREAS, the organizing committee of the Association consisting of:

<u>Name</u>	<u>Address</u>
Christopher Brown	11615 Timberline Circle, Fort Myers, FL 33966
Christopher Sliter	11543 Timberline Circle, Fort Myers, FL 33966
Marilee Tihen-Sarchet	11549 Timberline Circle, Fort Myers, FL 33966

does hereby submit the covenants and restrictions of the Association for revival pursuant to Section 720.403, Florida Statutes (hereinafter the “Revived Declaration”); and

WHEREAS, the Revived Declaration governs the properties which were encumbered by the Previous Declaration and amendments thereto and does not contain covenants that are more restrictive on parcel Owners than the covenants contained in the Previous Declaration and amendments, except as otherwise provided by Section 720.404(3), Florida Statutes;

WHEREAS, attached hereto as **Exhibit “B”** are the existing Articles of Incorporation of the Association’ attached hereto as **Exhibit “C”** are the existing Bylaws of the Association; attached hereto as **Exhibit “D”** is a list of each parcel subject to the Revived Declaration identified by its legal description and name of the parcel owner; and attached hereto as **Exhibit “E”** are the plats or other graphic depiction of the affected properties in the community; and

WHEREAS, this Revived Declaration has been approved by a majority vote of the affected parcel Owners of the Association.

NOW, THEREFORE, the Association hereby revives all terms and provisions of the Previous Declaration and amendments thereto for The Timbers Property Owners’ Association, Inc., as follows:

I. **PURPOSE.** The single-family lots described herein are hereby made subject to these protective covenants and restrictions for the purpose of insuring the best use and the most appropriate development and improvement of the community in general; to protect the owners of the lots against such improper use of surrounding lots as would tend to depreciate the value of their property; to preserve, so far as practicable, the natural beauty of said property; to guard against the erection thereon of poorly designed or proportioned structures, and structures built of improper or unsuitable materials; to obtain harmonious color schemes; to insure the highest and best development of said property; to encourage and secure the erection of attractive homes thereon with appropriate location thereof on each lot or lots; to prevent haphazard and inharmonious improvement of lots; to secure and maintain proper setbacks from streets, and adequate free spaces between structures; and in general to provide adequately for a high-type and quality of improvement in said property, and thereby to enhance the values of investments made by purchasers of building sites herein.

II. **ARCHITECTURAL CONTROL.** The grantor, its assigns and representatives shall make up the Architectural Control Board and reserve architectural approval of all construction plans, specifications, footings, elevations, setbacks, landscaping, plans, etc. These items will comply with minimums established by local, state and federal laws.

A. The grantor shall give prompt approval or disapproval of plans, drawings and specifications submitted, and it is further provided that in the event neither approval nor disapproval is served upon the persons submitting such plans, drawings and specifications, at an address designated by them, within thirty (30) days of being so submitted, then such plans, drawings and specifications shall be deemed to be approved.

B. Appropriate submissions shall first be a preliminary floor plan, plot plan, front, side and rear elevations for conceptual approval. Followed by a complete set of “working drawings,” with finished elevations for final approval.

1. Landscaping plan shall be drawn by a licensed, active working landscaper or nursery, with a minimum of four newly added trees, twelve (12’) feet in height; two must be shade trees, along with sufficient shrubs, so as to maintain a high quality in keeping with the general character of the development. See attached Exhibit “B” recommended landscape plant palette.

2. All lots shall be totally sodded before the certificate of occupancy is issued.

3. All lots shall be filled, in keeping with the engineering drainage plan of the development, as approved by the South Florida Water Management District. All existing trees and other desirable natural vegetation possible shall remain on lots. Architectural approval is required prior to any site clearing.

4. Each home will have exterior night lighting to discourage theft and vandalism within the development. The exterior night light shall be equipped with a solar activated switch, so that the light is on from sunset to sunrise. The light shall be located in the front of the home or on a lamp post located between the front of the home and the road easement. The light and lamp post shall be of a style consistent with the architecture and color of the home. Any exterior lighting of a pool, recreation area, or exterior house and grounds illumination shall be designed so as to buffer the surrounding residences from the lighting and must be approved by the Architectural Control Board.

5. Mailboxes shall be of a design and color that is prescribed by the Architectural Control Board and must be located within the road rights-of-way, pursuant to the Board’s specifications. Each owner shall maintain and replace his individual mailbox in accordance with the original design as approved by the Architectural Control Board.

6. The exterior color selections by name, number, and source for stucco walls, wood siding and trim must be approved by the Architectural Control Board and shall be consistent with the style and architecture of the development.

7. Air conditioning units shall be screened so as not be visible from adjoining property, lake or roadways. The method of screening is subject to the Architectural Control Board’s approval. Window air conditioning units are not permitted in the development. Wall air conditioning units may be affixed to buildings only with the Architectural Control Board’s approval. Placement and other conditions relating to the use of solar collectors or any other exterior mechanical equipment shall be subject to the Architectural Control Board’s approval. All exterior and exposed plumbing lines on solar installations attached to house structure are to be painted to match the color of the adjacent surface.

III. BUILDINGS

A. All dwellings built on lots shall be single family residential structures containing a minimum air conditioned living area of two thousand (2,000) square feet and having a two-car enclosed garage of not less than four hundred (400) interior square feet.

B. All buildings shall be of new and durable good quality material and workmanship. All roof material to be cement tile, Timberline shingles, or roofing material of superior quality (no metal roofs), and all of the above is subject to approval by the Architectural Control Board. The minimum roof pitch on any structure or portion there shall be 6/12 unless otherwise approved by the Architectural Control Board.

C. No home shall be considered complete until its yard is reasonably landscaped and completely sodded in accordance with the landscaping plan approved by the Architectural Control Board.

D. No prefabricated, module, stilt homes or detached sheds shall be constructed or placed upon any lot.

E. Each driveway or parking area within the development will be constructed of concrete or concrete pavers, or other hard surfaced material approved by the Architectural Control Board. No asphalt, gravel, rock, shell, dirt, clay or other soft or loose surface driveway or parking area will be permitted within the development.

F. All homes shall be built with a minimum of two (2) course stem wall construction, with living area floor two (2) foot above the crown of the road. The fascia on all homes shall be a minimum of 6" in width. There shall be no man-made exterior siding or T-111, excluding stucco, brick, stone, unless otherwise approved by the Architectural Control Board.

G. All pool enclosures must have a mansard or peaked roof and shall be approved by the Architectural Control Board. No flat roof pool enclosure will be allowed.

IV. LAND USE

A. All lots are for single family residential use only.

B. Front setback shall be a minimum of thirty five (35) feet from the road right-of-way on all lots with the exclusion of the northerly side of Lot 31, Block "A" and the westerly side of Lot 23, Block "B", which shall have a minimum of a twenty-five (25) foot setback from the road right-of-way.

C. Side setback shall be a minimum of seven and one-half (7 ½) feet to the overhang from the property lines, with the exclusion of Lot 31, Block "A" and Lot 23, Block "B" above described.

D. Rear setbacks to the overhang shall be the following minimum: Block "A" Lots 1 through 37 – twenty (20) feet from rear property line. Block "B" Lots 1 through 23 – twenty-five (25) feet from rear property line adjacent to lake and twenty (20) feet from rear property line not adjacent to lake.

E. All non-roofed (a roof which is not intended to be impervious to weather) structures and accessories such as swimming pools, pool enclosures, tennis courts, decks, etc. shall comply with the front and side setbacks stated above in "B" and "C". The rear setback for any non-roofed structures or accessories shall be the following minimum: Block "A", Lots 1 through 37 – five (5) feet from rear property line. Block "B", Lots 1 through 23 – ten (10) feet from rear property line adjacent to lake and five (5) feet from rear property line no adjacent to lake.

F. No antennas or exterior reception apparatus, including satellite dish, shall be permitted on any lot or building.

G. All utilities provided to lots will be by means of underground transmission lines, cables and pipes. No overhead transmission lines or cables will be permitted within the development. All home owners of "The Timbers" are required to connect to and use municipal sewer, at homeowner's expense, if and when available.

H. Any boundary wall, fence or hedge planned must be presented to the Architectural Control Board for approval prior to construction, with the exception of pool enclosures attached to the home. No attached wing wall shall extend past a minimum of four (4) feet from property line.

I. No lot which abuts a lake or common area shall be altered by filling or excavating of such water or common area.

J. The use of piston driven engines and gas or diesel engines on any of the lakes is prohibited. No boat docks shall be constructed on any of the lakes. These rules shall be strictly enforced.

K. Garbage, trash, and other refuse may be stored on a lot for collection for a reasonable period of time, and then only in containers which are acceptable by the Architectural Control Board. Garbage and trash containers will be kept in a clean and sanitary condition and screened with appropriate materials or landscaping, so as not to be visible from adjoining property, lake or roadways. No materials, supplies or equipment shall be stored on any lot except inside a closed building or screened barrier, unless approved by the Architectural Control Board.

L. Above ground storage tanks, including but not limited to those used for storage of water, gasoline, oil, or other liquid or gas must be approved by the Architectural Control Board before installation and must be concealed by appropriate screening as approved by the Architectural Control Board.

M. Clothes drying or hanging area for laundry of any kind are required to be provided for within the building to be constructed or concealed behind a screened area, as approved by the Architectural Control Board.

N. All lot owners must provide and maintain an underground irrigation system covering all sodded and planted areas. No water will be permitted to be drawn from the lake or conservation pond for private irrigation purposes.

V. SIGNS

A. No signs of any kind shall be displayed to the public view on any lot except the property owners' name sign, of not more than two (2) square feet, and/or one sign of not more than five (5) square feet advertising the property for sale, or any other sign approved by the grantor as long as he shall own property within the development.

B. Signs used by approved builders must comply with the grantor's specifications.

VI. COMMERCIAL ACTIVITIES. No trade, business or other commercial activities may be conducted on any building site, other than by the developer or the developer's licensees incident to the development and sale of the property located within the development. The construction and operation of model or speculation homes are exempt from the definition of commercial activities.

VII. LAWN EQUIPMENT. Playground equipment and other lawn equipment, including, but not limited to grills, swings, merry-go-rounds, tents, play pens, sandboxes and toys, may be located only in the rear yard of a home, within the side setbacks.

VIII. PETS.

A. No animals, livestock, or poultry of any kind shall be raised, bred and kept on any lot except that usual household pets may be kept provided that they are not used for any commercial purpose, and they do not constitute a nuisance.

B. A pet owner shall immediately remove and properly dispose of any pet litter deposited on any property other than the lot owned by the pet owner. Pets shall be maintained on a leash at all times; and no dog runs will be permitted on any lot in order to avoid disturbance to adjacent properties.

IX. VEHICLES

A. Automobiles shall include passenger cars, vans and trucks of up to one-half ton capacity and may be parked in driveways. Automobiles do not include any vehicle marked with a commercial sign or not having a good exterior appearance. Appearance shall be at the Architectural Control Board's discretion.

B. No camper, motor home, truck, tractor, boat, trailer or any other vehicle except only automobiles may be parked on any lot, unless parked within the standard attached garage.

C. Construction and delivery vehicles may be parked on a building site during the course of construction or improvements on the building site.

X. MAINTENANCE

A. Improvements made within any easement of a private nature will be maintained by the owner of the lot where they are located and will not unduly inhibit the use of the easement by others for the purpose intended. Those which are not of a private nature will, however, be maintained by the Association, including the "Conservation Tract D" and the lots where the entry walls and landscaping are located, to the extent that they are not maintained by governmental agencies or otherwise.

B. Buildings, driveways, lawns, landscaping and other improvements made on a lot will be continuously maintained in good condition and with a well-kept aesthetic appearance by the owners.

XI. NUISANCES

A. Noxious or offensive activity shall not be allowed upon any lot.

B. Units and unused lots must be kept cleared of rubbish, weeds or high grass, so as not to become objectionable to adjoining lots. Where owners cannot or do not provide this maintenance, grantor reserves the right to effect such services at a reasonable charge to the owners.

XII. THE TIMBERS PROPERTY OWNERS' ASSOCIATION

A. The grantor has created an Owners' Association for the purpose of continuing maintenance and management of the development, together with all common elements, as well as the enforcement of these restrictions. The name of the Association is "The Timbers Property Owners' Association, Inc.", a Florida corporation, not for profit. In order to provide for the continuing maintenance and management of the development, each grantee and each of the grantee's heirs, successors and assigns shall by virtue of being the owner of any residential site or any parcel thereof, shall be a member of The Timbers Property Owners' Association, Inc.

B. The Association through its Board of Directors, shall have the power, as an Association, to enforce the restrictions and restricted covenants common to the development, and in addition thereto, shall have power to levy an assessment and collect the same for the purpose of providing funds to enforce and implement these restrictions and with which to continue the operation, maintenance and management for the development. Any such assessment shall be secured by a lien on the real property of the member so assessed, which may be enforced in accordance with Florida lien laws, if said assessment is not paid when due.

XIII. ASSESSMENTS.

A. Personal obligation of assessments. The owner of a unit within the development is hereby obligated by acceptance of his deed, whether or not it shall be so expressed in his deed, to pay the Association the following: (a) a one-time initial assessment of five hundred (\$500.00) dollars, to be paid at the time of closing, (b) annual assessments to be paid annually in advance, and (c) special assessments for capital improvements. All assessments shall be at a uniform rate for each lot regardless of size, location, or selling price. All assessments shall be used exclusively for the benefit of the residents in the development and for the operation of the Association to promote the health, safety, welfare, recreation, improvement and maintenance of the common elements situated within the development. The owner of a unit is also obligated to pay to the Association any assessments which the Association is required to secure or pay pursuant to the terms of the Declaration of Covenants and Restrictions, the By-Laws or the Articles of Incorporation, or which shall be necessary or proper in the opinion of the board for the operation or enforcement of these restrictions.

Subsequent to Developer Control. After the Developer shall have lost or relinquished the right to elect the Board of Directors of the Association, the maximum amount of the regular

assessment for any calendar year may be increased each year by not more than fifteen percent (15%) over and above the previous year without approval by a majority vote of the members constituting a quorum.

Developer will fund any short-fall produced by the collection of assessments for so long as Developer maintains control of the Association. It being understood that in all events, the Developer's guarantee of the Association's short-fall shall terminate upon the turnover of the Association by Developer. In exchange for this guarantee, Developer will not pay assessments on unsold lots.

B. Lien of Assessments. Each owner of a unit is obligated to pay to the Association the initial, annual, and any special assessments which are secured by a continuing lien on the property against which such assessments are made. Any assessments not paid when due are considered delinquent. If an assessment is not paid within thirty (30) days after the due date, the assessment shall then bear interest (prime rate plus 2%) from the date of delinquency, and the Association may bring an action at law against the owner personally obligated to pay the same or may foreclose the lien against his property. Interest, costs and reasonable attorney's fees of any such action shall be added to the amount of the assessment due. No owner may waive or otherwise escape liability for assessments by nonuse of the common elements or abandonment of his unit.

C. The Common Elements. The Common Elements shall be conveyed by fee simple deed by the grantor to the Association on or before the date when the grantor conveys the last lot located within the development. Common elements covered by annual assessments shall include, but are not limited to, roads, drainage, conservation areas, entrance, fountain, etc. The streets located within the community are private streets.

XIV. TERMS. The foregoing agreements, covenants, restrictions and conditions shall constitute an easement and servitude in and upon the lands herein described, running with the land, and shall be deemed for the benefit of all the lands in the subdivision, and it shall remain in full force for twenty (20) years from the date of the recording of this instrument, after which they shall be automatically extended for successive periods of ten (10) years each, unless by vote of a majority of the then owners of the lots in the development, it is agreed to change them in whole or in part.

XV. SEVERABILITY

A. Invalidation of any one of the provisions contained in the restrictions by judgement or court order shall not affect any of the other provisions of the restrictions, which shall remain in full force and effect.

B. The grantor reserves the right, as long as he owns either real property which is included in the development or real property which is contiguous to the development that no amendment may be made without his approval. The grantor may also from time to time, amend, modify, add, delete or grant exceptions from any or all of the foregoing restrictions without notice to or consent from any grantee, provided however, that this paragraph shall not be used to change the residential character of the property or the developmental scheme, and provided, any amendment which would affect the surface water management system, including the water management portions of the common areas, must have the prior approval of the South Florida Water Management District.

C. Management of future changes or additions to this Declaration of Covenants and Deed Restrictions for "The Timbers" shall be governed by the attached permits from Lee County, South Florida Water Management, Department of Environmental Regulations, Corps of Engineers, or any other permits issued by any other governmental agencies having jurisdiction thereof.

D. After all lots have been sold in the development, the architectural control provided for in the above articles shall pass to the "Association".

XVI. INTERPRETATION. The provisions of this declaration will be interpreted without regard to the headings contained herein, which have been inserted and used for ease of reference only.

XVII. SURVIVAL. This declaration will be binding upon the parties hereto and all persons claiming by, through and under them.

IN WITNESS WHEREOF, the undersigned have executed this Revived Declaration of Covenants and Restrictions for The Timbers on this 20th day of September, 2022.

Witnesses

Sandra Donavio
Printed: Sandra Donavio
Colby Keefe
Printed: Colby Keefe

The Timbers Property Owners' Association, Inc.

Christopher Brown
By: Christopher Brown
Its: President
Christopher Sliter
By: Christopher Sliter
Its: Treasurer

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before by means of physical presence or online notarization on this 20th day of September, 2022, by Christopher Brown as President and Christopher Sliter as Treasurer of The Timbers Property Owners' Association, Inc., a Florida not-for-profit corporation, on behalf of the corporation.

Produced identification: Florida drivers license

Colby Keefe
Notary Public, State of Florida
At Large
My commission expires: _____
(Notary Seal)

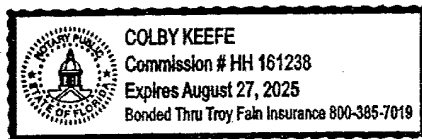


Exhibit "A"

LEGAL DESCRIPTION

THE FOLLOWING PORTION OF SECTION 8, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, LESS THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND

THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER LESS THE FOLLING DESCRIBED PORTION THEREOF: FROM THE NORTHEAST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8 RUN S 0° 21' 43" E ALONG THE EAST LINE OF SAID FRACTION OF A SECTION, 559.29' TO A CONCRETE MONUMENT SET AT THE INTERSECTION OF THE NORTHERLY MAINTAINED R.O.W. LINE OF PENZANCE BOULEVARD AND THE P.O.B.,

THENCE CONTINUE S 0° 21' 43" E, 100.41' TO THE SOUTH LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE S 88° 45' 54" W ALONG SAID SOUTH LINE 328.33' TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE N 1° 16' 48" W, ALONG THE WEST LINE OF SAID FRACTION OF SECTION, 123.50' TO A CONCRETE MONUMENT SET AT THE INTERSECTION OF THE NORTHERLY MAINTAINED R.O.W. LINE OF PENZANCE BOULEVARD; THENCE S 87° 12' 40" E, ALONG SAID NORTHERLY R.O.W. LINE, 329.01' TO THE P.O.B.

RECOMMENDED LANDSCAPE PLANT PALETTE

The following plant materials should predominate in areas that physically or visually abut rights-of-way and/or public areas within "The Timbers".

BOTANICAL NAMECOMMON NAMECanopy Trees and Palms

Pinus elliotii "densa"	Slash Pine
Sabal Palmetto	Cabbage Palm
Quercus Virginiana	Live Oak
Swietenia mahogani	Mahogany

Sub-canopy and Shrubs

Myrica cerifera	Wax Myrtle
Conocarpus erectus "sericeus"	Silver Buttonwood
Nerium Oleander	Common Oleander
Nerium Oleander "petite pink"	Dwarf Oleander
Chrysobalanus icaco	Cocoplum
Coccoloba uvifera	Seagrape
Serenoa repens	Palmetto

Ground Cover

Asparagus sprengeri	Asparagus Fern
Lantana sellowiana	Yellow Lantana
Rhoeo bermudiensis	Dwarf oyster plant
Vinca rosea	Periwinkle
Portulaca grandiflora	Rose Moss
Paspalum notatum	Bahia

The following additional plant materials are recommended for consideration within the private areas of individual lots and/or developments.

Canopy Trees and Palms

Bucida buceras	Black Olive
Acer Rubrum	Red Maple
Bursera simaruba	Gumbo Limbo
Dalbergia sissoo	Indian rosewood
Delonix regia	Royal Poinciana
Peltophorum inerme	Yellow Poinciana
Jacaranda actuifolia	Jacaranda
Coco nucifera	Coconut palm

Canopy Trees and Palms-Contd

Phoenix spp.	Date palms
Arecastrum romanzoffianum	Queen Palm
Acoelorrhaphe wrightii	Paurotis Palm

Sub-canopy and Shrubs

Chrysophyllum Olivaeforme	Satin-Leaf
Ligustrum japonicum	Japanese privet
Parkinsonia aculeata	Jerusalem thorn
Callistemom viminalis	Weeping Bottle Brush
Callistemon lanceolatus	Red Bottle Brush
Tabebuia pallida	Pink Tabebuia
Tabebuia argentea	Yellow Tabebuia
Pittosporum tobira	Pittosporum
Viburnum suspensum	Viburnum
Philodendron Sellom	Self-heading philodendrum
Carissa grandiflora “emerald blanket”	Dwarf natal plum
Jasmine simplicifolium	Wax Jasmine
Zamia furfuracea	Jamacia Sago-tree
Strelitzia reginae	Bird-of-Paradise
Crinum asiaticum	Crinum lily
Conocarpus erectus	Silver button-bush
Brassia actinophylla	Schefflera
Brassia arboricola	Dwarf Schefflera
Ixora macrothyrsa “superking”	Superking Ixora
Laegerstroemia indica	Crape Myrtle
Pyracantha coccinea	Fire Thorn
Psidium cattleianum	Cattley guava
Podocarpus macrophylla	Yew-Podocarpus
Podocarpus glaciior	Fern Podocarpus
Murraya exotica	Orange Jasmine
Gardenia spp.	Gardenia
Dracaena spp.	Dracaena
Pentas lanceolata	Egyptian star clusters

Ground Covers

Ajuga repens	Ajunga
Nephrolepis exaltata	Boston Fern
Liriope muscari	Liriope
Ophiopogon japonicus	Lily Turf
Hemerocallis flava	Day Lily
Wedelia Trilobata	Wedelia

Plant materials not included on the above list shall receive consideration on an individual basis as they relate to function, location, size and compatibility with “The Timbers”.

Exhibit "B"

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State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Incorporation of THE TIMBERS PROPERTY OWNERS' ASSOCIATION, INC., a corporation organized under the Laws of the State of Florida, filed on October 12, 1988, as shown by the records of this office.

The document number of this corporation is N28805.

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this the 13th day of October, 1988.



Jim Smith
Secretary of State

CR2E022 (8-87)

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ARTICLES OF INCORPORATION
OF
THE TIMBERS PROPERTY OWNERS' ASSOCIATION, INC.

FILED
MAR 20 12 10 30
CLERK OF DISTRICT COURT
LEESBURG, FLORIDA

WE, the undersigned, acting as incorporators of a non-profit corporation under Chapter 617 of the Florida Statutes, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE I.

The name of the corporation (hereinafter called the Association) is THE TIMBERS PROPERTY OWNERS' ASSOCIATION, INC.

ARTICLE II.

The specific primary purposes for which the Association is formed are to provide for maintenance, preservation, and architectural control of the residential units and common elements within a certain tract of real property described on the attached Exhibit A, and to promote the health, safety and welfare of the residents within the above-described development and such additions thereto as may hereafter be brought within the jurisdiction of the Association for such purpose.

In furtherance of such purposes, the Association shall have the power to:

(a) Perform all of the duties and obligations of the Association as set forth in a certain Declaration of Covenants and Deed of Restrictions (the Declaration) applicable to the development and to be recorded in the Public Records of Lee County, Florida;

(b) Affix, levy, and collect, and enforce payment by any lawful means all charges and assessments pursuant to the terms of the Declaration; and pay all expenses in connection therewith, and all office and other expenses incidental to the conduct of the business of the Association, including all taxes

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or governmental charges levied on or imposed against the property of the Association.

(c) Acquire (by gift, purchase, or otherwise), own, hold, and improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate to public use, or otherwise dispose of real and personal property in connection with the affairs of the Association;

(d) Borrow money and, subject to the consent by vote or written instrument of two-thirds (2/3) of the members, mortgage, pledge, convey by deed of trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) Dedicate, sell, or transfer all or any part of the common areas to any municipality, public agency, authority, or utility for such purposes and subject to such conditions as may be agreed upon by the members. No such dedication or transfer shall be effective unless an instrument has been signed by two-thirds (2/3) of the members, agreeing to such dedication, sale or transfer;

(f) Participate in mergers and consolidations with other nonprofit corporations organized for the same purposes, or annex additional residential property or common elements, provided that any merger or consolidation shall have the assent by vote or written instrument of two-thirds (2/3) of the members.

(g) Have and exercise any and all powers, rights, and privileges that a nonprofit corporation organized under Chapter 617 of the Florida Statutes by law may now or hereafter have or exercise.

The Association is organized and shall be operated exclusively for the purpose set forth above. The activities of the Association will be financed by assessments against members as provided in the Declaration, and no part of any net earnings of the Association will inure to the benefit of any member.

ARTICLE III.

Every person or entity who is a record owner of a fee or

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undivided fee interest in any unit which is subject by covenants of record to assessment by the Association, including contract sellers, but excluding persons or entities holding title merely as security for performance of an obligation, shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a unit which is subject to assessment by the Association.

(a) Change of membership in the Association shall be established by recording in the Public Records of Lee County, Florida, a deed or other instrument establishing a record title to a lot in the property and the delivery to the Association of a certified copy of said instrument. The owner designated by the Grantee of the lot thus becomes a member of the Association and the prior member is thereby terminated.

(b) Change of membership shall require a notice of transfer to the Secretary of the Association and an administrative fee payable to the Association to cover recording costs and documents to be issued to new member. The cost of this fee shall be determined by the Board of Directors on an annual basis.

ARTICLE IV.

The period of duration of the Association shall be perpetual.

ARTICLE V.

The names and mailing addresses of each subscriber are:

<u>NAME</u>	<u>ADDRESS</u>
G. M. Symonds, Jr.	3916 Cleveland Avenue Fort Myers, FL 33901
Arthur R. Wintle, Jr.	3916 Cleveland Avenue Fort Myers, FL 33901
Annie S. Tibble	3916 Cleveland Avenue Fort Myers, FL 33901

ARTICLE VI.

The affairs of the Association shall be managed by a Board of Directors, a President and Vice President, who shall at all times

be members of the Board of Directors, and a Secretary and Treasurer. Such officers shall be elected at the first meeting of the Board of Directors following each annual meeting of the members. The names of the officers who are to serve until the first election are:

<u>NAME</u>	<u>OFFICE</u>
C. M. Symonds, Jr.	President
Arthur R. Wintle, Jr.	Vice President
Annie S. Tibble	Secretary/Treasurer

ARTICLE VII.

The number of persons constituting the first Board of Directors of the Association shall be three (3), and thereafter, the membership shall consist of not more than five (5), and the names and addresses of the persons who shall serve as Directors until the first election are:

<u>NAME</u>	<u>ADDRESS</u>
C. M. Symonds, Jr.	3916 Cleveland Avenue Fort Myers, FL 33901
Arthur R. Wintle, Jr.	3916 Cleveland Avenue Fort Myers, FL 33901
Annie S. Tibble	3916 Cleveland Avenue Fort Myers, FL 33901

ARTICLE VIII.

The By-Laws of the Association may be made, altered, or rescinded at any annual meeting of the Association, or at any special meeting duly called for such purpose, on the affirmative vote of two-thirds (2/3) of the members existing at the time of and present in person or by proxy at such meeting, except that the initial By-Laws of the Association shall be made and adopted by the Board of Directors.

ARTICLE IX.

Amendments to these Articles of Incorporation may be proposed by any member of the Association. These Articles may be amended at any annual meeting of the Association, or at any special

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meeting duly called and held for such purpose, on the affirmative vote in person or by proxy of a majority of voting members existing at the time of such meeting.

ARTICLE X.

REGISTERED AGENT AND REGISTERED ADDRESS: The initial registered agent of the corporation shall be KING SYMONDS REALTY, INC, and the initial registered address of the corporation shall be 3916 Cleveland Avenue, Fort Myers, Florida 33901.

ARTICLE XI.

EFFECTIVE DATE: The effective date of this corporation shall be upon filing with the Office of the Secretary of State of the State of Florida.

ARTICLE XII.

Each Director and Officer of this Association shall be indemnified by the Association against all costs and expenses reasonably incurred or imposed upon him in connection with or arising out of any action, suit or proceedings in which he may be involved or to which he may be made a party by reason of his having been a Director or Officer of this Association, such expense to include the cost of reasonable settlements (other than amounts paid to the Association itself).

CERTIFICATE DESIGNATING PLACE OF BUSINESS OR DOMICILE FOR THE SERVICE OF PROCESS WITHIN THIS STATE, NAMING AGENT UPON WHOM PROCESS MAY BE SERVED

In pursuance of Chapter 48.091 Florida Statutes, the following is submitted in compliance with said Act:

First -- That THE TIMBERS PROPERTY OWNERS' ASSOCIATION, INC., desiring to organize under the laws of the State of Florida, with its principal office as indicated in the Articles of Incorporation at City of Fort Myers, County of Lee, State of Florida, has named KING SYMONDS REALTY, INC., located at 3916 Cleveland Avenue, Fort Myers, Florida 33901, as its agent to

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accept service of process within this State.

ACKNOWLEDGMENT:

Having been named to accept service of process for the above-stated corporation at place designated in this Certificate, I hereby accept to act in this capacity and agree to comply with the provision of said Act relative to keeping open said office.

KING SYMONDS REALTY, INC.

By: [Signature]
C. M. SYMONDS, JR., PRESIDENT

IN WITNESS WHEREOF, the undersigned subscribers have executed these Articles of Incorporation on this 7 day of Oct, 1988.

[Signature]

[Signature]
C. M. Symonds, Jr.

[Signature]

[Signature]
Arthur R. Wintle, Jr.

[Signature]

[Signature]
Annie S. Tibble

STATE OF FLORIDA
COUNTY OF LEE

FILED
OCT 12 1988

BEFORE ME, the undersigned authority personally appeared C. M. Symonds, Jr., Arthur R. Wintle, Jr. and Annie S. Tibble, to me known to be the persons described in and who executed the foregoing Articles of Incorporation and acknowledged before me, according to law, that they executed the same for the purpose therein mentioned and set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in the County and State above mentioned, this 7th day of October, 1988.

[Signature]
Notary Public

My Commission Expires:

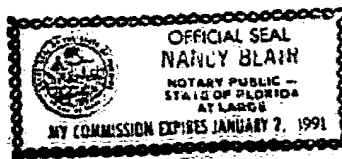


EXHIBIT "A"

LEGAL DESCRIPTION

THE FOLLOWING PORTION OF SECTION 8, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, LESS THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND

THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER LESS THE FOLLOWING DESCRIBED PORTION THEREOF: FROM THE NORTHEAST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8 RUN S 0° 21' 43" E ALONG THE EAST LINE OF SAID FRACTION OF A SECTION, 559.29' TO A CONCRETE MONUMENT SET AT THE INTERSECTION OF THE NORTHERLY MAINTAINED R.O.W. LINE OF PENZANCE BOULEVARD AND THE P.O.B. ,

THENCE CONTINUE S 0° 21' 43" E, 100.41' TO THE SOUTH LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE S 88° 45' 54" W ALONG SAID SOUTH LINE 328.33' TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE N 1° 16' 48" W, ALONG THE WEST LINE OF SAID FRACTION OF SECTION, 123.50' TO A CONCRETE MONUMENT SET AT THE INTERSECTION OF THE NORTHERLY MAINTAINED R.O.W. LINE OF PENZANCE BOULEVARD; THENCE S 87° 12' 40" E, ALONG SAID NORTHERLY R.O.W. LINE, 329.01' TO THE P.O.B.

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Exhibit "C"

BY-LAWS OF
THE TIMBERS PROPERTY OWNERS' ASSOCIATION, INC.
A Nonprofit Corporation

ARTICLE I. NAME AND LOCATION

The name of the corporation is THE TIMBERS PROPERTY OWNERS' ASSOCIATION, INC. The principal office of the corporation shall be located at 3916 Cleveland Avenue, Fort Myers, Florida 33901, but meetings of members and directors may be held at such places within the State of Florida as may be designated by the Board of Directors.

ARTICLE II DEFINITIONS

SECTION 1: "Association" shall mean and refer to THE TIMBERS PROPERTY OWNERS' ASSOCIATION, INC., its successors and assigns.

SECTION 2: "Common Elements" shall include within its meaning the following: (a) all real property owned by the Association for the common use and enjoyment of the residential unit owners, which is not included in the legal descriptions conveyed by the declarant to such individual unit owners, (b) the property and installations required for the furnishings of utilities and other services to more than one residential unit owner or to the common elements, (c) tangible personal property required for the maintenance and operation of the Association even though owned by the Association.

SECTION 3: "Declarant" shall mean and refer to KING SYMONDS REALTY, INC., its successors and assigns, if such successors or assigns should acquire more than one undeveloped unit from declarant for purposes of development.

SECTION 4: "Declaration" shall mean and refer to the Declaration of Covenants and Deed of Restrictions, applicable to the planned development and recorded in the Public Records of Lee County, Florida.

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SECTION 5: "Unit" shall mean the legal description of a lot and/or the appurtenances upon said lot, as recorded in Plat Book _____, Pages _____ in the Public Records of Lee County, Florida.

SECTION 6: "Member" shall mean and refer to any person entitled to membership in the Association.

SECTION 7: "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any unit which is a part of the planned development, but shall not include those holding title merely as security for performance of an obligation.

SECTION 8: "Planned Development" shall mean the development of the real property for residential use under a homeowners' association for the purpose of enhancing, maintaining and protecting the value, attractiveness and desirability of the units comprising such development.

ARTICLE III. MEETINGS OF MEMBERS

SECTION 1: Annual Meetings. The first annual meeting of members shall be held within sixty (60) days after ninety (90%) percent of the units have been sold and conveyed by declarant. Subsequent annual meetings of members shall be held at a time most convenient for the majority of unit owners each year thereafter.

SECTION 2: Special Meetings. Special meetings of members may be called at any time by the president or by two (2) members of the Board of Directors, or by a majority of unit owners.

SECTION 3: Notice of Meetings. Written notice of each meeting of members shall be given by, or at the direction of, the secretary or other person authorized to call the meeting, by mailing a copy of such notice, postage prepaid, at least fifteen (15) days, but not more than thirty (30) days before such meeting, to each member entitled to vote thereat, addressed to the member's address last appearing on the books of the Association, or supplied by such member to the Association for purpose of receiving notice. Such notice shall specify the day, hour and place of the meeting, and in the case of a special

meeting, the purpose of the meeting.

SECTION 4: Quorum. The presence at the meeting, in person or by proxy, of a majority of the members entitled to cast votes shall constitute a quorum for authorization of any action, except as may otherwise be provided in the Declaration, the Articles of Incorporation, or these By-Laws. If a quorum is not present at any meeting, the members entitled to vote thereat shall have the power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum is present.

SECTION 5: Proxies. At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary. Proxies shall be revocable, and the proxy of any owner shall automatically terminate on conveyance by him of his unit.

ARTICLE IV. BOARD OF DIRECTORS; TERM OF OFFICE; REMOVAL

SECTION 1: Number. The affairs of the Association shall be managed by not less than three (3) or more than five (5) directors, who need not be members of the Association.

SECTION 2: Term of office. At the first annual meeting, one director shall be elected to serve a one (1) year term; one director shall be elected to serve a two (2) year term and one director shall be elected to serve a three (3) year term. Thereafter, each director will be elected for a three (3) year term.

If the Association elects to increase the number of directors to five (5), no more than two (2) directors will serve in the same three (3) year term.

The staggering of the terms of office will always provide for directors with knowledge and experience on the board.

SECTION 3: Removal. Any director may be removed from the board, with or without cause, by a majority vote of the members of the Association. In the event of death, resignation, or removal of a director, his successor shall be selected by the remaining members of the board and shall serve for the unexpired

term of his predecessor.

SECTION 4: Compensation. No director shall receive compensation for any service he may render to the Association. However, any director may be reimbursed for his actual expenses incurred in the performance of his duties.

ARTICLE V. BOARD OF DIRECTORS; NOMINATION AND ELECTION

SECTION 1: Nomination. Nomination for election to the Board of Directors shall be made by a Nomination Committee selected by the president or by nomination from the floor.

SECTION 2: Election. Election to the Board of Directors shall be by written ballot. At such election the members or their proxies may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration. Persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted.

ARTICLE VI. BOARD OF DIRECTORS; MEETINGS

SECTION 1: Regular Meetings. Regular meetings of the Board of Directors shall be held annually, at such place and hour as may be fixed from time to time by resolution of the board.

SECTION 2: Special Meetings. Special meetings of the Board of Directors shall be held when called by the president of the Association, or by any two directors, after not less than three (3) days notice to each director.

SECTION 3: Quorum. A majority of the directors shall constitute a quorum for the transaction of business. Every act performed or decision made by a majority of directors present at a duly held meeting in which a quorum is present shall constitute the act or decision of the Board.

ARTICLE VII. BOARD OF DIRECTORS; POWERS AND DUTIES

SECTION 1: Powers. The Board of Directors shall have the power to:

(a) Adopt and publish rules and regulations governing the use of the common elements and facilities including the

personal conduct of the members and their guests thereon.

(b) Suspend the voting rights of any member during any period in which such member is in default in the payment of any assessment levied by the Association. Such rights may also be suspended after notice and hearing, for a period not to exceed thirty (30) days for infraction of published rules and regulations.

(c) Exercise on behalf of the Association all powers, duties and authority vested in or delegated to the Association and not specifically reserved to the membership by the Declaration, Articles of Incorporation, or by other provisions of these By-Laws.

(d) Employ a manager, independent contractors, and such other employees as they may deem necessary, and to prescribe their duties.

SECTION 2: Duties. It shall be the duty of the Board of Directors to:

(a) Supervise all officers, agents, and employees of the Association and see to it that their duties are properly performed.

(b) Fix the amount of the annual assessment against each unit in advance of each annual assessment period. They shall be permitted to increase the annual assessment as needed each year by the percentage of increase of the consumer price index for the previous year or no more than 15% of the previous year's assessment without a vote of the majority of the membership.

(c) Send written notices of each assessment to every owner subject thereto in advance of each assessment period.

(d) Foreclose the lien against any property for which assessments are not paid within thirty (30) days after the due date, or to bring an action at law against the owner personally obligated to pay the same.

(e) Issue, or cause an appropriate officer to issue on demand by any person, a certificate setting forth whether or not any assessment has been paid. A statement in a certificate to

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the effect that an assessment has been paid shall constitute conclusive evidence of such payment.

(f) Procure and maintain liability and hazard insurance on all property owned by the Association, as it may deem appropriate.

(g) Cause all officers or employees having fiscal responsibilities to be bonded, as it may deem appropriate.

(h) Cause the common elements to be maintained.

ARTICLE VIII. OFFICERS AND THEIR DUTIES

SECTION 1: Enumeration of Offices. The officers of the Association shall be a president and vice president, who shall at all times be members of the Board of Directors, and a secretary, treasurer, and such other officers as the board may from time to time by resolution create.

SECTION 2: Election of Officers. The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of members.

SECTION 3: Term. The officers of the Association shall be elected annually by the board. Each shall hold office for a term of one (1) year unless he shall sooner resign, or shall be removed or otherwise disqualified to serve.

SECTION 4: Special Appointments. The board may elect such other officers as the affairs in the Association may require, each of whom shall hold office for such period, have such authority and perform such duties as the board may, from time to time determine.

SECTION 5: Resignation and Removal. Any officer may be removed from office by the board at any time with or without cause. Any officer may resign at any time by giving written notice to the board, the president, or the secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

SECTION 6: Vacancies: A vacancy in any office may be filled

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by appointment of the board. The officer appointed to such vacancy shall serve for the unexpired term of the officer he replaces.

SECTION 7: Multiple Offices. The offices of secretary and treasurer may be held by the same person. No person shall simultaneously hold more than one of any of the other offices, except in the case of special offices created pursuant to Section 4 of this Article.

SECTION 8: Duties. The duties of the officers are as follows:

(a) President. The president shall preside at all meetings of the Board of Directors; shall see that orders and resolutions of the board are carried out; and shall sign all leases, mortgages, deeds, and other instruments.

(b) Vice President. The vice president shall act in the place of the president in the event of his absence, inability, or refusal to act, and shall exercise and discharge such other duties as may be required of him by the board.

(c) Secretary. The secretary shall record the votes and keep the minutes of all meetings and proceedings of the board and of the members; keep the corporate seal of the Association and affix it to all papers so requiring; serve notice of meetings of the board to members; keep appropriate current records showing the members of the Association together with their addresses; and perform such other duties as may be required by the board or by law.

(d) Treasurer. The treasurer shall receive and deposit in appropriate bank accounts all funds of the Association, and shall disburse such funds as directed by resolution of the Board of Directors; shall sign all checks and promissory notes of the Association; shall keep proper books of the accounts; ~~shall cause an annual audit of the Association books to be made at the completion of each fiscal year;~~ and shall prepare an annual budget and statement of income and expenditures, a copy of which documents shall be delivered to each member, and a report on which shall be given at the regular annual meeting of members.

ARTICLE IX. ASSESSMENTS

SECTION 1: Personal obligation of assessments. The owner of a unit within the development is hereby obligated by acceptance of his deed, whether or not it shall be so expressed in his deed, to pay to the Association the following: (a) a one time initial assessment of five hundred (\$500.00) dollars, to be paid at the time of closing, (b) annual assessments to be paid annually in advance, and (c) special assessments for capital improvements. Any special assessment levied shall be applicable to that year only and must be approved by a vote of the majority of the membership. All assessments shall be used exclusively for the benefit of the residents in the development and for the operation of the Association to promote the health, safety, welfare, recreation, improvement and maintenance of the common elements situated within the development. The owner of a unit is also obligated to pay to the Association any assessments which the Association is required to secure or pay pursuant to the terms of the Declaration of Covenants and Deed of Restrictions, the By-Laws or the Articles of Incorporation, or which shall be necessary or proper in the opinion of the board for the operation or enforcement of these restrictions.

SECTION 2: Lien of Assessments. Each owner of a unit is obligated to pay to the Association the initial, annual, and any special assessments which are secured by a continuing lien on the property against which such assessments are made. Any assessments not paid when due are considered delinquent. If an assessment is not paid within thirty (30) days after the due date, the assessment shall then bear interest (prime rate plus 2%) from the date of delinquency, and the Association may bring an action at law against the owner personally obligated to pay the same or may foreclose the lien against his property. Interest, costs and reasonable attorney's fees of any such action shall be added to the amount of any assessment due. No owner may waive or otherwise escape liability for assessments by nonuse of the common elements or abandonment of his unit.

ARTICLE X. CONFLICTS

In case of any conflict between the Articles of Incorporation and these By-Laws, the Articles shall control; in case of any conflict between the Declaration and these By-Laws, the Declaration shall control; and in case of any conflict between the Articles of Incorporation and the Declaration, the Declaration shall control.

Attest
THE TIMBERS PROPERTY OWNERS' ASSOCIATION, INC.
Annie S. Tibble BY: *Chris [Signature]*
Secretary

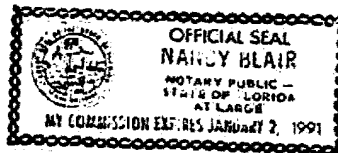
STATE OF FLORIDA
COUNTY OF LEE

I HEREBY CERTIFY, that on this 7th day of October 1988, before me personally appeared C. M. Symonds, Jr. and Annie S. Tibble, respectively President and Secretary of THE TIMBERS PROPERTY OWNERS' ASSOCIATION, INC. to me known to be the persons described in and who acknowledged the execution thereof to be their free act and deed as such officers, for the uses and purposes therein mentioned and that they affixed thereto the official seal of the corporation and the said instrument is the act and deed of said corporation.

WITNESS my signature and official seal at Fort Myers in the County of Lee and State of Florida, the day and year last aforesaid.

Nancy Blair
Notary Public

My Commission Expires:



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THE TIMBERS PROPERTY OWNERS' ASSOCIATION, INC

ESTIMATED OPERATING BUDGET

(60 LOTS)

	<u>TOTAL LOTS</u>		<u>PER LOT</u>	
	<u>MONTHLY</u>	<u>YEARLY</u>	<u>MONTHLY</u>	<u>YEARLY</u>
I. <u>ADMINISTRATION</u>				
A. Administration of the Association	35.00	420.00	.583	7.00
*B. Taxes upon Association Property	75.00	900.00	1.25	15.00
C. Licenses, Insurance, Fees, etc.	175.00	2100.00	2.917	35.00
II. <u>MAINTENANCE & SUPPLIES</u>				
A. Mowing & Fertilizer	250.00	3000.00	4.167	50.00
B. Miscellaneous Supplies	15.00	180.00	.25	3.00
III. <u>UTILITIES</u>				
A. Electric & Street Lights	300.00	3600.00	5.00	60.00
B. Water	90.00	1080.00	1.50	18.00
IV. <u>MISCELLANEOUS</u>				
	80.00	960.00	1.333	16.00
V. <u>RESERVES</u>				
A. Reserves for future maintenance	80.00	960.00	1.333	16.00
TOTALS	\$1100.00	13200.00	18.331	220.00

VI. INITIAL ASSESSMENT

Initial assessment of Five hundred dollars (\$500.00) will be paid to "The Timbers Property Owners' Association" upon purchase and closing of each lot in "The Timbers" for the benefit of the Property Owners' Association.

VII. ESTIMATED ANNUAL ASSESSMENT

The annual assessment (budget) to be paid in advance, upon title transfer to owner of lot.

*Taxes will be allocated and assessed upon receipt of tax bill by the Association.

RECORDED & RECORD VERIFIED
DALLAS
FOR CIRCUIT CLERK
NOV 21 4 21 PM '88

Exhibit "D"

THE TIMBERS SUBDIVISION

Block A

Affected Parcel Owners

Lot No.	Lee County STRAP ID	Owner	Street Address	Legal Description
1	08-45-25-01-0000A.0010	BURUN, STANLEY L & DONNA J	11501 TIMBERLINE CIR, FORT MYERS FL 33966	LOT 1, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
2	08-45-25-01-0000A.0020	DOLCH, MICHAEL W. & WASHAM, JAYME	11507 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 2, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
3	08-45-25-01-0000A.0030	CAMPBELL, PRESLEY S. IV & CAMPBELL, JOYCE D.	11513 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 3, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
4	08-45-25-01-0000A.0040	COHEN, PHILIP D. & COHEN, KRISTIN B.	11519 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 4, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
5	08-45-25-01-0000A.0050	WHEELER, JUSTIN & WHEELER, MEGAN	11525 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 5, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
6	08-45-25-01-0000A.0060	BUBAR, RODNEY J. & BUBAR, DONNA C.	11531 TIMBERLINE CIR., FORT MYERS,	LOT 6, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.

			FL 33966	
7	08-45-25-01-0000A.0070	ISAAC, DENNIE ANN	11537 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 7, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
8	08-45-25-01-0000A.0080	SLITER, CHRISTOPHER C. & SLITER, CAROLYN C.	11543 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 8, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
9	08-45-25-01-0000A.0090	SARCHET, DAVID S. & TIHEN-SARCHET, MARILEE C., TRUSTEE FOR DAVID S. & MARILEE C. SARCHET TRUST	11549 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 9, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
10	08-45-25-01-0000A.0100	BROWN, CHRISTOPHER	11615 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 10, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
11	08-45-25-01-0000A.0110	PIGOTT, RAYMOND E., JR. & PIGOTT, EMILY N.	11621 TIMBERLINE CIR., FORT MYERS, FO 33966	LOT 11, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
12	08-45-25-01-0000A.0120	MELVIN, JOSEPH KETIH & MELVIN DAWN RENE	11627 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 12, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
13	08-45-25-01-0000A.0130	HANNIGAN-GOUGH, MARTHA B.	11633 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 13, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.

14	08-45-25-01-0000A.0140	STOECKER, CHARLES E., III & WILSON, JACQUELINE C.	11639 TIMBERLINE DIR., FORT MYERS, FL 33966	LOT 14, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
15	08-45-25-01-0000A.0150	BARTONY, HENRY E. & BARTONY, DIANNE M.	11645 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 15, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
16	08-45-25-01-0000A.0160	ALLEN, ROBERT L. & ALLEN, PATRICIA L. & NELSON, GINA MARIE	11651 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 16, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
17	08-45-25-01-0000A.0170	KALE, WILLIAM H. & KALE, LETTY K.	11657 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 17, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
18	08-45-25-01-0000A.0180	BRANT, MARK A. & BRANT, ANGELA M.	11663 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 18, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
19	08-45-25-01-0000A.0190	LAWRENCE, JOHN W.	11669 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 19, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
20	08-45-25-01-0000A.0200	LENTINI, VINCENT J. & LENTINI, JACQUELINE	11675 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 20, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.

21	08-45-25-01-0000A.0210	KOUNS, GLENN O. & KOUNS, BETTINA B.	11681 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 21, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
22	08-45-25-01-0000A.0220	GUILD, CRAIG L. & GUILD, DEBRA J.	11687 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 22, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
23	08-45-25-01-0000A.0230	BOYD, ROBERT G. & CONNIE BOYD	11693 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 23, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
24	08-45-25-01-0000A.0240	SORBELLO, BRIAN A.	11699 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 24, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
25	08-45-25-01-0000A.0250	CRANDALL, JAMES J., JR. & CRANDALL, BONNIE A.	11705 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 25, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
26	08-45-25-01-0000A.0260	NAVARRETE, JACQUELINE D.	11711 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 26, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
27	08-45-25-01-0000A.0270	HOLDGRAFER, JAMES F. & TOMASELLI, LORI ANNE	11717 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 27, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.

28	08-45-25-01-0000A.0280	PIPKIN, JOSEPH W. PIPKIN, SANDRA L.	11723 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 28, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
29	08-45-25-01-0000A.0290	MEDEIROS, MARK & MEDEIROS, BRENDA J.	11729 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 29, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
30	08-45-25-01-0000A.0300	HADLOCK, ASHLEY N. & ELLISON, DREW A.	11735 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 30, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
31	08-45-25-01-0000A.0310	STEENHOEK, DARREN CORIE & STEENHOEK, JAMELYN EILEEN	11536 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 31, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
32	08-45-25-01-0000A.0320	HOLMES, RONALD E. & HOLMES, RAMONA	11530 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 32, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida.
33	08-45-25-01-0000A.0330	ANDERSON, STEVEN C. & ANDERSON, KAREN M.	11524 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 33, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida
34	08-45-25-01-0000A.0340	DIGREGORIO, SCOTT	11518 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 34, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida

35	08-45-25-01-0000A.0350	WARE, JOSHUA W. & WARE, JAMIE B.	11512 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 35, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida
36	08-45-25-01-0000A.0360	BETTS, RAYFORD A. & BETTS, CALDONIA	11506 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 36, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida
37	08-45-25-01-0000A.0370	WARD, STEPHEN G. & WARD, KAREN JAMES	11500 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 37, BLOCK A, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Page 51, Public Records of Lee County, Florida

THE TIMBERS SUBDIVISION

Block B

Affected Parcel Owners

Lot No.	Lee County STRAP ID	Owner	Street Address	Legal Description
1	08-45-25-01-0000B.0010	EDWARDS, RUTH E	11556 TIMBERLINE CIR, FORT MYERS FL 33966	LOT 1, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
2	08-45-25-01-0000B.0020	CIOFFI, CHRISTOPHER J.	11562 TIMBERLINE CIR., FORT MYERS FL 33966	LOT 2, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
3	08-45-25-01-0000B.0030	KUHN, JACK RICHARD & KUHN, VANDERLUCIA DIAS	11568 TIMBERLINE CIR., FORT MYERS,	LOT 3, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41,

			FL 33966	Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
4	08-45-25-01-0000B.0040	JACKSON, THOMAS A. & JACKSON, DEBRESS D.	11574 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 4, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
5	08-45-25-01-0000B.0050	HAGEN, GREGORY S. & HAGEN, DEBORAH G.	11580 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 5, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
6	08-45-25-01-0000B.0060	TIMBERLINE FAMILY TRUST	11586 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 6, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
7	08-45-25-01-0000B.0070	MAMMEN, BOBBY & KURIAKOSE, BINCY	11592 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 7, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
8	08-45-25-01-0000B.0080	THOMPSON, GAY REBEL TRUSTEE FOR GAY REBEL THOMPSON REVOCABLE TRUST	11604 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 8, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
9	08-45-25-01-0000B.0090	DZIBINSKI, STEVEN J. & DZIBINSKI, SUSAN M.	11626 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 9, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
10	08-45-25-01-0000B.0100	MILLER, KERI L.	11638 TIMBERLINE CIR.,	LOT 10, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41,

			FORT MYERS, FL 33966	Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
11	08-45-25-01-0000B.0110	GOOSIC, MARK D.	11650 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 11, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
12	08-45-25-01-0000B.0120	FULTON, BARBARA A.	11658 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 12, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
13	08-45-25-01-0000B.0130	HOOP, GEORGE A. & HOOP, MELISA D.	11664 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 13, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
14	08-45-25-01-0000B.0140	CLARK, MICHAEL & ZIEMBA, CYNTHIA TRUSTEES OF CLARK/ZIEMBA LIVING TRUST	11670 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 14, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
15	08-45-25-01-0000B.0150	SHOTWELL, SCOTT K. & SHOTWELL, KIMBERLY K.	11676 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 15, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
16	08-45-25-01-0000B.0160	SMILE, TIMOTHY F. & SMILE, MAUREEN P.	11682 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 16, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
17	08-45-25-01-0000B.0170	DOMINIK, CARL J.	11688 TIMBERLINE CIR., FORT MYERS,	LOT 17, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41,

			FL 33966	Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
18	08-45-25-01-0000B.0180	<i>Exempt from disclosure pursuant to Chapter 119, Florida Statutes.</i>	11694 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 18, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
19	08-45-25-01-0000B.0190	MARTIN, STEVEN & AGGRIPPINO, JEANNE	11716 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 19, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
20	08-45-25-01-0000B.0200	NEAL, JOSEPH E. & NEAL, LISA	11724 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 20, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
21	08-45-25-01-0000B.0210	STEELE, JEFF S. & STEELE, LISA J.	11730 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 21, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
22	08-45-25-01-0000B.0220	SNYDERMAN, ROBERT D. & SNYDERMAN, LAURY G.	11736 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 22, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.
23	08-45-25-01-0000B.0230	ERP, ROBERT E. & ERP, NANCIL.	11742 TIMBERLINE CIR., FORT MYERS, FL 33966	LOT 23, BLOCK B, THE TIMBERS SUBDIVISION, as recorded in the Office of the Clerk of the Circuit Court in and for Lee County, Florida in Plat Book 41, Pages 51 through 53, inclusive, Public Records of Lee County, Florida.

Exhibit "E"

AVALON ENGINEERING INC.
4518-3 DEL PRADO BLVD.
CAPE CORAL, FLORIDA.

THE TIMBERS SUBDIVISION

SITUATED IN
SECTION 8, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

PLAT BOOK 41 PAGE 51

VAC2005-00017 the south 4.67-foot portion of the 20 foot drainage and public utility easement on Lot 21, Block B, The Timbers Subdivision Plat Book 41/51-53 Approved 11/22/05 Resolution No. 05-11-74, CCMB/Page 2005R/822

LEGAL DESCRIPTION

THE FOLLOWING PORTION OF SECTION 8, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA:

THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, LESS THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND

THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER LESS THE FOLLOWING DESCRIBED PORTION THEREOF: FROM THE NORTHEAST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8 RUN S 0° 21' 43" E ALONG THE EAST LINE OF SAID FRACTION OF A SECTION, 559.29' TO A CONCRETE MONUMENT SET AT THE INTERSECTION OF THE NORTHERLY MAINTAINED R.O.W. LINE OF PENZANCE BOULEVARD AND THE P.O.B.,

THENCE CONTINUE S 0° 21' 43" E, 100.41' TO THE SOUTH LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE S 89° 45' 54" W ALONG SAID SOUTH LINE 328.33' TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE N 1° 16' 48" W, ALONG THE WEST LINE OF SAID FRACTION OF A SECTION, 123.50' TO A CONCRETE MONUMENT SET AT THE INTERSECTION OF THE NORTHERLY MAINTAINED R.O.W. LINE OF PENZANCE BOULEVARD; THENCE S 87° 12' 40" E, ALONG SAID NORTHERLY R.O.W. LINE, 329.01' TO THE P.O.B.

NOTICE:

"LANDS DESCRIBED IN THIS PLAT ARE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE, AND SEWAGE FACILITIES BEING SPECIFICALLY APPROVED OR ACCEPTED BY LEE COUNTY. ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED THAT HE MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OF OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE AND SEWAGE FACILITIES WITHIN THE SUBDIVISION."

NOTICE:

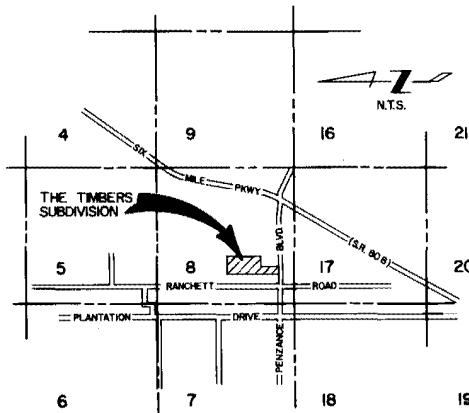
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY

2530915

CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF "THE TIMBERS" HAS BEEN EXAMINED BY ME AND FROM MY EXAMINATION I FIND THAT SAID PLAT COMPLIES WITH THE REQUIREMENTS OF CHAPTER 177, LAWS OF FLORIDA. I FURTHER CERTIFY THAT SAID PLAT WAS FILED FOR RECORDING ON THIS 19th DAY OF October, 1988 A.D., AND DULY RECORDED IN PLAT BOOK 41 AT PAGES 51 TO 53 PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Charlie Green



LOCATION MAP
N.T.S.

SURVEYOR'S NOTES

BASIS OF BEARINGS: NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 45 SOUTH, RANGE 25 EAST BEING N 88° 41' 50" E

- ⊙ (PRM) DENOTES PERMANENT REFERENCE MARK
- (PCP) DENOTES PERMANENT CONTROL POINT
- (R) DENOTES RADIAL LINE

PRM'S ARE DESIGNATED ALONG BOUNDARIES, AS SHOWN
PCP'S ARE DESIGNATED ALONG STREET CENTERLINES, AS SHOWN

EASEMENT DEDICATION

THE OWNER OF THIS PLAT DOES HEREBY DEDICATE DRAINAGE AND PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT AND AS FOLLOWS:

- (1) A TEN (10) FOOT PUBLIC UTILITY EASEMENT ALONG THE FRONT AND REAR PROPERTY LINES OF EACH LOT OR TRACT.
- (2) A TWELVE (12) FOOT PUBLIC UTILITY EASEMENT ALONG EACH SIDE LOT, OR TRACT LINE, WITH SIX (6) FEET EACH SIDE OF LINE.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF "THE TIMBERS" IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS ACCORDING TO A RECENT SURVEY MADE AND PLATTED UNDER MY DIRECTION AND SUPERVISION AND THAT THE SURVEY DATA COMPLIES WITH ALL OF THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES. I ALSO CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS HAVE BEEN SET AS SHOWN ON THE PLAT.

Ronald R. Stevanot
DONALD R. STEVANOT

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT KING SYMONDS REALTY, INC., OWNER OF THE HEREIN DESCRIBED LANDS HAS CAUSED THIS PLAT OF "THE TIMBERS" TO BE MADE AND DOES HEREBY DEDICATE ALL ROADWAYS, DRAINAGE EASEMENTS, AND TRACTS D, E, F, G TO THE LOT OWNERS & PUBLIC UTILITY EASEMENTS TO THE PUBLIC, BEING DEDICATED SOLELY FOR THE USES AND PURPOSES INDICATED.

IN WITNESS WHEREOF, THE OWNER ABOVE HAS CAUSED THIS DEDICATION TO BE MADE AND SIGN THIS 19th DAY OF Sept, 1988 A.D.

WITNESSES: KING SYMONDS REALTY, INC.
Sandra S. Curtis BY: *C. M. Symonds, Jr.*
Kevin B. Jones C. M. SYMONDS, JR., PRESIDENT

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED C.M. SYMONDS, JR WHO AFTER BEING BY ME DULY CAUTIONED AND SWORN, DEPOSES AND SAYS THAT HE EXECUTED THE FOREGOING DEDICATION AND FURTHER ACKNOWLEDGES THAT THE EXECUTED SAME FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND OFFICIAL SEAL THIS 13th DAY OF September, 1988 A.D.

MY COMMISSION EXPIRES:
Aug. 13, 1989

Annis J. Fisher
NOTARY PUBLIC

MORTGAGEE CONSENT

KNOW ALL MEN BY THESE PRESENTS THAT BARNETT BANK OF LEE COUNTY, N.A. I HOLDER OF CERTAIN MORTGAGES, RECORDED IN OFFICIAL RECORD BOOK 1865, PAGE 0987, IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA ON PARTS OF THE HEREIN DESCRIBED LAND, DOES HEREBY JOIN IN THE PLAT DEDICATION APPEARING HEREON THIS 19th DAY OF September, 1988 A.D.

WITNESSES: BARNETT BANK OF LEE COUNTY
Jugan M. Craig *David T. Fryzel*
Charles J. Stolt DAVID T. FRYZEL
SENIOR VICE PRESIDENT

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF LEE

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED DAVID T. FRYZEL, SENIOR VICE PRESIDENT, TO ME KNOWN TO BE THE PERSON WHO SIGNED THE FOREGOING EXECUTION AND HE ACKNOWLEDGES THEREOF TO BE HIS OWN FREE ACT AND DEED FOR THE USE AND PURPOSE THEREIN MENTIONED.

WITNESS MY HAND AND OFFICIAL SEAL THIS 14th DAY OF Sept, 1988 A.D.

MY COMMISSION EXPIRES:
Notary Public, State of Florida
My Commission Expires Oct. 8, 1990

Jugan M. Craig
NOTARY PUBLIC

APPROVALS

THIS PLAT ACCEPTED THIS 5th DAY OF October, 1988 A.D. IN OPEN MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA.

Bill Fussell *Charlie Green*
BOARD CHAIRMAN CLERK OF COURTS
James H. Hester *Ronald K. Brown*

INSTR. # 2022000354967 Page Number: 40 of 44

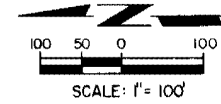
AVALON ENGINEERING INC.
4518-3 DEL PRADO BLVD.
CAPE CORAL, FLORIDA.

PLAT BOOK 41 PAGE 52

VAC2005-00017 the south 4.67-foot portion of the 20-foot drainage and public utility easement on Lot 21, Block B, The Timbers Subdivision Plat Book 41 Pages 51-53 Approved 11/22/05 Resolution No. 05 11-74 CCMB/Page 2005R/822

THE TIMBERS SUBDIVISION

SITUATED IN
SECTION 8, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



TANGENT DATA TABLE

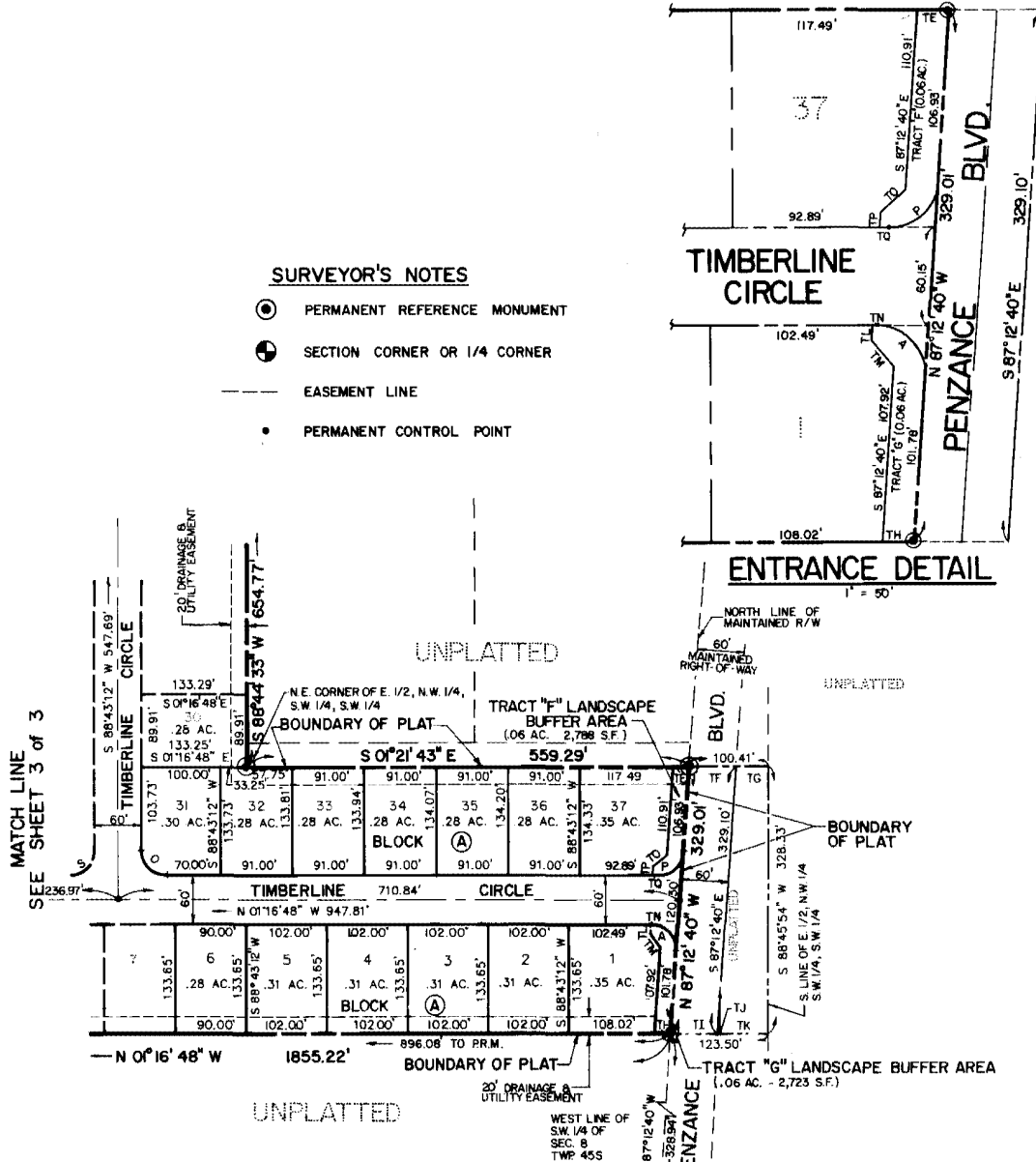
ID	BEARING	DIST.
TA	S 43° 43' 12" W	37.12
TB	S 46° 16' 46" E	37.12
TC	N 43° 43' 12" E	49.50
TD	S 19° 12' 17" W	76.76
TE	S 01° 21' 43" E	20.05
TF	S 01° 21' 43" E	60.16
TG	S 01° 21' 43" E	40.25
TH	N 01° 16' 48" W	20.05
TI	N 01° 16' 48" W	50.15
TJ	N 01° 16' 48" W	3.35
TK	N 01° 16' 48" W	60.00
TL	N 87° 12' 40" W	10.00
TM	S 47° 47' 20" W	21.21
TN	N 01° 16' 48" W	2.88
TO	S 42° 12' 40" E	21.21
TP	S 87° 12' 40" E	10.00
TQ	S 01° 16' 48" E	7.15

CURVE DATA TABLE

I.D.	RADIUS	DELTA	ARC L	TAN.
A	30.00'	94° 04' 06"	49.25'	32.21'
B	130.00'	45° 00' 00"	102.10'	53.84'
C	70.00'	45° 00' 00"	54.96'	28.99'
D	130.00'	64° 35' 36"	146.56'	82.17'
H	130.00'	25° 24' 23"	57.65'	29.11'
I	130.00'	14° 05' 12"	31.96'	16.02'
J	130.00'	33° 31' 54"	76.08'	39.90'
K	130.00'	42° 22' 54"	96.16'	50.20'
L	130.00'	33° 43' 11"	76.51'	39.04'
M	130.00'	33° 31' 54"	76.08'	38.90'
N	130.00'	22° 44' 55"	51.61'	25.79'
O	30.00'	90° 00' 00"	47.12'	30.00'
P	30.00'	85° 55' 52"	44.99'	27.94'
S	30.00'	90° 00' 00"	47.12'	30.00'
T	70.00'	45° 00' 00"	54.96'	28.99'
U	130.00'	29° 49' 49"	67.68'	34.22'
V	130.00'	15° 01' 11"	34.42'	17.23'
W	70.00'	90° 00' 00"	109.96'	70.00'
X	70.00'	73° 25' 27"	89.70'	52.04'
Y	70.00'	16° 34' 33"	20.25'	10.05'
Z	70.00'	90° 00' 00"	109.96'	70.00'
CA	100.00'	45° 00' 00"	78.54'	41.42'
CB	100.00'	45° 00' 00"	78.54'	41.42'
CC	100.00'	90° 00' 00"	157.08'	100.00'
CD	100.00'	90° 00' 00"	157.08'	100.00'
CE	100.00'	90° 00' 00"	157.08'	100.00'
LA	265.00'	09° 34' 46"	44.31'	21.66'
LB	265.00'	21° 45' 05"	100.60'	50.19'
LC	265.00'	13° 40' 09"	63.22'	31.13'
LD	265.00'	45° 00' 00"	208.13'	109.77'

SURVEYOR'S NOTES

- PERMANENT REFERENCE MONUMENT
- ⊕ SECTION CORNER OR 1/4 CORNER
- EASEMENT LINE
- PERMANENT CONTROL POINT



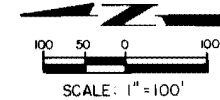
DRAWN BY W. GLASGOW
CHECKED BY B. EDWARDS
APPROVED BY L. HILDRETH
PROJECT NO. 8641
DATE

AVALON ENGINEERING INC.
4518-3 DEL PRADO BLVD.
CAPE CORAL, FLORIDA.

THE TIMBERS SUBDIVISION

SITUATED IN
SECTION 8, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

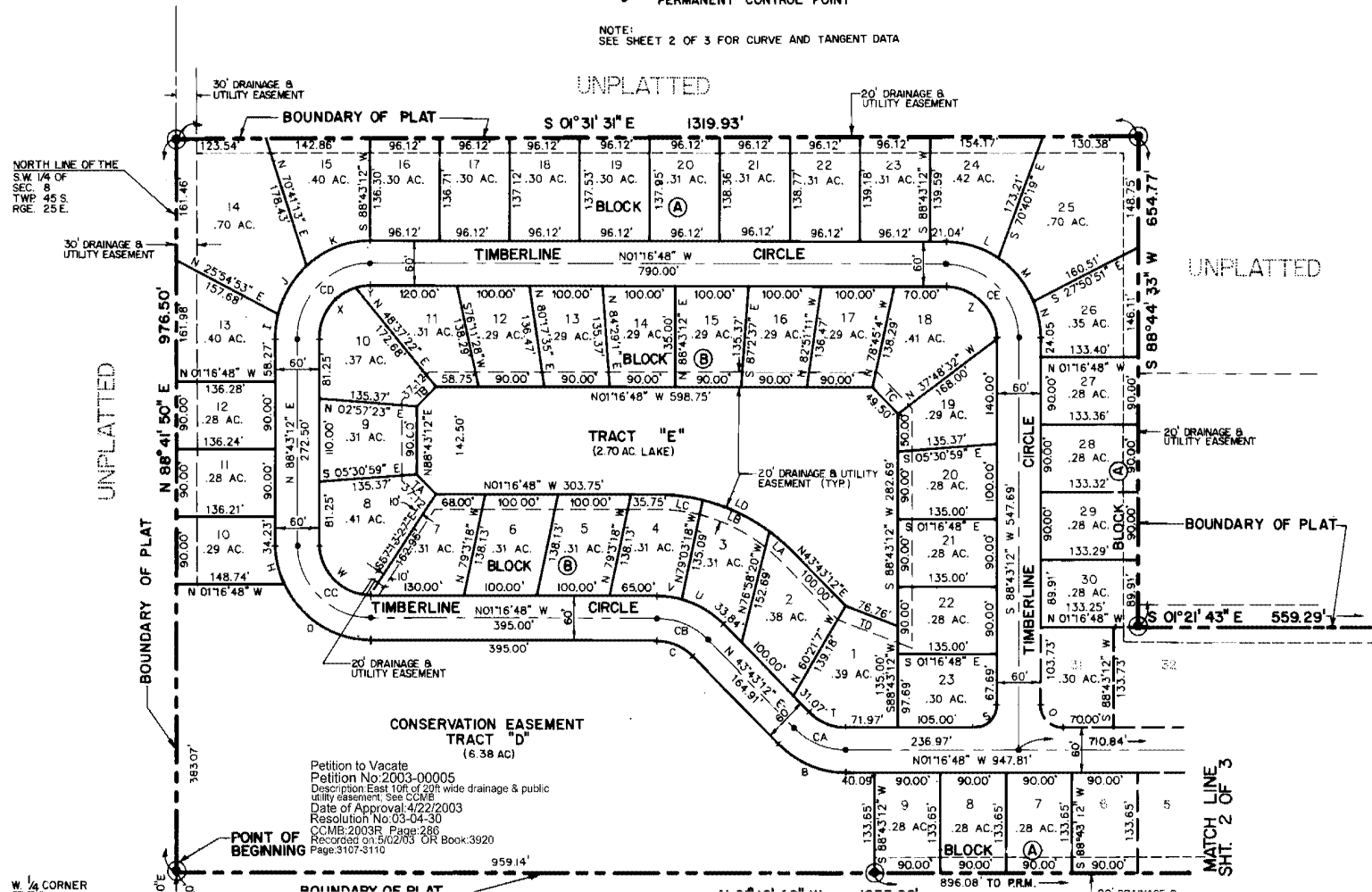
VAC2005-00017 the south 4.67-foot portion of the 20 foot drainage & public utility easement on Lot 21, Block B, The Timbers Subdivision Plat Book 41 Pages 51-53 Approved 11/22/05 Resolution No. 05 11-74 CCMB/Page 2005R/822



SURVEYOR'S NOTES

- ⊙ PERMANENT REFERENCE MONUMENT
- ⊕ SECTION OR 1/4 CORNER
- EASEMENT LINE
- PERMANENT CONTROL POINT

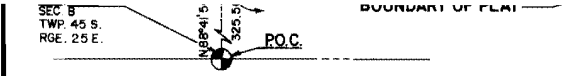
NOTE:
SEE SHEET 2 OF 3 FOR CURVE AND TANGENT DATA



DRAWN BY W. GLASSOW
CHECKED BY B. EDWARDS
APPROVED BY L. HILDRETH
PROJECT NO. 8641

Petition to Vacate
Petition No: 2003-00005
Description: East 10ft of 20ft wide drainage & public utility easement. See CMB.
Date of Approval: 4/22/2003
Resolution No: 03-04-30
CCMB: 2003R Page 288
Recorded on: 6/20/03 OR Book: 3920
Page: 3107-3110

INSTR. # 2022000354967 Page Number: 42 of 44



N 01° 16' 48" W 1855.22' →

20' DRAINAGE &
UTILITY EASEMENT

UNPLATTED

SHEET 3 OF 3

Ron DeSantis
GOVERNOR



Dane Eagle
SECRETARY

November 15, 2022

Colby L. Keefe, Esq.
Henderson Franklin Starnes & Holt, P.A.
1715 Monroe Street
Post Office Box 280
Fort Myers, Florida 33902-0280

**Re: The Timbers Property Owners' Association, Inc., Approval;
Determination Number: 22213**

Dear Ms. Keefe:

The Department of Economic Opportunity (Department) has completed its review of the Proposed Revived Declaration of Covenants and Restrictions (Declaration of Covenants) and other governing documents for The Timbers Property Owners' Association, Inc. (Association), and has determined that the documents comply with the requirements of Chapter 720, Part III, Florida Statutes. Therefore, the proposed revitalization of the Association's Declaration of Covenants is approved.

The Association is required to comply with the requirements in sections 720.407(1) - (3), Florida Statutes, including recording the documents identified in section 720.407(3), Florida Statutes, in the county's public records. The revitalized declaration and other governing documents will be effective upon recording. Immediately upon recording the documents in the public records, the Association is required to mail or hand deliver a complete copy of all approved recorded documents to the owner of each affected parcel as provided in section 720.407(4), Florida Statutes.

If you have any questions concerning this matter, please contact the Department of Economic Opportunity, Office of the General Counsel, at (850) 245-7150.

Sincerely,

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/bp/rm

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | www.Twitter.com/FLDEO | www.Facebook.com/FLDEO

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