

## **Report on MRTA....Village of Lake Tarpon ..Bob duBois**

The Marketable Record Title Act passed decades ago made it necessary for homeowners' associations in Florida to renew their documents within the thirty years of their life. Under MRTA, if those documents are not renewed within the thirty years, their enforceability including the recorded covenants, conditions and restrictions found in the Declaration is lost.

In order to keep our documents current and enforceable the Village of Lake Tarpon Homeowners Association Board of Directors voted, in the spring of 2011, to 'renew' our documents as prescribed by Florida law. A three person committee consisting of Don Zachariasen, Ray Buchanan, and Bob duBois was formed by then HOA President June Sloan. This committee was charged with the responsibility of overseeing the MRTA process. The Law Firm of Jonathon Damonte was selected to prepare all required documents necessary to seek renewal of the documents.

The documents were arranged by Units. There are five units in the Village. The documents were distributed by unit to all owners. The owners in each Unit were asked to review the information and documents and then vote on the issue of renewal of the documents. By Florida Law each unit had to vote in favor of renewing the documents by 51% or more of all the houses in the unit.

We had 89 people responding in Unit One. There were 84 yes votes, 3 no votes and 2 non-votes. Unit One was approved by 70%.

Unit Two has 153 homes. We had 103 responses. There were 101 yes votes or 66% of the owners in favor, 1 no vote and 1 non-vote.

There are 6 homes in Unit 2-A. We had 5 of the 6 owners respond. All were yes votes constituting 83% of those voting saying yes to renewal.

We had 90 responses out of 124 homes in Unit 3. There were 88 yes votes or 71% voting for renewal and 2 no votes.

Unit 4 has 92 homes. There were 71 votes received. Of those, 75% voted for approval or 69 yes votes. There were 2 no votes.

Once the Units had a majority confirmation the documents were given to our attorney and they inturn submitted the paperwork to the State of Florida asking that our documents be renewed. Confirmation of the renewal was received during the summer. All owners were then sent a copy of the documents filed as approved. The documents were then recorded with the County of Pinellas.

We found that there were 14 homes that were not included in any plat map filed by the developer. Their homes should have been in Unit 4. Because they were not included in the maps filed with the county we had to ask each of the 14 owners if they wanted to be included in the Village of Lake Tarpon. All 14 homes owners have signed their documents and remain in The Village of Lake Tarpon. I want to thank these 14 owners for their understanding during this process.

The cost for the MRTA Renewal which included legal work, copy costs, postage, paper, folders and supplies, and AmeriTech support to date is 9,940.04.

I am very pleased that the majority of the owners in each Unit have found it important enough to renew the documents. This effort would not have been possible without many volunteers. I would like to thank the other two committee chairs, Don Zachariansen and Ray Buchanan. June Sloan also was a great help with the committee.

Those who volunteered to put packets together or distribute packets to residents, or prepared mailings are: Robert Wieneke, Bill & Ginny Prior, Bill & Ann Osborne, Judy Teusch, Connie Price, Kay Dunn, Ed Grabau, Paula Chamley, Jeannie Decker, Fred Fly, George McAllister, Terry Smardon, Bill & Mary Otto, Marilyn Atkinson, Emily Spitzner, Donna Dougherty, Jim & Barb Schmidt, Tometa Anderson, Dorothy Emling, Sue Anderson, June Sloan, John & Sharon Miller, Kathy duBois, Nancy Marshanke, and Tony Toscano, our property manager. Without their dedicated efforts we would not have been as successful with this effort.















