

**INSTR # 2006181354**

**O BK 16348 PG 0343**

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RECORDED 04/14/2006 08:56:59 AM  
PAT FRANK CLERK OF COURT  
HILLSBOROUGH COUNTY  
DEPUTY CLERK S Edson

This instrument prepared by and  
should be returned to:

Elizabeth A. Lanham-Patrie, Esq.  
TAYLOR & CARLS, P.A.  
850 S. Concourse Parkway  
Suite 105  
Maitland, Florida 32751  
(407) 660-1040

**NOTICE OF PRESERVATION OF DECLARATION OF RESTRICTIONS**

**THIS NOTICE** is being recorded pursuant to Section 712.06, Florida Statutes, in order to preserve the easements, restrictions, covenants, conditions and all other provisions of the following document (hereinafter referred to as "Declaration"), a copy of which is attached hereto as Exhibit "A":

DECLARATION OF RESTRICTIONS as recorded at O.R. Book  
3112, Page 1666 of the Public Records of Hillsborough County,  
Florida;

The property affected by this Notice is described as follows:

**Lots 1 through 10 inclusive, Block 1 and Lots 1 through 10 inclusive, Block 2, WOODBRIAR VILLAGE UNIT 1, according to map or plat thereof, as recorded in Plat Book 47, page 4 of the public records of Hillsborough County, Florida.**

The name and address of the homeowners' association filing this Notice on behalf of the parcel owners is Woodbriar Homeowners Association, Inc., a Florida not-for-profit corporation, c/o Barbara A. Perkins, President, 1004 Littlewood Court, Tampa, Florida 33613 (hereinafter "Association").

Attached hereto as Exhibit "B" is an affidavit executed by the President of the Association affirming that the meeting's date, time, place and the statement required by Section 712.06(1)(b), Florida Statutes, was mailed to the parcel owners at least seven (7) days prior to the Special Board of Directors Meeting where the Board of Directors approved the preservation of the Covenants and Restrictions.

By their signatures below, the President and Secretary of the Association hereby certify that preservation of the Covenants and Restrictions was duly approved by at least two-thirds (2/3) of the members of the Board of Directors at the Special Board of Directors Meeting held on April 13, 2006.

**EXECUTED** at Tampa, Hillsborough County, Florida, on this 13<sup>th</sup> day of April, 2006.

(CORPORATE SEAL)

WITNESSES:

*Renata Robinette*  
Print Name: Renata Robinette

*James M. Stevenson*  
Print Name: James M. Stevenson

*Renata Robinette*  
Print Name: Renata Robinette

*James M. Stevenson*  
Print Name: James M. Stevenson

**WOODBRIAR HOMEOWNERS  
ASSOCIATION, INC.**

By: *Barbara A. Perkins*  
Print Name: Barbara A. Perkins  
President

Address: 1004 Littlewood Court  
Tampa, FL 33613

Attest: *Ronald M. Meiczinga*  
Print Name: Ronald M. Meiczinga  
Secretary

Address: 15409 Woodway Dr.  
Tampa, FL 33613

STATE OF FLORIDA

COUNTY OF Hillsborough

THE FOREGOING INSTRUMENT was acknowledged before me this 13<sup>th</sup> day of April, 2006, by Barbara A. Perkins, and Ronald M. Meiczinga, as the President and Secretary, respectively, of WOODBRIAR HOMEOWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, who (check one) ☐ are personally known to me or ☐ produced (type of identification) as identification. They acknowledged executing this document in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid on this 13<sup>th</sup> day of April, 2006.

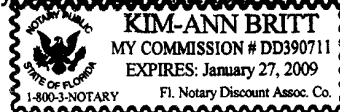
*Kim-Ann Britt*

Notary Public - State of Florida

Print Name: KIM-ANN BRITT

Commission No.: DD990711

My Commission Expires: 1/27/09



Wbr001 MRTA notice of preservation

DECLARATION OF RESTRICTIONS

REC 3112-1666

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, Criterion Corporation, a Delaware Corporation, is the owner of all right, title and interest both legal and equitable, in the following described property lying and being situated in the County of Hillsborough, State of Florida, to-wit:

Lots 1 through 10 inclusive, Block 1 And Lots 1 through 10 inclusive, Block 2, WOODBRIAR VILLAGE UNIT 1, according to map or plat thereof, as recorded in Plat Book 47, page 4 of the public records of Hillsborough County, Florida.

and that it is the desire of Criterion Corporation that, in order to protect the health and welfare of the public, to protect the property values and maintain the attractiveness of the community, the above described property and each and every lot, piece, part and parcel thereof be and they hereby are made subject to certain restrictions and limitations to-wit:

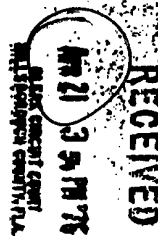
1. No lot shall be used except for residential purposes. No building or structure shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height and a private garage or carport consisting of a minimum 2-car garage or carport and not more than a 3-car garage or carport.

2. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently. No boat, or travel trailer shall be stored in front or side yard. No truck shall be parked in front or side yard. All trash to be stored behind the house.

3. The living area of the main structure, exclusive of one-story open porches and garage or carport shall be not less than 1,200 square feet for a one-story dwelling, not less than 1,300 square feet for a split-level dwelling, and not less than 1,300 square feet for a two-story dwelling. Each house shall have at least a 2-car garage or carport but not more than a 3-car garage or carport. Carports shall be constructed in accordance with paragraph 7 of these restrictions.

4. Builder will include a 4' concrete sidewalk in front of house in keeping with curvature of street.

Prepared by: Barry Eikin  
1501 S. Church St.  
Tampa, FL 33609



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Bumberg No. 5208

EXHIBIT

A

5. No dwelling shall be constructed on the plot having an area of less than 8,000 square feet, and such plot shall be not less than 80 feet in width at the front building set-back line. No dwelling shall be erected nearer than 25 feet to the front lot line, nor farther than 50 feet from the front lot line. No dwelling shall be erected nearer than 7 1/2 feet to an interior lot line, except if the garage is not made a part of the dwelling, one side yard shall not be less than 10 feet to permit access to a detached garage. No building situated on a corner lot shall be erected closer than 10 feet to any street.

6. No garage or structure other than contractor tool houses shall be erected on any lot prior to the construction of a dwelling. If a garage or carport is built either simultaneously with or subsequent to the construction of a dwelling, the garage or carport shall be of the same kind of material as the construction of the dwelling; the garage or carport shall be substantial and shall conform architecturally with the dwelling.

7. No carport shall be built on a corner lot. No carport shall be built on an interior lot unless the side of the carport facing the street is constructed as part of the house with entry only from the side or rear. Visual protection shall be afforded the adjoining neighbor by construction of either a five (5) foot high wall or fence, or landscaping of equal height, which shall be maintained, repaired, or replaced if damaged.

8. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

9. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purposes.

10. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of no more than 4 square feet advertising the property for sale or rent or signs used by the developer of a builder to advertise the property during the construction and sales period.

3112-1688

11. No lot shall be used or maintained as a dumping ground for rubbish. No trash, garbage or other waste shall be kept except in sanitary containers, except one (1) lot may be used for temporary storage by builder during construction. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

12. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines or in the case of a rounded property corner from the intersection of the street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

13. No fence or wall shall be erected over 6' in height and no fence shall be placed or altered on any lot nearer to the street to which it fronts than the front minimum building set-back line.

14. Each lot, whether occupied or unoccupied, shall be maintained reasonably clean and free from refuse, debris, unsightly growth and fire hazard.

15. Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Within these easements, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction or flow of water through drainage channels in the easements.

16. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which a public authority or utility company is responsible.

17. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of thirty years from the date these covenants are recorded, after which time said covenants

112.  
shall be automatically extended for successive periods of 10 years  
unless an instrument signed by a majority of the then owners of the lots  
has been recorded, agreeing to change said covenants in whole or in part.

18. Enforcement shall be by proceedings at law or in equity  
against any person or persons violating or attempting to violate any  
covenants either to restrain violation or to recover damages.

19. Invalidation of any of one of these covenants by judgments  
or court order shall in no wise affect any of the other provisions which  
shall remain in full force and effect.

IN WITNESS WHEREOF we have herunto set our hands and seals this  
13<sup>th</sup> day of April A.D. 1976.

CRITERION CORPORATION,  
a Delaware Corporation

By Thomas M. Murphy  
Vice President

Attest [Signature]  
Secretary

[Signature]  
Comanda Best

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I HEREBY CERTIFY that on this day, before me, an officer duly  
authorized in the State and County aforesaid to take acknowledgments,  
personally appeared Thomas M. Murphy and Benny M. Elden  
well known to me to be the Vice President and Secretary  
respectively of the Criterion Corporation and that they severally acknowledged  
executing the foregoing Restrictions in the presence of two subscribing  
witnesses freely and voluntarily under authority duly vested in them by said  
corporation and that the seal affixed thereto is the true corporate seal of said  
corporation

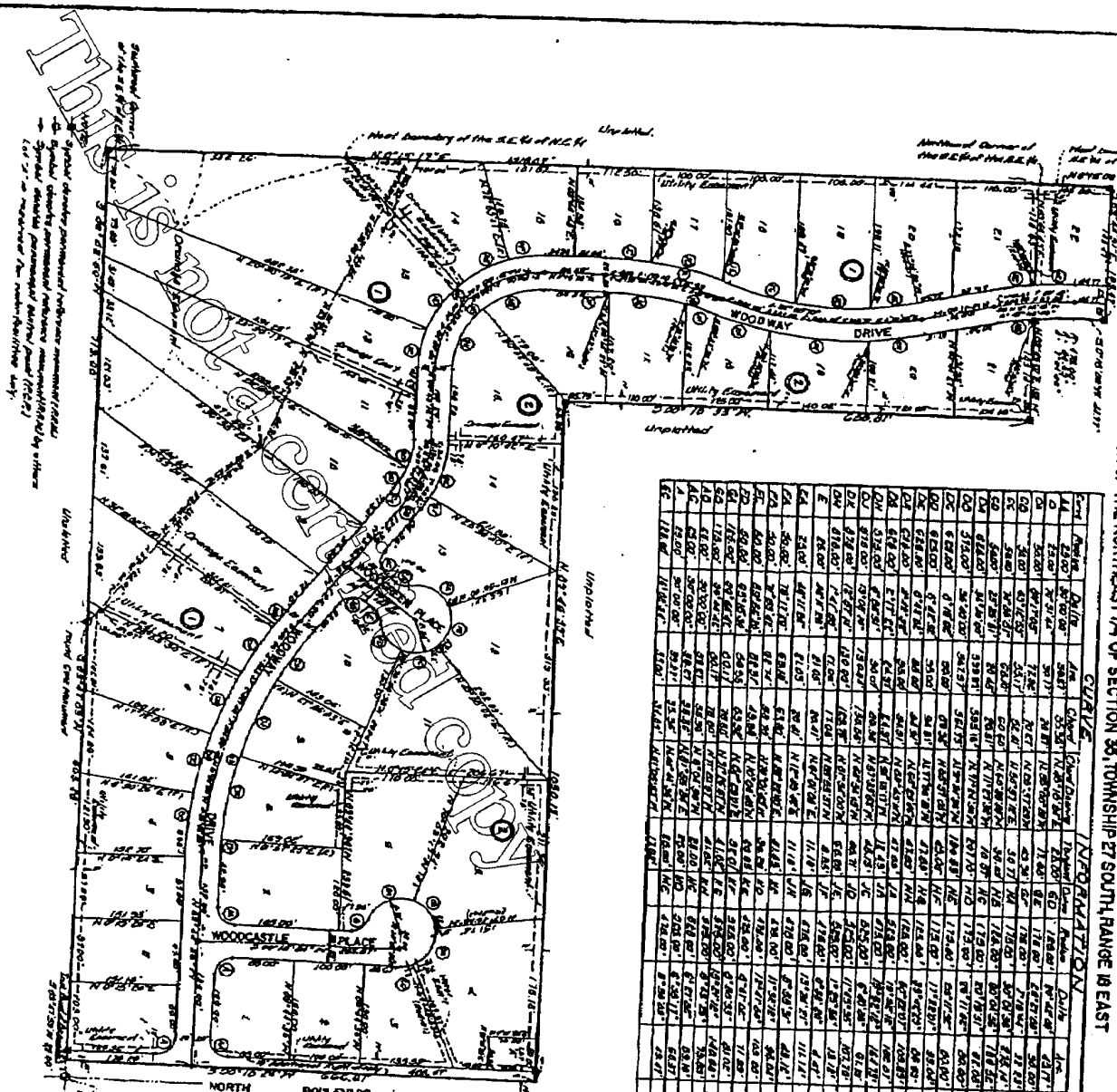
WITNESS my hand and official seal in the County and State aforesaid  
this 13<sup>th</sup> day of April A.D. 1976

[Signature]  
NOTARY PUBLIC

My commission expires:

Notary Public, State of Florida (1) Large  
My Commission Expires: June 1, 1978

A PORTION OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 27 SOUTH, RANGE 18 EAST

[illegible][illegible]

احسن بن محمد

**SHEET 2 OF 2 SHEETS**

**AFFIDAVIT OF BARBARA A. PERKINS**

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

BEFORE ME, the undersigned authority personally appeared **BARBARA A. PERKINS** who, after first being duly sworn, deposes and says:

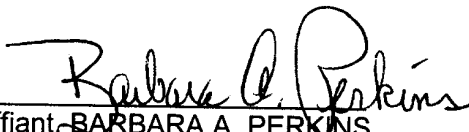
I am the President of the Woodbriar Homeowners Association, Inc. (the "Association"), and I have personal knowledge of the matters contained herein and know them to be true and correct.

2. That a Special Board of Directors Meeting was scheduled for April 13, 2006, at 8:00 p.m. That the Board of Directors of the Association caused a notice setting forth the date, time, place and the following statement to be mailed to the parcel owners not less than seven (7) days prior to the Special Board of Directors Meeting at which the Board of Directors voted to preserve the covenants and restrictions burdening the property of the parcel owners pursuant to Chapter 712, Florida Statutes.

**STATEMENT OF MARKETABLE TITLE ACTION**

Woodbriar Homeowners Association, Inc. (the "Association") has taken action to ensure that the Declaration of Restrictions, recorded in Official Records Book 3112, Page 1666, of the public records of Hillsborough County, Florida, as may be amended from time to time, currently burdening the property of each and every parcel owner, retains its status as the source of marketable title with regard to the transfer of a parcel owner's residence. To this end, the Association shall cause the notice required by Chapter 712, Florida Statutes, to be recorded in the Public Records of Hillsborough County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association.

FURTHER AFFIANT SAYETH NAUGHT.

  
Affiant **BARBARA A. PERKINS**





Sworn and subscribed before me  
this 13<sup>th</sup> day of April, 2006.

Bill

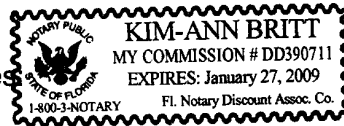
KIM-ANN BRITT

(Print Name)

Notary Public at Large

My Commission Expires

Commission No.:



Personally Known ☒ or Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

Wbr001 MRTA Affidavit

*Not a certified copy*