

Prepared by and returned to:

Becker & Poliakoff, P.A.  
Yeline Goin, Esquire  
12140 Carissa Commerce Court, Suite 200  
Fort Myers, FL 33966

**CERTIFICATE OF RECORDATION**

**BOARD RESOLUTION INCREASING ESTOPPEL CERTIFICATE FEE  
AND  
BOARD RESOLUTION INCREASING TRANSFER ASSESSMENT/CHARGE**

**ROTONDA WEST ASSOCIATION, INC.**

WHEREAS, Rotonda West Association, Inc., a Florida corporation not for profit (“Association”) is the entity charged with administering, operating, and managing Rotonda West (“Community”); and

WHEREAS, the original Declaration of Restrictions for Rotonda West is recorded in O.R. Book 767, Page 721 *et seq.*, of the Public Records of Charlotte County, Florida, and has been amended from time to time. The current, operative covenants and restrictions for Rotonda West is the Amended Restatement of Restrictions for Rotonda West, recorded in O.R. Book 4659, Page 1394 *et seq.*, of the Public Records of Charlotte County, Florida; and

WHEREAS, the Board of Directors of the Association adopted the **attached** Resolutions on December 7, 2023; and

WHEREAS, the Association wishes to provide record notice of the above action by recording this Notice.

NOW, THEREFORE, Notice is placed as follows:

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1. The Board Resolution Increasing Estoppel Certificate Fee approved by the Board of Directors on December 7, 2023 **attached** hereto are further record notice of the Association's action.
2. The Board Resolution Increasing Transfer Assessment/Charge approved by the Board of Directors on December 7, 2023 **attached** hereto are further record notice of the Association's action.

WITNESSES (TWO):

ROTONDA WEST ASSOCIATION, INC.

Jenny Bulle  
 Signature  
Jenny Bulle  
 Printed Name

Derrick Hedges  
 Signature  
Derrick Hedges  
 Printed Name

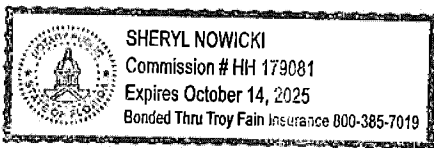
BY: Andrew VanScyoc  
 Andrew VanScyoc, President

Date: 2/2/24

(CORPORATE SEAL)

STATE OF Florida  
 ) SS:  
 COUNTY OF Charlotte

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 2nd day of February 2024, by Andrew VanScyoc as President of Rotonda West Association, Inc., a Florida Corporation, on behalf of the corporation. He  is personally known to me or  has produced (type of identification) as identification.



Sheryl Nowicki  
 Notary Public

Sheryl Nowicki  
 Printed Name

My commission expires: 10/14/25

**ROTONDA WEST ASSOCIATION, INC.**

**BOARD RESOLUTION INCREASING ESTOPPEL CERTIFICATE FEE**

WHEREAS, Section 720.30851, Florida Statutes (hereinafter the "Statute") authorizes the Rotonda West Association, Inc. (the "Association") to charge a fee for the preparation of an estoppel certificate, provided that the fee is established by written resolution adopted by the Board or provided by a written management, bookkeeping, or maintenance contract; and

WHEREAS, the Board of Directors adopted a Resolution Establishing Estoppel Certificate Fee (the "2013 Resolution") on August 2, 2013 in compliance with the Statute and set the Estoppel Certificate Fee at Fifty Dollars and No Cents (\$50.00) per Lot/Tract; and

WHEREAS, the Board of Directors adopted a Resolution Increasing Estoppel Certificate Fee (the "2014 Resolution") to Seventy Five Dollars and No Cents (\$75.00) per Lot/Tract on June 18, 2014; and

WHEREAS, the Board of Directors adopted a Resolution Increasing Estoppel Certificate Fee (the "2015 Resolution") to One Hundred Dollars and No Cents (\$100.00) per Lot/Tract on July 15, 2015; and

WHEREAS, the Board of Directors adopted a Resolution Increasing the Estoppel Certificate Fee (the "2017 Resolution") to Two-Hundred and Fifty Dollars and No Cents (\$250.00) on September 28, 2017; and

WHEREAS, the Board of Directors wishes to increase the Estoppel Certificate such that the Estoppel Certificate Fee is now Two Hundred and Ninety-Nine Dollars and No Cents (\$299.00) per Lot/Tract; and

WHEREAS, the Board of Directors further wishes to continue to impose an additional fee of One Hundred Dollars and No Cents (\$100.00) per Lot/Tract to be charged if the Lot/Tract Owner is delinquent with respect to moneys owed to the Association at the time that the estoppel certificate is requested; and

WHEREAS, the Board of Directors further wishes to continue to impose an additional fee of One Hundred Dollars and No Cents (\$100.00) per Lot/Tract to be charged if a request is made to expedite delivery of the estoppel certificate such that the certificate is to be delivered less than three (3) days after the request is made, provided that the estoppel certificate is delivered no later than the date requested.

NOW THEREFORE, it is resolved as follows:

1. The above recitations are true and correct and are incorporated into this Resolution.
2. The amount of the Estoppel Certificate Fee to be charged by the Association shall be increased to Two Hundred Ninety-Nine Dollars and No Cents (\$299.00) per Lot/Tract. In addition to the Estoppel Certificate Fee, the Association may charge an additional fee of:

a. One Hundred Dollars and No Cents (\$100.00) per Lot/Tract if the Lot/Tract Owner is delinquent with respect to moneys owed to the Association at the time that the estoppel certificate is requested and

b. One Hundred Dollars and No Cents (\$100.00) per Lot/Tract to be charged if a request is made to expedite delivery of the estoppel certificate such that the certificate is to be delivered less than three (3) days after the request is made, provided that the estoppel certificate is delivered no later than the date requested.

3. The Estoppel Certificate attached hereto as **Exhibit "A"** has been revised accordingly.

4. All other provisions of the previously adopted Resolution shall remain in full force and effect.

This Resolution was adopted by the Board of Directors on the 7<sup>th</sup> day of December 2023. There are seven (7) total Board members. The number of Board members who voted in favor of this Resolution is 6. The number of Board members who voted against this Resolution is 0. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

ROTONDA WEST ASSOCIATION, INC.

By: 

Andrew VanScyoc, President

Date: 12-7-2023

(CORPORATE SEAL)

**EXHIBIT "A"**

**ROTONDA WEST ASSOCIATION, INC.**

**Estoppel Certificate**

1. Date of issuance: \_\_\_\_\_, 20\_\_
2. Name(s) of Owner as reflected in the books and records of the Association:  
\_\_\_\_\_
3. Parcel Address: \_\_\_\_\_  
Segment: \_\_\_\_\_ Lot Number: \_\_\_\_\_
4. Is Account in collection with Attorney?  Yes or  No  
Attorney Name: \_\_\_\_\_  
Attorney Contact Information: \_\_\_\_\_  
Payoff information may be requested at: \_\_\_\_\_
5. **Estoppel Certificate Fees:** \$299.00 per Lot/Tract, plus an additional \$100.00 per Lot/Tract if the Lot/Tract Owner is delinquent with respect to moneys owed to the Association at the time that the estoppel certificate is requested and an additional \$100.00 per Lot/Tract if a request is made to expedite delivery of the estoppel certificate such that the certificate is to be delivered less than three (3) days after the request is made. The Estoppel Certificate Fee, payable to **Rotonda West Association, Inc., 3754 Cape Haze Drive, Rotonda West, Florida 33947**, must be paid within thirty (30) days of the date of closing for which the written estoppel certificate request was submitted. In the event that the Estoppel Certificate Fee is not timely paid, the amount due shall be treated as a delinquent assessment and subject to all remedies for the collection of delinquent assessments set forth in Chapter 720, Florida Statutes and the Association's Governing Documents, including but not limited to the assessment of late fees, interest, and lien and foreclosure rights.
6. Name of requestor: \_\_\_\_\_
7. **Assessment information and other information:**
  - a. Annual Association Assessments are payable in one installment due on January 1 of each year
  - b. Annual Assessment For Current Year: \_\_\_\_\_
  - c. The Annual Assessment is paid through: \_\_\_\_\_, 20\_\_
  - d. The next installment of the Annual Assessment is due \_\_\_\_\_, 20\_\_ in the amount of \$ \_\_\_\_\_
  - e. An itemized list of all assessments, special assessments and other moneys owed on the date of issuance to the Association by the Owner for a specific Lot/Tract is *(two boxes may be checked if applicable)*:

- Attached hereto
- Available from the collection attorney referenced above
- None

f. An itemized list of any additional assessments, special assessments and other moneys that are scheduled to become due for each day after the date of issuance for the effective period of the Estoppel Certificate is *(two boxes may be checked if applicable)*:

- Attached hereto
- Available from the collection attorney referenced above
- None

**Other Information**

8. Is there a Capital Contribution Fee?  Yes or  No

Is there a Resale Fee?  Yes or  No

Is there a Transfer Fee?  Yes or  No Amount: \$299.00

9. Is there any open violation of the Governing Documents, including the Amended Restatement of Restrictions and Rules and Regulations, for which notice has been given to the Owner and where such notice is reflected in the Association official records?  Yes or  No

10. Do any of the Governing Documents, including the Amended Restatement of Restrictions and Rules or Regulations of the Association applicable to the property require approval by the Board of Directors of the Association for the transfer of the Lot/Tract?  Yes or  No

If yes, has the Board approved the transfer of the property?  Yes  No  Pending

11. Is there a right of first refusal provided to the members or the Association?  Yes or  No

If yes, have the members or the Association exercised that right of first refusal?  Yes or  No

12. Is there more than one Association to which the Owner of this property is a member?  Yes or  No

13. Names, addresses and phone numbers for all insurance maintained by the Association:

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(NOTE: The above information is the contact information for the Association's insurance agent. Copies of insurance policies are on file with the Association and are available for inspection and copying as provided by law.)

14. Is there any other type of fee?  Yes or  No

(LIST ALL OTHER FEES OR MONEYS THAT ARE DUE FROM THE OWNER(S) AND/OR LOT/TRACT AND/OR WHICH ARE CHARGED IN CONNECTION WITH LOT/TRACT TRANSFERS)

|    | Type of Fee | Amount | When Due/Payable |
|----|-------------|--------|------------------|
| 1. |             |        |                  |
| 2. |             |        |                  |
| 3. |             |        |                  |

**THE ABOVE INFORMATION IS TRUE AND CORRECT. EXCEPT AS SPECIFICALLY PROVIDED BY LAW TO THE CONTRARY, THE ASSOCIATION DOES NOT WAIVE OR INTEND TO COMPROMISE ANY LEGAL RIGHTS IT MAY HAVE BY THE COMPLETION OF THIS CERTIFICATE. THE RESPONSES HEREIN ARE MADE IN GOOD FAITH AND TO THE BEST OF MY ABILITY AS TO THEIR ACCURACY.**

**Rotonda West Association, Inc.**

By: \_\_\_\_\_

Date: \_\_\_\_\_

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

As Its: \_\_\_\_\_

Phone: \_\_\_\_\_

(CORPORATE SEAL)

If this Estoppel Certificate is hand delivered or sent by electronic means, it is effective for thirty (30) days from the date hereof, as set forth immediately above. If this Estoppel Certificate is sent by regular mail, it is effective for thirty-five (35) days from the date hereof, as set forth immediately above.

**ROTONDA WEST ASSOCIATION, INC.**

**BOARD RESOLUTION INCREASING TRANSFER ASSESSMENT/CHARGE**

WHEREAS, the Board of Directors adopted a Resolution (the "2005 Resolution") on April 20, 2005 for the purpose of establishing an assessment/charge (the "Transfer Assessment/Charge") of Fifty Dollars and No Cents (\$50.00) per Lot/Tract due upon transfer of title to property encumbered by the Amended Restatement of Restrictions for Rotonda West, recorded in Official Records Book 2278, Page 162 *et seq.*, of the Public Records of Charlotte County, Florida; and

WHEREAS, the 2005 Resolution was thereafter recorded in Official Records Book 2686, Page 1309 *et seq.*, of the Public Records of Charlotte County, Florida; and

WHEREAS, a revised Amended Restatement of Restrictions was subsequently recorded in Official Records Book 3713, Page 1538 *et seq.*, of the Public Records of Charlotte County, Florida; and

WHEREAS, the Board of Directors adopted a Resolution Increasing Transfer Assessment/Charge (the "2014 Resolution") which increased the Transfer Assessment/Charge to Seventy-Five Dollars and No Cents (\$75.00) per Lot/Tract on June 18, 2014, which was thereafter recorded in Official Records Book 3885, Page 1549 *et seq.*, of the Public Records of Charlotte County, Florida; and

WHEREAS, the Board of Directors adopted a Resolution Increasing Transfer Assessment/Charge (the "2015 Resolution") which increased the Transfer Assessment/Charge to One Hundred Dollars and No Cents (\$100.00) per Lot/Tract on July 15, 2015, which was thereafter recorded in Official Records Book 3997, Page 1914 *et seq.*, of the Public Records of Charlotte County, Florida; and

WHEREAS, a revised Amended Restatement of Restrictions was subsequently recorded in Official Records Book 4659, Page 1394 *et seq.*, of the Public Records of Charlotte County, Florida; and

WHEREAS, the Board of Directors wishes to increase the Transfer Assessment/Charge such that the Transfer Assessment/Charge is now Two Hundred and Ninety-Nine Dollars and No Cents (\$299.00) per Lot/Tract.

NOW, THEREFORE, it is resolved as follows:

1. The above recitations are true and correct and are incorporated into this Resolution.
2. The amount of the Transfer Assessment/Charge to be charged by the Association shall be increased to Two Hundred and Ninety-Nine Dollars (\$299.00) per Lot/Tract.
2. All other provisions of the previously adopted Resolution shall remain in full force and effect.



This Resolution was adopted by the Board of Directors on the 7<sup>th</sup> day of December 2023. There are seven (7) total Board members. The number of Board members who voted in favor of this Resolution is 6. The number of Board members who voted against this Resolution is 0. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

ROTONDA WEST ASSOCIATION, INC.

By: 

Andrew VanScyoc, President

Date: 12-14-2023

(CORPORATE SEAL)