

February 20, 2014

VIA EMAIL ONLY TO: lstyles@sentrymgt.com

Board of Directors
VAN LOON COMMONS
CONDOMINIUM ASSOCIATION, INC.
c/o Lucia Stiles, CAM
Sentry Management Inc
6330 Techster Boulevard, Suite 1
Fort Myers FL 33966

**Re: Van Loon Commons Condominium Association, Inc./Water Meter
Amendment/Suspension of Voting and Use Rights**

Dear Lucia:

This correspondence is in response to the Association's request regarding the water meter amendment that was voted on at the December 20, 2010 Association meeting. I have attached a copy of the amendment package (Notice of Recording Certificate of Amendment, Certificate of Amendment and Amendment) for your ease of reference.

The Minutes of the December 20, 2010 meeting indicate that the votes in favor of the meter amendment were 59 and there were 3 votes not in favor. However, the Van Loon Declaration requires a 66 2/3 affirmative vote of all owners to pass an amendment and there are 150 units. Accordingly, over 100 votes would need to be obtained in order to pass this amendment. Because only 59 votes were in favor, the amendment did not pass.

Accordingly, I recommend that the Association Board of Directors vote at the next Board meeting to pass a Resolution to have a Certificate of Revocation of Amendment recorded in the Lee County Public Records. I have prepared and attached a Certificate of Revocation of the Amendment for this purpose.

Also, per your request, I have attached a form for purposes of suspending voting rights along with a notice of suspension to send to the owner. I recommend that the posted agenda include the

unit numbers that are subject to being suspended so those owners know their rights are going to be suspended at the meeting.

Should the Association need anything additional, please let me know and, as always, should you have any other questions, please do not hesitate to contact me.

Very truly,

GOEDE, ADAMCZYK & DEBOEST, PLLC



Jason R. Himschoot
For the Firm

JRH:kg
Enclosures

PREPARED BY:

JASON R. HIMSCHOOT, ESQ.
GOEDE, ADAMCZYK & DEBOEST, PLLC
2030 McGregor Blvd.
FORT MYERS, FL 33901
Tel: (239) 331-5100

**NOTICE OF REVOCATION OF NOTICE OF FILING CERTIFICATE OF
AMENDMENT OF THE DECLARATION OF CONDOMINIUM FOR VAN LOON
COMMONS, A CONDOMINIUM**

WHEREAS, the Board of Directors for VAN LOON COMMONS CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation, met at a scheduled meeting on _____, 201__ and voted to pass the recording of this Notice of Revocation of Amendment.

NOTICE IS HEREBY GIVEN that the undersigned, being the President and Secretary for VAN LOON COMMONS CONDOMINIUM ASSOCIATION, INC., a Florida non-profit corporation, do hereby file this Notice of Revocation of Notice of Filing Certificate of Amendment to the Declaration of Condominium for Van Loon Commons, a Condominium, recorded on October 28, 2011 at Instrument Number 2011000235797 of the Public Records of Lee County, Florida.

Dated this ____ day of February 2014.

WITNESSES:

(Sign) _____

**VAN LOON COMMONS
CONDOMINIUM ASSOCIATION, INC.**

(Print) _____

(Sign) _____

BY: _____

(Print) _____

**Print: _____
President for the Association**

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was acknowledged before me this _____ day of February 2014 by _____, as President for VAN LOON COMMONS CONDOMINIUM ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation. Said person is personally known to me or has produced _____ as identification and did take an oath.

NOTARY PUBLIC:

STATE OF FLORIDA (SEAL)
My Commission Expires:

WITNESSES:

(Sign) _____

**VAN LOON COMMONS
CONDOMINIUM ASSOCIATION, INC.**

(Print) _____

(Sign) _____

BY: _____

(Print) _____

Print: _____
Secretary for the Association

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was acknowledged before me this _____ day of February 2014 by _____, as Secretary for VAN LOON COMMONS CONDOMINIUM ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation. Said person is personally known to me or has produced _____ as identification and did take an oath.

NOTARY PUBLIC:

STATE OF FLORIDA (SEAL)
My Commission Expires:

PREPARED BY:
DIANE M. SIMONS-BURNSIDE, ESQ.
ATTORNEY AT LAW
2030 McGregor Blvd.
FORT MYERS, FL 33901
Tel: (239) 333-2992

**NOTICE OF RECORDING OF
CERTIFICATE OF AMENDMENT OF THE DECLARATION OF CONDOMINIUM
FOR VAN LOON COMMONS, A CONDOMINIUM**

The attached Amendment to the Declaration of Condominium for Van Loon Commons, a Condominium, was duly approved, adopted and enacted by the affirmative vote of the proper percentage of voting interests in the Association at a members meeting called for that purpose at which a quorum was present. The Declaration was originally recorded at Instrument Number 2005000038077 of the Public Records of Lee County, Florida.

Dated this 24 day of October 2011.

WITNESSES:

(Sign) Kelly A Germanis

(Print) Kelly A Germanis

(Sign) Marie Windler

(Print) Marie Windler

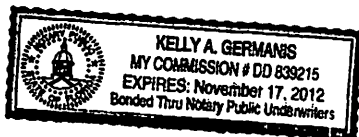
**VAN LOON COMMONS
CONDOMINIUM ASSOCIATION, INC.**

DMSB
Diane M. Simons-Burnside, Esq., Agent
and Attorney-in-Fact for the Association

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was acknowledged before me this 24th day of October 2011 by _____, as Agent and Attorney-in-Fact for VAN LOON COMMONS CONDOMINIUM ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation. Said person is personally known to me or has produced _____ as identification and did take an oath.

NOTARY PUBLIC:
Kelly A Germanis
STATE OF FLORIDA (SEAL)
My Commission Expires:



PREPARED BY:
DIANE M. SIMONS-BURNSIDE, ESQ.
ATTORNEY AT LAW
2030 McGregor Blvd.
FORT MYERS, FL 33901
Tel: (239) 333-2992

**CERTIFICATE OF AMENDMENT OF THE DECLARATION OF CONDOMINIUM
FOR VAN LOON COMMONS, A CONDOMINIUM**

THE UNDERSIGNED being the President and Secretary for VAN LOON COMMONS
CONDOMINIUM ASSOCIATION, INC., a Florida non-profit corporation, does hereby certify
that the attached Amendments to the Declaration of Condominium for Van Loon Commons, a
Condominium originally recorded at Instrument Number 2005000038077 of the Public Records of
Lee County, Florida was duly approved, adopted and enacted by the affirmative vote of the proper
percentage of voting interests in the Association at a members meeting called for that purpose at
which a quorum was present held on the 21st day of December, 2010.

Dated this 17th day of June 2011.

WITNESSES:

(Sign) [Signature]

(Print) Jan Miller

(Sign) [Signature]

(Print) [Signature]

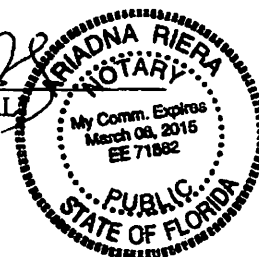
VAN LOON COMMONS
CONDOMINIUM ASSOCIATION, INC.

BY: [Signature]
Print: Victor Zammit
President for the Association

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 17 day of June 2011
by Victor Zammit as President for VAN LOON COMMONS CONDOMINIUM
ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation. Said person
is personally known to me or has produced FLDL as identification and did
take an oath.

NOTARY PUBLIC
STATE OF FLORIDA (SEAL)
My Commission Expires:



WITNESSES:

(Sign) [Signature]

(Print) Jan Miller

(Sign) [Signature]

(Print) [Signature]

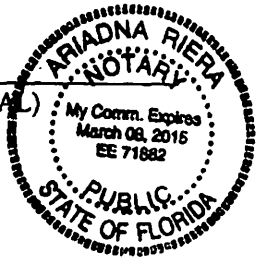
VAN LOON COMMONS
CONDOMINIUM ASSOCIATION, INC.

BY: [Signature]
Print: SHARON L BRETTS
Secretary for the Association

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 17 day of ^{June} ~~February~~ 2011
by Sharon Bretts, as Secretary for VAN LOON COMMONS CONDOMINIUM
ASSOCIATION, INC., a Florida non-profit corporation, on behalf of said corporation. Said person
is personally known to me or has produced FLD as identification and did
take an oath.

NOTARY PUBLIC:
[Signature]
STATE OF FLORIDA (SEAL)
My Commission Expires:



**PROPOSED AMENDMENTS
TO
DECLARATION OF CONDOMINIUM FOR VAN LOON COMMONS, A
CONDOMINIUM**

The Declaration of Condominium shall be amended as follows:

(Note: Words ~~stricken~~ are deletions; Words underlined are additions.)

Amendment No. 1

13.1 Water and Sewer Service. The Association shall install separate meters for water and sewer service to each of the units. The cost of installing, and thereafter, maintaining, repairing and replacing the meters shall be a common expense. After the installation of the meters the Board of Directors shall provide at least thirty (30) days advance notice in writing before the cost of the water usage and sewer service to the units shall become an individual expense of each unit owner. Thereafter, the cost of water and sewer service shall not be a common expense but shall be an individual expense of each Unit Owner based on the Owner's or lessee's use of said services as measured by the individual meter serving the Unit. Upon the adoption of this amendment the Board of Directors is authorized, without further vote of the members, to make all reasonable material alterations and/or substantial additions to the Common Elements in order to install the meters and accomplish the work contemplated herein. The terms contained in this Section 13.1 shall control over any other contrary provisions contained in the governing documents or elsewhere.

**NOTICE OF SUSPENSION OF USE RIGHTS AND VOTING RIGHTS
DUE TO UNPAID MONETARY AMOUNTS**

SENT VIA REGULAR AND CERTIFIED MAIL
RRR# _____

From: VAN LOONCOMMONS
CONDOMINIUM ASSOCIATION, INC.

Date: _____

To: _____

At a duly-noticed meeting on _____, 201__ the Board of Directors voted to suspend your rights to use the common element amenities and your right to vote because you are more than ninety (90) days delinquent in the payment of any monetary amount owed to the Association. The suspension of use rights means you and your tenants, guests, family members and invitees are prohibited from using the common element amenities (pool, clubhouse, gym, library, BBQ grill and deck).

At such time that you pay all monetary amounts owed to the Association, your use and voting rights will be reinstated.

Sincerely,
Board of Directors
Van Loon Commons
Condominium Association, Inc.