



Agenda

- I. Marketable Record Title Act (what is MRTA)
- II. Progress Since Last meeting
- III. Why MRTA Committee 2.0
- IV. Answers to submitted questions
- V. Questions from the floor
- VI. Next steps



MRTA Townhall Meeting





Marketable Record Title Act (MRTA)

Florida's Marketable Record Title Act ("MRTA") was passed in order to liberate real property from older title defects by prescribing a 30-year limitations period on certain matters of title



How Does MRTA affect Spruce Creek?

Spruce Creek's was started in 1989 and the first 6 phases are beyond the 30 window of MRTA. Issues this causes if not fixed:

- Potential title defect on property when selling
- May lose ability to enforce deed restrictions
- Significantly impact property values
- Could end up with a divided community



Progress Toward Revitalization

- Filed a Preservation of Deed Restrictions (4/1/22) – This preserved the Deed restrictions as is for Phases 7-18 they are locked in for another 30 years. No further action needed
- Implemented an Estoppel process whereby each lot that is sold will fall under the Deed Restrictions (10/21)
- Formed a Revitalization Committee for the purpose of revitalizing the Deed Restrictions for the entire community (MRTA 1.0)



Why Form MRTA Committee 2.0

MRTA Committee 1.0 consisted of:

Brenda Perry, Roy Grey, Mike Wojick, Kirk Schazenbach, Roger Bullock, Joseph Demyon, Paula Charlton, Bob Sullivan, Sherry Gensel

Early in process it became apparent that a portion of the MRTA Committee (“a sub Committee”) had additional requests that they wanted addressed prior to proceeding with Revitalization.

The Committee split with based on differing views the direction the committee should take.

After 9 months the “Sub Committee” presented their formal request in 3 documents prepared by their attorney. The documents were Bylaws, Articles of Incorporation and Amendments to the Deed Restriction that they wanted implemented simultaneous with the Revitalization



The reasons we formed another committee to move forward with MRTA are:

- I reviewed the “sub-Committee’s” proposal to the elected Advisory Board, there was a unanimous vote that this did not represent what the community wanted.
- It was a recommendation from only a portion of the committee and didn’t even have the support of the other members.
- While there was a lot of good work and good ideas that went into the proposal, there were a number of very significant issues that I couldn’t agree with.
- It was clear this path was not going to get the Revitalization accomplished as we were at impasse.



MRTA 1.0 Summary

There were a lot of good suggestions that we have or will follow through with

- Reworked the ARB Process (now an elected process)
- Constructing new tennis/pickleball courts
- Formed a Road Maintenance Committee
- Developing an annual Resident Survey to find out TRULY what is important to the residents, assess our performance provide actual data about trends in our community.
- Will Continue to use the Advisory Board to drive change and bring forward issues important to the community





MRTA Questions that were submitted

1. I live in phase 1 do I have to pay attention to the Deed Restrictions?
 2. If I live in phase 1-6 and we don't pass MRTA can I still use the community center, pool, attend social activities, etc?
 3. What happens to 55+ if we MRTA doesn't pass?
 4. Where are Phases 1-6?
 5. Has not the ENTIRE community now fallen off the current/old deed restrictions?
 6. What legal proof, such as court filings, does owner have showing "preservation" has happened on any homes
- 



Deed Restriction Amendment History

Title	Date	Expired	Pupose
Original Deed Restrictinos	6/9/1989	6/9/2019	Phase 1
1st Amended	5/22/1990	5/22/2020	Phase 2
2nd Amended	8/6/1990	8/6/2020	Phase 3
2nd Amended (again???)	11/2/1990	11/2/2020	Phase 3A
3rd Amended	12/10/1990	12/10/2020	Phase 4
3rd Amended (again???)	2/28/1991	2/28/2021	Phase 5
4th Amended	11/13/1991	11/13/2021	Phase 6
5th Amended	6/18/1992	6/18/1922	Phase 7A
7th Amended (got back on track)	1/14/1993		Phase 8
8th Amended	4/15/1993		Phase 9
9th Amended	6/9/1993		Phase 9A
10th Amended	9/16/1993		Phase 10
11th Amended	10/14/1993		Phase 11
12th Amended	12/21/1993		Phase 12
13th Amended	2/28/1994		Phase 13
15th Amended (skipped 14th???)	6/13/1994		Phase 14 &16
16th Amended	11/14/1994		Phase 15
Amendment	4/30/1999		Removal of 4.02 AC from Subject Property
Amendment	9/10/2002		Phase 17
18th Amended (back on track)	6/28/2013		Result of Lawsuit - clarified definition of Association
19th Amended	6/17/2014		Amendments to Article VII from vote of Residents
Amendment, Clarification	7/2/2015		Clear up Title issue between SC and SC Shoppes
1st amendment to 19th Amended	2/27/2018		Added 55+ Senior Community language based on HOPA
20th Amendment	6/15/2020		Parking, Residentail Use, Signs, Pets, Cable, Decorations
Preservation Notice	4/1/2022		Preserve Phases 7A - 17
*New Estoppel Certificate Process	10/21/2021		



Spruce Creek

US 27/441



5 Digit House Numbers

174th Loop

ZONE 2:

ZONE 3:

ZONE 4:

MAIN
GATE

Softball Park

 **Recycle
Bins**

Park
гел

ZONE 5:

ZONE 6

ZONE 8:

The LINKS

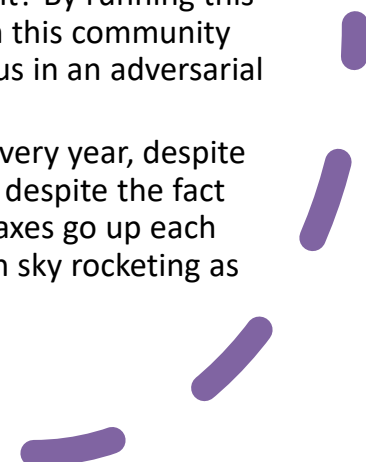
**Golf Pro Shop
Restaurant**



Spruce Creek



Non MRTA Questions that were submitted

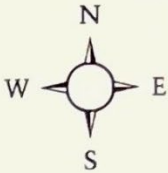
1. Why does the developer have the unilateral ability to change deed restrictions
 2. We have paid extra money for years specifically to keep up our roads and they continue to get worse. When will this be addressed?
 3. Why do we mow common areas so seldom in this community? It makes SCS look like the worst of all the communities in the area. When I first moved here they were mowed once a week. Now they are mowed twice a year.
 4. Why can't this community get new items like chairs, tables, and pool components (for a few examples) when they are needed. This community always buys used things from other communities. How cheap do we have to be?
 5. Why doesn't this community have an ongoing maintenance and capital upgrade fund that comes from the money we pay in amenity fees yearly? This would be funded by Ken every year and increase as our fees increase as well.
 6. Why doesn't the money that is not spent on maintenance every year rolled over to the next year if it is not spent? By running this the way you do, the money you don't spend on this community goes into your pocket. This automatically puts us in an adversarial relationship with you.
 7. Why does our amenity fee go up consistently every year, despite the fact most residents are on a fixed incomes, despite the fact that our home insurance is sky rocketing, our taxes go up each year, and all other necessities' prices have been sky rocketing as well?
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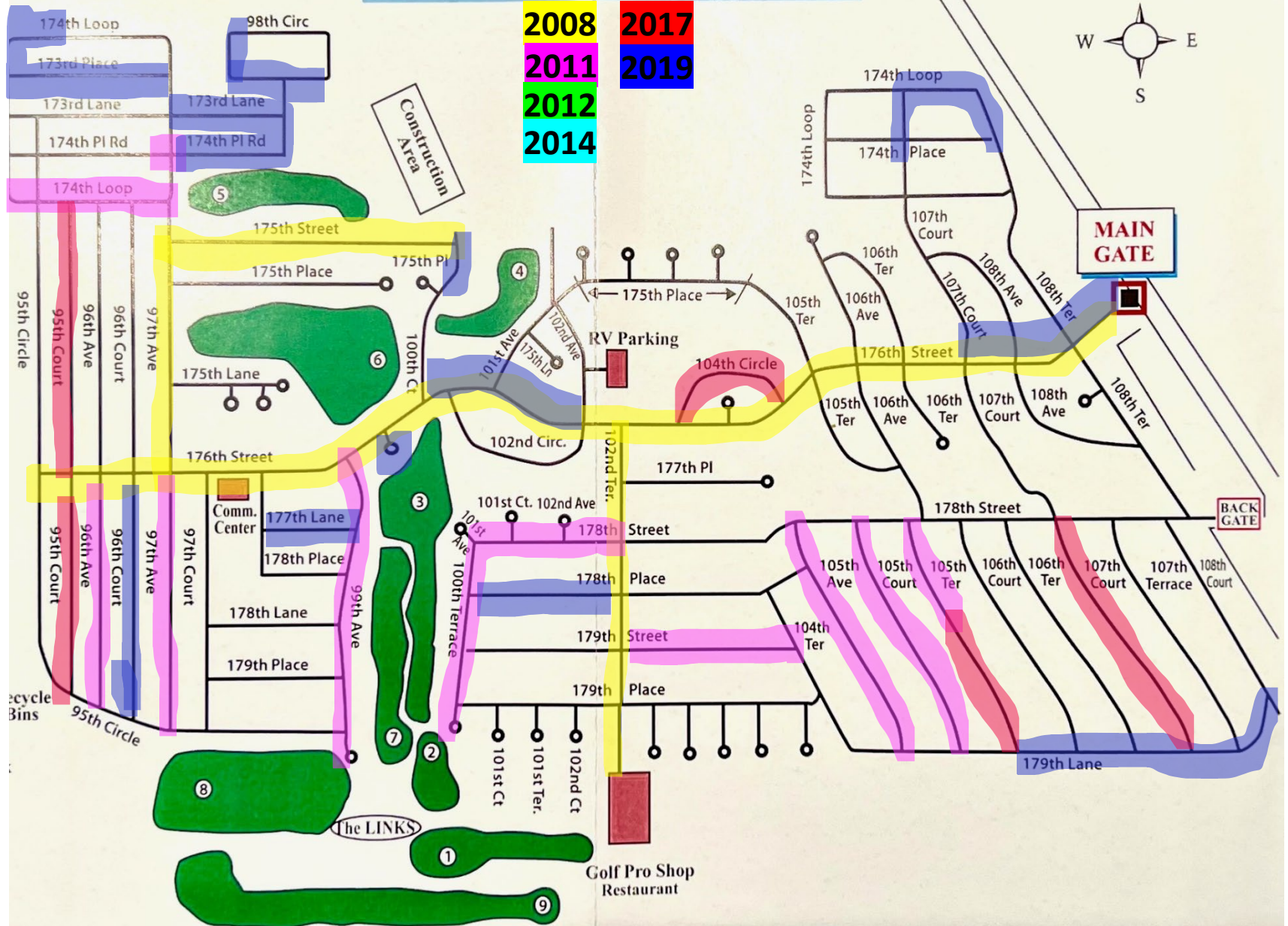
SCS Road Reserve History			
			Grounds
	Income	Asphalt	Retention Ponds
2008	112,730.00	198,272.70	
2009	192,670.00		
2010	194,520.00		
2011	191,600.00	251,268.66	
2012	194,760.00	307,928.20	
2013	194,760.00		97,200.07
2014	178,530.00	212,122.18	97,380.00
2015	194,760.00		97,380.00
2016	194,760.00	48,146.33	100,647.50
2017	192,552.65	202,954.78	101,495.85
2018	194,760.00	5,400.00	101,185.27
2019	194,760.00	233,239.10	115,171.37
2020	194,760.00	1,200.00	116,400.00
2021	194,760.00	4,500.00	116,400.00
2022	194,760.00	950.00	135,800.00
	2,815,442.65	1,465,981.95	1,079,060.06
Reserve Balance as of 12/31/22			237,940.64

SPRUCE CREEK SOUTH

US 27/441



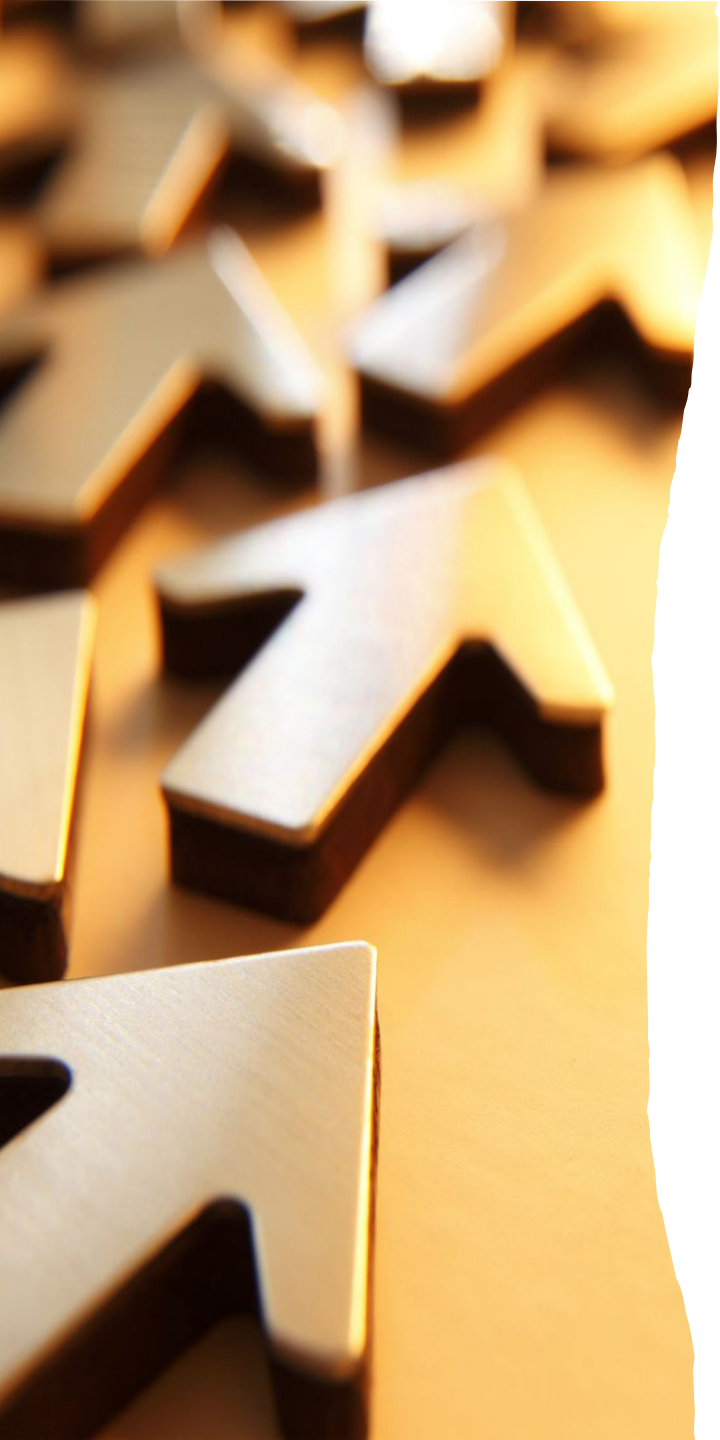
2008	2017
2011	2019
2012	
2014	



Questions From the Floor

- Property owners only
- 3 min time limit
- Questions need be focused on what we are talking about
- Jim Day moderator





Next Steps

- Continue with Revitalization
- Continue to provide information
- But for the most part you will need to decide Do I want a common set of documents to govern our community (like it's always been) or do I want to hold out for something else