

**Sparkling Waters Homeowners Association (SWHA)  
Annual Meeting  
Sunday, April 5, 2020**

**Members Represented via teleconference:**

- 1-2. Akins, Ellis and Alicia (2 lots)
3. Burroughs, Lloyd & Bee
4. Bushelle, Bill and Paula
5. Graham, Barry and Alicia
6. Graham, Randy
7. Hale, Eleanor
8. Holifield, JR and Jill [Also Written Agreement (WA)]
9. Lio, Joan and Chris
- 10-11. Manion, Mike and Lisa (2 lots) (WA)
12. Jamie and Tim Manning (WA)
13. Nation, Andrew
14. Rodriguez, Moises
- 15-16. Russo, Troy (2 lots)
17. Stinson, John and Suzie

**By Proxy:**

18. Bonner, Lewis and Barb
- 19-20. Brockmeier, Aaron (2 lots)
21. Gildea, Jim and Dee
22. Gusoff, Daniel
23. Hodge, Brian
24. Montgomery, Billy
25. Shaw, Mike
26. Styba, Scott
27. Vellanikaran, Alice

**By Written Agreement Only:**

- 28-29. Sunderhaus, Darren and Mags (2 lots)

Meeting was called to order by President Barry Graham at 2:15 PM.

**1. Homeowner Introductions**

By-Laws define a quorum as a minimum of 51% or 22 of the 42 lots represented. For changes in the Covenants, Restrictions, and Reservations (CRR), the Association has in the past required a 2/3 majority of all properties or 28 lots. With 29 lots represented at this meeting, both a quorum and a sufficient number of lots to obtain a 2/3 majority have been successfully obtained.

**2. COVID-19 Information**

- A. Okaloosa County COVID-19 website (also on “Links” of the Sparkling Waters home page): <http://myokaloosa.com/bcc/covid-19#overlay-context=bcc/covid-19>
- B. Those who are registered on NextDoor.com will get email alerts from the county and FL Department of Health

### 3. Update on Association Activities

- A. Renewed liability insurance through Harris Insurance Services with Auto Owners Insurance for 2020. Annual cost was again \$1,373 via Auto Owners Insurance.
- B. Renewed website domain name [www.sparklingwatershoa.com](http://www.sparklingwatershoa.com) with JustHost.
- C. Re-registered SWHA with State of Florida, [www.sunbiz.org](http://www.sunbiz.org).
- D. Renewed annual retainer with Attorney firm, Becker & Poliakoff.
- E. Tax Return: Filed tax return for 2019, IRS Form 1120-H. No taxes owed, as expenses are greater than interest accrued, however earnings were highest ever: \$4,286.50. Earned \$4003.37 in 2018; \$3,750.90 in 2017 and \$3,414.80 in interest and dividends in Tax Year 2016. Account balances in both the Main and Dock Raymond James investment accounts had significant drops in March 2020 due to the COVID-19 crisis, but both are steadily climbing. The main account balance was \$146,018.82 and the dock balance was \$20,621.49 as of April 3<sup>rd</sup>. Goal is to build accounts to \$250K to cover future expected costs to replace private roads (Radiant Circle, Shimmering Lane).
- F. Emergency dock structural and electrical repairs completed by residents at the cost of the materials. Thanks to those who helped with the fixes in unpleasant conditions.
- G. Actions on abandoned boat slip #10. Lot B-6 was sold in Sep 5, 2019 without conveying slip #10 to another Sparkling Waters property as required by the CR&R and Submerged Land Lease with FL DEP.
- H. Neighborhood BBQ--last year's BBQ was a great success. Thanks again to Ellis and Alicia Akins for hosting and Christine Totty for organizing.
- I. Landscaping.

Fall Workday was November 9th. Spring Workday was cancelled, but many people turned out on April 4th to do gardening and boardwalk/dock maintenance while maintaining social distancing. Good turnouts. Thanks to all who participated and were flexible to stagger work assignments to comply with social distancing guidelines. You save the association over \$10K annually by supplying volunteer labor. Participants replaced boardwalk and dock decking, removed weeds, brush, thorny vines, and added new mulch to the common flower beds. With help from the Waterford Estates HOA President, Ken Mallory, we also cleaned up the garden in the median on Hwy 98 between McDonald's and Tom Thumb.

### 4. Near-Term Activities

- A. Community Dock/Boardwalk. Workday participants replaced or flipped approximately 100 deck boards plus some railing boards and some dock beams. Recommended deck board replacement schedule is every 5 years or 240 boards per year. Recommended joist/stringer replacement schedule is every 10 years.
- B. Re-register SWHA with State of Florida prior to May 1<sup>st</sup>.
- C. Submerged Land Lease Renewal. SLL does not expire until May 2025. There is still a 6% tax on indirect income (slip transfers). The transfer fee is based on DEP's appraised value of the slip, not the actual sales price. See Florida 253.0347 at <http://www.leg.state.fl.us/statutes>
- D. Despite seal coating, a few potholes/ruts on Shimmering Lane and Radiant Circle still remain. Barry still plans to buy a bucket of sealant from Home Depot and is looking for a few volunteers to help him fill them in. Work day would need to be in the summer as coating

needs temperatures to remain above 80 degrees to properly cure/dry. If these depressions are not repaired, they will erode and decrease expected life span of our private roads.

## 5. Financial Report

See slides 14-25 of the attachment briefed at the April 5<sup>th</sup> meeting. At time of minutes' publication, 28 of 42 lots are current on 2020 dues.

## 6. Proposed Budget

See slide 21 of the attached briefing presented at the April 5<sup>th</sup> meeting. Given other expenses and allotments, the Board of Directors recommended keeping assessments at \$500 per lot per year with \$100 credit for participating in neighborhood workdays/work projects. The Board recommended flat fee for power usage as several boat lifts and exterior power outlets bypass the meters. Will monitor power usage for spikes to see if this policy needs to be reassessed. Treasurer recommended these annual power fees for slip owners: \$7.12 for lights only; \$25 for slips without lifts; \$30 for slips with lifts. Annual slip fees will be \$224.64 plus power fee.

## 7. New Business.

A. Sparkling Waters Phonebook. As allowed by FL statute 718.111(12), Published directory for those who have consented to share their contact information with the rest of Sparkling Waters. Will continue to update it as properties sell and new neighbors consent to share their contact info.

J. SWHA BBQ. Association to sponsor annual neighborhood Barbeque with an Oktoberfest theme in October 2020. Need to find a date that works for the Akins as they have a conflict with October 25, 2020 or need another resident to volunteer to host. Propose an Oktoberfest theme as in the past.

B. For safety, dogs are not allowed on the beaches in Okaloosa County per County Ordinance No. 77-19, Section 6. Ordinance 5-25 states it is unlawful for pet owners to fail to dispose of their animal's waste on any public or private property, including along Parrish Blvd.  
<http://library.municode.com/index.aspx?clientId=11900>

C. Waste Disposal: Limited service during Coronavirus lockdown.

D. It is the responsibility of property owners to ensure that tenants and buyers receive copies of the Covenants, Restrictions and Reservations and Mooring Facility Rules & Regulations which are posted at: <http://sparklingwatershoa.com/Documents.php> A reminder that guests must be accompanied by a Sparkling Waters resident. With the beaches closed, there has been an increase in out-of-area visitors on the common dock.

E. Residents are encouraged to report non-functioning lights to Gulf Power directly at their **new** website: <https://www.gulfpower.com/my-account/outage/report> or call Customer Service at 1-800-225-5797 24 hours — 7 days a week.

F. Changes to the Covenants, Restrictions and Reservations (CR&R). See slides 26-33.

- a. The Marketable Record Title Act (MRTA) causes most CR&Rs to expire after 30 yrs
- b. Clarify prohibition of large commercial vehicle parking
- c. Prohibition of Short-term Rental Business
  - Requested by multiple homeowners
  - Doesn't affect periodic homeowner rentals
  - Only affects non-residential business
- d. Updated building standards to be clearer about materials allowed.

- e. Updated references to the current Submerged Land Lease with FL DEP and other administrative corrections/updates.

8. Voting Issues

- A. President Barry Graham asked videoconference attendees if they approve of voting by voice. All voted in favor.
- B. John Stinson made the motion to approve the proposed budget for Sparkling Waters Homeowners Association for April 2020-April 2021 and also to keep the annual dues for 2020-2021 at \$500 per lot per year (with \$100 credit for workday/project participation) to build the investment accounts. Seconded by Ellis Akins. All voted in favor.
- C. Andy Nation made the motion to approve the proposed changes to the CR&R to prevent the CR&R from expiring in 30 years due to the MRTA, prohibit short-term rental businesses, prohibit parking large commercial vehicles and administrative changes to comply with SLL, clarify building standards, etc. John Stinson seconded the motion. All voted in favor.
- D. Andy Nation made the motion that as there were no new volunteers for officer positions, that the existing slate of officers (Barry Graham, president, John Totty, vice president, John Stinson, Director at Large, Alicia Graham, secretary/treasurer), be retained. Randy Graham seconded the motion. All voted in favor.
- E. Andy Nation made the motion that the next annual meeting be April 11, 2021. Easter Sunday is April 4th, 2021. Okaloosa County Schools Spring Break is March 12-22, 2021. Ellis Akins seconded. All voted in favor.

9. Reassignment of Boat Slip #10. Since only one resident formally qualified to enter the Boat Slip #10 lottery, there was no need to convene a lottery after the adjournment of the main meeting. Slip #10 was tentatively awarded to Randy Graham, contingent on paying the balance owed within 2 business days.

10. Next annual meeting is scheduled for Sunday, April 11th, 2021 at 2:00PM at 552 Shimmering Lane. President Barry Graham adjourned the 2020 annual meeting at 3:20 PM.

Attachment: Briefing slides presented at April 5, 2020 annual meeting.

Minutes as recorded by:

--SIGNED--

Alicia Graham, SWHA Secretary

Approved by:

--SIGNED--

Barry Graham, SWHA President

# Sparkling Waters Homeowners Association

2020 Annual Meeting  
April 5<sup>th</sup> , 2020

# Running the Virtual Meeting

- Check-in when you first join
- While someone has the floor, all others muted
  - On-line attendees will be muted by moderator
  - Dial-in only attendees will self mute
- To be recognized
  - On-line attendees will type a chat note
  - Dial-in only attendees will wait for a designated break and for the question: “Does anyone have anything?”
- Voting will be done by roll call

# SWHA Annual Meeting Agenda

- COVID-19
- Update on Assoc activities
- Near term activities
- Financial report
- New Business
- CRR Changes
- Voting Issues
- Next meeting
- Boat Slip #10 Lottery

# Roll Call

P = Proxy

- P Akins, Ellis & Alicia-2
- P Bonner, Lewis & Barb-1
- P Brockmeier, Aaron -2
- Broyles, Philip -1
- Burroughs, Lloyd & Benvinda-1
- Bushelle, Bill & Paula-1
- Christensen, Lars-1
- Currie, Ronnie-1
- Dixon, Alan & Monika-1
- Emery, Teresa-1
- P Gildea, James & Gaudencia-1
- Graham, Barry & Alicia-1
- Graham, Randy-1
- P Gusoff, Daniel & Samantha-1
- Hale, Josh & Eleanor-1
- P Hodge, Brian & Susan-1
- WA Holifield, JR & Jill-1
- Hoy, Neil & Kattie-1
- Johnson, Sam & Silinda-1
- P Lio, Christopher & Joan-1
- WA Manion, Lisa & Michael-2

- P Manning, Tim & Jamie-1
- Milliken, Leslie & Ryan-1
- P Montgomery, Billy & Cynthia-1
- P Nation, Andrew-1
- Rodriguez, Moises & Yeidy, M.-1
- Russell, Stephanie-1
- WA Russo, Troy-2
- Saxey, Thomas & Cindy-1
- P Shaw, Michael & Helen-1
- Smith, Jackie B.-1
- Sotomayor, Luis-1
- Stinson, John & Suzanne-1
- P Styba, Scott & Maria-1
- WA Sunderhaus, Mags & Darren-2
- Totty, John & Christine-1
- P Vellanikaran, Alice-1

Present - \_\_\_\_\_ of 42



# COVID-19

- Some false information being circulated
- Verify information on Okaloosa County COVID-19 page: <http://myokaloosa.com/bcc/covid-19#overlay-context=bcc/covid-19> and on <https://www.cdc.gov/>
- Those who are registered on NextDoor.com will get email alerts from the county and FL Dept of Health.
- The Governor has suspended dining-in restaurant facilities, gyms state-wide. County has closed public beaches. Navarre Beach Checkpoint established.
- Urgent need for blood donations. CDC encourages blood donations if you are well: <https://www.oneblood.org/donate-now/>

# Update on Assoc Activities

- Re-registered SWHA with State of Florida
- Fall Neighborhood BBQ
- Renewed website domain name/JustHost
- Federal tax return
- Renewed retainer with Becker & Poliakoff
- Obtained liability insurance with Auto-Owners Ins.
- Actions on abandoned boat slip #10
- Fall/Spring Work Days – Nov 9<sup>th</sup> and Apr 4<sup>th</sup>
- Re-Installed Fishing Light at end of Community Dock
- Rewired dock electrical junction box
- Emergency dock structural repair

# Fall/Spring Workdays, Nov 9<sup>th</sup> /Apr 4<sup>th</sup>



Boardwalk  
West



Dock Repairs

# Fall/Spring Workdays, Nov 9<sup>th</sup> /Apr 4<sup>th</sup>



Parrish Point Garden on Hwy 98

Waterford Estates President  
offered to add mulch



# Road Maintenance Status

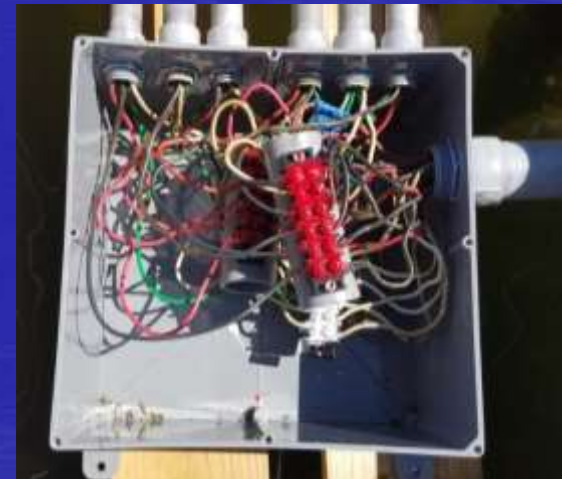
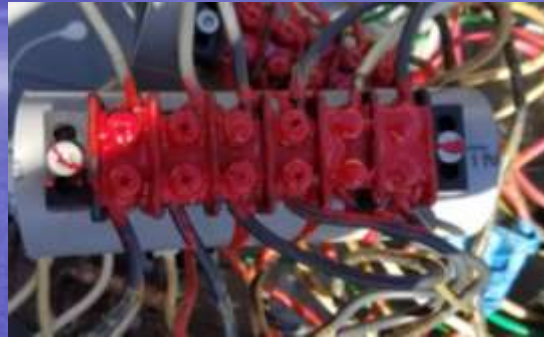
- Still need to fill in cracks remaining in road
  - Crack filler available at Home Depot
  - 40 lb Bucket Pothole Patch \$31.97
  - Volunteer labor?

# Road Cracks Needing Filling



# Dock Electrical Box

Shorted out box; 5 of 6 circuits dead. Installed terminal strips, new box, added topside access.



# Dock Structural Repair

Beams attached via lag screws; rusted out and failed. Stringers also attached via lag screws and failed. Entire section fell and was resting on water hose. Drilled through beams and bolted through the piling.





# Future near term activities

- Re-register SWHA with State of Florida
- Additional boardwalk and dock repair/replacement
- Patch potholes in Radiant and Shimmering
- Replace solar lights on boardwalk
- Hwy 98 project/changes to Parrish intersection

# Financial Report

Alicia Graham  
Secretary/Treasurer

# Previously Estimated Budget May 2019-April 2020

Administrative/Attorney Costs	1,686.25
Insurance	1,600.00
Utilities	2,100.00
Street Maintenance and Repair Fund	10,000.00
SWHA partial share of Dock costs	300.00
Improvements	2,500.00
Total	18,186.25
Number of Lots	42
Average Per Lot assessment	433.01

26 Lots paid \$400 due to credit

$33.01 \times 42 = 1,386.42$  shortfall; covered by

$16 \times 100.00 = 1,600$  dues generated from those without workdays credit

# Financial Report

- Assessments/Fees collected
  - 41 accounts paid up through 2019, 1 delinquent account
  - 21 homeowners billed \$500 (no workday credit)
  - **18** of 42 lots fully Paid as of April 5<sup>th</sup>, 2020;  
1:49PM
- Earned **\$4,286.50** in dividends in Tax Year 2019. Earned \$4,003.37 in 2018, \$3,750.90 in 2017 and \$3,414.80 in interest and dividends in Tax Year 2016.

# Financial Report

• <b>Actual Expenses (Apr 19 – Apr 20)</b>	
– Gulf Power (Street Lights)	2,011.94
– State filing fee	61.25
– Administrative (postage, recording fees, signs, website)	286.15
– Attorney Fees	450.00
– Construction supplies, landscaping, dock photocells, etc.	1,399.75
– Liability Insurance	1,373.00
– Common Dock Expenses (SWHA 1/3 Share) plus utilities	274.24
– Fall BBQ	178.51
– <b>TOTAL EXPENSES:</b>	<b>6,034.84</b>
– <b>Deposit to Investment Acct</b>	<b>10,000.00</b>
<b>Current Balance Checking Acct (xx-xxx-625-0)</b>	<b>11,726.24</b>
<b>Balance Main Ray James Investmnt Acct (3/30/20)</b>	<b>144,463.18</b>
<b>Balance Dock Ray James Investmnt Acct (3/30/20)</b>	<b>20,356.99</b>

# Financial Report

- Upcoming expenses (Apr 20-Apr 21)
  - Insurance 1,600.00
  - Filing Fee (due by May 1<sup>st</sup>) 61.25
  - Utilities (Streetlights and Gazebo) 2,100.00
  - Attorney Retainer (due by Jan 1<sup>st</sup>) 125.00
  - Administrative 500.00
  - SWHA 1/3 Share of Dock Fees 300.00
- Allocations
  - Improvements 2,500.00
  - Road Repair Investment Account 10,000.00
  - Attorney costs 1,000.00
- Total Projected Expenses/Allocations: \$18,186.25

# Financial Report

• Beginning Balance	11,726.24
• CY20 Assessments	18,900.00
• CY20 Outstanding Dues	<b>11,200.00</b>
• Delinquent Property Dues/Fees	1,025.00
• Less Projected Expenses	- 4,686.25
• Less Projected Allocations	- 13,500.00
• Expected Working Balance	27,165.24

# Road Maint & Repair Fund as of Feb 28, 2020 (Goal-\$250K)

January 31 to February 28, 2020

## RAYMOND JAMES®

### Sparkling Waters Home Owners Assn Account Summary

Account No. [REDACTED]

Closing Value **\$155,054.77**

Value as of Apr 3, 2020:  
**\$146,018.82**

SPARKLING WATERS HOME OWNERS ASSN  
552 SHIMMERING LN  
MARY ESTHER FL 32569-3422527

TAMMY BROLIN, SCOTT FINKLER  
Raymond James & Associates, Inc.  
34851 EMERALD COAST PARKWAY | SUITE 200 | DESTIN, FL 32541 | (888) 317-8956 | (850) 269-8026  
halprintinkler.com | scott.finkler@raymondjames.com

Raymond James Capital Access Client Services | 800-759-9797  
24 hours a day, 7 days a week, including holidays  
Online Account Access | raymondjames.com/clientaccess

## Investment Objectives

**Primary:** Income with a high risk tolerance and a time horizon exceeding 10 years.

## Activity

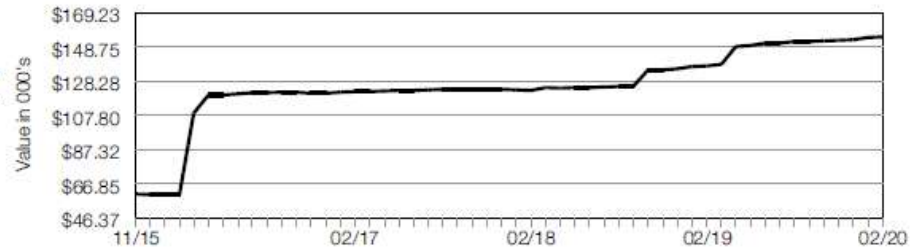
		This Statement		Year to Date
<b>Beginning Balance</b>	\$	<b>154,661.80</b>	\$	<b>153,518.15</b>
Deposits	\$	0.00	\$	0.00
Income	\$	330.81	\$	661.05
Withdrawals	\$	0.00	\$	0.00
Expenses	\$	0.00	\$	0.00
Change in Value	\$	62.16	\$	875.57
<b>Ending Balance</b>	\$	<b>155,054.77</b>	\$	<b>155,054.77</b>

## Dollar-Weighted Performance

See Understanding Your Statement for important information about these calculations.

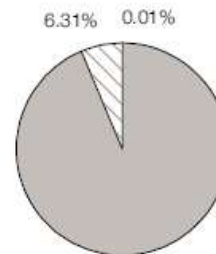
Performance Inception	YTD	2019	2018
11/02/15	1.00%	5.29%	0.62%

## Value Over Time



## Asset Allocation Analysis

		Value	Percentage
US Equities	\$	25.36	0.01%
Non-US Equities	\$	1.02	-
Fixed Income	\$	145,231.20	93.68%
Real Estate & Tangibles	\$	-	-
Alternative Investments	\$	-	-
Non-classified	\$	3.06	-
Cash & Cash Alternatives*	\$	9,794.13	6.31%



\*Not all Cash & Cash Alternatives are liquid; \$9,792.38 is embedded in investment products



# SWHA Proposed Budget May 2020-April 2021

Administrative/Attorney Costs	2,000.00
Insurance	1,400.00
Utilities	2,100.00
Street Maintenance and Repair Fund	10,000.00
SWHA partial share of Dock costs	300.00
Improvements	2,500.00
Total	18,300.00
Number of Lots	42
Average Per Lot assessment	435.71

In 2019: 26 Lots paid \$400 due to workday credit  
1,386.42 shortfall was covered by the 16 lots without workday credit.  
In 2020: 21 Lots billed \$400; 21 Lots billed \$500

# Dock Sinking Fund as of Feb 28, 2020 (Goal - \$60K)

January 31 to February 28, 2020

**RAYMOND JAMES®**

## Sparkling Waters Dock Fund Account Summary

Account No. [REDACTED]

Closing Value \$21,688.40

SPARKLING WATERS HOME OWNERS ASSN  
552 SHIMMERING LN  
MARY ESTHER FL 32569-3422527

TAMMY BROLIN, SCOTT FINKLER  
Raymond James & Associates, Inc.  
34851 EMERALD COAST PARKWAY | SUITE 200 | DESTIN, FL 32541 | (888) 317-8956 | (850) 269-8026  
halprinfinkler.com | scott.finkler@raymondjames.com

Value as of Apr 3, 2020:  
**\$20,621.49**

Raymond James Capital Access Client Services | 800-759-9797  
24 hours a day, 7 days a week, including holidays  
Online Account Access | raymondjames.com/clientaccess

### Investment Objectives

**Primary:** Income with a high risk tolerance and a time horizon exceeding 10 years.

### Activity

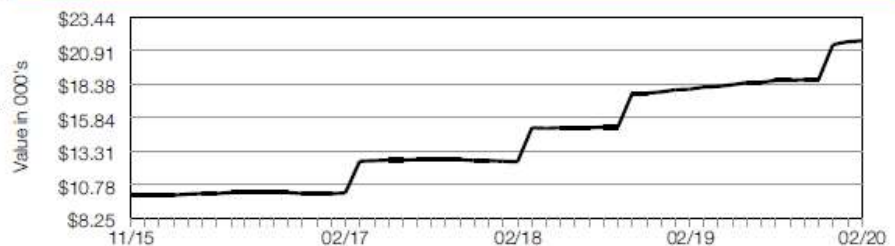
	This Statement		Year to Date	
<b>Beginning Balance</b>	\$	21,597.44	\$	21,413.03
Deposits	\$	0.00	\$	0.00
Income	\$	33.49	\$	64.89
Withdrawals	\$	0.00	\$	0.00
Expenses	\$	0.00	\$	0.00
Change in Value	\$	57.47	\$	210.48
<b>Ending Balance</b>	\$	21,688.40	\$	21,688.40

### Dollar-Weighted Performance

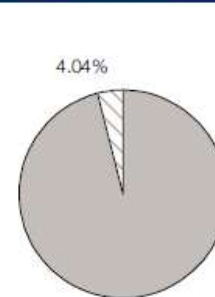
See Understanding Your Statement for important information about these calculations.

Performance Inception	YTD	2019	2018
11/02/15	1.29%	-5.52%	(0.05)%

### Value Over Time



### Asset Allocation Analysis



	Value	Percentage
US Equities	\$ -	-
Non-US Equities	\$ -	-
Fixed Income	\$ 20,810.55	95.96%
Real Estate & Tangibles	\$ -	-
Alternative Investments	\$ -	-
Non-classified	\$ -	-
Cash & Cash Alternatives*	\$ 877.85	4.04%

\*Not all Cash & Cash Alternatives are liquid; \$683.51 is embedded in investment products

# Common Dock Submerged Land Lease

- Submerged Land Lease (SLL) obtained in July 2010; Construction completed in Oct 2010; SLL renewed on May 4, 2015, good for 10 years until 2025
- Based on square footage of the common areas vs slips, SWHA pays 33% of SLL fees/utilities; slip assignees pay 67%
- Slip Assignees pay for share of liability insurance and utilities
- Separate Dock Account managing docking facility funds

# Submerged Land Lease Fees

- In 2016, renewal fee was \$585
  - In next 7 years, SLL lease fee of ~\$1000 discounted to \$0. Next renewal due in **2025**.
  - Total SLL fees are the greater of lease fee or 6% of indirect income Per Florida Statute 253.0347, HOA must collect fees on any transfers
    - Florida DEP new estimating method for slips
    - Collect 6% on DEP value for any transfer plus county clerk recording fee (approx \$1,333)\*
- \* Transfer fee may be waived if buyer has homestead exemption at time of transfer (s. 196.031)*

# Boat Slip Fees to be due 5 June

• Maintenance and Repair	\$200.00
• SLL Renewal Share	0.00
• Insurance	15.39
• 1/10 <sup>th</sup> Water Usage after HOA pays	9.25
•	
<hr/>	
• Total	\$224.64
	+
• <b>Power Flat Fee</b>	<b>By Slip</b>
[\$7.12 lights only (x2); \$25 without lifts (x4); \$30 with lifts (x6) + HOA pays \$300 each year]	

*\*Annual Total Dock Power Bill estimated to be \$500. Will monitor usage for spikes and reassess the use of a flat fee if needed.*

# Changes To The Covenants, Restrictions and Reservations (CRR)

# Why an Update to the CRR

- The Marketable Record Title Act (MRTA) causes most CRRs to expire after 30 yrs
- Requests to prohibit short-term rental businesses
- Requests to clarify prohibition of large commercial vehicle parking
- Miscellaneous fixes, update, clarifications

# MRTA

- In order to maintain CRR, HOA must publish notice here; will reference new CRR here
- Extension must be approved by 2/3 of BoD (done)
- Membership must be notified

NOTICE TO PROTECT AND PRESERVE THE  
COVENANTS, RESTRICTIONS, AND RESERVATIONS  
OF THE  
SPARKLING WATERS SUBDIVISION

The Sparkling Waters Home Owners Association, Inc. ("Association") has taken action to ensure the covenants, restrictions, and reservations, currently burdening the property of each and every member of the Association, retains its status with regard to the affected real property. To this end, the Association provides this notice under §720.3032 of the Florida Statutes to preserve and protect covenants and restrictions from extinguishment under the Marketable Record Title Act, chapter 712, Florida Statutes. This notice is to be recorded in the public records of Okaloosa County, Florida. Copies of this notice and its attachment are available through the Association pursuant to the Association's governing documents regarding official records of the Association.

**Instructions to recorder: Please index both the legal name of the Association (item 1) and the subdivision name (item 3).**

1. → The legal name of the Association is the **Sparkling Waters Home Owner's Association, Inc.**, a Florida corporation Not for Profit.
2. → The Association's mailing address and physical address is 552 Shimmering Ln, Mary Esther, FL 32569.
3. → This notice is in regard to the following described property:  
Lots 1 through 22, both inclusive, Block A;  
Lots 1 through 10, both inclusive, Block B;  
Lots 1 through 2, both inclusive, Block C; and  
Lots 1 through 8, both inclusive, Block D of the  
**SPARKLING WATERS SUBDIVISION**, according to the Plat recorded Plat Book 17, Pages 92-93 of the Public Records, Okaloosa County, Florida.
4. → Name, address, and telephone number of management company, if any: None.
5. → This instrument **does** constitute a notice to preserve and protect the Covenants, Restrictions, and Reservations under the Marketable Record Title Act in accordance with §702.05 and §702.06 of the Florida Statutes.
6. → The following are the covenants or restrictions affecting the above named subdivision which the Association desires to be preserved from extinguishment:  
**COVENANTS, RESTRICTIONS, AND RESERVATIONS, SPARKLING WATERS SUBDIVISION** as recorded in Book XXXX, Pages XXX through XXX of the Official Records of Okaloosa County, Florida and as may be amended from time to time.
7. → The attached affidavit attests that a copy of this notice has been mailed or hand delivered to all the record owners of the Sparkling Waters Subdivision.



# Change to CRR for MRTA

- From:

-22. . . . until January 1, 2007, at which time said covenants, restrictions and reservations shall be automatically renewed for additional successive periods of ten years, unless by written and recorded agreement of a majority of the record owners on January 1, 2007 and each successive ten year anniversary date thereafter until a decision shall be made to terminate these covenants and restrictions.

- To:

-22. . . . until January 1, 2050, at which time said covenants, restrictions and reservations shall be automatically renewed for additional successive periods of thirty years. These covenant, restrictions and reservations may be terminated at any time after January 1, 2007 by written and recorded agreement of a majority of the record owners. To avoid extinguishment of these covenants, restrictions, and reservations under the Florida Marketable Record Title Act, Chapter 712, Florida statutes, the Association shall, prior to the expiration of each thirty year period of effectivity, publish a notice in accordance with §720.3032 of the Florida Statutes to extend the effectivity of the covenants, restrictions, and reservations.

# Prohibition of Short-term Rental Business

- Requested by multiple homeowners
- Doesn't affect periodic homeowner rentals
- Only affects non-residential business

- Para 1. addition:

- 1. . . . The term "residential" as used herein shall be held and construed to exclude hospitals, nurseries, duplex houses, businesses offering short term vacation rentals (defined as lease terms of less than 3 months), and apartment houses and . . .

- Para 8. addition:

- 8. . . . or nuisance to the neighborhood. No home or home site shall be used for a short term vacation rental business in which the owner is not a resident and lease terms are less than 3 months.

# Prohibition of Large Commercial Vehicle Parking

- Requested by multiple homeowners
- Makes prohibition explicit
- Paragraph 11 changes
  - junk or other waste, inoperative vehicles, travel trailers, house trailers, large commercial vehicles, or boats shall be stored, kept thrown or dumped on any lot or street in the subdivision or permitted to remain on any such place. No recreational vehicles of a length greater than 20 feet and no boats of length greater than 20 feet shall be stored or kept on any lot within the subdivision unless the same shall be kept and stored in a fully enclosed garage. No boats of any size shall be kept in the front or side yard of any lot within the subdivision and no boats of any size shall be permitted to be stored or kept in the rear of any lot within the subdivision. Large commercial vehicles shall be defined to mean any vehicle used primarily for a business purpose that has either more than four tires or exceeds 20 feet in length.

# Other Changes

- Updated building standards to be clearer:
  - dwelling or residence. All houses are to be brick, stucco, fiber cement siding, composite siding, or vinyl siding and the roofs are to have ~~timber line~~ dimensional asphalt shingles, tile, or metal roofing.
- Updated to current Florida DEP Submerged Land Lease references:
  - The Association is a party to that certain Sovereignty Submerged Lands Lease No. ~~461088341~~ 460345211 with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, for the period from May 4, ~~2010~~ 2015 until May 4, ~~2015~~ 2025 (“Sovereignty Submerged Lands Lease” or “Lease”), including renewals and amendments thereof. The Sovereignty Submerged Lands Lease is recorded in Book ~~29433202~~, Page ~~4603~~ 2764 of the Public Records of Okaloosa County, Florida.
- Fixed miscellaneous typographical and administrative errors.

# CRR Change Summary

- Minor changes except for:
  - MRTA
  - Short-term vacation rental business
  - Large commercial vehicle parking
- Marked-up version of the CRR with the changes, and a clean copy of the proposed provided in advance
- Please complete written vote form by Apr 5th

# New Business

- Sparkling Waters Phonebook/Email Distro List
  - Require permission in writing to share contact info with other Sparkling Waters members (Florida Title XL, Chapter 718.111).
  - Updated on March 30<sup>th</sup> to include new members.
  - Only 4 members not participating.
- Fall BBQ—Proposed date: Sunday, October 25<sup>th</sup>, 2020. Oktoberfest Theme.

# New Business (cont)

- Proposed Date for Next Annual Meeting-  
Sunday, April 11<sup>th</sup>, 2021 (Easter is April 4<sup>th</sup>;  
Okaloosa Cty Spring Break is March 12-22<sup>nd</sup> )
- Open floor
  - Wait to be recognized
  - Once recognized you have the floor
  - Five minute time limit

# Reminders

- Responsibilities of Landlords
- Seller's responsibilities (closing requirements)
- **Please report street light outages directly to Gulf Power via their new website: <https://www.gulfpower.com/my-account/outage/report>**
- For safety, dogs are not allowed on the beaches in Okaloosa Cty per Cty Ord No. 77-19, Sect 6.  
*Ord Sec. 5-25:- Public nuisances. (b)It shall be unlawful and a civil infraction for the owner or custodian of an animal to fail to immediately remove and dispose of that animal's waste upon any public or private property.*
  - <http://library.municode.com/index.aspx?clientId=11900>
- **Please clean up after your dog, even in county-right-of-way along Parish Blvd. Landlords, remind your tenants.**



# Reminders – Waste Disposal

- Hazardous Waste: 80 Ready Ave: FREE Drive Thru Drop-off for local residents every Tuesday thru Saturday from 7am - 3pm, no appointment necessary. For more info call: 850-301-2013 or <http://www.co.okaloosa.fl.us/pw/environmental/hazardous-waste>
- Yard Waste: Brush pick up is **Friday**. For bulky yard waste pickup (e.g. tree limb piles) , call 850 301-2822. Bag or containerize leaves, trimmings, grass clippings and other such materials, NOT to exceed fifty pounds. Stack items that may not fit into a container or bag. Items may not be over 6 feet in length and may not be larger than 4 feet in diameter.
- [http://www.co.okaloosa.fl.us/sites/default/files/doc/dept/public\\_works/Recycle/22791\\_PDS.PDF](http://www.co.okaloosa.fl.us/sites/default/files/doc/dept/public_works/Recycle/22791_PDS.PDF)
- Bulky Waste: (Appliances, furniture, etc.) Call (850) 862-7141 or (850) 301-2822 to arrange for **Wednesday** pick-up.
- Regular trash pick up is **Wednesday** and **Saturday**. Recycling is **Saturday**.

# Voting Issues

## 1. Budget

- On the question of whether to accept the recommended budget and assessment? Retain assessment at \$500 per lot per year with the \$100 workday (or equivalent) credit?
  - Yes or No

## 2. CRR Changes

- On the question of changing the CRR, to prevent CRR expiration in 30 years due to the MRTA, prohibit short-term rental businesses, prohibit parking large commercial vehicles, administrative changes to comply with Submerged Land Lease, clarify building standards, etc.
  - Yes or No

# Voting Issues (cont)

## 3. Officers

- Officers: Pres; Vice-Pres; Secy/Treasurer; Director

## 4. Next Annual Meeting? Sunday, April 11<sup>th</sup>, 2021 –

- Yes or No

# Roll Call

P = Proxy

- P Akins, Ellis & Alicia-2
- P Bonner, Lewis & Barb-1
- P Brockmeier, Aaron -2
- Broyles, Philip -1
- Burroughs, Lloyd & Benvinda-1
- Bushelle, Bill & Paula-1
- Christensen, Lars-1
- Currie, Ronnie-1
- Dixon, Alan & Monika-1
- Emery, Teresa-1
- P Gildea, James & Gaudencia-1
- Graham, Barry & Alicia-1
- Graham, Randy-1
- P Gusoff, Daniel & Samantha-1
- Hale, Josh & Eleanor-1
- P Hodge, Brian & Susan-1
- WA Holifield, JR & Jill-1
- Hoy, Neil & Kattie-1
- Johnson, Sam & Silinda-1
- P Lio, Christopher & Joan-1
- WA Manion, Lisa & Michael-2

- P Manning, Tim & Jamie-1
- Milliken, Leslie & Ryan-1
- P Montgomery, Billy & Cynthia-1
- P Nation, Andrew-1
- Rodriguez, Moises & Yeidy, M.-1
- Russell, Stephanie-1
- WA Russo, Troy-2
- Saxey, Thomas & Cindy-1
- P Shaw, Michael & Helen-1
- Smith, Jackie B.-1
- Sotomayor, Luis-1
- Stinson, John & Suzanne-1
- P Styba, Scott & Maria-1
- WA Sunderhaus, Mags & Darren-2
- Totty, John & Christine-1
- P Vellanikaran, Alice-1

Present - \_\_\_\_\_ of 42

# Plan for Boat Slip # 10

- Slip #10 is available for reassignment
- To be eligible you must: a) be an owner of property within Sparkling Waters, b) not have an existing private dock or boat slip assignment on the community dock; and c) be able to pay \$8,228 by cash or certified check for the assignment once awarded within the designated timeframe.
- Lottery planned after Main Meeting adjourns

# Awarding Boat Slip #10

- Qualified owners (met criteria, filled out form, paid \$2,000):
  - Randall Graham, Lot D-8, only owner who qualified
- Cost: \$8,228.00 less \$2,000 deposit
  - Boat slip assignment \$6,000
  - Boat lift pilings \$895
  - Florida DEP transfer fee \$1,333
- No lottery necessary since only one owner qualified – Randall Graham is awarded the first opportunity for the assignment

# Awarding Boat Slip #10

- Randall Graham has 2 business days to provide additional \$6,228.00 and be awarded assignment
- If he doesn't meet deadline, the boat slip will be re-opened for an assignment selection process

# Mooring Facility Rules & Regs

- 1. Annual Slip Fees shall be determined by the Board of Directors, which shall annually estimate the expenses of the Association for the ensuing year, plus any deficit from the preceding year, as well as a reserve for the payment of indebtedness or other corporate purposes
- 2. Slip Assignees must be current on all assessments to the Association, including both standard Association annual assessments and Slip Fees, in order to use the Mooring Facility and Boat Slip.
- 3. The Mooring Facility shall be used only on a non commercial basis by and for benefit of the authorized Boat Slip users. Authorized users are Slip Assignee, Assignee's family and accompanied guests, or Assignee's tenant.
- 4. Any vessel moored in a Boat Slip must be registered or documented in the name of the authorized Boat Slip user.
- 5. Boat Slip users must maintain vessel liability insurance on any vessel moored.
- 6. Live-aboards are prohibited.



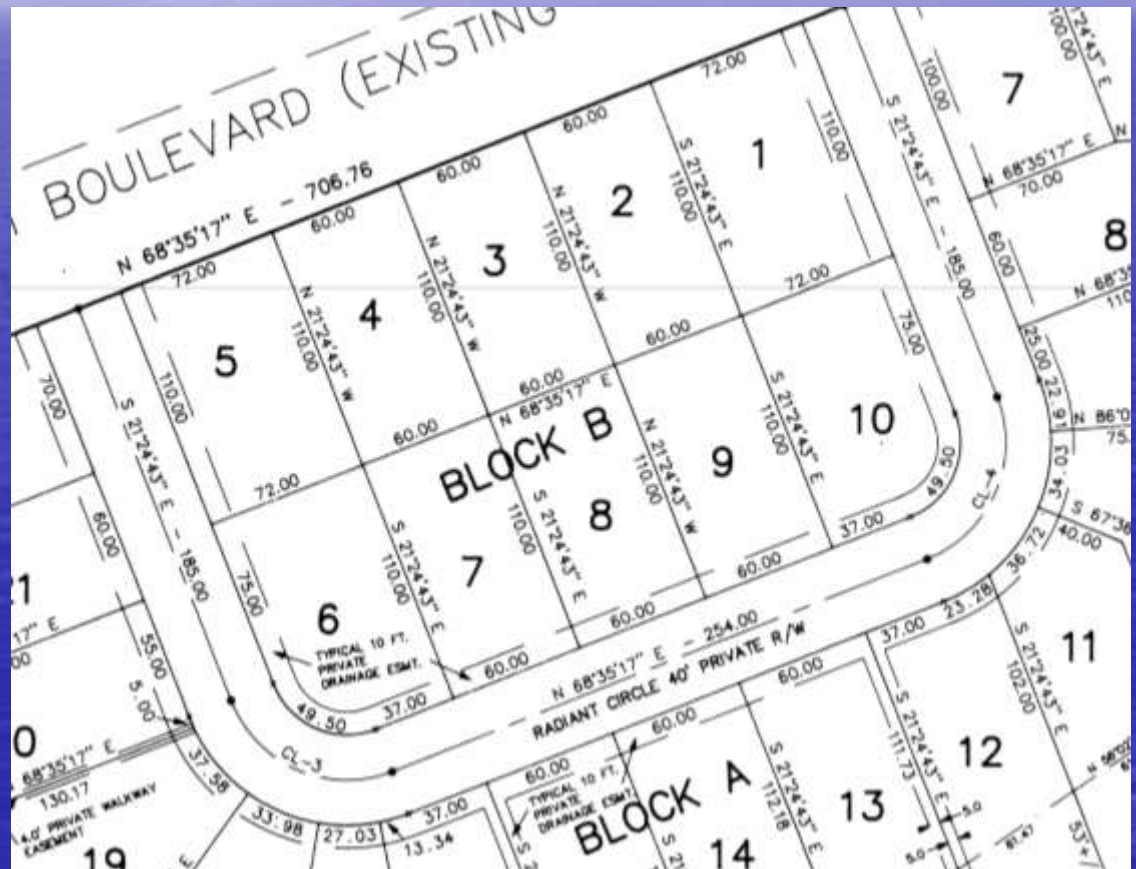
# Mooring Facility Rules & Regs (cont)

- 7. No boat shall be moored outside of a designated slip
- 8. All vessels shall be moored in a seamanlike manner with minimum ½ inch nylon dock and spring lines, unless in a boat lift.
- 9. No supplies, equipment, or other items shall be left on the docks. Boat Slip user's shall ensure the Mooring Facility is clean, and all trash and other refuse is removed after each use.
- 10. All electrical lines from the dock to the boat must be three wired, grounded extension lines designed for marine use. Power and water stanchions will not be used to secure power cords, hoses, etc.
- 11. Boat Slip users shall not use, nor permit others to use the Mooring Facility for any disorderly or unlawful purpose.
- 12. Boat Slip users shall remove vessel from Mooring Facility if directed by the dock master (due to adverse weather/hurricane, required repairs, loss of use privileges, etc).
- 13. Boat Slip users shall require all rules and regulation to be faithfully observed by family, guests, employees, tenants, etc.

# Back-ups

# Property Boundaries

- Lots do not extend to road
- County/HOA right of way
- Please maintain grass etc
- Do not interfere with HOA uses



Projected Intersection  
at Hwy 98 (Project Number 220196-2)

<https://nwflroads.com/projects/220196-2>



ion (FDOT) is conducting a public and Environment (PD&E) Study to review the analysis findings and alternative and safety improvements.

in Santa Rosa County to Mary Esther as. This study is evaluating roadway efficiency of intersection operations. g the corridor. Access management g, closing, and creating new median of environmental impacts and mpact) under Section 4(f) of the U.S. hearing will begin in an open house presentation at 6:30 p.m., followed by a

- The study has investigated the following:**
- Widening the existing facility throughout the project limits.
  - Improving the efficiency of intersection operations.
  - Improving safety with access management features.
  - Providing interchanges at S.R. 87 and S.R. 399.
  - Providing sidewalk and bicycle enhancements.

alternatives and evaluate the potential impacts. The study also assesses access management modifications, and bicycle safety improvements, and potential interchanges on ts of the study will provide FDOT the information necessary to make e roadway widening project.

eting was held to introduce the study area and receive public input. lped the study team (PD&E) to develop roadway widening alternatives and

**Agenda**

Open Forum	5:30 - 6:30 p.m.
Public Hearing- Formal presentation followed by a public comment period	6:30 p.m.

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