

**WRITTEN CONSENT TO APPROVE OR DISAPPROVE  
REVITALIZATION AND REVIVAL OF  
"DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS OF CAPE HAZE"  
PURSUANT TO SECTIONS 720.403 - 407, FLA. STAT.**

**RECITALS**

A. The undersigned is either the sole owner or co-owners of the parcel designated as Lot \_\_\_\_\_, Block \_\_\_\_\_, of Cape Haze, a subdivision (the "Lot"). The undersigned is otherwise being entitled to membership in the Cape Haze Property Owner's Association, Inc. (the "Association") by virtue of the ownership of said parcel.

B. The undersigned hereby executes this Written Consent on behalf of the Owner(s) of the Lot pursuant to the provisions of Section 720.405 and 617.0701(4)(a), Fla. Stat. for the purpose of expressing approval or disapproval on the revitalization and revival of a certain document entitled "Declaration of Covenants, Conditions and Restrictions of Cape Haze" which is recorded at Plat Book 2, Pages 93, 93A and 93B, O.R. Book 3, Pages 109 through 111, inclusive, O.R. Book 257, Pages 543 through 545, inclusive, all of the Public Records of Charlotte County, Florida (collectively the "Declaration"). The Declaration is hereinafter referred to as **both** the "Previous Declaration" and the "Revived Declaration".

C. The undersigned hereby acknowledges and agrees that the Cape Haze subdivision is an residential community eligible to revive its covenants under Sections 720.403-407, Fla. Stat. because:

1. All parcels proposed to be governed by the Revived Declaration were once governed by the Previous Declaration, but that has ceased to govern some or all of the parcels in the community; and
2. The proposed Revived Declaration does not contain covenants that are more restrictive on the parcel owners than the covenants contained in the Previous Declaration; and
3. The procedure being used to revive the Previous Declaration is in accord with the requirements of Section 720.405(6), Fla. Stat.

D. Further, the undersigned acknowledges and agrees that:

1. The Association is an existing Florida corporation not for profit and the Articles of Incorporation and Bylaws of the Association are those currently existing; and
2. The proposed Revived Declaration provides that the voting interest of each parcel owner shall be the same as the voting interest of the parcel owner under the Previous Declaration; and
3. The proposed Revived Declaration provides that the proportional-assessment obligations of each parcel owner shall be the same as proportional-assessment obligations of the parcel owner under the Previous Declaration; and

4. The proposed Revived Declaration provides the same respective amendment provisions as the Previous Declaration and other governing documents; and
5. The proposed Revived Declaration provides no covenants that are more restrictive on the affected parcel owners than the covenants contained in the Previous Declaration, and
6. This Written Consent shall be binding on the successors, assigns, heirs, executors or beneficiaries of the undersigned.

E. The undersigned acknowledges receipt of a copy of the complete text of the proposed Revived Declaration, the existing articles of incorporation and bylaws of the homeowners' association, and a graphic depiction of the property to be governed by the Revived Declaration simultaneous with receipt of this Written Consent form.

F. The undersigned, by execution of this instrument, waives the calling of the meeting and formal notice of same.

**APPROVAL OR DISAPPROVAL OF REVIVAL**

**Should the owner of parcels in the subdivision agree in writing to the Revived Declaration of Covenants, Conditions and Restrictions of Cape Haze, a subdivision, and the existing governing documents of the homeowners' association, copies of which accompanied this mailing?**

\_\_\_\_\_  
**YES**

\_\_\_\_\_  
**NO**

Dated: \_\_\_\_\_, 2011

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Print Name*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Print Name*

**PLEASE RETURN THIS SIGNED FORM TO:**

**CHPOA  
PO BOX 690  
PLACIDA, FL 33946**