

# PILKA ADAMS & REED, P.A.

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## ATTORNEYS AT LAW

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May 17, 2023

Mr. George Graymez, President  
Canterbury Property Owners' Association, Inc.  
7826 Canterbury Circle  
Lakeland, FL 33810

*Via Email Only: [deemcee@gmail.com](mailto:deemcee@gmail.com)*

Mr. David McKay  
Canterbury Property Owners' Association, Inc.  
7637 Canterbury Circle  
Lakeland, FL 33810

*Via Email Only: [smerced@tampabay.rr.com](mailto:smerced@tampabay.rr.com)*

Ms. Sandra Merced, Treasurer/Secretary  
Canterbury Property Owners Association, Inc.  
7822 Canterbury Circle  
Lakeland, FL 33810

Re: Canterbury Property Owners' Association, Inc.  
Our File No. : 21-9124

Dear George, Sandra and David:

This letter is to follow up on our meeting of April 13, 2023, when we discussed the current issues facing your community and how we can help you address those problems by amending your Deed Restrictions.

As we discussed in our conversation, when your Deed Restrictions were originally drafted, they were drafted primarily as a means for identifying what a homeowner could do within the community and what they could not do. It really did not provide a means for enforcement or even how to handle collections and delinquencies. As a result, in order to assist the Association in not only enforcing its rules and regulations, but also in improving its fiscal circumstances, I have recommended a wholesale modification and change to your Deed Restrictions. For your review, I am enclosing herein a proposed set of Amended and Restated Declarations for the Canterbury Property

Owners Association community. To continue our conversation, these are fairly standard types of Declarations recommended for communities like yours that have some common areas for which the Association is responsible for, but not necessarily a community that is gated and has its own type of clubhouse and pool. Those types of Declarations would be even more extensive than the ones I am enclosing.

In any event, I would ask that you and your Review Committee please review these proposed Amended and Restated Declarations. If you feel any changes need to be made in them, I would be happy to revise them as you and the Review Committee feel appropriate.

As I indicated to you in our meeting, once we have finalized the Amended and Restated Declarations, I would then prepare a letter to be sent to all the homeowners explaining the purpose of the Amended and Restated Declarations, along with the key terms and provisions that will fit the community and increase the esthetic value and beauty of the community, as well as their property values. Along with that letter, we would then prepare a proposed proxy for the homeowners to vote on the proposed Amendments. Hopefully, a lot of the homeowners will respond by simply emailing their signed proxy back to you. However, in order to try to collect more proxies before the membership voting meeting, we will first have an informational meeting where I would come out to your community and meet with the homeowners and explain to them the proposed Amendments and why they are so important for your community. At this informational meeting, we will have additional proxy forms that the members could fill out at that meeting.

After the informational meeting, we will then schedule the special voting meeting 20-30 days later. During that time period, you and your fellow Board members and other members of the community can go out to those homeowners who have not turned in their proxies yet to try to get proxies to approve the Amendments. As I indicated to you in our conversation, through this process, it is hoped that even prior to the date of the special membership vote, you will have enough proxies in place to amend the Declarations even though your current documents require approval by 75% of all the homeowners.

In the meantime, to the extent there are issues involving homeowners who are not paying their assessments or special assessments, as I indicated to you previously, we would be happy to assist in such collection efforts. As I explained to you in our meeting, while the Association would be responsible for out-of-pocket expenses associated with prosecuting such collection matters such as recording fees, filing fees, and service of process fees, we would not look to the Association to pay our attorney fees. Rather, we would look to the delinquent homeowner to pay those fees and expenses. All I would ask is that before you send the collection files to us, that you first send out a 30 day reminder letter to the homeowners as called for by Florida Statute §720.3085.

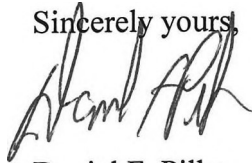
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In the meantime, should any of you have any other questions regarding these matters or any other legal issue facing the Canterbury community, please do not hesitate to contact me.

As always, we at Pilka Adams & Reed, P.A. appreciate having the opportunity of serving you and your community's legal needs.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Daniel F. Pilka', written over the typed name.

Daniel F. Pilka

DFP/mw  
Enclosure