

INDIAN RIVER CLUB CONDOMINIUM
ASSOCIATION

1617 COOLING AVENUE
MELBOURNE, FL. 32935
OFFICE 321-757-9609
FAX 321-757-9597

June 28, 2004

To All Owners of Indian River Club,

Enclosed are the documents filed on behalf of the Board of Directors in regard to the recent MRTA vote. Please file the enclosed forms with your Condominium documents. There isn't any action necessary on your part. Our legal counsel is doing all of the legal filing requirements.

Thank you,
Indian River Club Board of Directors

THIS INSTRUMENT PREPARED BY (RETURN TO):
C. John Christensen, Esq.
BECKER & POLIAKOFF, P.A.
2500 Maitland Center Parkway, Suite 209
Maitland, FL 32751



CFN:2004237121 07-26-2004 02:01 pm
OR Book/Page: 5338 / 4091

NOTICE OF PRESERVATION OF USE RESTRICTIONS UNDER MARKETABLE RECORD TITLE ACT

Pursuant to Chapter 712, Florida Statutes, the undersigned Claimant files this Notice and in support thereof states:

1. The name and address of the entity filing this Notice is the **Indian River Club Association, Inc.** (the "Association"), a Florida corporation, not-for-profit, 1025 Rockledge Drive, Rockledge, FL 32955, the Articles of Incorporation of which were originally filed in the office of the Secretary of State on August 2, 1974, the Association having been organized for the purpose of operating and administering the condominium known as Indian River Club, a Condominium, pursuant to the original recorded Declaration of Condominium, Restrictions, Reservations, Covenants, Conditions and Easements pertaining thereto which was filed of record on August 6, 1974.

2. The Association has sent a Statement of Marketable Title Action in the form set forth in Section 712.06(1)(b), Florida Statutes, to all members of the Association and attaches hereto an Affidavit executed by a member of the Board of Directors of the Association affirming that the Board of Directors caused the Statement of Marketable Title Action to be mailed to all members of the Association and further attaches the original Statement of Marketable Title Action which was mailed to all members of the Association as composite Exhibit A.

3. The lands affected by this Notice are depicted and legally described as follows:

See Exhibit B

4. The real property interest claimed under this Notice is the right to preserve those certain use restrictions, covenants, and agreements set forth in the Declaration of Condominium, Restrictions, Reservations, Covenants, Conditions and Easements of Indian River Club, a Condominium, recorded on August 6, 1974, in Official Records Book 1465, Page 792, et. seq., of the Public Records of Brevard County, Florida, attached, and as it may be amended in accordance with the terms, provisions and conditions thereof.

Dated this 17th day of June, 2004.

INDIAN RIVER CLUB ASSOCIATION, INC.

R. Lucille Fleming
Witness Signature

By John P. Manhis
President

R. Lucille Fleming
Printed Name

Billy M. Rhodes
Witness Signature

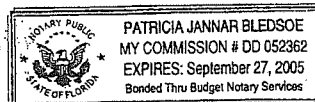
ATTEST: Diane E. Dixon
Secretary

Billy M. Rhodes
Printed Name

Scott Ellis

Clerk Of Courts, Brevard County

#Pgs: 45 #Names: 2
Trust: 23.00 Rec: 361.00 Serv: 0.00
Deed: 0.00 Excise: 0.00
Mtg: 0.00 Int Tax: 0.00



STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me this 17th day of June, 2004 by John P. Marchio, as President and Diane E. Dixon, as Secretary of INDIAN RIVER CLUB ASSOCIATION, INC., a Florida corporation, on behalf of the corporation. They are personally known to me or have produced N/A as identification. If no type of identification is indicated, the above-named persons are personally known to me.



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Notary Public

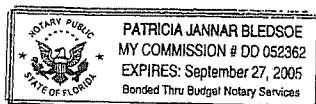
Patricia Jannar Bledsoe

Printed Name

Patricia Jannar Bledsoe

State of Florida

My Commission Expires



STATEMENT OF
MARKETABLE TITLE ACTION

Indian River Club Association, Inc. (the "Association") has taken action to insure that the Declaration of Condominium, Restrictions, Reservations, Covenants, Conditions and Easements of Indian River Club, a Condominium, recorded on August 6, 1974 at Official Records Book 1465, Page 792, et. seq., Brevard County, Florida, and as it may be amended from time to time, currently burdening the property of each and every member of the Association, retains its status as the source of marketable title with regard to the transfer of a member's unit. To this end, the Association shall cause the notice required by Chapter 712, Florida Statutes, to be recorded in the Public Records of Brevard County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association and the applicable Statutes.



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INDIAN RIVER CLUB ASSOCIATION, INC.

By: John P. Mancho 6/16/04
President

Attest: Diane E. Dixon
Secretary

EXHIBIT A

AFFIDAVIT OF MAILING OR HAND DELIVERING OF
STATEMENT OF MARKETABLE TITLE ACTION
TO UNIT OWNERS



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STATE OF FLORIDA
COUNTY OF BREVARD

BEFORE ME, personally appeared John P. Marchio, who after being duly sworn, deposes and says that the Statement of Marketable Title Action approved at the special meeting of the Board of Directors of the **Indian River Club Association, Inc.** for preservation of use restrictions under Marketable Record Title Act held June 16, 2004, at 6:30AM at Indian River Club Condo was mailed or hand delivered in accordance with the Bylaws and applicable law. The notice was mailed or hand delivered to each unit owner at the address last furnished to the Association, as such address appears on the books of the Association; on June 16, 2004 June 04 2004.

INDIAN RIVER CLUB ASSOCIATION, INC.

By: John P. Marchio

The foregoing instrument was acknowledged before me this 17th day of June, 2004, by John P. Marchio as President of **INDIAN RIVER CLUB ASSOCIATION, INC.**, a Florida not-for-profit corporation, on behalf of the corporation. He/she is personally known to me, or has produced N/A as identification and did take an oath. If no type of identification is indicated, the above-named person is personally known to me.

Patricia Jannar Bledsoe (Signature)

Patricia Jannar Bledsoe (Print Name)
Notary Public, State of Florida at Large

151384_1.DOC

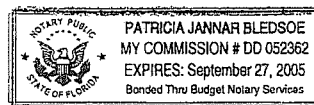


EXHIBIT A

**NOTICE OF SPECIAL MEETING OF BOARD OF DIRECTORS
FOR PRESERVATION OF USE RESTRICTIONS UNDER
MARKETABLE RECORD TITLE ACT**

The Board of Directors of the **Indian River Club Association, Inc.** will hold a special Board meeting on June 16TH, 2004, at 6:30 P.M. at

IRC Card Room 1025 Rockledge Dr. Rockledge FL 32955.

The sole agenda item at the special meeting of the Board of Directors will be a vote on preservation of recorded use restrictions in accordance with the Marketable Record Title Act, as referenced below.



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**BOARD CONSIDERATION
OF
MARKETABLE TITLE ACTION**

At the above-referenced Board meeting, the **Indian River Club Association, Inc.** (the "Association") will consider action to insure that the Declaration of Condominium, Restrictions, Reservations, Covenants, Conditions and Easements of Indian River Club, a Condominium, recorded on August 6, 1974 at Official Records Book 1465, Page 792, et. seq., Brevard County, Florida, and as it may be amended from time to time, currently burdening the property of each and every member of the Association, retains its status as the source of marketable title with regard to the transfer of a member's unit. To this end, assuming that the Board takes the appropriate action at the Board meeting referenced herein, the Association shall cause the notice required by Chapter 712, Florida Statutes, to be recorded in the Public Records of Brevard County, Florida. Upon such recording, copies of this notice and its attachments will be available through the Association pursuant to the Association's governing documents regarding official records of the Association and the applicable Statutes.

INDIAN RIVER CLUB ASSOCIATION, INC.

By: John P. Marchio 6/15/04
President

EXHIBIT A

**INDIAN RIVER CLUB CONDOMINIUM ASSOCIATION
BOARD OF DIRECTORS MEETING MINUTES
June 16, 2004**

CALL TO ORDER: Jack Marchio called the meeting to order and established a quorum at 6:35 p.m.

PROOF OF MAILING: Mark Jackson of SCPM gave proof of mailing to all homeowners on 6/4/2004.

PROOF OF NOTICE: Mark Jackson gave proof of notice, posted on Thursday 6/10/2004 at 9:00 a.m.

The following Board Members were present. Jack Marchio, Kathleen Williams, Joan Bourguignon, Diane Dixon, Byron Bentley and Anita Oglesby. Mark Jackson was present from SCPM. Dawn Stevens was absent.

Agenda item was the Board Consideration of Marketable Title Action

There was discussion by the Board as to the requirements to be met to execute this action.

Joan Bourguignon made a motion that the Board takes action to insure the preservation of the recorded Documents, Covenants, Use Restrictions as set forth in the By Laws, Articles of Incorporation and Declaration of Condominium of Indian River Club Condominium.

The motion was seconded by Diane Dixon.
All in Favor. Motion passed by unanimous vote.



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MEETING ADJOURNED: 6:42 p.m.

Secretary

Date

Joan C Bourguignon
Acting Secretary

6-25-04

EXHIBIT A