

JAMES LANDING PROPERTY OWNERS' ASSOCIATION INC.

POLICIES AND PROCEDURES

Policy No: 007- 2 Liens on Property Due to Non-payment of Assessments.

Policy: It is the policy and responsibility of JLPOA Board of Directors to uphold the Covenants, Conditions and Restrictions (CC&R's), Design Standards, and the By-Laws as recorded in the State of Florida, County Court House of Brevard, on October 24, 1994.

Procedure:

1. Assessments are due for payment on January 1st of each year, and become past due on January 31st of each year. On February 1st of each year, reminder letters are sent out to residents who have not paid their assessments (Attachment A). A late charge of \$5 per month is accrued until the assessment is paid in full or a lien is filed.
2. On March 1st of each year, a letter of **Intent to Place a Lien** is sent out (Attachment B). In accordance with Florida State Law, interest accrues at 18% per annum if a lien is filed.
3. On April 1st of each year, a lien is placed on every residence that has not paid the assessments in accordance with the CC&Rs. This takes place as follows:
 - The lien is typed up (Attachment C), and filed with the Brevard Clerk of the Court by the board member responsible. The lien will be given a file number and placed on public record.
 - The original document containing the file number and date is given to the JLPO Secretary to be placed in the file for the home address.
 - A copy of the lien is forwarded to the property owner
 - A copy is placed in the active lien file for easy retrieval when further action is required.
4. Upon payment of the assessment a **Satisfaction of Lien** (Attachment D) is processed as follows:
 - The board member responsible will file a Satisfaction of Lien (Attachment D) with the Brevard Clerk of the Court.
 - The payment should include filing fee, late charges, interest accrued and the fee to remove the lien.
 - A copy of the Satisfaction of Lien is sent to the homeowner.
 - The original Satisfaction of Lien is given to the JLPO secretary to complete the file for the home address.
 - The lien is be removed from the active lien file.

5. If the lien is not paid, it will remain on record with Clerk of Brevard County Circuit Court where it will continue to accrue interest at 18% per annum.
6. If the property goes on the market for sale, the closing agent will find the lien on file with Brevard County Court House and the sale will be held up until the lien is paid.

JAMES LANDING PROPERTY OWNERS' ASSOCIATION

3682 N. Wickham Rd, B1-327
Melbourne, FL 32935

President: K. Singleton
Vice President: G. England

Secretary: G. Robinson
Treasurer: M. Robinson

February 15, 2007

John Doe
123 Anywhere Road
This City, FL

REMINDER

It has been a busy year, and you may have forgotten that your assessment payment is Past Due for the property at . The assessment for the year was due before January 31, 2007.

Please make your payment before the 29 February, 2007, and since payment was not received there is now a late fee of \$5.00:

Assessment:	\$ 140.00
Late Fee:	5.00
TOTAL DUE	\$ 145.00

Thank you for attending to this matter as soon as possible.

Sincerely

Board of Directors
James Landing Homeowners' Association Inc.

A

JAMES LANDING PROPERTY OWNERS' ASSOCIATION

3682 N. Wickham Rd, B1-327
Melbourne, FL 32935

President: K. Singleton
Vice President: G. England

Secretary: G. Robinson
Treasurer: M. Robinson

NOTICE OF INTENT TO LIEN

Owner of Record: _____ Date: _____

Address: _____

Dear _____

As your Board of Directors for James Landing Property Owners' Association, in accordance with the Declaration of Covenants, Conditions, Restrictions and Easements, we hereby notify you of intent to place a lien on the above property.

Assessment for the year is \$140, and was due for payment by January 31, 2007. It is the duty of the Board to not only make, establish and levy such assessments, but to impose, enforce and collect the Association's dues and fees. According to the records you have an outstanding balance of \$140, plus late charges of \$5 per month. In addition, if a lien is placed there is a \$10 filing fee, and when the lien is paid another \$10 for removing the lien. Be aware that this may adversely affect your credit rating, insurance rates, and ability to acquire a loan or letter of credit.

As of today's date you have an outstanding balance of \$150 if paid by March 31st, 2007. After that date, if the full payment is not received, a claim of lien will be filed with the Department of Public Record of Brevard County. You will be charged all costs and expenses associated with the collection of said lien, including attorney's fees and any other assessments, which shall later accrue.

Payment in full should be mailed to:

JLPOA
3682 N. Wickham Road, B1-327
Melbourne, FL 32935

Thank you,
Kim Singleton
President

B

ASSESSMENT LIEN

Prepared by/

Return to: James Landing Property Owners' Association
Melbourne, Florida 32935

Date: _____

THE LIENOR, **James Landing Property Owners' Association**, does hereby file
a lien for \$ _____, plus accrued costs, upon the parcel of real property
identified as:

Said parcel of property being owned by _____
Said lien is in the current amount of \$ _____, and shall accrue future charges,
late charges, interest and attorney's fees.

DATES this _____ day of _____, 2007.

L.S.

Name: _____
3682 N. Wickham Road, B1-327
Melbourne, FL 32935

State of Florida

County of Brevard

The foregoing instrument was acknowledged before me this ____ day of _____,
2007 by _____, who is personally known to me or has produced
_____ as identification and who did/did not take an oath.

C

RELEASE OF LIEN

State of Florida
County of Brevard

Know all men by these presents:

On this ____ day of _____, 20____, this release of lien is executed by the undersigned, the authorized agent for James Landing Homeowners' Association Inc., now for and in consideration of the payment of the sum of \$_____ paid by _____, the receipt of which is hereby acknowledged, by these presents does hereby waive, release and quit-claim all liens, lien rights, claims or demands of every kind whatsoever which the undersigned now has or may hereafter have, including without limitation, that certain Claim of Lien recorded in Official Records Book _____, Page _____, of the Public Records of Brevard County, Florida, against _____, or against that certain real estate and the improvements located thereon, situated in Brevard County, Florida, described as follows:

Witness my hand and seal this ____ day of _____, A.D., 20____.

Lienor _____, LS

Name _____
And _____
Address _____

State of Florida
County of Brevard

The foregoing instrument was acknowledged before me this ____ day of _____, A.D., 20____, by _____, who is personally known to me or who produced _____ as identification and who did/did not take an oath.

Notary Public: _____

Printed Name _____

My Commission Expires:

Prepared by/
Return to: JLPO, 3682 N. Wickham Road, B1-327, Melbourne, FL 32935

D