



Hello Poinciana,

As we get ready to close out 2019, we are looking forward to a bright new year and future for Poinciana and the Association of Poinciana Villages. It is time to put the trials and tribulations of the past five years behind us. It is time to lay to rest the unfounded allegations against the Association and put forth 100% of our energy and insights into making Poinciana a community that every member is proud to call home.

We spent much of this past year planning for the future and building a strong and steady foundation for projects on Poinciana's horizon. With the guidance of the Board of Directors, we have significantly brought down our bad debt. It peaked at close to \$7 Million five years ago and now is only a fraction of that. This wasn't a pleasant or easy task to take on, but it was a crucial part of stabilizing our foundation.

This past year, using Reserve Funding, we replaced the workout equipment in the Fitness Center and upgraded the German made Spider to Poinciana's first excavator made in the USA. In addition, five Jacobsen lawn mowers, also made in the USA, were purchased to assist in the efficiency of keeping our common areas and roadways trimmed and well groomed. The establishment of the APV Beautification Team in 2019, whose primary objective is to concentrate on common areas to beautify and maintain, has been a huge success and has produced eye catching berms and flower beds within our common areas. All these improvements and additions have only made for a better Poinciana, one that residents can be proud to call home. We look forward to continued improvements in 2020 and thank all our residents for your continued support. This wouldn't be the great community it is without you, our homeowners.

Mark Maldonado LCAM and General Manager

The Annual Homeowners Association Dues for 2020 is \$276.00 - Due on 01/01/2020

ANNUAL PAYMENT OPTION if you pay

Amount due on or before 12/31/2019	\$271.00 – This amount includes an early payment discount of \$5.00
Amount due if paid 01/01/2020	\$276.00
Amount due 01/16/2020	\$281.00 this amount includes a \$5.00 processing fee

MONTHLY INSTALLMENTS

Should you select this option you **MUST** notify us in writing by emailing apvdues@apvinc.net by the deadline of 12/15/2019. If you paid in installments in 2019 it will **NOT** carry-over to 2020, you must notify in writing each year. **There will be no exceptions.** If you have a monthly payment made automatically from your bank by check please supply account number on each payment to assure posting expediency.

By electing this option, the owner agrees to pay \$24.00 payment plan service fee per year. Your monthly installment payment will be \$23.00 + \$2.00 payment plan service fee for a total monthly payment of \$25.00 due on or before the 1st of each month and considered late after the 15th. Collection policies will apply. **PLEASE NOTE:** the \$24.00 Installment plan fee is applied to any partial payments made on accounts. The only option that does not carry the \$24.00 payment plan fee is the Annual Payment Option.



Noted below is a synopsis of the Association of Poinciana Villages, Inc. budget that was approved by the Board of Directors on October 8, 2019



	2019	2020
Total Annual Assessment Revenue	\$7,446,790	\$7,580,064
Non-Assessment Income	\$1,772,967	\$2,180,335
Total Revenue	\$9,219,757	\$9,760,399
ADMINISTRATION DEPT.		
Total Expense	\$3,270,588	\$3,420,248
COMMUNITY SERVICE DEPT.		
Total Expense	\$426,853	\$470,444
LIFESTYLE DEPT.		
Total Expense	\$1,277,706	\$1,395,011
PUBLIC WORKS DEPT.		
Total Expense	\$3,636,710	\$3,808,586
Capital Expenditures and R&R		
Capital Expense and R&R	\$31,100	\$31,630
Interest		
Capital Exp. and R&R Contribution	\$576,800	\$634,480
TOTAL EXPENSE	\$9,219,757	\$9,760,399

Copies of the Approved 2020 Budget are available at the Administration Office. All Financials are available 10 days after a written request is received by APV.

PUBLIC NOTICE: From the APV Village Registrar

VILLAGE OPENINGS 2020

Village 1 (4 Stand for Election)

Village 2 (3 Stand for Election)

Village 3 (2 Stand for Election)

Village 5 (2 Stand for Election)

Village 6 (5 stand for Election)

Village 7 (2 Stand for Election)

Village 8 (3 Stand for Election)

Village 9 (5 Stand for Election)

Elections are held separately in Village 9

The Poinciana Village Associations are looking for owners to stand for election on February 11, 2020 from 7:00am-7:00pm at the APV Community Center located at 445 Marigold Ave. Poinciana, FL 34759, to fill seats on the Villages' Boards of Directors. Anyone who is interested must submit a *Notice of Intent to be Candidate* form by Friday, December 13, 2019 by 4:00PM. Any *Notice of Intent to be Candidate* form received after the deadline will not be accepted. There will be no nominations from the floor. You may hand deliver, email, or mail your *Notice of Intent to be Candidate* form to:

APV Registrar Mark Serrano-Maldonado LCAM
c/o Eldonia Gonzalez
401 Walnut Street
Poinciana, Florida 34759
Email: eldonia.gonzalez@fsresidential.com

La Asociacion de Poinciana Villages anuncia la apertura de candidaturas a la junta de directores para postularse a las elecciones que se llevaran acabo en APV Community Center, 445 Marigold Ave. Poinciana, FL 34759, el dia 11 de febrero de 2020, de 7:00am-7:00pm. Las Personas interesadas deberan enviar el formulario de su intencion de ser candidatos en o antes de el viernes, 13 de diciembre de 2019 a las 4:00PM. No se aceptaran candidaturas despues de la fecha limite, no se aceptaran nominaciones en persona. Puede entregar sus documentos personalmente, por correo electronico, o por correo a la direccion 401 Walnut Street, Poinciana FL 34759 atencion Sra, Eldonia Gonzalez. eldonia.gonzalez@fsresidential.com

APV Village Directors Candidate Eligibility and Submission Process

In order to stand for election for a position on any Village Board of Directors in Poinciana, you must be a title holder to property in the Village where you declare your candidacy and be eligible pursuant to Florida Law. A candidate representing a corporation or other business entity which owns property in a Village does not have to be a property owner in the Village.

Florida Law states a person is not eligible to serve on a Board of Directors if:

- 1) The person is delinquent in the payment of any fee, fine, or other monetary obligation to the Association.
- 2) The person has been convicted of a felony in Florida or in a United States District or Territorial Court, or has been convicted of any offense in another jurisdiction which would be considered a felony if committed in Florida, unless such felon's civil rights have been restored for at least five (5) years as of the date on which such person seeks election to a board.

It is the responsibility of the candidate to show conclusive evidence of such restoration. If a candidate disputes the finding(s) of the background check, it is the candidate's responsibility to show conclusive evidence that the finding(s) of the background check are incorrect and that the candidate is, in fact, eligible to serve.

Corporate and business entity owners that are delinquent may not put forth a candidate for the Board of Directors.

Interested parties must submit *Notice of Intent to be Candidate* form (located in this mailing and available on the APV Website, Facebook page and Mobile App or the APV Registrar's Office (401 Walnut Street, Poinciana, FL 34759) by the deadline of 4:00 PM on Friday, December 13, 2019. Forms received after the deadline will not be accepted. There will be NO nominations from the floor.

ASSOCIATION OF POINCIANA VILLAGES, INC.
HOMEOWNERS' ASSOCIATION NOTICE OF INTENT TO BE A CANDIDATE
FOR THE VILLAGES' BOARD OF DIRECTORS

I, _____, do hereby give my notice of intent to be a candidate for the Board of Directors. I will provide any additional information the Registrar needs to perform a background check to confirm my eligibility for this position. I understand that failure to provide this information will make me ineligible. I am enclosing an information statement about myself to be printed and made available to the membership. I understand that I am responsible for the accuracy of the information contained in the information statement.

Signature: _____ Print Name: _____

Property Address: _____ Today's Date: _____

Providing the information below is voluntary. You do not have to provide any of the information below in order to be a candidate for a Village Board. All information that you provide below will be available to owners in APV.

ASSOCIATION OF POINCIANA VILLAGES, INC.
CANDIDATE INFORMATION SHEET

Name _____

Email: _____ Telephone: _____

Address 1: _____

Address 2: _____

Personal Background _____

Prior Association Experience _____

Comments About Board Candidacy:

This form is provided for your convenience. You may send in your own one-sided 8 1/2 by 11" information sheet. Please type or print legibly. **Your form will be photocopied as received.** Your information will be posted on the APV website and made available at the APV administration and at the election.

**DESIGNATION OF VOTING REPRESENTATIVES & ELIGIBLE CANDIDATES
BY A CORPORATE MEMBER OF THE ASSOCIATION OF POINCIANA VILLAGES.**

_____ (hereinafter Corporate Member) is a member of the Association of Poinciana Villages (hereinafter APV) as a result of its ownership of land subject to the Poinciana Subdivision Declarations located within one or more of the Village Associations that make up APV.

Pursuant to Article IX of the Bylaws of Poinciana Village Associations One, Two, Three, Four, Five, Six, Seven and Eight, Corporate Member designates the corporate officer(s) named below as eligible to be candidates for any Village Association Board of Directors in which Corporate Member owns property as well as the APV Board of Directors. In addition, Corporate Member designates the corporate officer(s) named below as voting representatives authorized to vote on its behalf at any members' meeting or election conducted by APV or any Village Association. If more than one person is listed below any one of the listed individuals may be candidates for election to any Village Association and APV Board of Directors and vote on behalf of Corporate Member at any members' meeting without the presence of the others.

These designations will remain in force until rescinded in writing by Corporate Member.

Signature _____

Printed name _____

Office Position _____

STATE OF FLORIDA COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____

as_who (check one) is

personally, known to me

has produced _____ as identification.

Notary Signature

**NOTICE OF PROPOSED AMENDMENTS
TO THE POINCIANA SUBDIVISION DECLARATIONS**

The Board of Directors of the Association of Poinciana Villages, Inc. will consider the attached amendments to Sections 6 and 11.3 of the Poinciana Subdivision Declarations at their **meeting on February 12, 2020 at 9 a.m. at 445 Marigold Avenue, Poinciana, FL 34759**. If approved, the proposed amendments will amend the Poinciana Subdivision Declarations recorded in Official Records Book 1932, Page 2808 of the Public Records of Osceola County, Florida and recorded in Official Records Book 4805, Page 41, of the Public Records of Polk County, Florida. Please see the text of the attached amendments for more details. This notice is pursuant to Section 720.306(1)(b), Florida Statutes. If there are no changes to these amendments then this will be the only copy sent to all Owners. Owners may request another copy after the amendment is recorded.

Prepared by and Return to:
Charles L. Eldredge, Jr. Esq.
Larsen & Associates, P.L.
300 S. Orange Ave Ste. 1575
Orlando, FL 32810

**RESOLUTION NUMBER -20
AMENDING SECTIONS 6 AND 11.3 OF THE
POINCIANA SUBDIVISION DECLARATIONS**

WHEREAS, the Association of Poinciana Villages, Inc. (APV) is charged with the enforcement of the **Poinciana Subdivision Declarations (Declarations) recorded in Official Records Book 1932, Page 2808 of the Public Records of Osceola County, Florida and in Official Records Book 4805, Page 41 of the Public Records of Polk County, Florida**, as amended from time to time, as well as other documents that govern APV and its Owners, tenants, guests, and invitees; and

WHEREAS, Section 720.305(1), Florida Statutes provides that APV and its Owners, tenants, guests and invitees are governed by, and must comply with, Chapter 720, Florida Statutes, all of APV's governing documents, and rules established by APV's Board of Directors;

WHEREAS, Section 720.305(1), Florida Statutes authorizes APV and its Owners to bring actions at law or in equity to redress alleged failures or refusals to comply with Chapter 720, Florida Statutes, APV's governing documents, and rules established by APV's Board of Directors;

WHEREAS, Section 720.305(1), Florida Statutes entitles the prevailing party in any such litigation to recover their reasonable attorneys' fees and costs;

WHEREAS, the Board of Directors seeks to conform Sections 6 and 11.3 of the Poinciana Subdivision Declarations to Section 720.305(1), Florida Statutes;

WHEREAS, the Board of Directors seeks to clarify that APV may assess an Owner or Owners for judgments in favor of APV for disputes and violations of APV's Declarations and other documents governing APV and its Owners, tenants, guests and invitees so that attorneys' fees and costs are not borne by all Owners but by the Owners responsible for APV's attorneys' fees and costs; and

WHEREAS, pursuant to Section 5 of the Declarations, the Board of Directors, by majority vote of the entire Board, may amend the Declarations.

NOW, THEREFORE, it is hereby resolved by the APV Board of Directors, as follows:

Additions indicated as Underline. Deletions indicated by ~~Strikethrough~~.

Item #1

The first paragraph of Section 6 of the Poinciana Subdivision Declarations are amended to read as follows:

6. Enforcement. Enforcement of this Declaration, other documents that govern the Association and its Owners and residents, and any rules and regulations promulgated by the APV, including, but not limited to, the Criteria, shall be by judicial proceedings in law or equity brought by the Association or any Owner against any person or persons causing or allowing, attempting, suffering or permitting the violation of any covenant of this Declaration, other governing documents and/or rules and regulations. Enforcement of this Declaration, other governing documents and/or rules and regulations may be either to restrain violation(s) or to recover damages, or both. The prevailing party shall be entitled to recover, in addition to costs and disbursements allowed by law, such sums as the Court may adjudge to be reasonable for the service of the prevailing party's attorney(s), paralegal(s), and other supporting personnel and resources at all judicial levels. In the event the Association is the prevailing party, it may assess the amount of a judgment in its favor against an Owner, or Owners, as an Assessment against their individual Lot(s), and the assessed amount shall be immediately due and payable to the Association. In the event of a violation of any of the provisions of this Declaration, other governing documents and/or APV's rules and regulations, other than the nonpayment of any assessment or other monetary obligation, the APV shall attempt to notify the Owner by written notice addressed to the owner's most recent mailing address on file with the APV. If such violation is not cured within a reasonable time, as determined in the discretion of the APV Board of Directors, the APV may at its option:

...

Item #2

Section 11.3 of the Poinciana Subdivision Declarations are amended to read as follows:

11.3 Expenses. All finances and expenses incurred in connection with the violation or breach of this Declaration, other documents governing the Association and its Owners, or in the commencement of any action brought by or against any Owner or the Association regarding the Declaration or Association governing documents, including reasonable attorneys' fees and paraprofessional fees at all levels including appeals, collections and bankruptcy, shall be assessed against the Owner, as an Assessment against the individual Lot, and shall be immediately due and payable without further notice.

Additions indicated as Underline. Deletions indicated by ~~Strikethrough~~.

This Resolution and the amendments to Sections 6 and 11.3 of the Poinciana Subdivision Declarations were adopted by a majority of the Board of Directors of the Association of Poinciana Villages, Inc. on the 12th day of February, 2020.

Association of Poinciana Villages, Inc.

Witnesses:

Signature
_____, President
(print name)

Signature
Print Name: _____

Signature
_____, Secretary
(print name)

Signature
Print Name: _____

State of Florida
County of Polk

The foregoing instrument was acknowledged before me this ___ day of _____, 2020 by ___
_____ as President of Association of Poinciana Villages, Inc and _____
_____ as Secretary of Association of Poinciana Villages, Inc, who are
personally known to me (if so mark here[]) or provided _____
as identification.

Notary Public

Printed Name

Additions indicated as Underline. Deletions indicated by ~~Strikethrough~~.