

# PILKA & ASSOCIATES, P.A.

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## ATTORNEYS AT LAW

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DANIEL F. PILKA†  
J. SCOTT REED  
JAMIE V. SIMONS

†CERTIFIED CIRCUIT CIVIL MEDIATOR

PLEASE REPLY TO: BRANDON ADDRESS  
TELEPHONE (813) 653-3800  
TELEPHONE (863) 687-0780  
FACSIMILE (813) 651-0710  
Website: <http://www.pilka.com>

LAURIANE CICCARELLI  
JOHN WENDEL

OF COUNSEL

Email for Daniel F. Pilka  
[dpilka@pilka.com](mailto:dpilka@pilka.com)

August 23, 2018

*Via Email: [daviddrake@ameritechmail.com](mailto:daviddrake@ameritechmail.com)*

Ms. Sabrina Martin, President  
Lakewood Ridge Townhomes Association  
c/o Ameri-Tech Property Management, Inc.  
24701 U.S. Highway 19 North, Suite 102  
Clearwater, FL 33763

*Via Email: [daviddrake@ameritechmail.com](mailto:daviddrake@ameritechmail.com)*

David Drake, LCAM  
Ameri-Tech Property Management, Inc.  
24701 U.S. Highway 19 North, Suite 102  
Clearwater, FL 33763

Re: Lakewood Ridge Townhomes Association, Inc.  
Our File No. : 18-9134

Dear Ms. Martin and Mr. Drake:

In accordance with the instructions recently received from David Drake, I have taken the liberty of preparing a proposed letter to be sent to all the homeowners advising them of the Board's desire to install individual sub-meters on each of the town home units so that the individual property owner's water usage can be monitored and then billed directly to the homeowner rather than being included as part of the general assessment currently billed by the Association to the property owners. In addition, I have also explained to them, the Association's desire to install irrigation wells on the Association's property in order to irrigate and water the landscaping in the common areas.

As I explained to you previously, based upon the provisions contained in Article IV, Section 18, and Article III, Section 6, because these modifications constitute capital improvements to the common areas, you will need to obtain approval from two-thirds of the membership before you can proceed forward with making those changes.

As a result, I have explained all of that in the proposed letter I have prepared for the homeowners. I would ask that you please review the letter carefully, and if you feel any modifications or changes need to be made, please let me know and I will modify it as you see fit. As you can see by reviewing the letter, in addition to advising them of the proposed modifications, I have also

Ms. Sabrina Martin, President  
David Drake, LCAM  
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prepared a Proxy so that homeowners can vote for the changes without actually having to attend the special meeting, which I understand is scheduled for November 13<sup>th</sup> at 6:30 p.m. However, before that, the informational meeting will take place on October 2, 2018.

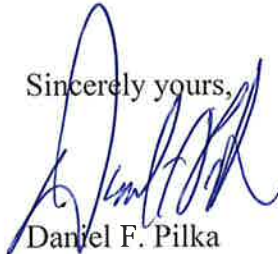
In accordance with instructions I have received from David, I will make arrangements to be at both of those meetings so that I can answer any legal questions the membership might have about them.

As such, after all of you have had an opportunity to review this letter with your fellow Board members, it would be greatly appreciated if you would please let me know if any modifications or changes need to be made. If the letter is acceptable in its current form, I will then sign it and have it prepared in final form, and I will then send it to David so that he and the staff at Ameri-Tech can arrange to have the letters and Proxy sent to all the homeowners.

In the meantime, should you or any of the other Board members have any questions regarding either these issues or any other issues facing the Lakewood Ridge community, please do not hesitate to contact me.

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

Sincerely yours,



Daniel F. Pilka

DFP/lw  
Enclosures

LAKWOOD RIDGE TOWNHOMES ASSOCIATION  
A CORPORATION NOT-FOR-PROFIT

PROXY

November 13, 2018

Membership Meeting

TO: Sabrina Martin, President  
c/o David Drake, LCAM  
24701 U.S. Hwy. 19 North  
Suite 102  
Clearwater, Florida 33763  
[daviddrake@ameritechmail.com](mailto:daviddrake@ameritechmail.com)

KNOW ALL PERSONS BY THESE PRESENTS, that the undersigned hereby appoints the President of the Association, his or her designee, or \_\_\_\_\_, attorney and agent with the power of substitution for and in the name, place and stead of the undersigned, to vote as proxy at the membership meeting of the Association, to be held at 1741 South Kings Avenue, Brandon, Florida in the King's Meeting Room at the 1741 South Kings Avenue, Brandon, Florida in the King's Meeting Room, on the 13th day of November, 2018 at 6:30 p.m., and adjournment thereof, according to the number of votes that the undersigned would be entitled to vote if then present in accordance with specifications hereinafter made, as follows:

General Powers

\_\_\_\_\_ I hereby authorize and instruct my proxy to use his best judgment on all matters which properly come before the meeting.

Limited Powers

\_\_\_\_\_ I hereby specifically authorize and instruct my proxy to cast my vote in reference to the following matters only as indicated below:

1. Installation of individual sub-meters placed on each town home unit's property for purposes of monitoring individual owner's usage of water and then billing the unit owner directly for water usage.

Approve \_\_\_\_\_

Disapprove \_\_\_\_\_

2. Drilling and installation of irrigation wells for purposes of irrigating landscaping in common areas within the community.

Approve \_\_\_\_\_ Disapprove \_\_\_\_\_

The undersigned ratify and confirm any and all acts and things that the proxy may do or cause to be done in the premises, whether at the meeting referred to above or at any change, adjournment or continuation of it, and revoke all prior proxies previously executed.

Dated: \_\_\_\_\_

Parcel Owner

Parcel Number: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(or Property Address)

\_\_\_\_\_

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**SUBSTITUTION OF PROXY**

The undersigned, appointed as proxy above, does hereby designate \_\_\_\_\_ to substitute for me in the proxy set for above.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Proxy

(In no event shall this proxy be valid for a period longer than 90 days after the date of the first meeting for which it was given).

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August 23, 2018

All Homeowners  
Lakewood Ridge Townhomes Association

Re: Lakewood Ridge Townhomes Association, Inc.

Dear Homeowners:

As you should be aware, your Board of Directors has been working diligently in order to reduce the Association's and your fees and expenses while still maintaining the quality and beauty of the Lakewood Ridge Townhomes community. One of the areas they have recently been investigating, is the water usage and water metering system currently in place and utilized in the Lakewood Ridge Townhomes Association, with the idea of updating it in order to reduce the Association's costs and expenses, and making sure that such expenses and fees are properly proportioned in accordance with each homeowner's usage.

As I am sure most of you are aware, when your community was originally constructed and developed, the developer failed to construct each of your homes with water meters that could accurately monitor the monthly water usage for each home. As a result, from its inception, the Association has been forced to pay for the water usage for the entire community and then pass along those charges to each of you as part of your assessments. The effect of this is that those who are frugal and economical in their water usage would have to pay more than their fair share to cover the costs and expenses of those who are not as frugal with their usage and consume more water. This also meant that the Association had to absorb more costs and expenses for water usage in your community which, in turn, would be passed down to all of you as higher assessments.

Furthermore, because the volume of water being used has increased along with the costs of the water, should this practice persist without being able to properly allocate the water usage, assessments would have to be increased drastically in order to cover those increasing costs. As a result, your

Association has reached out to a third party vendor, Think Utility Services, which has prepared a proposal to place individual sub-meters on each unit's property that will not only monitor individual property owner's usage, it will also be able to bill the homeowner directly for the water usage, which would remove those charges as part of the general assessments currently being billed by the Association to each of you.

In addition, in order to reduce the costs and expenses of maintaining the landscaping and grass within your community, the Association also wishes to remove the sprinkler systems from the general water lines and drill wells on the Association's property for irrigation purposes so that landscaping can be properly irrigated and maintained without having to pay for water usage. The benefit of such a practice is obvious. It will result in the Association being able to properly maintain the common areas to a level that you have all come to expect, while reducing the cost of such maintenance by using the well water irrigation as opposed to regular county water.

However, before the Association can incur these costs and expenses, the Association's Declarations of Covenants, Conditions and Restrictions expressly provide that before such expense and cost can be incurred, it must first obtain approval of at least two-thirds (2/3) of the members.

In this case, because the metering services and equipment recommended by Think Utility Services would be located on the exterior of each of the town homes and the irrigation system would be located on the common areas, this means that before the Association can proceed forward with undertaking these actions, first it must receive the approval and consent from all of you.

We hope this brief explanation helps you to understand your Board of Directors' proposal and why your involvement is needed in this matter. However, if you have any questions regarding this matter or need clarification about this proposal and the Board's plans, we urge you to discuss this matter with your Board members or your Property Manager.

In order to assist you in evaluating this proposal, a special meeting of the membership will take place on October 2, 2018 at 6:30 p.m. at 1741 South Kings Avenue in Brandon, Florida in the King's Meeting Room, to discuss this proposal further. I will be attending this meeting, at which time I will answer any questions you might have. Thereafter, another special meeting will take place on November 13, 2018 at 6:30 p.m. at 1741 South Kings Avenue in Brandon, Florida, again in the King's Meeting Room, at which time you will be asked to cast your vote on the proposed changes and modifications to the common areas.

Homeowners  
Lakewood Ridge  
Townhomes Association  
August 23, 2018  
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If you are not able to attend that meeting for any reason but wish to have your vote counted, please send your signed Proxy with either your approval or disapproval of the proposed additions and changes to the common areas to Sabrina Martin, President of the Lakewood Ridge Townhomes Association, c/o [daviddrake@ameritechmail.com](mailto:daviddrake@ameritechmail.com) or you can mail it to: Sabrina Martin, c/o Ameri-Tech Property Management, Inc., 24701 U.S. Hwy. 19 North, Suite 102, Clearwater, Florida 33763. For your convenience, I am enclosing a self-addressed stamped envelope.

Under your governing documents, it is necessary for two-thirds (2/3) of the homeowners to approve the proposed modifications and changes to the common areas. If this proposal is not approved by two-thirds (2/3) of the membership, then the Association will continue having to pay for all of the water usage within the community and then pass on those charges to each and every one of you as part of your assessments. That ultimately will result in a dramatic increase in your monthly and annual assessments. As such, the Board of Directors urges everyone to carefully consider the proposed modifications and changes to the common areas and vote to approve them.

If you do not plan to attend the special meeting to vote and/or do not return the Proxy, you may be visited in person by a Board member in order to obtain your Proxy. As such, it would be greatly appreciated if you would please send in your proxy vote or attend the meeting.

As a reminder, your Declarations of Covenants, Conditions and Restrictions have been written so as to ensure that the Association can maintain the integrity and quality of the Lakewood Ranch Townhomes community that you have come to expect in as economical and efficient fashion as possible. As such, to continue to meet those goals, the Board urges you to vote in favor of the proposed modifications and changes.

Should you wish to discuss these proposed changes further, I would urge you to contact your Board of Directors.

Sincerely yours,

Daniel F. Pilka

DFP/lw  
Enclosures