

# Evergreen Property Owners Association, Inc.



3232 SE Dixie Highway, Unit B | Stuart, FL 34997  
T: 772-219-4474 | F: 772-219-4746

January 25, 2021

Re: First Notice of Annual Meeting and Budget Approval

Dear Homeowners:

It is time to begin the preparation for the annual election of our Board of Directors for Evergreen Property Owners Association. The Annual Members meeting will be held by Conference Call on Thursday, March 18, 2021 at 3:00 PM as specified in your By-Laws. The dial in phone number is **1-602-580-9798** with **Access Code 1480034#**

There are three (3) Board positions that will expire. A nominating committee was established with the following homeowners volunteering their time to serve this process. **Neil Capozzi- Chairperson**; Bill Cofrances; Sue Ann Landes; Odessa Barresi and Melissa Mister. If you would like to submit your name and a brief biography as to your qualifications for the Board to the committee, we welcome you to do so on or **before February 10, 2021. PLEASE EMAIL Neil.Capozzi@gmail.com**. The biography is optional, however, in light of the restrictions of the Covid 19 pandemic, we will not have a traditional candidate's night. Your one page biography will be mailed and posted to the community website on February 12, 2021 in order for the membership to make their voting decisions.

A copy of the proposed Budget for April 1, 2021-March 31, 2022 is enclosed for your review. The budget will be voted on by proxy, which will be sent in the 2<sup>nd</sup> mailing in February. Please note that the increase is \$22.00 per quarter for 2021-2022. Total is \$570.00

An amendment change and proxy, drafted by our legal counsel of Ross, Earle, Bonan and Ensor is enclosed for your review and vote. This Proxy has a return envelope provided for your convenience. You may also drop the Proxy at Signature Property Management offices at 3171 SE Dominica Terrace Stuart, FL 34997. There is a lock box at the front door of the office. You may complete this proxy at any time up until the Annual Meeting of March 18, 2021.

Thank you and best regards,

**Cheryl Marciano, LCAM**

For and on Behalf of the Board of Directors

Enclosure: Amendment Change Draft  
Proxy  
Proxy Return Envelope  
Proposed 2021-2022 Budget

# Evergreen POA

Quarterly Assessment: \$570.00

ACCOUNT	DESCRIPTION	APPROVED BUDGET 2020	PROPOSED BUDGET 2021	QUARTERLY	MONTHLY
<b>INCOME</b>					
60000	Owners Assessments	\$ 657,600.00	\$ 681,720.00	\$ 570.00	\$ 190.00
60010	Crane Watch Golf	\$ 30,000.00	\$ 27,564.00	\$ 23.05	\$ 7.68
NEW	Prior Year Surplus	\$ -	\$ 35,077.75	\$ 29.33	\$ 9.78
	<b>TOTAL INCOME</b>	<b>\$ 687,600.00</b>	<b>\$ 744,361.75</b>	<b>\$ 622.38</b>	<b>\$ 207.46</b>
<b>EXPENSES</b>					
<b>Administrative</b>					
70000	Management Services	\$ 31,200.00	\$ 36,000.00	\$ 30.10	\$ 10.03
70100	Accounting Fees	\$ 5,300.00	\$ 4,400.00	\$ 3.68	\$ 1.23
70200	Office Supplies	\$ 1,500.00	\$ 400.00	\$ 0.33	\$ 0.11
70250	Printing & Postage	\$ 5,500.00	\$ 2,200.00	\$ 1.84	\$ 0.61
70300	Legal Fees	\$ 12,500.00	\$ 11,500.00	\$ 9.62	\$ 3.21
70400	Corporate Annual Fee	\$ 61.25	\$ 61.25	\$ 0.05	\$ 0.02
70550	Bad Debt	\$ 2,500.00	\$ 2,500.00	\$ 2.09	\$ 0.70
70700	Web Page	\$ 300.00	\$ 75.00	\$ 0.06	\$ 0.02
70710	Storage	\$ 525.00	\$ 530.00	\$ 0.44	\$ 0.15
	Social Events	\$ -	\$ -	\$ -	\$ -
70975	Contingency	\$ 18,008.75	\$ 3,292.50	\$ 2.75	\$ 0.92
	<b>Total Administrative</b>	<b>\$ 77,395.00</b>	<b>\$ 60,958.75</b>	<b>\$ 50.97</b>	<b>\$ 16.99</b>
<b>Insurance</b>					
71000	Insurance Package	\$ 11,500.00	\$ 11,100.00	\$ 9.28	\$ 3.09
	<b>Total Insurance</b>	<b>\$ 11,500.00</b>	<b>\$ 11,100.00</b>	<b>\$ 9.28</b>	<b>\$ 3.09</b>
<b>Utilities</b>					
72200	Cable	\$ 193,000.00	\$ 299,900.00	\$ 250.75	\$ 83.58
72250	Internet	\$ 1,675.00	\$ 1,680.00	\$ 1.40	\$ 0.47
	<b>Total Utilities</b>	<b>\$ 194,675.00</b>	<b>\$ 301,580.00</b>	<b>\$ 252.16</b>	<b>\$ 84.05</b>
<b>Contracts</b>					
73000	Landscape Contract	\$ 31,800.00	\$ 27,600.00	\$ 23.08	\$ 7.69
73001	Landscape Front Entrance	\$ 6,000.00	\$ 6,000.00	\$ 5.02	\$ 1.67
	Landscaping Extras	\$ -	\$ -	\$ -	\$ -
73005	Landscape Light Maintenance	\$ 7,500.00	\$ 7,500.00	\$ 6.27	\$ 2.09
73010	Landscape Fertilization & Pest	\$ 15,750.00	\$ 15,750.00	\$ 13.17	\$ 4.39
73020	Landscape Tree Trimming	\$ 16,000.00	\$ 16,000.00	\$ 13.38	\$ 4.46
73075	Irrigation Contract	\$ 1,000.00	\$ 1,000.00	\$ 0.84	\$ 0.28
73125	Drainage & Swales	\$ 28,000.00	\$ 23,000.00	\$ 19.23	\$ 6.41
	<b>Total Contracts</b>	<b>\$ 106,050.00</b>	<b>\$ 96,850.00</b>	<b>\$ 80.98</b>	<b>\$ 26.99</b>
<b>Repairs &amp; Maintenance</b>					
74195	R&M: Drainage	\$ 2,000.00	\$ 300.00	\$ 0.25	\$ 0.08
74550	R&M: Holiday Lighting	\$ 8,000.00	\$ 7,500.00	\$ 6.27	\$ 2.09
74660	R&M: Mailboxes	\$ 12,500.00	\$ 14,000.00	\$ 11.71	\$ 3.90
74850	R&M: Road	\$ 1,000.00	\$ 500.00	\$ 0.42	\$ 0.14
75050	R&M: Signs	\$ 7,500.00	\$ 1,000.00	\$ 0.84	\$ 0.28
	<b>Total Repairs &amp; Maintenance</b>	<b>\$ 31,000.00</b>	<b>\$ 23,300.00</b>	<b>\$ 19.48</b>	<b>\$ 6.49</b>
<b>Security Expenses</b>					
76525	Security - Drinking Water	\$ 700.00	\$ 700.00	\$ 0.59	\$ 0.20
76520	Security - Camera Web/Internet	\$ 2,800.00	\$ 1,200.00	\$ 1.00	\$ 0.33
76530	Security - Bar Code Stickers	\$ 1,000.00	\$ 1,000.00	\$ 0.84	\$ 0.28
76535	Security - R&M Camera	\$ 2,100.00	\$ 900.00	\$ 0.75	\$ 0.25
76500	Security - Payroll	\$ 218,000.00	\$ 212,000.00	\$ 177.26	\$ 59.09
76540	Security - R&M Guardhouse	\$ 2,000.00	\$ 2,200.00	\$ 1.84	\$ 0.61
76545	Security - R&M Gate	\$ 3,000.00	\$ 1,700.00	\$ 1.42	\$ 0.47
76505	Security - Electric	\$ 2,200.00	\$ 1,850.00	\$ 1.55	\$ 0.52
76510	Security - Telephone	\$ 1,600.00	\$ 1,600.00	\$ 1.34	\$ 0.45
76515	Security - Office Supplies	\$ 400.00	\$ 300.00	\$ 0.25	\$ 0.08
76550	Security - R&M Golf Cart	\$ 3,180.00	\$ 500.00	\$ 0.42	\$ 0.14
	<b>Total Security Expenses</b>	<b>\$ 236,980.00</b>	<b>\$ 223,950.00</b>	<b>\$ 187.25</b>	<b>\$ 62.42</b>
<b>Reserve Funding</b>					
80000	Reserves: General	\$ -	\$ -	\$ -	\$ -
A	Reserves	\$ 1,000.00	\$ 2,000.00	\$ 1.67	\$ 0.56
B	Street/Drainage System	\$ 1,000.00	\$ -	\$ -	\$ -
C	Golf Cart/ Vehicles	\$ -	\$ -	\$ -	\$ -
D	Gate Equipment	\$ 5,000.00	\$ 2,123.00	\$ 1.78	\$ 0.59
E	Guardhouse	\$ 2,000.00	\$ -	\$ -	\$ -
F	Mailboxes	\$ -	\$ -	\$ -	\$ -
G	Roads	\$ 18,500.00	\$ 22,500.00	\$ 18.81	\$ 6.27
H	Storm Cleanup	\$ 2,500.00	\$ -	\$ -	\$ -
	Deficit/Overage	\$ -	\$ -	\$ -	\$ -
	<b>TOTAL RESERVES</b>	<b>\$ 30,000.00</b>	<b>\$ 26,623.00</b>	<b>\$ 22.26</b>	<b>\$ 7.42</b>
<b>TOTAL EXPENSES</b>					
	<b>TOTAL EXPENSES</b>	<b>\$ 687,600.00</b>	<b>\$ 744,361.75</b>	<b>\$ 622.38</b>	<b>\$ 207.46</b>

**PROPOSED AMENDMENTS TO**  
**DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF**  
**EVERGREEN PROPERTY OWNERS ASSOCIATION, INC. F/K/A**  
**MID-RIVERS YACHT AND COUNTRY CLUB,**  
**A PLANNED UNIT DEVELOPMENT**

The following is a proposed amendment to Article XIII the Declaration of Covenants, Conditions, and Restrictions of Evergreen Property Owners Association, Inc. f/k/a Mid-Rivers Yacht and Country Club, A Planned Unit Development. Underlining indicates new language, strikethrough indicates deletion of language.

**ARTICLE XIII**  
**RIGHT TO MODIFY**  
**AMENDMENTS**

~~The Declarant and Association hereby expressly reserve the right in the absolute discretion at any time to annul, waive, change or modify any of the restrictions, conditions, covenants, agreements and provisions contained in Articles VIII through XII as to any parcel or part of said subdivision then owned by the Declarant and with 80% in number of the then owners, of all other lots in the Subdivision. In computing the 80%, each lot shall be entitled to one vote, irrespective of the number of its owners.~~

~~All instruments executed for the purposes of annulling, waiving, changing, enlarging or modifying any of the covenants, agreements, provisions, conditions and restrictions of this instrument shall be recorded.~~

This Declaration may be amended upon approval by at least 66 2/3% of those Members voting on an amendment (one vote per Lot), provided that at least 150 votes are cast. Members may vote in person or by proxy at a membership meeting or by written consent.

**PROPOSED AMENDMENTS TO**  
**BY-LAWS OF**  
**EVERGREEN PROPERTY OWNERS ASSOCIATION, INC.**

The following are proposed amendments to Article X of the By-Laws of Evergreen Property Owners Association, Inc. Underlining indicates new language, strikethrough indicates deletion of language.

**ARTICLE X**  
**AMENDMENTS**

These By-Laws may be amended in the following manner:

1. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is considered.
  
2. A resolution for the adoption of a proposed amendment may be proposed either by 80% a majority vote of the Board of Directors or initiated by 30% of the members of the Association by petition to the Board of Directors. ~~who shall call a special meeting of members to consider same. Directors not present in person or members not present in person or by proxy at the meeting considering the amendment may express their approval or disapproval in writing, providing such approval or disapproval is delivered to the Secretary at or prior to such meeting.~~
  
3. Proposed By-Law amendments shall be approved by ~~not less than 80% of the votes of the entire membership.~~ at least 66 2/3% of those Members voting on an amendment (one vote per Lot), provided that at least 150 votes are cast. Members may vote in person or by proxy at a membership meeting or by written consent.

**PROPOSED AMENDMENTS TO ARTICLES OF INCORPORATION OF  
EVERGREEN PROPERTY OWNERS ASSOCIATION, INC.**

The following are proposed amendments to Article 3, Section 3.2 (j) and Article 9, Section 9.1(b) of the Articles of Incorporation of Evergreen Property Owners Association, Inc. Underlining indicates new language, strikethrough indicates deletion of language.

**ARTICLE 3.  
Powers**

3.2) Specific Powers. The Association shall have all of the powers and privileges reasonably necessary to maintain, manage and operate the Planned Unit Development pursuant to the Declaration and as it may be amended from time to time, including but not limited to the following:

(j) To make and amend reasonable rules and regulations respecting the use of the property in the Planned Unit Development; provided, however, that all such rules and regulations and amendments thereto ~~(except for the initial rules and regulations which may be adopted by the First Board of Directors)~~ shall be approved at least 66 2/3% of those Members voting on an amendment, provided that at least 150 votes are cast (one vote per Lot). Members may vote in person or by proxy at a membership meeting or by written consent. ~~not less than 80% of the votes of the entire membership of the association before the same shall become effective~~

(The remainder of Section 3.2 remains unchanged)

**ARTICLE 9.  
Amendments**

9.1) Amendments. Amendments to the Articles of Incorporation shall be proposed and adopted in the following manner:

(b) A resolution for the adoption of a proposed amendment may be proposed either by the Board of Directors or by the members of the Association. Such approvals must be by not less than at least 66 2/3% of those Members voting on an amendment (one vote per Lot), provided that at least 150 votes are cast. Members may vote in person or by proxy at a membership meeting or by written consent. ~~75% of the entire membership of the Board of Directors and by not less than 75% of the votes of the entire membership; or by not less than 80% of the votes of the entire membership of the Association. Directors and members not present in person or by proxy at the meeting considering the amendment may express their approval in writing, providing such approval is delivered to the Secretary at or prior to the meeting.~~

(The remainder of Section 9.1 remains unchanged)

**EVERGREEN PROPERTY OWNERS ASSOCIATION, INC.**  
**ANNUAL MEETING MARCH 18, 2021**  
**LIMITED PROXY**

KNOW ALL MEN BY THESE PRESENTS:

The undersigned owner(s) or their voting representative of Unit/Lot No. \_\_\_\_\_, in **Evergreen**, hereby constitutes and appoints the Secretary of the Association, his designee, or \_\_\_\_\_, as my proxy holder to attend the Annual Meeting of the Members of Evergreen Property Owners Association, Inc., to be held on **Thursday, March 18, 2021, at 3:00 P.M. at the Evergreen Club**, and any adjournment or continuation thereof. The proxy holder named above has the authority to vote and act for me to the same extent that I would if personally present, with power of substitution, except as limited below.

**\*\* Due to COVID-19 concerns, voting will by PROXY ONLY and members may participate only by conference call as follows:**

**Dial in # 1-602-580-9798**  
**Access Code: 1480034#**

**IF YOU WANT YOUR VOICE TO BE HEARD ON THE PROPOSED AMENDMENT YOU MUST RETURN YOUR PROXY!**

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**Limited Powers**

I hereby specifically authorize and instruct my proxy to cast my vote in reference to the following matters only as indicated below (**you must mark “yes” or “no” for your vote to count**).

1. Should Article XIII of the Declaration of Covenants, Conditions, and Restrictions of Evergreen Property Owners Association, Inc. f/k/a Mid-Rivers Yacht and Country Club (the “Declaration”), Article X of the By-Laws of the Association and Articles 3.2(j) and 9 of the Articles of Incorporation of the Association be amended to provide that the Declaration, Articles of Incorporation, By-Laws and rules and regulations of the Association can be amended in the future upon the approval of at least 66 2/3% of those Members voting on an amendment (one vote per Lot), provided that at least 150 votes are cast? Members may vote in person or by proxy at a membership meeting or by written consent.

\_\_\_\_\_ **Yes**                      \_\_\_\_\_ **No**

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: \_\_\_\_\_, 2021

Evergreen Property Address: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF OWNER

\_\_\_\_\_  
PRINTED NAME OF OWNER