

Prepared by and returned to:

Becker & Poliakoff, P.A.  
Robyn M. Severs, Esquire  
111 N. Orange Ave, Suite 1400  
Orlando, FL 32801

**NOTICE OF CROSS CREEK HOMEOWNERS ASSOCIATION OF DELAND, PHASE TWO, INC., UNDER SECTION 720.3032, FLORIDA STATUTES, AND NOTICE TO PRESERVE AND PROTECT COVENANTS, CONDITIONS, AND RESTRICTIONS FROM EXTINGUISHMENT UNDER THE MARKETABLE RECORD TITLE ACT, CHAPTER 712, FLORIDA STATUTES**

Pursuant to Section 721.05(2)(b), Florida Statutes, and Section 720.3032, Florida Statutes, the undersigned Property Owners' Association files this Notice:

**NOTICE TO RECORDER: Please index both the legal name of the Association and the name(s) shown in Item 3.**

1. Legal Name of Association: **Cross Creek Homeowners Association of Deland, Phase Two, Inc.**, a Florida Corporation Not for Profit
2. Mailing and Physical addresses of the Association:  
  
Mailing Address: c/o Board of Directors  
1577 Corner Crossing Road  
Deland, FL 32720  
  
Physical Address: 1577 Corner Crossing Road, Deland, Florida 32720
3. Names of the subdivision plats, or, if none, common name of Community:
  - Cross Creek Deland, Phase 2
4. Name, address, and telephone number for management company if any:

None

5. This notice **does** constitute a notice to preserve and protect covenants or restrictions from extinguishment under the Marketable Record Title Act.
6. The following covenants and restriction affecting the Community which the Association desires to be preserved from extinguishment:
  - a. Declaration of Covenants, Conditions and Restrictions of Cross Creek Homeowners Association of Deland, Phase Two, Inc. ("Declaration"), recorded on December 2, 1994, at Official Records Book 3967, Page 3824 *et seq.*, of the Public Records of Volusia County, Florida; as amended from time to time in accordance with the terms, provisions and conditions thereof, including but not limited to:
    - i. First Amendment to the Declaration recorded on September 15, 1997, at O.R. Book 4234, Page 1977 *et seq.*, of the Public Records of Volusia County, Florida; and
    - ii. Second Amendment to the Declaration recorded on April 30, 1998, at O.R. Book 4300, Page 4652 *et seq.*, of the Public Records of Volusia County, Florida; and
    - iii. Third Amendment to the Declaration recorded on March 24, 2000, at O.R. Book 4533, Page 4933 *et seq.*, of the Public Records of Volusia County, Florida; and
    - iv. [Fourth Amendment to] Declaration of Covenants, Conditions and Restrictions of Cross Creek Deland, Phase II, A Subdivision, recorded on July 6, 2002, at O.R. Book 4890, Page 3791 *et seq.*, of the Public Records of Volusia County, Florida; and
    - v. Seventh (sic) Amended and Restated Declaration of Covenants, Conditions, and Restrictions of Cross Creek Deland Phase II, A Subdivision, recorded on May 3, 2022, at O.R. Book 8247, Page 507 *et seq.*, of the Public Records of Volusia County, Florida.

7. The legal description of the Community affected by the listed covenants or restrictions is:

All of Cross Creek Deland, Phase 2, according to the plat thereof recorded in Plat Book 44, pages 176 through 181 of the current public records of Volusia County, Florida.

This notice is filed on behalf of **Cross Creek Homeowners Association of Deland, Phase Two, Inc.**, as of the date signed below.

[SIGNATURES AND NOTARY ON NEXT PAGE]

WITNESSES (TWO)

**CROSS CREEK HOMEOWNERS  
ASSOCIATION OF DELAND, PHASE TWO,  
INC.**

Wicall Anderson  
Witness #1 Signature

BY: Edward Lee Somers  
Edward Lee Somers, President  
1577 Corner Crossing Rd  
Deland, FL 32720

Nicole Anderson  
Witness #1 Printed Name

Date: 05/30/24

101 N. woodland Blvd.  
Witness #2 Address

Taylor Harr  
Witness #2 Signature

(CORPORATE SEAL)

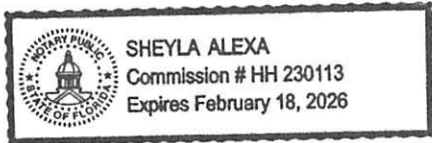
Taylor Harr  
Witness #2 Printed Name

101 N. woodland Blvd.  
Witness #2 Address

STATE OF Florida :  
COUNTY OF Volusia :

Sworn to (or affirmed) and subscribed before me by means of  physical presence or  online notarization this 30 day of May 2024, by Edward Lee Somers, as President of **Cross Creek Homeowners Association of Deland, Phase Two, Inc.**, a Florida Corporation. He  is personally known to me or  has produced \_\_\_\_\_ (type of identification) as identification.

Sheyla Alexa  
Notary Public



Printed Name: Sheyla Alexa

My commission expires: 2/18/2026

Laura E. Roth  
Clerk of Court Volusia County, Florida  
Official Records: 6/24/2024 9:55 AM  
Receipt: 302727685 Drawer: 145910

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BECKER & POLIAKOFF  
Operator: csteadma  
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Instrument #: 2024121924      Type: NO  
Book #: 8573 Page #: 2026 Time: 9:54 AM  
Recording Fee:                      \$27.00

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Subtotal:                              \$27.00  
Sales Tax:                              \$0.00  
Due:                                      \$27.00  
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CHK# 1052                              \$27.00