

# Eaglebrooke HOA Workshop

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# Why an Eaglebrooke HOA Workshop?

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CONFUSION EVIDENT IN DISCUSSIONS ON NEXTDOOR  
CONCERNING BASKETBALL HOOPS AND REGULATIONS.

# Nextdoor Discussions- Eaglebrooke North Basketball Hoops

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26 individuals contributed to the conversation  
10 residents of Eaglebrooke North; 9 in favor  
2 residents of Grandview-2 in favor  
14 residents of other communities-11 in favor  
**All in favor wanted to vote for the change**

# HOA Workshop Objectives

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Define responsibilities of HOA and CDD

HOA responsibilities and Florida Statutes

Define Eaglebrooke community organizations

Different community Declarations

Define the process for Declaration changes

Ensure that residents understand the impact of Declaration changes

# EAGLEBROOKE HOA

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*HOA-desire of the Declarant that the community of Eaglebrooke (“Eaglebrooke”) emerge and evolve as a community whose operation responds to the needs of, and contributes to the quality of life of its residents.*

HOA activities funded by annual assessments directly billed to owners, payable to the HOA

Five elected board members to two-year terms

HOA is governed by Florida Statute 720-quorum at 30%.

The Eaglebrooke HOA is independent of the Golden Lakes CDD.

Property Manager-employed by the Eaglebrooke HOA

Access at [Eaglebrooke.net](http://Eaglebrooke.net)

# Property Manager

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## Responsibilities

- Assist in management of the community in accordance with Florida HOA regulations
- Ensures that all communities adhere to their declarations and covenants
- Manages the issuance of violation letters
- Acts as field supervisor on behalf of the CDD

# Eaglebrooke Community-609 Homes

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**Grandview-** 59 homes; separate declarations

**Eaglebrooke North-**124 homes; separate declarations

**Eaglebrooke-**426 homes (exclusive of Grandview & Eaglebrooke North); separate declarations

# Grandview

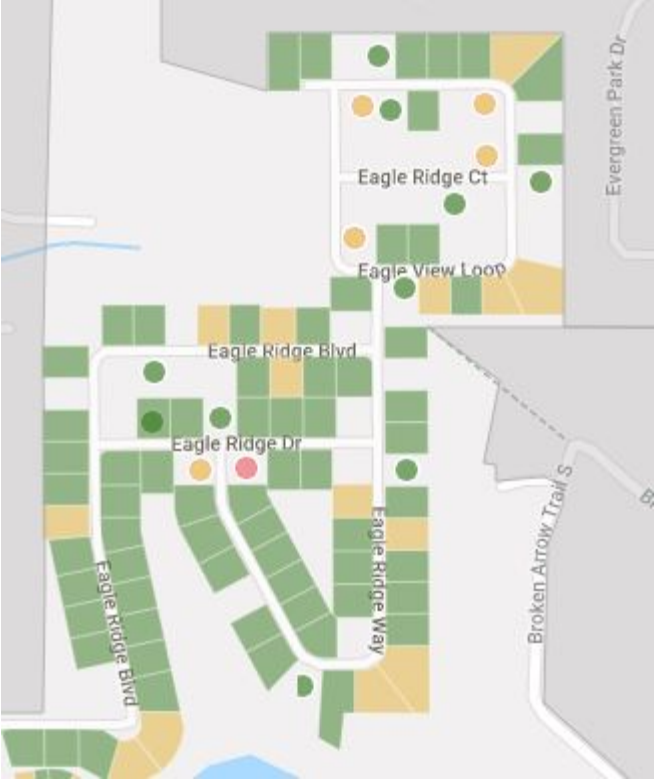
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# Eaglebrooke North

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# Eaglebrooke

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# GOLDEN LAKES CDD

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A special purpose government entity-Chapter 190 Florida statutes

Charged with managing and financing community development for infrastructure including roads, common areas, drainage and management of The Club at Eaglebrooke.

Funding by annual assessments for acquisition, construction, operation and maintenance of the major infrastructure for community development

Assessments are part of the annual Polk County tax bill

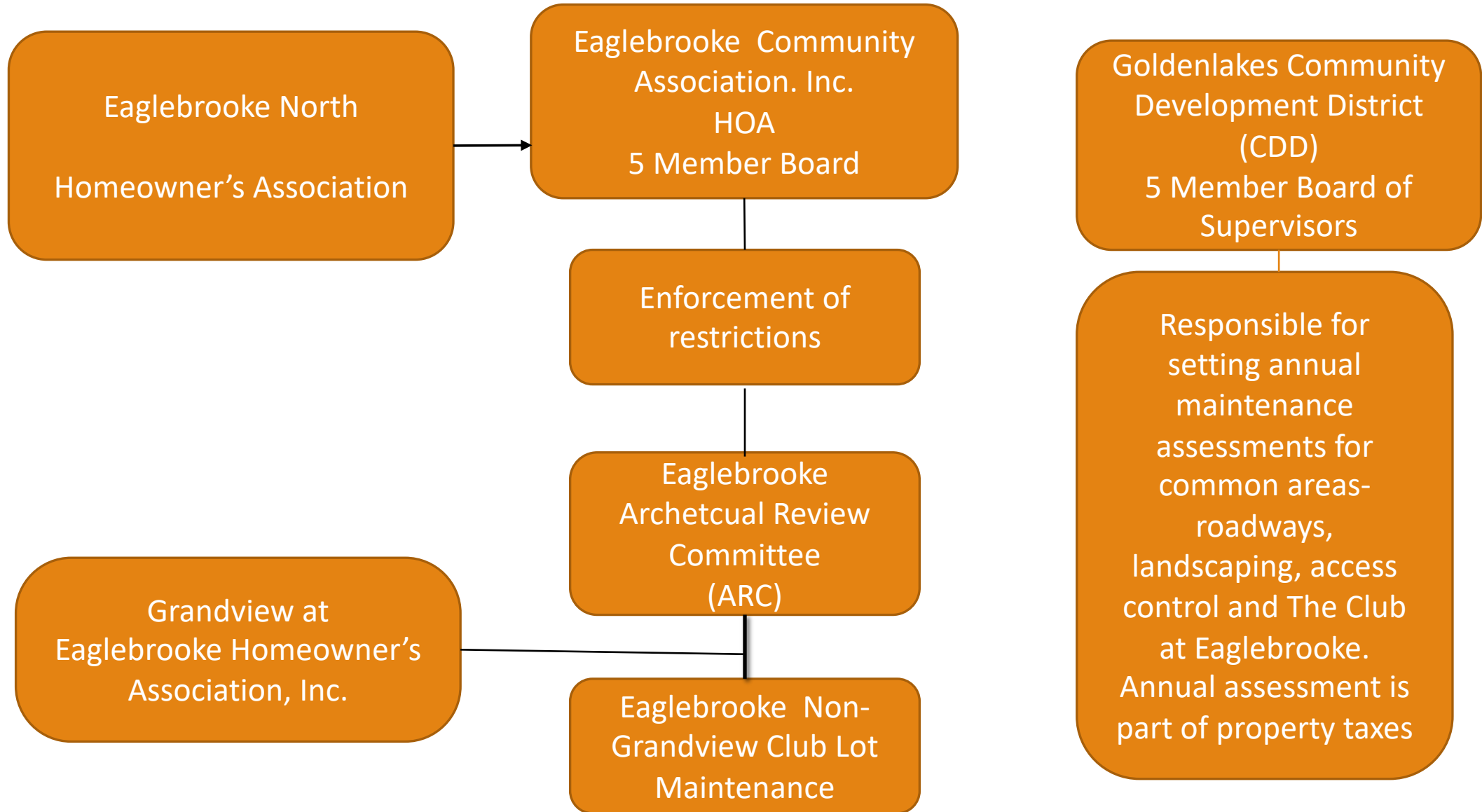
Five elected board members to four-year terms

Access at [Goldenlakescdd.org](http://Goldenlakescdd.org)

# Structure of Eaglebrooke HOA and The CDD

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SEE ATTACHED EXPLANATORY NOTES



# Common Misconceptions

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**Eaglebrooke roads are private- No!** Eaglebrooke roads are **public** because they were funded by public bond monies.

**Access to Eaglebrooke is limited-No!** Residents have immediate access using bar codes; all others enter after being scanned and recorded. Non-residents have access to the Clubhouse and defined residences.

**Eaglebrooke HOA can fund projects for roads and common areas-No!** the common areas are the responsibility of the CDD. It funds these areas by assessments of all residents.

**All Eaglebrooke residents can vote to change declarations-No!** Only **Owners** can vote for amendments for their particular community.

# Changing Declarations

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# Changing Declarations- 4 Step Process

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Identification of issues with strong community support

Presentation of proposed change to Eaglebrooke HOA

- Legal review for input to the declarations

Meeting and mailing

Meeting and vote



# Changing Declarations- 4 Step Process

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Identification of issues with strong community support

- It is preferred that the petitioning community designate a person to represent the community in the petitioning process with the Eaglebrooke HOA

# Changing Declaration-Process

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## **Issues with strong community support**

- Basketball hoops in Eaglebrooke North
- Definition of the community-the community defines the process and who votes
- Demonstration of support-Nextdoor discussion on basketball hoops
  - 27 individual posts to Nextdoor
  - 10 from Eaglebrooke North
  - 17 from other communities

# Changing Declaration-Process

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## **Legal review for input to the declarations**

- Proposed changes require legal review and adaptation for legal inclusion in declarations.
- Edited declaration returned to the community for presentation to owners
- This process incurs legal expenses

# Changing Declaration-Process

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## **Meeting and Mailing:**

- Eaglebrooke HOA sets a meeting date
- Notice of the meeting, the amendment and proxy mailed to owners no less than 14 days before the meeting and no more than 60 days of the date.

# Changing Declaration-Process

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## **Meeting and Voting:**

- Establish a quorum of 30% of members (owners) of the petitioning community
- Quorum includes actual attendees and proxies
- The quorum must be achieved to officially record the results of the declaration review
- The amendment must be recorded and returned to the Property Manager before it becomes effective

# EAGLEBROOKE HOA- Declaration Votes

AREA	HOMES	AFFIRM %	VOTE COUNT
Eaglebrooke	485		299
Club Lots (includes Grandview)	254 (2/3)	75%	126
Other	231	75%	173
Grandview	59	65%	38
Eaglebrooke North	124	65%	81

# Changing Declaration-**Basketball Hoops**

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Declaration change pertains to Eaglebrooke North only

Only Eaglebrooke North owners have a vote

Other entities must petition the Eaglebrooke HOA separately

# Eaglebrooke North-Hoops Declaration-Change

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## Vote on the measure

- A meeting will be established by Eaglebrooke HOA to:
  - Validate the vote and ensure a quorum is reached.
- Eaglebrooke North must have 81 affirmative votes to meet the requirements in their Covenants



# SUMMARY

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There are three entities within Eaglebrooke

- Eaglebrooke
- Grandview
- Eaglebrooke North

Each entity has its own set of declarations

Each entity must follow the four-step process to change its declarations

# Eaglebrooke HOA Workshop

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# Why does Eaglebrooke HOA Control the process?

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There are three entities within Eaglebrooke

- Eaglebrooke-upon merger of other entities, Eaglebrooke HOA became the surviving association
- Grandview-corporate entity and declarations merged into Eaglebrooke
- Eaglebrooke North-corporation merged but declarations remained separate

# Slide 13-Comments

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**Overview**-The Eaglebrooke Community Association and the Golden Lakes CDD are separate organizations with specific and unique responsibilities. You will note that there are no lines of responsibility connecting the two.

# Slide 13-Comments

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**Eaglebrooke HOA**-per the declarant, this entity is the surviving organization. ECA has responsibility for enforcement of code restrictions for the entire community. In addition, the Architectural Review Committee is responsible for approval of all new construction and changes to existing properties for the entire community. The ECA is responsible for non-Grandview Club Lot maintenance. Eaglebrooke HOA has its own set of declarations.

# Slide 13-Comments

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**Eaglebrooke North**-was merged into the Eaglebrooke HOA but legal paperwork was not completed until this year due to an earlier oversight. Eaglebrooke North retains its own set of declarations and covenants and can change those documents independent of the Eaglebrooke HOA although they must follow procedures established by EHOA.

# Slide 13-Comments

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**Grandview**-as merged, retained its own HOA and set of declarations and covenants and can change those documents independent of the Eaglebrooke HOA.