

Why is The Trails Phase Four not part of the Trails POA?

The Trails Property Owners' Association, Inc., Covenants were filed in Suwannee County Records on 3/26/1981. Attached to the Covenants was Exhibit "A" which described the property that was part of the Trails POA. The Trails Phase Four was NOT included in that property description. Only Phases One ,Two and Three are described in Exhibit "A".

The Plat for the Trails Phase Four was not recorded in Suwannee County records until 11/11/1982. There is a note on the Plat which states that Parcels "A", "B" and "C" are not a part of the Plat. Thus the only lots in Phase Four are parcels 1 through 8. The parcels owned by Larry Plympton and Susan Fennel were never part of Phase Four.

Article VI of the Trails POA Covenants gave the developer, Richard Keyes, the right to add Section Four to the Trails POA, but he FAILED TO FILE an additional or supplemental Declaration in the Suwannee County records.

When the Trails POA filed the revitalization submission with the addition of Phase Four in 2018, the DEO rejected the revived declaration because that property was not governed by the original declaration, and Richard Keyes never filed a supplemental declaration to add Phase Four to the POA.

How can Section Four be added to the Trails POA?

Article IX Section 3 states that the Trails POA Covenants can be ammended by a 90% vote of the property owners (first 20 years), which must then be recorded in Suwannee County records. All of the lots owners in Section Four must agree to the addition of their lots to the Trails POA, and also agree to add a description of the restrictive covenants to their deeds.