

Palm Beach Polo & Country Club Property Owners' Association, Inc.
3031 Fortune Way – A11
Wellington, FL 33414

April 5, 2019

Dear Fellow Residents,

The Annual Meeting for the Property Owners Association (POA) took place last Friday on March 29, 2019. A series of Town Hall meetings are planned to take place next week for the four asset classes. After the annual meeting, several new residents asked for historical information regarding current and past issues involving the POA and the developer and what the future might hold. The following information will attempt to address those questions:

- **Turnover:** In Florida, the law requires that the developer relinquish control of the homeowner's association (HOA) to the homeowners three months after 90% of the parcels have been conveyed to members. In 2013, after many requests and ultimately a long and costly legal battle, our homeowners won a lawsuit against the developer to force him to Turnover control of the POA to the members. The 4th District Court of Appeal affirmed the ruling. Despite the Court's ruling that Turnover should have occurred as early as March 2005, the developer has never accepted the legitimacy of that ruling and dismisses it by calling the Turnover "pre-mature". Prior to 2013, the developer held five seats and the residents four seats on the POA Board of Directors. Today, the residents hold eight seats to the developer's one seat held by Sal Spano, an employee of the developer.

The POA operates the common areas of the community including the roads, guardhouses, lakes, dog park and berms. The POA also controls access into the community. The POA does not own or control the golf courses, clubhouse, tennis courts or tennis house. These areas are owned and controlled by Palm Beach Polo, Inc. which is a sister company of the developer.

- **Dog Park:** At a POA Board meeting during the period that preceded Turnover, Sal Spano (POA President at the time) suggested that the residents purchase a one-acre plot of land designated as a dog park. The POA purchased the land for \$75,000. Several years after the purchase, the POA was informed by the Village of Wellington (VOW) that the developer had no right to subdivide the property and that the subdivision was a violation of VOW code. The POA is working to resolve the issue with the VOW.
- **Big Blue Preserve:** Big Blue (BB) is a 91.5-acre cypress preserve within the POA that is owned by Palm Beach Polo Inc. The BB preserve has been enjoyed by residents and equestrians since the formation of our community. As a preserve, BB is protected and no development is allowed. Despite that restriction, the owner cleared portions of BB and decimated a four-acre tract of the preserve. The VOW sued for damages done to the preserve, and after many years of litigation, the VOW prevailed. At present, the owner's appeals have been exhausted, the fines have reached more than \$6,000,000, and the VOW has begun foreclosure of its judgment.

- Litigation: The developer has filed multiple lawsuits against the BOD and its directors. As the cases progress - or are brought to conclusion- the BOD will report on their status.
- Soccer Matches: In violation of the VOW code, Palm Beach Polo Inc. allowed Sunday soccer to be played on the abandoned driving range behind the sales center. Events such as soccer are not permitted on that property but, as a compromise, the VOW granted a temporary Special Use Permit with specific conditions. The specific conditions were immediately violated. As a result, the VOW rescinded the permit.
- Quorum: At the annual meeting, several discussions took place regarding the quorum. A quorum of the members is necessary in order to hold an election or conduct business at the annual meeting. In order to establish a quorum, 30% of the members must be present in person or by proxy. The last time a quorum was achieved was in 2013 when Turnover was the central topic. A quorum has not been reached since that meeting despite personal attempts by some board members who actually went door-to-door. I, personally, collected 71 proxies in addition to those mailed to the POA. At the next annual meeting we will attempt to revise our bylaws, an issue that should generate enough interest to achieve a quorum.

That meeting will take place in March of 2020 as required by our bylaws. Reminders and proxies will be e-mailed several months in advance with subsequent reminders to follow. Each asset class director will supervise each HOA president in their class who will be provided with a checklist of names they are to contact personally.

- Closing the Golf Club and Future Development: Those in attendance at last week's annual meeting can form their own opinion regarding the Golf Club and Glenn Straub's announcement that the Golf Club would be closing. Those not present may contact the POA for a copy of that announcement. The Palm Beach Polo / VOW Master Plan does not allow residential or commercial development of the golf courses.

Since Turnover, the POA has invested several million dollars in the restoration of the lakes, lake banks, irrigation system, landscaping and fencing which were over 25 years old and had been badly neglected and were deteriorating rapidly. In addition to the restoration of the East and West gate landscaping, the POA has installed a new turning lane into the construction entrance. Construction of a new construction entrance guardhouse will commence this spring as well as a study to rebuild the East and West guardhouses.

The POA has also hired and retained a full-time maintenance associate, a position that did not exist prior to Turnover. After careful consideration and a rigid interviewing process, a new security staff is in place and functioning at a high level. The upgraded security force is supported by the Palm Beach County Sheriff's Office who also patrol within the community.

As always, we are available to answer your questions and to address your concerns.

Sincerely yours,

Andrew Carduner
 President on Behalf of the Board of Directors
 Palm Beach Polo & Country Club Property Owners' Association, Inc.