

*THE SUBJECT OF “RIGHT OF 1ST REFUSAL”

This subject encounters more controversy than even the possibility of Change of Land Use, yet these two subjects are forever enjoined.

Therefore, your FMO organization has embarked on a service for mobile home owners. FMO Conversion Services Inc. is here to meet the challenges of these issues.

First off, one must understand the following:

1. Your HOA needs to have filled out the “Right of 1st Refusal” document, filed it with their local Circuit Court Clerk, and delivered a copy to their park owner (by certified mail)
 - a. **This is given to you by law IF** the park owner initiates the offer to sell the community.
 - b. **Even if the park owner did not offer the park for sale, but was solicited from outside, the owner is STILL required by law to:**
 - i. Notify the HOA they have received an offer, giving the HOA the ability to compete with a better offer.
2. Your community needs to be proactive and be prepared.
 - a. You need to create a park Acquisition committee.
 - b. You need to take the steps necessary for converting the community into a Resident Owned Community (ROC) – even if the park is currently not for sale.
 - c. You need to begin a dialogue with your park owner by offering to purchase the park.
 - i. Do this every year
 - ii. This puts the owner on notice that you are interested in purchasing.
 - iii. This allows you to update yearly the financial conditions for sale.

**Notice of Mobile Homeowners' Association
Right to Purchase the Park (Right of First Refusal) - F.S. 723.076(3)**

(Name of Mobile Homeowners' Association)

a Florida corporation, duly incorporated according to Florida Statutes Chapter 723, by and through its undersigned officers, pursuant to the notice requirement contained in F.S. 723.076(3), hereby gives notice of the homeowners association's right to purchase _____ Mobile Home Park as provided for in Florida Statutes 723.071

The address of the park is: _____

The current park owner is: _____

The legal description of the mobile home park is:

SEE LEGAL DESCRIPTION ATTACHED

Date: _____
_____ Name of Association

BY: _____
President (signature)

CORPORATE SEAL

Secretary (signature) _____ President (print or type name)

Secretary (print or type name) _____ Address of Association

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, _____
(day) (month) (Year)

by _____, President _____, and _____, Secretary

of _____ a Florida corporation, on behalf of the corporation.
(Name of Homeowners' Association)

He/she is personally known to me or has produced _____
as identification.

(Type of ID)

NOTARY SEAL

(Signature of Person Taking Acknowledgment)

(Name of Acknowledger - *print or type name*)

(Title or Rank - *such as Notary Public*)

(Serial Number - *if any*)

PREPARED BY:

(Name)

(Address)

(Address Cont')

RETURN TO:

(Name)

(Address)

(Address Cont')

NOTE: THIS NOTICE MUST BE RECORDED WITH THE CLERK OF THE CIRCUIT COURT IN THE COUNTY WHERE THE MOBILE HOME PARK IS LOCATED. WITHIN(10) TEN DAYS OF THE RECORDING, THE HOMEOWNERS' ASSOCIATION SHALL PROVIDE A COPY OF THE RECORDED NOTICE TO THE PARK OWNER AT THE ADDRESS PROVIDED BY THE PARK OWNER BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.