

EXHIBIT "F" ORB 9973 Pg 1015

BY-LAWS  
OF  
LAKEVIEW HOMEOWNERS ASSOCIATION, INC.  
(A Corporation Not For Profit)

ARTICLE I  
Identity

The following By-Laws shall govern the operation of LAKEVIEW HOMEOWNERS ASSOCIATION, INC., (a Corporation Not For Profit), (hereinafter the "Corporation").

The Corporation is an incorporated non-profit association, organized and existing pursuant to Chapter 617, Florida Statutes. Defined terms used herein shall have the same definition as provided in the Declaration of Covenants, Easements and Restrictions for Lakeview Estates (the "Declaration").

Section 1. Principal Office. The office of the Corporation shall be at 4398 NW 25th Way, Boca Raton, Florida 33434, or at such other place as may be subsequently designated by the Board of Directors of the Corporation.

Section 2. Seal. The seal of the Corporation will bear the name of the Corporation, and the word "Florida", the words "not for profit", and the year of incorporation, an impression of which is as follows:

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ARTICLE II  
Purposes and Powers

The purposes and powers of the Corporation are set forth in the Articles of Incorporation.

ARTICLE III  
Membership and Voting Provisions

Section 1. Membership. The qualifications for membership are set forth in the Articles of Incorporation.

Section 2. Voting. The number of votes each member is entitled to cast at any meeting of the membership is set forth in the Articles of Incorporation. In the event of multiple ownership of a Lot by individuals, a majority of the owners of the Lot must designate a voting member. If a Lot is owned by a corporation, partnership or a joint venture, the entity owning the Lot must designate a voting member. Each voting member shall be designated in writing with the Secretary of the Corporation.

Section 3. Votes. A majority of the total votes cast shall decide any question, unless the Declaration, the Articles of Incorporation or these By-Laws provide otherwise, in which event the voting percentages required in the Declaration, the Articles of Incorporation or these By-Laws shall control in the foregoing order of priority. (The term "majority" of the votes shall mean 51% of the total votes cast).

Section 4. Quorum. The presence, either in person or by proxy, of members having thirty percent (30%) of the votes then entitled to be voted shall constitute a quorum at any meeting of the members.

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Section 5. Proxies. Votes may be cast in person or by proxy. All proxies shall be in writing and signed by the person entitled to vote and shall be filed with the Secretary of the Corporation prior to the meeting in which they are to be used. Proxies shall be valid only for the particular meeting designated therein.

#### ARTICLE IV

##### Meeting of the Membership

Section 1. Time. The annual members' meeting shall be held at 3:00 pm. on the fourth Monday in January of each year for the purpose of electing Directors and transacting any other business authorized to be transacted by the members. Special meetings shall be held on the date and the time stated in the notice thereof; provided, however, that if that day is a legal holiday, the meeting shall be held at the same hour on the next succeeding day.

Section 2. Place. All meetings of the membership shall be held at a location convenient to the members at such place and at such time as shall be designated by the Board of Directors of the Corporation and stated in the notice of the meeting.

Section 3. Notices. It shall be the duty of the Secretary to deliver a notice of each annual or special meeting, stating the time and place thereof, to each member at least ten (10) days but not more than thirty (30) days prior to such meeting. Notice of any special meeting shall state the purpose thereof. All notices shall be served at the address of the member as it appears on the books of the Corporation.

Section 4. Special Meetings. Special meetings of the members for any purpose may be called by the President, and must be called by the President at the request, in writing, of a majority of the Board of Directors, or at the request in

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writing, of members representing at least ten percent (10%) of the votes of the membership, which request shall state the purpose of the proposed meeting. Business transacted at all such meetings shall be confined to the subjects stated in the notice thereof.

Section 5. Waiver and Consent. Whenever the vote of members at a meeting is required or permitted by any provision of the Articles of Incorporation or these By-Laws to be taken in connection with any action of the Corporation, the meeting and vote of members may be dispensed with if members representing at least two-thirds (2/3) of the votes of the membership who would have been entitled to vote upon the action if such meeting were held shall consent, in writing, to such action being taken; however, notice of such action shall be given to all members.

Section 6. Proviso. Notwithstanding any of the provisions herein, until record fee title to ninety percent (90%) of the Lots in LAKEVIEW ESTATES have been conveyed by the Declarant to members other than builders, contractors, or others who purchase a Lot for the purpose of constructing improvements thereon for resale, there shall be no annual or special meeting of the members of the Corporation, and, should a meeting be called, the proceedings shall have no effect unless approved by the Board of Directors of the Corporation. However, the Declarant may waive this provision, in whole or in part, by consenting in writing to a meeting of the membership for the purposes set forth herein.

Section 7. First Meeting of Members. The first meeting of the members shall be held the second Monday during the month after the earliest of the following to occur: (i) the conveyance by the Declarant of record fee title by deed or otherwise of ninety percent (90%) of the Lots in LAKEVIEW ESTATES to members other than builders, contractors, or others who purchase a Lot for the purpose of constructing improvements thereon for resale; or (ii) such earlier date as determined and designated by Declarant.

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ARTICLE V  
Directors

Section 1. Number, Term and Qualifications. Prior to the first meeting of the members as set forth in ARTICLE IV, Section 7, the affairs of the Corporation shall be managed by a Board of Directors comprised of three (3) persons who need not be members of this Corporation. Thereafter, the affairs of the Corporation shall be managed by a Board of Directors comprised of three (3) persons who must be members of this Corporation. All officers of a corporation owning a Lot within LAKEVIEW ESTATES shall be deemed to be members of this Corporation so as to qualify as a Director herein. The term of each Director's service shall be one (1) year and shall extend until the next annual meeting of the members or until his successor is duly elected and qualified, or until he is removed in the manner provided for below.

Section 2. First Board of Directors. The First Board of Directors of the Corporation, who shall hold office and serve until the first meeting of members and until their successors have been elected and qualified, shall consist of the following:

Betty Butcher  
4398 NW 25th Way  
Boca Raton, FL 33434

Steve Butcher  
4398 NW 25th Way  
Boca Raton, FL 33434

Jeff Butcher  
4398 NW 25th Way  
Boca Raton, FL 33434

Section 3. Organizational Meeting. The organizational meeting of a newly elected Board of Directors of the

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Corporation shall be held within ten (10) days of their election at such place and time as shall be fixed by the Directors at the meeting at which they were elected, and no further notice of the organizational meeting shall be necessary.

Section 4. Removal of Directors. Directors may only be removed prior to the expiration of their term in the manner provided in the Articles of Incorporation.

Section 5. Vacancies on Directorate. If the office of any Director or Directors becomes vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, a majority of the remaining Directors shall choose a successor or successors who shall hold office for the balance of the unexpired term. The election held for the purpose of filling said vacancy may be held at any meeting of the Board of Directors.

Section 6. Disqualification and Resignation of Directors. Any Director may resign at any time by sending a written notice of such resignation to the office of the Corporation, delivered to the Secretary. Unless otherwise specified therein, such resignation shall take effect upon receipt thereof by the Secretary. Commencing with the Directors elected at the first meeting of the membership, the following shall automatically constitute a resignation by a Director: (i) the transfer of title of his Lot, effective when the instrument evidencing such transfer of title is recorded in the public records of Palm Beach County, Florida, unless the Director continues to own another Lot. No member shall continue to serve on the Board should he be more than thirty (30) days delinquent in the payment of an assessment, and said delinquency is confirmed by the Board of Directors.

Section 7. Meetings. Meetings of the Board of Directors may be called by the President, and in his absence by the Vice President, or by a majority of the members of the Board of Directors by giving five (5) days' notice in writing

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to all of the members of the Board of Directors of the time and place of said meeting. All notices of meetings shall state the purpose of the meeting.

Section 8. Directors' Waiver of Notice. Before or at any meeting of the Board of Directors, any Director may waive notice of such meeting and such waiver shall be deemed equivalent to the giving of notice. Attendance by a Director at any meeting of the Board shall be a waiver of notice by him of the time and place thereof. If all the Directors are present at any meeting of the Board, no notice shall be required, and any business may be transacted at such meeting.

Section 9. Quorum. At all meetings of the Board of Directors, a majority of the Directors shall constitute a quorum for the transaction of business, and the acts of the majority of the Directors present at such meetings at which a quorum is present shall be the acts of the Board of Directors. If at any meeting of the Board of Directors there is less than a quorum present, the majority of those present may adjourn the meeting from time to time. At each such adjourned meeting, any business which might have been transacted at the meeting, as originally called, may be transacted without further notice. The joinder of a Director in the action of a meeting by signing and concurring in the minutes thereof shall constitute the presence of such Director for the purpose of determining a quorum.

Section 10. Proviso. Notwithstanding any provisions contained herein, until the first meeting of the Members as set forth in Article IV, Section 7, the Directors named in the Articles of Incorporation or their successors, as shall be designated by the Declarant, need not be members and may not be removed by the members of the Corporation.

Section 11. Powers and Duties. The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Corporation and may do all such acts and things as are not by law, by the Articles of

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Incorporation, by these By-Laws, or the Declaration, directed to be exercised and done by the members. These powers shall specifically include, but shall not be limited to, the following:

(a) To exercise all powers specifically set forth in the Articles of Incorporation, in these By-Laws, by law, in the Declaration and all powers incidental thereto.

(b) To levy and collect general assessments, special assessments and individual assessments and use and expend the assessments to carry out the purposes and powers of the Corporation.

(c) To employ, dismiss, and control the personnel necessary for the maintenance and preservation of LAKEVIEW ESTATES, including the right and power to employ attorneys, accountants, contractors, and other professionals as the need arises.

(d) To make and amend regulations respecting the operation and use of the Lots and Corporation property and the use and maintenance of any property acquired by the Corporation.

(e) To contract for the management of the affairs of the Corporation and to delegate to any such contractor all of the powers and duties of the Corporation, except those which may be required to have the approval of the Board of Directors or membership of the Corporation.

(f) To designate one or more committees, which, to the extent provided in the resolution designating said committee, shall have the powers of the Board of Directors in the management of the business and affairs of the Corporation.

(g) To purchase equipment, supplies and materials required in the maintenance, repair, replacement, operation and management of the Corporation property.



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(h) To insure and keep insured the land, buildings and improvements of the Corporation.

(i) To pay bills for utilities serving the Corporation property.

(j) To improve the Corporation property subject to the limitations of the Declaration.

(k) To enforce by any legal means the provisions of the Articles of Incorporation, these By-Laws, the Declaration and the rules and regulations promulgated by the Corporation.

(l) To collect delinquent assessments by suit or otherwise, and to abate nuisances and enjoin or seek damages from Lot Owners for violation of the provisions of the Declaration and related documents.

(m) To pay all taxes and assessments against Corporation property.

(n) To control and regulate development within LAKEVIEW ESTATES and to promote and assist in adequate and proper maintenance of LAKEVIEW ESTATES and the Lots and residential units therein for the benefit of all Owners therein.

(o) To select depositories for the Corporation's funds, and to determine the manner of receiving, depositing and disbursing Corporation funds and the form of check and the person or persons by whom the same shall be signed, when not signed as otherwise provided by these By-Laws.

(p) To acquire real and personal property for the benefit and use of its members and to dispose of said property in accordance with the Declaration.

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ARTICLE VI  
Officers

Section 1. Elective Officers. The principal Officers of the Corporation shall be a President, Vice President, Secretary and Treasurer, all of whom shall be elected by the Board of Directors. The President shall be a member of the Board of Directors.

Section 2. Election. The Officers of the Corporation shall be elected by the Board of Directors at the organizational meeting of each new Board following the meeting of the members.

Section 3. Appointive Officers. The Board may appoint Assistant Secretaries, Assistant Treasurers, and such other Officers as the Board deems necessary.

Section 4. Term and Compensation. The Officers of the Corporation shall hold office until their successors are chosen and qualify in their stead. Any Officer elected by the Board of Directors may be removed at any time with or without cause by the Board of Directors as provided in the Articles of Incorporation. If the office of any Officer becomes vacant for any reason, the vacancy shall be filled by the Board of Directors. No compensation will be paid to the Officers of the Corporation.

Section 5. The President. The President shall be the chief executive officer of the Corporation and shall preside at all meetings of the members. He shall have executive powers and general supervision over the affairs of the Corporation and other Officers. He shall sign all written contracts and perform all of the duties incident to his office which may be delegated to him from time to time by the Board of Directors.

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Section 6. The Vice President. The Vice President shall perform all of the duties of the President in his absence and such other duties as may be required of him from time to time by the Board of Directors.

Section 7. The Secretary. The Secretary shall issue notice of all Board of Directors' meetings and all meetings of the members and shall attend and keep the minutes of same. He shall have charge of all of the Corporation's books, records and papers, except those kept by the Treasurer. If an Assistant Secretary is appointed, he shall perform the duties of the Secretary in the Secretary's absence.

Section 8. The Treasurer. The Treasurer shall have the following duties and responsibilities:

(a) He shall have custody of the Corporation's funds and securities, shall keep full and accurate accounts of receipts and disbursements in books belonging to the Corporation, and shall deposit all monies and other valuable effects in the name of and to the credit of the Corporation in such depositories as may be designated from time to time by the Board of Directors.

(b) He shall disburse the funds of the Corporation as may be ordered by the Board of Directors in accordance with these By-Laws, making proper vouchers for such disbursements and shall render to the President and the Board of Directors at the regular meetings of the Board of Directors, or whenever they may require it, an account of all of his transactions as Treasurer and of the financial condition of the Corporation.

(c) He shall collect the assessments and shall promptly report the status of collections and of all delinquencies to the Board of Directors.

(d) He shall give reports as to the status of assessments to potential transferees on which reports the transferees may rely.

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(e) If an Assistant Treasurer is appointed, he shall perform the duties of the Treasurer in the Treasurer's absence.

Section 9. First Officers. The Officers of the Corporation, who shall hold office and serve until the first election of Officers by the first Board of Directors of the Corporation following the first meeting of members and pursuant to the terms of these By-Laws, are as follows:

President: Betty Butcher  
4398 NW 25th Way  
Boca Raton, FL 33434

Vice President: Steve Butcher  
4398 NW 25th Way  
Boca Raton, FL 33434

Secretary/Treasurer: Jeff Butcher  
4398 NW 25th Way  
Boca Raton, FL 33434

ARTICLE VII  
Finances and Assessments

Section 1. Depositories. The funds of the Corporation shall be deposited in such banks and depositories as may be determined by the Board of Directors and shall be withdrawn only upon checks and demands for money signed by such Officer or Officers as may be designated by the Board of Directors.

Section 2. Fidelity Bonds. The Treasurer and all Officers who are authorized to sign checks, all Officers and employees of the Corporation, and any contractor handling or responsible for Corporation funds may be bonded in such amount as may be determined by the Board of Directors. The premiums

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on such bonds shall be paid by the Corporation. The bonds shall be in an amount as determined by the Board of Directors.

Section 3. Fiscal Year. The fiscal year of the Corporation shall begin on the first day of January of each year. The Board of Directors is expressly authorized to change to a different fiscal year in accordance with the provisions and regulations from time to time prescribed by the Internal Revenue Code of the United States of America at such time as the Board of Directors deems it advisable.

Section 4. Determination of Assessments.

(a) General Assessments. The Board of Directors has the power to and shall fix and determine, from time to time, the sum or sums necessary and adequate for the general expenses of the Corporation.

The purposes and the basis of general assessments are set forth in the Declaration.

General assessments are necessarily made upon projections and estimates of the Board of Directors and may be in excess of or less than the sums required to meet the cash requirements of the Corporation, in which event the Board of Directors may increase or decrease the amount of assessment and make such adjustments in cash or otherwise as they shall deem proper, including the assessment of each member for his pro-rata share of any deficits. Notice of all changes in assessments shall be given to all members. When the Board of Directors has determined the amount of any general assessment, the Secretary shall submit a statement of such assessment to each member. Such notice shall state the date when said assessment is due, and thereafter said assessment shall bear interest at the rate of eighteen percent (18%) per annum simple interest until paid. General assessments shall be paid by the members in advance in such periodic installments as the Board of Directors shall determine. General assessments shall be payable at the office of the Corporation.

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(b) Special Assessments. The Board of Directors has the power to fix and determine special assessments from time to time.

The purposes and basis of special assessments are set forth in the Declaration. Special Assessments shall be levied by the Board of Directors in the same manner as general assessments (at a uniform rate as set forth in the Declaration) and shall be due and collectible in such manner as the Board of Directors shall determine.

Special assessments shall be levied by the Board of Directors in the same manner as general assessments (as set forth in the Declaration), and shall be due and collectible in such manner as the Board of Directors shall determine.

Special assessments levied in accordance with the foregoing, may be made upon projections and estimates of the Board of Directors and may be in excess of or less than the sums required to meet the cash requirements of the Corporation, in which event the Board of Directors may increase or decrease the amount of assessments and make such adjustment in cash or otherwise as they shall deem proper, including the assessment of each member for his pro-rata share of any deficits. Notice of all changes in special assessments shall be given to all members. When the Board of Directors has determined the amount of any special assessment, the Secretary shall submit a statement of special assessment to each member. Such notice shall state the date upon which the assessment is due, and thereafter said assessment shall bear interest at the rate of eighteen percent (18%) per annum simple interest until paid. Special assessments shall be payable at the office of the Corporation.

(c) Individual Assessments. Pursuant to the Corporation's power and authority to enforce the covenants, restrictions, rules and regulations as set forth in the Declaration, the Board of Directors has the power to separately assess individual members. The Secretary shall

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submit a statement of such assessment to the member involved, and said assessment shall be due and payable within thirty (30) days after receipt of the statement and thereafter shall bear interest at the rate of eighteen percent (18%) per annum simple interest until paid. Individual assessments are payable at the office of the Corporation.

(d) Budget. The Board of Directors shall adopt a budget for each fiscal year that shall include the estimated funds required to defray anticipated expenses and to provide and maintain funds to cover current expenses, including a reasonable allowance for contingencies; betterments, which shall include the funds to be used for capital expenditures for additional improvements or additional property that will be a part of the Corporation property; and operations, the amount of which may be to provide working funds or to meet losses.

Section 5. Commingling of Funds. All sums collected by the Corporation from assessments may be commingled in a single fund or divided into more than one fund, as determined by the Board of Directors.

Section 6. Acceleration of Assessment Installments Upon Default. If a member shall be in default in the payment of an installment upon any assessment, the Board of Directors may accelerate the remaining installments for the fiscal year upon notice thereof to the member, and thereupon the unpaid balance of the assessment shall become due upon the date stated in the notice.

The accelerated total assessment shall be due and payable at the office of the Corporation within thirty (30) days after notification in writing to the member by the Board of Directors, and thereafter shall bear interest at the rate of eighteen percent (18%) per annum simple interest until paid.

In the event it becomes necessary to bring legal proceedings to collect the accelerated assessment and interest

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thereon, the Board of Directors shall be entitled to recover reasonable attorneys' fees and all costs of any proceedings, including those related to appellate review.

Section 7. Lien. Each of the Lots and the respective residential units ("Units") constructed thereon within LAKEVIEW ESTATES is automatically made subject to a lien and permanent charge in favor of the Corporation for general assessments, special assessments and individual assessments. Any and all of the assessments together with interest thereon, if any, shall constitute a permanent charge upon and a continuing lien on the Lot and Unit to which such assessments relate and such permanent charge and lien shall bind such Lot and Unit in the hands of any and all persons.

In the event that any assessment shall not have been paid within thirty (30) days of the due date, the Secretary of the Corporation shall send a delinquency notice by certified mail to the delinquent member. In the event that any assessment shall not have been paid within thirty (30) days of the receipt of said delinquency notice, the Treasurer shall certify to the Board of Directors the name and address, as well as the amount in arrears, of the member. The Board of Directors shall then cause to be prepared, for execution by any officer of the Corporation, a Claim of Lien to be filed with the Clerk of the Circuit Court of Palm Beach County, Florida. When necessary, on receipt of payment of a delinquent assessment, a satisfaction of lien shall be executed by any officer of the Corporation and recorded. In the event that any assessment continues to remain in default, the Corporation may pursue its remedies at law or in equity.



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## ARTICLE VIII

Compliance and Default

Section 1. Violations. In the event of a violation by a member of any of the provisions of these By-Laws, the Articles of Incorporation, the Declaration, or any of the rules and regulations promulgated by the Corporation, the Corporation, by direction of its Board of Directors, may notify the member by written notice of said breach, and if such violation shall continue for a period of thirty (30) days from the date of the notice, the Corporation, through its Board of Directors, at its option, may have the following elections:

(a) An action at law to recover damages on behalf of the Corporation or on behalf of the other members, or

(b) An action in equity to enforce performance on the part of the member, or

(c) An action in equity for such equitable relief as may be necessary under the circumstances, including injunctive relief.

Any violations which are deemed by the Board of Directors to be a hazard to public health may be corrected immediately as an emergency matter by the Corporation, and the cost thereof shall be charged to the member, as an individual assessment.

Section 2. Costs and Attorneys' Fees. In any proceedings arising because of an alleged violation by a member, the Corporation, if prevailing, shall be entitled to recover the costs of the proceeding and such reasonable attorneys fees as may be determined by the court including those on appeal.

Section 3. No Waiver of Rights. The failure of the Corporation to enforce any right, provision, covenant or

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condition shall not constitute a waiver of the right of the Corporation to enforce such right, provision, covenant or condition in the future.

## ARTICLE IX

### Amendments to the By-Laws

These By-Laws may be altered, amended or rescinded by the Board of Directors prior to the first meeting of the members as set forth in Article IV, Section 7. Subsequent to the first meeting of the members, the By-Laws may be altered, amended or added to at any duly called meeting of the members, provided:

(1) Notice of the meeting shall contain a statement of the proposed amendment.

(2) The amendment shall be approved by the majority vote of the members voting at such meeting and approved by a majority of the Board of Directors.

Directors and members not present in person at the meeting considering a proposed amendment may cast their votes for such proposal in writing, provided such votes are delivered to the Secretary of the Corporation at or prior to the meeting.

## ARTICLE X

### Notices

Whenever notices are required to be sent to members, such notices shall be sent to the addresses of the Units unless the member gives written notice, by registered mail, to the Secretary of the Corporation that notices are to be sent to some other address.

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## ARTICLE XI

Liability Survives Termination of Membership

The termination of membership in the Corporation shall not relieve or release any former member from any liability or obligations incurred under or in any way connected to said membership or impair any rights or remedies which the Corporation may have against such former member arising out of or in any way connected with such membership and the covenants and obligations incident thereto.

## ARTICLE XII

Parliamentary Rules

Robert's Rules of Order (latest edition) shall govern the conduct of the Corporation meetings when not in conflict with the Articles of Incorporation or these By-Laws.

## ARTICLE XIII

Rules and Regulations

The Board of Directors may, from time to time, adopt or amend previously adopted administrative Rules and Regulations governing the details of the use and maintenance of properties within LAKEVIEW ESTATES in order to insure compliance with the Declaration or any rule or decision of the Corporation. A copy of the Rules and Regulations adopted from time to time, as herein provided, shall be available upon request of any member.

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**SCHEDULE A****TO****DECLARATION OF EASEMENTS AND RESTRICTIONS  
FOR LAKEVIEW ESTATES COVENANTS****RULES AND REGULATIONS**

1. The Common Areas and facilities, if any, shall not be obstructed nor used for any purpose other than the purposes intended therefor. No carts, bicycles, carriages, chairs, tables or any other similar objects shall be stored thereon.

2. The personal property of Owners must be stored in their respective Units or in outside storage areas (if any are provided by Developer or approved by the Architectural Control Board).

3. No garbage cans, supplies, milk bottles or other articles shall be placed on the exterior portions of any Unit or Lot and no linens, cloths, clothing, curtains, rugs, mops, or laundry of any kind, or other articles, shall be hung from or on the Unit, the Lot or any of the windows, doors, fences, balconies, patios or other portions of the Unit or Lot, except as provided in the Declaration with respect to refuse containers.

4. Employees of the Association are not to be sent out by Owners for personal errands. The Board of Directors shall be solely responsible for directing and supervising employees of the Association.

5. No motor vehicle which cannot operate on its own power shall remain on The Properties for more than twenty-four (24) hours, and no repair of such vehicles shall be made thereon. No portion of the Common Areas may be used for parking purposes, except those portions specifically designed and intended therefor.

Areas designated for guest parking shall be used only for this purpose and neither Owners nor occupants of Units shall be permitted to use these areas.

Vehicles which are in violation of these rules and regulations shall be subject to being towed by the Association as provided in the Declaration, subject to applicable laws and ordinances.

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6. No owner shall make or permit any disturbing noises in the Unit or on the Lot by himself or his family, servants, employees, agents, visitors or licensees, nor permit any conduct by such persons that will interfere with the rights, comforts or conveniences of other Owners. No Owner shall play or permit to be played any musical instrument, nor operate or permit to be operated a phonograph, television, radio or sound amplifier or any other sound equipment in his Unit or on his Lot in such a manner as to disturb or annoy other residents (applying reasonable standards). No Owner shall conduct, nor permit to be conducted, vocal or instrumental instruction at any time which disturbs other residents.

7. No electronic equipment may be permitted in or on any Unit or Lot which interferes with the television or radio reception of another Unit.

8. No awning, canopy, shutter, enclosure or other projection shall be attached to or placed upon the outside walls or roof of the Unit or on the Lot, except as approved by the Architectural Control Board.

9. No Owner may alter in any way any portion of the Common Areas, including, but not limited to, landscaping, without obtaining the prior written consent of the Architectural Control Board.

10. No vegetable gardens shall be permitted except in fully enclosed patio areas.

11. No commercial use shall be permitted in the Development even if such use would be permitted under applicable zoning ordinances.

12. No flammable, combustible or explosive fluids, chemicals or substances shall be kept in any Unit, on a Lot or on the Common Areas, except as to gas cylinders permitted under the Declaration.

13. Any Owner who plans to be absent during the hurricane season must prepare his Unit and Lot prior to his departure by designating a responsible firm or individual to care for his Unit and Lot should the Unit suffer hurricane damage, and furnishing the Association with the name(s) of such firm or individual. Such firm or individual shall be subject to the approval of the Association.

14. An Owner shall not cause anything to be affixed or attached to, hung, displayed or placed on the exterior walls, doors, balconies or windows of his Unit without the prior written approval of the Architectural Control Board.

15. Children will be the direct responsibility of their parents or legal guardians,

ORB 9973 Ps 1036  
DOROTHY H. WILKEN, CLERK PB COUNTY, FL

including full supervision of them while within The Properties and including full compliance by them with these Rules and Regulations and all other rules and regulations of the Association. Loud noises will not be tolerated. All children under twelve (12) years of age must be accompanied by a responsible adult when entering and/or utilizing recreation facilities (if any).

16. Pets and other animals shall neither be kept nor maintained in or about The Properties except in accordance the Declaration and with the following:

No pet shall be permitted outside of its Owner's Unit unless attended by an adult or child of more than ten (10) years of age and on a leash of reasonable length. Said pets shall only be walked or taken upon the applicable Owner's Lot. In no event shall said pets ever be allowed to be walked or taken on or about any Common Areas.

17. No hunting or use of firearms shall be permitted anywhere in The Properties.

18. Every Owner and occupant shall comply with these rules and regulations as set forth herein, any and all rules and regulations which from time to time may be adopted, and the provisions of the Declaration, By-Laws and Articles of Incorporation of the Association, as amended from time to time. Failure of an Owner or occupant to so comply shall be grounds for action which may include, without limitation, an action to recover sums due for damages, injunctive relief, or any combination thereof. The Association shall have the right to suspend rights to use of recreation facilities, if any, in the event of failure to so comply. In addition to all other remedies, in the sole discretion of the Board of Directors of the Association, a fine or fines may be imposed upon an Owner for failure of an Owner, his tenants, family, guests, invitees or employees, to comply with any covenant, restriction, rule or regulation herein or in the Declaration, or Articles of Incorporation or By-Laws, as provided in the Declaration.

19. These rules and regulations shall not apply to the Developer, the Declarant, nor their affiliates, agents or employees and contractors (except in such contractors' capacity as Owners), nor property while owned by such parties. All of these rules and regulations shall apply, however, to all other Owners and occupants even if not specifically so stated in portions hereof. Further, these rules and regulations shall not apply to a Lot on which construction is taking place to the extent that they would interfere with such construction. The Board of Directors shall be permitted (but not required) to grant relief to one or more Owners from specific rules and regulations upon written request therefor and good cause shown in the sole opinion of, and conditions on time limitations imposed by the Board.

BY-LAWS  
OF  
LAKEVIEW HOMEOWNERS ASSOCIATION, INC.  
(A Corporation Not For Profit)

ARTICLE I  
Identity

The following By-Laws shall govern the operation of LAKEVIEW HOMEOWNERS ASSOCIATION, INC., (a Corporation Not For Profit), (hereinafter the "Corporation").

The Corporation is an incorporated non-profit association, organized and existing pursuant to Chapter 617, Florida Statutes. Defined terms used herein shall have the same definition as provided in the Declaration of Covenants, Easements and Restrictions for Lakeview Estates (the "Declaration").

Section 1. Principal Office. The office of the Corporation shall be at 4398 NW 25th Way, Boca Raton, Florida 33434, or at such other place as may be subsequently designated by the Board of Directors of the Corporation.

Section 2. Seal. The seal of the Corporation will bear the name of the Corporation, and the word "Florida", the words "not for profit", and the year of incorporation, an impression of which is as follows:

ARTICLE II  
Purposes and Powers

The purposes and powers of the Corporation are set forth in the Articles of Incorporation.

ARTICLE III  
Membership and Voting Provisions

Section 1. Membership. The qualifications for membership are set forth in the Articles of Incorporation.

Section 2. Voting. The number of votes each member is entitled to cast at any meeting of the membership is set forth in the Articles of Incorporation. In the event of multiple ownership of a Lot by individuals, a majority of the owners of the Lot must designate a voting member. If a Lot is owned by a corporation, partnership or a joint venture, the entity owning the Lot must designate a voting member. Each voting member shall be designated in writing with the Secretary of the Corporation.

Section 3. Votes. A majority of the total votes cast shall decide any question, unless the Declaration, the Articles of Incorporation or these By-Laws provide otherwise, in which event the voting percentages required in the Declaration, the Articles of Incorporation or these By-Laws shall control in the foregoing order of priority. (The term "majority" of the votes shall mean 51% of the total votes cast).

Section 4. Quorum. The presence, either in person or by proxy, of members having thirty percent (30%) of the votes then entitled to be voted shall constitute a quorum at any meeting of the members.



Section 5. Proxies. Votes may be cast in person or by proxy. All proxies shall be in writing and signed by the person entitled to vote and shall be filed with the Secretary of the Corporation prior to the meeting in which they are to be used. Proxies shall be valid only for the particular meeting designated therein.

#### ARTICLE IV

##### Meeting of the Membership

Section 1. Time. The annual members' meeting shall be held at 3:00 pm. on the fourth Monday in January of each year for the purpose of electing Directors and transacting any other business authorized to be transacted by the members. Special meetings shall be held on the date and the time stated in the notice thereof; provided, however, that if that day is a legal holiday, the meeting shall be held at the same hour on the next succeeding day.

Section 2. Place. All meetings of the membership shall be held at a location convenient to the members at such place and at such time as shall be designated by the Board of Directors of the Corporation and stated in the notice of the meeting.

Section 3. Notices. It shall be the duty of the Secretary to deliver a notice of each annual or special meeting, stating the time and place thereof, to each member at least ten (10) days but not more than thirty (30) days prior to such meeting. Notice of any special meeting shall state the purpose thereof. All notices shall be served at the address of the member as it appears on the books of the Corporation.

Section 4. Special Meetings. Special meetings of the members for any purpose may be called by the President, and must be called by the President at the request, in writing, of a majority of the Board of Directors, or at the request in

writing, of members representing at least ten percent (10%) of the votes of the membership, which request shall state the purpose of the proposed meeting. Business transacted at all such meetings shall be confined to the subjects stated in the notice thereof.

Section 5. Waiver and Consent. Whenever the vote of members at a meeting is required or permitted by any provision of the Articles of Incorporation or these By-Laws to be taken in connection with any action of the Corporation, the meeting and vote of members may be dispensed with if members representing at least two-thirds (2/3) of the votes of the membership who would have been entitled to vote upon the action if such meeting were held shall consent, in writing, to such action being taken; however, notice of such action shall be given to all members.

Section 6. Proviso. Notwithstanding any of the provisions herein, until record fee title to ninety percent (90%) of the Lots in LAKEVIEW ESTATES have been conveyed by the Declarant to members other than builders, contractors, or others who purchase a Lot for the purpose of constructing improvements thereon for resale, there shall be no annual or special meeting of the members of the Corporation, and, should a meeting be called, the proceedings shall have no effect unless approved by the Board of Directors of the Corporation. However, the Declarant may waive this provision, in whole or in part, by consenting in writing to a meeting of the membership for the purposes set forth herein.

Section 7. First Meeting of Members. The first meeting of the members shall be held the second Monday during the month after the earliest of the following to occur: (i) the conveyance by the Declarant of record fee title by deed or otherwise of ninety percent (90%) of the Lots in LAKEVIEW ESTATES to members other than builders, contractors, or others who purchase a Lot for the purpose of constructing improvements thereon for resale; or (ii) such earlier date as determined and designated by Declarant.

ARTICLE V  
Directors

Section 1. Number, Term and Qualifications. Prior to the first meeting of the members as set forth in ARTICLE IV, Section 7, the affairs of the Corporation shall be managed by a Board of Directors comprised of three (3) persons who need not be members of this Corporation. Thereafter, the affairs of the Corporation shall be managed by a Board of Directors comprised of three (3) persons who must be members of this Corporation. All officers of a corporation owning a Lot within LAKEVIEW ESTATES shall be deemed to be members of this Corporation so as to qualify as a Director herein. The term of each Director's service shall be one (1) year and shall extend until the next annual meeting of the members or until his successor is duly elected and qualified, or until he is removed in the manner provided for below.

Section 2. First Board of Directors. The First Board of Directors of the Corporation, who shall hold office and serve until the first meeting of members and until their successors have been elected and qualified, shall consist of the following:

Betty Butcher  
 4398 NW 25th Way  
 Boca Raton, FL 33434

Steve Butcher  
 4398 NW 25th Way  
 Boca Raton, FL 33434

Jeff Butcher  
 4398 NW 25th Way  
 Boca Raton, FL 33434

Section 3. Organizational Meeting. The organizational meeting of a newly elected Board of Directors of the

Corporation shall be held within ten (10) days of their election at such place and time as shall be fixed by the Directors at the meeting at which they were elected, and no further notice of the organizational meeting shall be necessary.

Section 4. Removal of Directors. Directors may only be removed prior to the expiration of their term in the manner provided in the Articles of Incorporation.

Section 5. Vacancies on Directorate. If the office of any Director or Directors becomes vacant by reason of death, resignation, retirement, disqualification, removal from office, or otherwise, a majority of the remaining Directors shall choose a successor or successors who shall hold office for the balance of the unexpired term. The election held for the purpose of filling said vacancy may be held at any meeting of the Board of Directors.

Section 6. Disqualification and Resignation of Directors. Any Director may resign at any time by sending a written notice of such resignation to the office of the Corporation, delivered to the Secretary. Unless otherwise specified therein, such resignation shall take effect upon receipt thereof by the Secretary. Commencing with the Directors elected at the first meeting of the membership, the following shall automatically constitute a resignation by a Director: (i) the transfer of title of his Lot, effective when the instrument evidencing such transfer of title is recorded in the public records of Palm Beach County, Florida, unless the Director continues to own another Lot. No member shall continue to serve on the Board should he be more than thirty (30) days delinquent in the payment of an assessment, and said delinquency is confirmed by the Board of Directors.

Section 7. Meetings. Meetings of the Board of Directors may be called by the President, and in his absence by the Vice President, or by a majority of the members of the Board of Directors by giving five (5) days' notice in writing

to all of the members of the Board of Directors of the time and place of said meeting. All notices of meetings shall state the purpose of the meeting.

Section 8. Directors' Waiver of Notice. Before or at any meeting of the Board of Directors, any Director may waive notice of such meeting and such waiver shall be deemed equivalent to the giving of notice. Attendance by a Director at any meeting of the Board shall be a waiver of notice by him of the time and place thereof. If all the Directors are present at any meeting of the Board, no notice shall be required, and any business may be transacted at such meeting.

Section 9. Quorum. At all meetings of the Board of Directors, a majority of the Directors shall constitute a quorum for the transaction of business, and the acts of the majority of the Directors present at such meetings at which a quorum is present shall be the acts of the Board of Directors. If at any meeting of the Board of Directors there is less than a quorum present, the majority of those present may adjourn the meeting from time to time. At each such adjourned meeting, any business which might have been transacted at the meeting, as originally called, may be transacted without further notice. The joinder of a Director in the action of a meeting by signing and concurring in the minutes thereof shall constitute the presence of such Director for the purpose of determining a quorum.

Section 10. Proviso. Notwithstanding any provisions contained herein, until the first meeting of the Members as set forth in Article IV, Section 7, the Directors named in the Articles of Incorporation or their successors, as shall be designated by the Declarant, need not be members and may not be removed by the members of the Corporation.

Section 11. Powers and Duties. The Board of Directors shall have the powers and duties necessary for the administration of the affairs of the Corporation and may do all such acts and things as are not by law, by the Articles of

Incorporation, by these By-Laws, or the Declaration, directed to be exercised and done by the members. These powers shall specifically include, but shall not be limited to, the following:

(a) To exercise all powers specifically set forth in the Articles of Incorporation, in these By-Laws, by law, in the Declaration and all powers incidental thereto.

(b) To levy and collect general assessments, special assessments and individual assessments and use and expend the assessments to carry out the purposes and powers of the Corporation.

(c) To employ, dismiss, and control the personnel necessary for the maintenance and preservation of LAKEVIEW ESTATES, including the right and power to employ attorneys, accountants, contractors, and other professionals as the need arises.

(d) To make and amend regulations respecting the operation and use of the Lots and Corporation property and the use and maintenance of any property acquired by the Corporation.

(e) To contract for the management of the affairs of the Corporation and to delegate to any such contractor all of the powers and duties of the Corporation, except those which may be required to have the approval of the Board of Directors or membership of the Corporation.

(f) To designate one or more committees, which, to the extent provided in the resolution designating said committee, shall have the powers of the Board of Directors in the management of the business and affairs of the Corporation.

(g) To purchase equipment, supplies and materials required in the maintenance, repair, replacement, operation and management of the Corporation property.

(h) To insure and keep insured the land, buildings and improvements of the Corporation.

(i) To pay bills for utilities serving the Corporation property.

(j) To improve the Corporation property subject to the limitations of the Declaration.

(k) To enforce by any legal means the provisions of the Articles of Incorporation, these By-Laws, the Declaration and the rules and regulations promulgated by the Corporation.

(l) To collect delinquent assessments by suit or otherwise, and to abate nuisances and enjoin or seek damages from Lot Owners for violation of the provisions of the Declaration and related documents.

(m) To pay all taxes and assessments against Corporation property.

(n) To control and regulate development within LAKEVIEW ESTATES and to promote and assist in adequate and proper maintenance of LAKEVIEW ESTATES and the Lots and residential units therein for the benefit of all Owners therein.

(o) To select depositories for the Corporation's funds, and to determine the manner of receiving, depositing and disbursing Corporation funds and the form of check and the person or persons by whom the same shall be signed, when not signed as otherwise provided by these By-Laws.

(p) To acquire real and personal property for the benefit and use of its members and to dispose of said property in accordance with the Declaration.

ARTICLE VI  
Officers

Section 1. Elective Officers. The principal Officers of the Corporation shall be a President, Vice President, Secretary and Treasurer, all of whom shall be elected by the Board of Directors. The President shall be a member of the Board of Directors.

Section 2. Election. The Officers of the Corporation shall be elected by the Board of Directors at the organizational meeting of each new Board following the meeting of the members.

Section 3. Appointive Officers. The Board may appoint Assistant Secretaries, Assistant Treasurers, and such other Officers as the Board deems necessary.

Section 4. Term and Compensation. The Officers of the Corporation shall hold office until their successors are chosen and qualify in their stead. Any Officer elected by the Board of Directors may be removed at any time with or without cause by the Board of Directors as provided in the Articles of Incorporation. If the office of any Officer becomes vacant for any reason, the vacancy shall be filled by the Board of Directors. No compensation will be paid to the Officers of the Corporation.

Section 5. The President. The President shall be the chief executive officer of the Corporation and shall preside at all meetings of the members. He shall have executive powers and general supervision over the affairs of the Corporation and other Officers. He shall sign all written contracts and perform all of the duties incident to his office which may be delegated to him from time to time by the Board of Directors.



Section 6. The Vice President. The Vice President shall perform all of the duties of the President in his absence and such other duties as may be required of him from time to time by the Board of Directors.

Section 7. The Secretary. The Secretary shall issue notice of all Board of Directors' meetings and all meetings of the members and shall attend and keep the minutes of same. He shall have charge of all of the Corporation's books, records and papers, except those kept by the Treasurer. If an Assistant Secretary is appointed, he shall perform the duties of the Secretary in the Secretary's absence.

Section 8. The Treasurer. The Treasurer shall have the following duties and responsibilities:

(a) He shall have custody of the Corporation's funds and securities, shall keep full and accurate accounts of receipts and disbursements in books belonging to the Corporation, and shall deposit all monies and other valuable effects in the name of and to the credit of the Corporation in such depositories as may be designated from time to time by the Board of Directors.

(b) He shall disburse the funds of the Corporation as may be ordered by the Board of Directors in accordance with these By-Laws, making proper vouchers for such disbursements and shall render to the President and the Board of Directors at the regular meetings of the Board of Directors, or whenever they may require it, an account of all of his transactions as Treasurer and of the financial condition of the Corporation.

(c) He shall collect the assessments and shall promptly report the status of collections and of all delinquencies to the Board of Directors.

(d) He shall give reports as to the status of assessments to potential transferees on which reports the transferees may rely.

(e) If an Assistant Treasurer is appointed, he shall perform the duties of the Treasurer in the Treasurer's absence.

Section 9. First Officers. The Officers of the Corporation, who shall hold office and serve until the first election of Officers by the first Board of Directors of the Corporation following the first meeting of members and pursuant to the terms of these By-Laws, are as follows:

President: Betty Butcher  
4398 NW 25th Way  
Boca Raton, FL 33434

Vice President: Steve Butcher  
4398 NW 25th Way  
Boca Raton, FL 33434

Secretary/Treasurer: Jeff Butcher  
4398 NW 25th Way  
Boca Raton, FL 33434

## ARTICLE VII

### Finances and Assessments

Section 1. Depositories. The funds of the Corporation shall be deposited in such banks and depositories as may be determined by the Board of Directors and shall be withdrawn only upon checks and demands for money signed by such Officer or Officers as may be designated by the Board of Directors.

Section 2. Fidelity Bonds. The Treasurer and all Officers who are authorized to sign checks, all Officers and employees of the Corporation, and any contractor handling or responsible for Corporation funds may be bonded in such amount as may be determined by the Board of Directors. The premiums

on such bonds shall be paid by the Corporation. The bonds shall be in an amount as determined by the Board of Directors.

Section 3. Fiscal Year. The fiscal year of the Corporation shall begin on the first day of January of each year. The Board of Directors is expressly authorized to change to a different fiscal year in accordance with the provisions and regulations from time to time prescribed by the Internal Revenue Code of the United States of America at such time as the Board of Directors deems it advisable.

Section 4. Determination of Assessments.

(a) General Assessments. The Board of Directors has the power to and shall fix and determine, from time to time, the sum or sums necessary and adequate for the general expenses of the Corporation.

The purposes and the basis of general assessments are set forth in the Declaration.

General assessments are necessarily made upon projections and estimates of the Board of Directors and may be in excess of or less than the sums required to meet the cash requirements of the Corporation, in which event the Board of Directors may increase or decrease the amount of assessment and make such adjustments in cash or otherwise as they shall deem proper, including the assessment of each member for his pro-rata share of any deficits. Notice of all changes in assessments shall be given to all members. When the Board of Directors has determined the amount of any general assessment, the Secretary shall submit a statement of such assessment to each member. Such notice shall state the date when said assessment is due, and thereafter said assessment shall bear interest at the rate of eighteen percent (18%) per annum simple interest until paid. General assessments shall be paid by the members in advance in such periodic installments as the Board of Directors shall determine. General assessments shall be payable at the office of the Corporation.

(b) Special Assessments. The Board of Directors has the power to fix and determine special assessments from time to time.

The purposes and basis of special assessments are set forth in the Declaration. Special Assessments shall be levied by the Board of Directors in the same manner as general assessments (at a uniform rate as set forth in the Declaration) and shall be due and collectible in such manner as the Board of Directors shall determine.

Special assessments shall be levied by the Board of Directors in the same manner as general assessments (as set forth in the Declaration), and shall be due and collectible in such manner as the Board of Directors shall determine.

Special assessments levied in accordance with the foregoing, may be made upon projections and estimates of the Board of Directors and may be in excess of or less than the sums required to meet the cash requirements of the Corporation, in which event the Board of Directors may increase or decrease the amount of assessments and make such adjustment in cash or otherwise as they shall deem proper, including the assessment of each member for his pro-rata share of any deficits. Notice of all changes in special assessments shall be given to all members. When the Board of Directors has determined the amount of any special assessment, the Secretary shall submit a statement of special assessment to each member. Such notice shall state the date upon which the assessment is due, and thereafter said assessment shall bear interest at the rate of eighteen percent (18%) per annum simple interest until paid. Special assessments shall be payable at the office of the Corporation.

(c) Individual Assessments. Pursuant to the Corporation's power and authority to enforce the covenants, restrictions, rules and regulations as set forth in the Declaration, the Board of Directors has the power to separately assess individual members. The Secretary shall

submit a statement of such assessment to the member involved, and said assessment shall be due and payable within thirty (30) days after receipt of the statement and thereafter shall bear interest at the rate of eighteen percent (18%) per annum simple interest until paid. Individual assessments are payable at the office of the Corporation.

(d) Budget. The Board of Directors shall adopt a budget for each fiscal year that shall include the estimated funds required to defray anticipated expenses and to provide and maintain funds to cover current expenses, including a reasonable allowance for contingencies; betterments, which shall include the funds to be used for capital expenditures for additional improvements or additional property that will be a part of the Corporation property; and operations, the amount of which may be to provide working funds or to meet losses.

Section 5. Commingling of Funds. All sums collected by the Corporation from assessments may be commingled in a single fund or divided into more than one fund, as determined by the Board of Directors.

Section 6. Acceleration of Assessment Installments Upon Default. If a member shall be in default in the payment of an installment upon any assessment, the Board of Directors may accelerate the remaining installments for the fiscal year upon notice thereof to the member, and thereupon the unpaid balance of the assessment shall become due upon the date stated in the notice.

The accelerated total assessment shall be due and payable at the office of the Corporation within thirty (30) days after notification in writing to the member by the Board of Directors, and thereafter shall bear interest at the rate of eighteen percent (18%) per annum simple interest until paid.

In the event it becomes necessary to bring legal proceedings to collect the accelerated assessment and interest

thereon, the Board of Directors shall be entitled to recover reasonable attorneys' fees and all costs of any proceedings, including those related to appellate review.

~~Section 7. Lien. Each of the Lots and the respective residential units ("Units") constructed thereon within LAKEVIEW ESTATES is automatically made subject to a lien and permanent charge in favor of the Corporation for general assessments, special assessments and individual assessments. Any and all of the assessments together with interest thereon, if any, shall constitute a permanent charge upon and a continuing lien on the Lot and Unit to which such assessments relate and such permanent charge and lien shall bind such Lot and Unit in the hands of any and all persons.~~

AMENDED  
8/30/02

In the event that any assessment shall not have been paid within thirty (30) days of the due date, the Secretary of the Corporation shall send a delinquency notice by certified mail to the delinquent member. In the event that any assessment shall not have been paid within thirty (30) days of the receipt of said delinquency notice, the Treasurer shall certify to the Board of Directors the name and address, as well as the amount in arrears, of the member. The Board of Directors shall then cause to be prepared, for execution by any officer of the Corporation, a Claim of Lien to be filed with the Clerk of the Circuit Court of Palm Beach County, Florida. When necessary, on receipt of payment of a delinquent assessment, a satisfaction of lien shall be executed by any officer of the Corporation and recorded. In the event that any assessment continues to remain in default, the Corporation may pursue its remedies at law or in equity.

ARTICLE VIII  
Compliance and Default

Section 1. Violations. In the event of a violation by a member of any of the provisions of these By-Laws, the Articles of Incorporation, the Declaration, or any of the rules and regulations promulgated by the Corporation, the Corporation, by direction of its Board of Directors, may notify the member by written notice of said breach, and if such violation shall continue for a period of thirty (30) days from the date of the notice, the Corporation, through its Board of Directors, at its option, may have the following elections:

(a) An action at law to recover damages on behalf of the Corporation or on behalf of the other members, or

(b) An action in equity to enforce performance on the part of the member, or

(c) An action in equity for such equitable relief as may be necessary under the circumstances, including injunctive relief.

Any violations which are deemed by the Board of Directors to be a hazard to public health may be corrected immediately as an emergency matter by the Corporation, and the cost thereof shall be charged to the member, as an individual assessment.

Section 2. Costs and Attorneys' Fees. In any proceedings arising because of an alleged violation by a member, the Corporation, if prevailing, shall be entitled to recover the costs of the proceeding and such reasonable attorneys fees as may be determined by the court including those on appeal.

Section 3. No Waiver of Rights. The failure of the Corporation to enforce any right, provision, covenant or

condition shall not constitute a waiver of the right of the Corporation to enforce such right, provision, covenant or condition in the future.

ARTICLE IX

Amendments to the By-Laws

These By-Laws may be altered, amended or rescinded by the Board of Directors prior to the first meeting of the members as set forth in Article IV, Section 7. Subsequent to the first meeting of the members, the By-Laws may be altered, amended or added to at any duly called meeting of the members, provided:

(1) Notice of the meeting shall contain a statement of the proposed amendment.

(2) The amendment shall be approved by the majority vote of the members voting at such meeting and approved by a majority of the Board of Directors.

Directors and members not present in person at the meeting considering a proposed amendment may cast their votes for such proposal in writing, provided such votes are delivered to the Secretary of the Corporation at or prior to the meeting.

ARTICLE X

Notices

Whenever notices are required to be sent to members, such notices shall be sent to the addresses of the Units unless the member gives written notice, by registered mail, to the Secretary of the Corporation that notices are to be sent to some other address.



ARTICLE XI

Liability Survives Termination of Membership

The termination of membership in the Corporation shall not relieve or release any former member from any liability or obligations incurred under or in any way connected to said membership or impair any rights or remedies which the Corporation may have against such former member arising out of or in any way connected with such membership and the covenants and obligations incident thereto.

ARTICLE XII

Parliamentary Rules

Robert's Rules of Order (latest edition) shall govern the conduct of the Corporation meetings when not in conflict with the Articles of Incorporation or these By-Laws.

ARTICLE XIII

Rules and Regulations

The Board of Directors may, from time to time, adopt or amend previously adopted administrative Rules and Regulations governing the details of the use and maintenance of properties within LAKEVIEW ESTATES in order to insure compliance with the Declaration or any rule or decision of the Corporation. A copy of the Rules and Regulations adopted from time to time, as herein provided, shall be available upon request of any member.

**SCHEDULE A**

**TO**

**DECLARATION OF EASEMENTS AND RESTRICTIONS  
FOR LAKEVIEW ESTATES COVENANTS**

**RULES AND REGULATIONS**

1. The Common Areas and facilities, if any, shall not be obstructed nor used for any purpose other than the purposes intended therefor. No carts, bicycles, carriages, chairs, tables or any other similar objects shall be stored thereon.

2. The personal property of Owners must be stored in their respective Units or in outside storage areas (if any are provided by Developer or approved by the Architectural Control Board).

3. No garbage cans, supplies, milk bottles or other articles shall be placed on the exterior portions of any Unit or Lot and no linens, cloths, clothing, curtains, rugs, mops, or laundry of any kind, or other articles, shall be hung from or on the Unit, the Lot or any of the windows, doors, fences, balconies, patios or other portions of the Unit or Lot, except as provided in the Declaration with respect to refuse containers.

4. Employees of the Association are not to be sent out by Owners for personal errands. The Board of Directors shall be solely responsible for directing and supervising employees of the Association.

5. No motor vehicle which cannot operate on its own power shall remain on The Properties for more than twenty-four (24) hours, and no repair of such vehicles shall be made thereon. No portion of the Common Areas may be used for parking purposes, except those portions specifically designed and intended therefor.

Areas designated for guest parking shall be used only for this purpose and neither Owners nor occupants of Units shall be permitted to use these areas.

Vehicles which are in violation of these rules and regulations shall be subject to being towed by the Association as provided in the Declaration, subject to applicable laws and ordinances.

6. No owner shall make or permit any disturbing noises in the Unit or on the Lot by himself or his family, servants, employees, agents, visitors or licensees, nor permit any conduct by such persons that will interfere with the rights, comforts or conveniences of other Owners. No Owner shall play or permit to be played any musical instrument, nor operate or permit to be operated a phonograph, television, radio or sound amplifier or any other sound equipment in his Unit or on his Lot in such a manner as to disturb or annoy other residents (applying reasonable standards). No Owner shall conduct, nor permit to be conducted, vocal or instrumental instruction at any time which disturbs other residents.

7. No electronic equipment may be permitted in or on any Unit or Lot which interferes with the television or radio reception of another Unit.

8. No awning, canopy, shutter, enclosure or other projection shall be attached to or placed upon the outside walls or roof of the Unit or on the Lot, except as approved by the Architectural Control Board.

9. No Owner may alter in any way any portion of the Common Areas, including, but not limited to, landscaping, without obtaining the prior written consent of the Architectural Control Board.

10. No vegetable gardens shall be permitted except in fully enclosed patio areas.

11. No commercial use shall be permitted in the Development even if such use would be permitted under applicable zoning ordinances.

12. No flammable, combustible or explosive fluids, chemicals or substances shall be kept in any Unit, on a Lot or on the Common Areas, except as to gas cylinders permitted under the Declaration.

13. Any Owner who plans to be absent during the hurricane season must prepare his Unit and Lot prior to his departure by designating a responsible firm or individual to care for his Unit and Lot should the Unit suffer hurricane damage, and furnishing the Association with the name(s) of such firm or individual. Such firm or individual shall be subject to the approval of the Association.

14. An Owner shall not cause anything to be affixed or attached to, hung, displayed or placed on the exterior walls, doors, balconies or windows of his Unit without the prior written approval of the Architectural Control Board.

15. Children will be the direct responsibility of their parents or legal guardians.

including full supervision of them while within The Properties and including full compliance by them with these Rules and Regulations and all other rules and regulations of the Association. Loud noises will not be tolerated. All children under twelve (12) years of age must be accompanied by a responsible adult when entering and/or utilizing recreation facilities (if any).

16. Pets and other animals shall neither be kept nor maintained in or about The Properties except in accordance the Declaration and with the following:

No pet shall be permitted outside of its Owner's Unit unless attended by an adult or child of more than ten (10) years of age and on a leash of reasonable length. Said pets shall only be walked or taken upon the applicable Owner's Lot. In no event shall said pets ever be allowed to be walked or taken on or about any Common Areas.

17. No hunting or use of firearms shall be permitted anywhere in The Properties.

18. Every Owner and occupant shall comply with these rules and regulations as set forth herein, any and all rules and regulations which from time to time may ye adopted, and the provisions of the Declaration, By-Laws and Articles of Incorporation of the Association, as amended from time to time. Failure of an Owner or occupant to so comply shall be grounds for action which may include, without limitation, an action to recover sums due for damages, injunctive relief, or any combination thereof. The Association shall have the right to suspend rights to use of recreation facilities, if any, in the event of failure to so comply. In addition to all other remedies, in the sole discretion of the Board of Directors of the Association, a fine or fines may be imposed upon an Owner for failure of an Owner, his tenants, family, guests, invitees or employees, to comply with any covenant, restriction, rule or regulation herein or in the Declaration, or Articles of Incorporation or By-Laws, as provided in the Declaration.

19. These rules and regulations shall not apply to the Developer, the Declarant, nor their affiliates, agents or employees and contractors (except in such contractors' capacity as Owners), nor property while owned by such parties. All of these rules and regulations shall apply, however, to all other Owners and occupants even if not specifically so stated in portions hereof. Further, these rules and regulations shall not apply to a Lot on which construction is taking place to the extent that they would interfere with such construction. the Board of Directors shall be permitted (but not required) to grant relief to one or more Owners from specific rules and regulations upon written request therefor and good cause shown in the sole opinion of, and conditions on time limitations imposed by the Board.