

EXHIBIT C ATTACHED TO AND MADE A PART OF THAT CERTAIN DECLARATION OF CONDOMINIUM OF GATELAND VILLAGE CONDOMINIUM, SECTION A, DATED FEBRUARY 7, 1973

BY - L A W S

OF

GATELAND VILLAGE CONDOMINIUM, INC

ARTICLE I

IDENTITY

The following By-Laws shall govern the operation of the condominium created by the Declaration of Condominium to which these By-Laws are attached

GATELAND VILLAGE CONDOMINIUM, INC. is a Florida corporation not for profit, organized and existing pursuant to Florida Statute 711, known as "Condominium Act"

GATELAND ENTERPRISES, INC., a Florida corporation, hereinafter called "Developer", is the developer of GATELAND VILLAGE, a complex of condominium properties

Section 1 The office of the Association shall be at the condominium property, or at such other place as may be subsequently designated by the Board of Directors

Section 2 The seal of the corporation shall bear the name of the corporation, the word "Florida" and the words "corporation not for profit", and the year of incorporation

Section 3 As used herein, the word "corporation" shall be the equivalent to "Association" as defined in the Declaration of Condominium to which these By-Laws are attached, and all other words as used herein shall have the same definitions as attributed to them in the Declaration of Condominium to which these By-Laws are attached

ARTICLE II

MEMBERSHIP AND VOTING PROVISIONS

Section 1 The corporation shall not issue stock or certificates.

Section 2 Membership in the corporation shall be limited to owners of condominium units in condominiums wherein this corporation has been designated the Association to operate and administer said condominium by virtue of the condominium's Declaration of Condominium. It is contemplated that a number of Declarations of Condominium will be effected from time to time to be governed by the corporation. Membership by virtue of any and all of such Declarations of Condominium shall have equal rights and obligations. Transfer of unit ownership, either voluntary or by operation of law, shall terminate membership in the corporation, said membership is to become vested in the transferee. If unit ownership is vested in more than one person, then all of the persons so owning said unit shall be members eligible to hold office, attend meetings, etc., but as hereinafter indicated, the vote of a unit shall be cast by the "voting member". If unit ownership is vested in a corporation, said corporation may designate an individual officer or employee of the corporation as its "voting member". Any application for the transfer of membership, or for a conveyance of

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LAW OFFICES KOENIG AND KATZ

PAGE 564

an interest in or to encumber or lease a condominium parcel, where the approval of the Board of Directors of the Association is required as set forth in these By-Laws and the Declaration of Condominium to which they are attached shall be accomplished by an application fee in an amount to be set by the Board of Directors to cover the cost of contacting the references given by the applicant and such other costs or investigation that may be incurred by the Board of Directors.

### Section 3 Voting

A. The owner(s) of each condominium unit shall be entitled to one vote for each condominium unit owned. If a condominium unit owner owns more than one unit he shall be entitled to one vote for each unit owned. The vote of a condominium unit shall not be divisible.

B. A majority of the unit owners' total votes shall decide any question unless the By-Laws or Declaration of Condominium provide otherwise in which event the voting percentage required in the By-Laws or the Declaration of Condominium shall control.

Section 4 Quorum Unless otherwise provided in these By-Laws, the presence of person or by proxy of a majority of the unit owners' total votes shall constitute a quorum. The term "majority" of the unit owners' total votes shall mean unit owners holding more than 50% of the votes.

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 (as set forth below in Section 6) and shall be filed with the Secretary prior to the meeting in which they are to be used and shall be valid only for the particular meeting designated therein. Where a unit is owned jointly by a husband and wife, and if they have not designated one of them as a Voting Member, a proxy must be signed by both husband and wife where a third person is designated.

Section 6 Designation of Voting Member. If a condominium unit is owned by one person his right to vote shall be established by the recorded title to the unit. If a condominium unit is owned by more than one person the person entitled to cast the vote for the unit shall be designated in a certificate signed by all of the recorded owners of the unit and filed with the Secretary of the Association. If a condominium unit is owned by a corporation, the officer or employee thereof entitled to cast the vote of the unit for the corporation shall be designated in a Certificate for this purpose, signed by the President or Vice President and attested to by the Secretary or Assistant Secretary of the corporation and filed with the Secretary of the Association. The person designated in these Certificates who is entitled to cast the vote for a unit shall be known as the "Voting Member". If such a Certificate is not on file with the Secretary of the Association for a unit owned by more than one person or by a corporation the vote of the unit concerned shall not be considered in determining the requirement for a quorum, or for any purpose requiring the approval of a person entitled to cast the vote for the unit, except if said unit is owned by a husband and wife. Such Certificates shall be valid until revoked, or until superseded by a subsequent Certificate, or until a change in the ownership of the unit concerned. If a condominium unit is jointly owned by a husband and wife, the following three provisions are applicable thereto:

-2-

LAW OFFICES KOENIG AND KATZ DAVIE FORT LAUDERDALE FLORIDA

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PAGE 565

A. They may, but they shall not be required to designate a Voting Member

B. If they do not designate a Voting Member, and if both are present at a meeting and are unable to concur in their decision upon any subject requiring a vote, they shall lose their right to vote on that subject at that meeting. (As previously provided, the vote of a unit is not divisible.)

C. Where they do not designate a Voting Member and only one is present at a meeting, the person present may cast the unit vote, just as though he or she owned the unit individually and without establishing the concurrence of the absent person.

### ARTICLE III.

#### MEETING OF THE MEMBERSHIP

Section 1. Place. All meetings of corporation membership shall be held at the condominium property, or at such other place and time as shall be designated by the Board of Directors of the Association and stated in the Notice of the meeting.

Section 2. Notices. It shall be the duty of the Secretary to mail a notice of each annual or special meeting, stating the time and place thereof, to each unit owner of record at least five (5) days but not more than fifteen (15) days, prior to such meeting. Notice of any special meeting shall state the purpose thereof. All notices shall be mailed to or served at the address of the unit owner as it appears on the books of the Corporation.

Section 3. Annual Meeting. The annual meeting shall be held at \_\_\_\_\_, Eastern Standard Time, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and thereafter on the \_\_\_\_\_ day of \_\_\_\_\_ of each year, for the purpose of transacting any business authorized to be transacted by the members; provided, however, that if that day is a legal holiday the meeting shall be held at the same hour on the next secular day following. Subject to the provisions of the Articles of Incorporation, at the annual meeting, the members shall elect by a plurality vote (cumulative voting prohibited) a Board of Directors, and transact such other business as may properly be brought before the meeting.

Section 4. Special Meeting. Special meetings of the members for any purpose or purposes, unless otherwise prescribed by Statute or by the Articles of Incorporation, may be called by the President and shall be called by the President or Secretary at the request, in writing, of Voting Members representing a majority of the unit owners' total votes which request shall state the purpose or purposes of the proposed meeting.

Section 5. Waiver and Consent. Whenever the vote of members at a meeting is required or permitted by any provision of the Statutes or of the Articles of Incorporation or of 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 not less than three-fourths (3/4ths) of the members 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 to be effected shall be given to all members, unless all members approve such action.

-3-

LAW OFFICES KOENIG AND KATZ DAVIE FORT LAUDERDALE FLORIDA

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PAGE 566

Section 6. Adjourned Meeting. If any meeting of members cannot be organized because a quorum of Voting Members is not present, either in person or by proxy, the meeting may be adjourned from time to time until a quorum is present.

Section 7. Proviso Provided, however, that until the Developer elects to terminate its control of the Association, there shall be no meeting of the members of the Association, unless a meeting is called by the Board of Directors of the Association, and should a meeting be called, the proceedings shall have no effect unless approved by the Board of Directors. As long as the Developer has not completed the development of the entire condominium complex as described in the Articles of Incorporation of this Association and has not completely sold all units contained therein, then notwithstanding the annual members' meeting taking place, the Developer shall be entitled to elect all of the Board of Directors who need not be residents of the condominium complex nor condominium unit owners. The foregoing provisions of this Section 7 may not be amended without the consent of the Developer of the condominium complex, and this provision supersedes all provisions to the contrary in these By-Laws and the Declaration of Condominium to which these By-Laws are attached.

Section 8. Approval or disapproval of a unit owner upon any matter whether or not the subject of an Association meeting, shall be by the Voting Member, provided, however, where a unit is owned jointly by a husband and wife, and they have not designated one of them as a Voting Member, their joint approval or disapproval shall be required where they are both present, or in the event only one is present, the person present may cast the vote without establishing the concurrence of the absent person.

#### ARTICLE IV

##### DIRECTORS

Section 1. Number, Term and Qualifications During such time as the affairs of the corporation shall be governed by a Board of Directors, all elected by the Developer, such Board of Directors shall consist of three (3) persons, thereafter, when the election of the Board of Directors shall be by the members, the affairs of the corporation shall be governed by a Board of Directors composed of an uneven number of not less than three (3) and not more than fifteen (15) persons, no building shall have more than one (1) Director

It is contemplated that a number of additional Declarations of Condominium be effected from time to time to be governed by the corporation. The condominium complex as described in the Articles of Incorporation of the Association shall consist of separate condominium buildings wherein the condominium units are located. The owners of each condominium unit shall be entitled to one (1) vote for each condominium unit owned as provided in these By-Laws. A majority of the entire membership of the Association who are unit owners shall elect directors at large.

##### Section 2. First Board of Directors

A. The Developer shall have full right and authority to choose and determine the entire membership of the Board of Directors until all units in the condominium community have been sold, or until January 1, 1980, whichever is sooner. The first Board of Directors who shall serve until their successors have been elected and qualified shall consist of

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-4-

LAW OFFICES KOFNIG AND KATZ

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PAGE 567

B. The organizational meeting of a newly elected Board of Directors 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, provided a quorum shall be present.

Section 3. 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, though less than a quorum, shall choose a successor or successors who shall hold office for the balance of the term in respect to which such vacancy occurred. The election held for the purpose of filling said vacancy may be held at any regular or special meeting of the Board of Directors.

Section 4. 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. More than three (3) consecutive absences from regular meetings of the Board of Directors unless excused by resolution of the Board of Directors shall automatically constitute a resignation effective when such resignation is accepted by the Board of Directors. Corresponding to the Directors elected at the first annual meeting of the membership that transfer of title of his unit by a Director shall automatically constitute a resignation effective when such resignation is accepted by the Board of Directors. No member shall continue to care or the Board of Directors should be more than 30 days delinquent in the payment of an assessment and said delinquency shall automatically constitute a resignation effective when such resignation is accepted by the Board of Directors.

Section 5. Regular Meetings The Board of Directors may establish a schedule of regular meetings to be held at such time and place as the Board of Directors may designate. Notice of such regular meetings shall nevertheless be given to each Director personally or by mail, telephone, or telegraph, at least five (5) days prior to the day named for such meetings.

Section 6. Special Meetings Special 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 special meetings shall state the purpose of the meeting.

Section 7. 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 of Directors shall be a waiver of notice by him of the time and place thereof. If all Directors are present at any meeting of the Board, no notice shall be required and any business may be transacted at such meeting.

Section 8. 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 be less than a quorum present, the majority

-5-

LAW OFFICES KOENIG AND KATZ - DAVIE FORT LAUDERDALE FLORIDA

PAGE 568

of these 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 the Director in the action of a meeting by signing and concurring in the Minutes thereto, shall constitute the presence of such Director for the purpose of determining a quorum.

Section 9. Compensation. The Directors' fees, if any, shall be determined by the Voting Members.

Section 10. 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 or by the Declaration of Condominium or by these By-Laws directed to be exercised and done by the unit owners. The corporation shall employ professional management or effect a management contract with a professional management company in order to assure proper maintenance of the corporation property and the common elements of the condominium community. That the powers and duties as later described shall be deemed to be subordinate to the terms and provisions of a Management Agreement, should such an agreement be entered into and executed between the Association and a management company. These powers shall specifically include, but shall not be limited to, the following:

A. To exercise all powers specifically set forth in the Declaration of Condominium in these By-Laws, the Articles of Incorporation of this corporation, and in the Condominium Act, and all powers incidental thereto

B. To make assessments, collect said 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 operation of the project and of the common areas and facilities, 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 common elements and condominium property and facilities, and the use and maintenance of the condominium units therein

E. To contract for the management of the Condominium and to designate to such contractor powers and duties of the Association. To contract for the management or operation or portions of the common elements or facilities susceptible to the separate management or operation, and to lease or concession such portions. No management contract shall have a term greater than three (3) years, this shall not preclude a contract which runs continuously subsequent to a right of termination by either party with notice of one year or less.

F. The further improvement of the property, real and personal, and the right to purchase items of furniture, furnishings and equipment.

G. 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. Such committee to consist of at least three (3) members of the corporation, one of whom shall be a Director. The committee or committees shall have such name or names as may be determined from time to time by the Board of Directors, and said committee shall keep regular Minutes of their proceedings and report the same to the Board of Directors as required. The foregoing powers shall be exercised by the Board of Directors or its contractor or employees subject only to approval by unit owners when such is specifically required.

-6-

LAW OFFICES KOENIG AND KATZ DAVIE FORT LAUDERDALE FLORIDA

PAGE 569

Section 11 Removal of Directors. A Director elected or appointed as provided in the Declaration may be removed from office upon the affirmative vote of three-quarters (3/4) of the unit owners for any reason deemed by the unit owners to be detrimental to the best interest of the Association however before any Director is removed from office he shall be notified in writing that motion to remove him will be made prior to the meeting at which said motion is made, and such Director shall be given an opportunity to be heard at such meeting, should he be present, prior to the vote on his removal. However, this paragraph shall not be effective until the last unit is sold by Developer. A Director elected or appointed by the Developer may be removed by the Developer and his successor named by the Developer at any time prior to the last unit being sold by Developer.

#### ARTICLE V.

##### OFFICERS

Section 1. Elective Officers. The principal officers of the corporation shall be a President, a Vice President, a Secretary and a Treasurer, all of whom shall be elected by the Board of Directors. One person may not hold more than one of the aforementioned offices, except one person may be both Secretary and Treasurer. The President and Vice President shall be members of the Board of Directors.

Section 2. Election. The officers of the corporation designated in Section 1 also shall be elected annually by the Board of Directors at the organizational meeting of each new Board following the meeting of the removals.

Section 3. Appointive Officers. The Board may appoint an Assistant Secretary and an Assistant Treasurer and such other officers as the Board deems necessary.

Section 4. Term. The officers of the corporation shall hold office until their successors are chosen and qualify in their stead. Any officer elected or appointed by the Board of Directors may be removed at any time, with or without cause, by the Board of Directors provided, however, that no officer shall be removed except by the affirmative vote for removal by a majority of the whole Board of Directors (e.g. if the Board of Directors is composed of five persons, then three of said Directors must vote for removal). If the office of any officer becomes vacant for any reason, the vacancy shall be filled by the Board of Directors.

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

Section 6. The Vice President. He 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. He shall issue notices of all Board of Directors meetings and all meetings of the unit owners; he shall attend and keep the minutes of the same, he shall have charge of all of the corporation's books, records and papers except those kept by the Treasurer. He shall have custody of the seal of the Association. The Assistant Secretary shall perform the duties of the Secretary when the Secretary is absent.

-7-

LAW OFFICES: KOFNIG AND KATZ, DAVID, FORT LAUDERDALE, FLORIDA

PAGE 570

Section 8 The Treasurer

A. He shall have custody of the corporation funds and securities and 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. The books shall reflect an amount for each unit in the manner required by Section 12 (7) (b) of the Concominium Act

B. He shall disburse the funds of the corporation as may be ordered by the Board in accordance with these By-Laws, having proper vouchers for such disbursements, and shall render to the President and Board of Directors at the regular meeting 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 status reports to potential transferees, on which reports the transferees may rely.

E. The Assistant Treasurer shall perform the duties of the Treasurer when the Treasurer is absent.

ARTICLE VI

FINANCES AND ASSETS

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 from time to time, upon resolutions approved by the Board of Directors, and shall be withdrawn only upon checks and warrants for money signed by such officer or officers or the Corporation as may be designated by the Board of Directors. Obligations of the Corporation shall be signed by at least two officers of the Corporation.

Section 2. Fidelity Bonds. The Treasurer and all officers who are authorized to sign checks, and all officers and employees of the Association, and any Contractor handling or responsible for Association funds shall be bonded in such amount as may be determined by the Board of Directors. The premiums on such bonds shall be paid by the Association.

Section 3. Fiscal Year. The fiscal year for the Corporation shall begin on the first day of January of each year; provided however, that 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 deem it advisable.

Section 4. Determination of Assessments.

A. The Board of Directors of the Corporation shall fix and determine, from time to time, the sum or sums necessary



and adequate for the common expenses of the condominium property. Common expenses shall include expenses for the operation, maintenance, repair or replacement of the common elements and the limited common elements, costs of carrying out the powers and duties of the Corporation, all insurance premiums and expenses relating thereto, including fire insurance and extended coverage, and any other expenses designated as common expenses from time to time by the Board of Directors of the Corporation. The Board of Directors is specifically empowered on behalf of the Corporation, to make and collect assessments, and to lease, maintain, repair and replace the common elements and the limited common elements of the Condominium. Funds for the payment of common expenses shall be assessed against the unit owners in the proportions or percentages of sharing common expenses, as provided in the Declaration. Said assessment shall be payable monthly in advance, and shall be due the first day of each month in advance, unless otherwise ordered by the Board of Directors. Special assessments should such be required by the Board of Directors, shall be levied in the same manner as hereinbefore provided for regular assessments, and shall be payable in the manner determined by the Board of Directors.

B When the Board of Directors has determined the amount of any assessment, the Treasurer of the Corporation shall mail or present to each unit owner, a statement of said unit owner's assessment. All assessments shall be payable to the Treasurer of the Corporation and, upon request, the Treasurer shall give a receipt for each payment made to him.

Section 5 Application of Payments and Contribution of Funds. All sums collected by the Association from assessments shall be commingled in a single fund or divided into more than one fund as determined by the Board of Directors. All assessments levied by a unit owner shall be applied as to interest, delinquencies, costs and attorney's fees, other charges, expenses and advances, as provided herein and in the Declaration of Condominium, and general or special assessments, in such manner as the Board of Directors determines in its sole discretion.

Section 6 Annual Audit. An audit of accounts of the Association shall be made annually. Said audit shall be prepared by a Certified Public Accountant licensed in the State of Florida, and a copy of said report shall be filed with the Treasurer of the Corporation and shall be available for inspection by the members of the Association in the office of the Association. Such report shall be available no later than three months from the end of the year for which the report is made.

Section 7 Acceleration of Assessment Installments Upon Default. If a unit owner shall be in default in the payment of an installment, the Board of Directors may accelerate the remaining monthly installments for the fiscal year upon notice thereof to the unit owners and, thereupon, the unpaid balance of the assessment shall become due upon the date stated in the notice, but not less than fifteen (15) days after delivery of or the mailing of such notice to the unit owner.

#### ARTICLE VII.

##### ADDITIONS OR ALTERATIONS

There shall be no additions or alterations to the recreational facilities under the 99-Year Lease which is Exhibit E to the

Declaration of Condominium to which these By-Laws are attached unless the same are authorized by the Board of Directors of this Association as to the aforesaid recreational facilities, and unless all condominium unit owners share in the cost of said additions or alterations and the maintenance thereof in the manner provided in Exhibit F of the Declaration of Condominium to which these By-Laws are attached, and further provided said additions or alterations are approved by the Lessor under the 99-Year Lease, as required therein.

#### ARTICLE VIII

##### COMPLIANCE AND DEFAULT

Section 1. Violations In the event of a violation (other than the non-payment of an assessment) by the unit owner in any of the provisions of the Declaration, of these By-Laws, or of the applicable portions of the Condominium Act, the Association, by direction of its Board of Directors, may notify the unit owner by written notice of said breach, transmitted by mail, and if such violation shall continue for a period of thirty (30) days from the date of such notice, the Association, through its Board of Directors shall have the right to treat such violation as a material breach of the Declaration, of the By-Laws, or of the pertinent provisions of the Condominium Act, and the Association may then, at its option, have the following elections:

A. An action at law to recover for its damage on behalf of the Association or on behalf of the unit owners

B. An action in equity to enforce performance on the part of the unit owner.

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

Failure on the part of the Association to maintain such an action at law or in equity within thirty (30) days from the date of a written request, signed by a unit owner, sent to the Board of Directors, shall authorize any unit owner to bring an action in equity or suit at law or account of the violation, in the manner provided for by the Condominium Act. 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 Association, and the cost thereof shall be charged to the unit owner as a specific item which shall be a lien against said unit with the same force and effect as if the charge were a part of the common expense.

Section 2. Negligence or Carelessness of a Unit Owner, etc. All unit owners shall be liable for the expense of any maintenance, repair or replacement rendered necessary by his act, neglect or carelessness, or by that of any member of his family, or his or their guests, employees, agents or lessees, but only to the extent that such expense is not met by the proceeds of insurance carried by the Association. Such liability shall include any increase in insurance rates occasioned by use, misuse, occupancy or abandonment of any unit or its appurtenances. Nothing herein contained, however, shall be construed so as to modify any waiver by insurance companies or rights of subrogation. The expense for any maintenance, repair or replacement required, as provided in this Section, shall be charged to said unit owner as a specific item

which shall be a lien against said unit with the same force and effect as if the charge were a part of the common expense.

Section 3. Costs and Attorney Fees. A defaulting unit owner shall pay for all costs incurred by the Association in enforcing the terms and conditions herein, including reasonable attorney fees, whether suit be brought or not.

Section 4. No Waiver of Rights. The failure of the Association or of a unit owner to enforce any right, provision, covenant or condition which may be granted by the condominium documents, shall not constitute a waiver of the right of the Association or unit owner to enforce such right, provision, covenant or condition of the future.

Section 5. No Election of Remedies. All rights, remedies and privileges granted to the Association or unit owner, pursuant to any terms, provisions, covenants or conditions of the condominium documents, shall be deemed to be cumulative, and the exercise of any one or more shall not be deemed to constitute an election of remedies, nor shall it preclude the party thus exercising the same from exercising such other and additional rights, remedies or privileges as may be granted to such other party by condominium documents, or at law, or in equity.

#### ARTICLE IX.

##### ACQUISITION OF UNITS

Section 1. Voluntary Sale or Transfer. Upon receipt of a unit owner's written notice of intention to sell or lease, as described in Article VII of the Declaration of Condominium, the Board of Directors of the Association shall have full power and authority to consent to the transaction specified in said notice, or object for good cause or to designate a person other than the corporation as a designee, pursuant to the provisions of said Article VII, without having to obtain any consent thereto by the membership.

The Board of Directors shall have the further right to designate the corporation as being "willing to purchase, lease or rent," upon the proposed terms, upon adoption of a Resolution by the Board of Directors recommending such purchase or leasing to the membership, but notwithstanding the adoption of such Resolution and such designation by the Board of Directors, the corporation shall not be bound and shall not so purchase or lease except upon the authorization and approval of the affirmative vote of Voting Members casting not less than three-fourths (3/4ths) of the total votes of the unit owners of the condominium building of which the unit is a part thereof.

Section 2. Acquisition on Foreclosure. At any foreclosure sale of a unit, the Board of Directors or the Association may, with the authorization and approval, by the affirmative vote of Voting Members casting not less than three-fourths (3/4ths) of the total votes of the unit owners of the condominium building of which the unit is a part thereof, acquire in the name of the corporation or its designee a condominium parcel being foreclosed.

The term "foreclosure" as used in this Section, shall mean and include any foreclosure of any lien, including a lien for assessment.

The power of the Board of Directors of the Association to acquire a condominium parcel at any foreclosure sale shall never be interpreted as any requirement or obligation on the part of the Board of Directors, or of the corporation to do so at

-11-

LAW OFFICE KOENIG AND KATZ DAVIE PORT LAUDERDALE FLORIDA

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PAGE 574

any foreclosure sale, the provisions hereof being permissive in nature and for the purpose of setting forth the power in the Board of Directors to do so, should the requisite approval of the Voting Members as aforesaid, be obtained.

Section 3. Assessments. Should the Association purchase or lease a unit or acquire a unit at a foreclosure sale as provided in Sections 1 and 2 of this Article, the expense of same shall be assessed only against the unit owners of the condominium building of which the unit is a part thereof.

#### ARTICLE X.

##### AMENDMENTS TO THE BY-LAWS

During such time as the affairs of the corporation shall be governed by a Board of Directors elected by the Developer, these By-Laws may be altered, amended or added to by a majority vote of the Board of Directors.

Subsequent to the time when all condominium units are sold by the Developer, the By-Laws may be amended, altered, supplemented, modified or added to by the membership at the annual meeting or a duly convened special meeting of the unit owners as follows:

A. Notice of the meeting shall contain a statement of the proposed amendment.

B. If the amendment has received the unanimous approval of the full Board of Directors, then it shall be approved upon the affirmative vote of the voting members casting a majority of the total votes of the unit owners.

C. If the amendment has not been approved by the unanimous vote of the Board of Directors, then the amendment shall be approved by the affirmative vote of the voting members casting not less a majority of the total votes of the unit owners, and;

D. Said amendment shall be recorded and certificated as required by the Condominium Act. Notwithstanding the provisions of this Article X, these By-Laws may only be amended in compliance with Article III, Section 7, and Article IV, Section 1, of these By-Laws.

#### ARTICLE XI.

##### NOTICES

Whenever notices are required to be sent hereunder, they shall be delivered or sent in accordance with the applicable provisions for notices, as set forth in the Declaration of Condominium to which these By-Laws are attached.

#### ARTICLE XII.

##### INDEMNIFICATION

The Corporation shall indemnify every director and every officer, his heirs, executors and administrators, against all loss, cost and expenses reasonably incurred by him in connection with any action, suit or proceeding to which he may be made a party by reason of his being or having been a director or officer of the

Corporation, including reasonable counsel fees to be approved by the Corporation, except as to matters wherein he shall be finally adjudged in such action, suit or proceeding to be liable for or guilty of gross negligence or willful misconduct. The foregoing rights shall be in addition to and not exclusive of all other rights to which such director or officer may be entitled.

ARTICLE XIII.

LIABILITY SURVIVES TERMINATION OF MEMBERSHIP

The termination of membership in the condominium shall not relieve or release any such former owner or member from any liability or obligation incurred under or in any way connected with the condominium during the period of such ownership and membership or impair any rights or remedies which the Association may have against such former owner and member arising out of or in any way connected with such ownership and membership and the covenants and obligations incident thereto.

ARTICLE XIV

LIMITATION OF LIABILITY

Notwithstanding the duty of the Association to maintain and repair parts of the condominium property, the Association shall not be liable for injury or damage caused by a latent condition in the property, nor for injury or damage caused by the elements, or by other owners or persons.

ARTICLE XV

PARLIAMENTARY RULES

Roberts Rules of Order (latest edition) shall govern the conduct of the Association meetings, when not in conflict with the Condominium Act, Declaration of Condominium, or these By-Laws.

ARTICLE XVI.

LIENS

Section 1. Protection of Property. All liens against a condominium unit, other than for permitted mortgages, taxes or special assessments, shall be satisfied or otherwise removed within thirty (30) days of the date the lien attaches. All taxes and special assessments upon a condominium unit shall be paid before becoming delinquent, as provided in these condominium documents or by law, whichever is sooner.

Section 2. Notice of Lien. A unit owner shall give notice to the Association of every lien upon his unit, other than for permitted mortgages, taxes, special assessments, within five (5) days after the attaching of the lien.

Section 3. Notice of Suit. Unit owners shall give notice to the Association of every suit or other proceedings which will or may affect title to his unit or any other part of the

-13-

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property, such notice to be given within five (5) days after the unit owner receives notice thereof

Section 4. Failure to Comply Failure to comply with this Article concerning liens will not affect the validity of any judicial sale with regard to the rights of the Association involved in such judicial sale

Section 5. Permitted Mortgage Register The Association shall maintain a register of all permitted mortgages and at the request of a mortgagee the Association shall forward copies of all notices for unpaid assessments or violations served upon a unit owner to said mortgagee.

## ARTICLE XVII

### RULES AND REGULATIONS

Section 1. As to Common Elements and Recreational Facilities. The Board of Directors may from time to time adopt or amend previously adopted administrative rules and regulations governing the details of the operation, use, maintenance, management and control of the common elements of the condominium and any facilities or services including recreational facilities made available to the unit owners. The Board of Directors shall from time to time post in a conspicuous place on the condominium property, a copy of the Rules and Regulations adopted from time to time by the Board of Directors. Such rules and regulations shall have the force and effect of the By-Laws.

Section 2 As to Condominium Units. The Board of Directors may from time to time adopt or amend previously adopted rules and regulations governing and restricting the use and maintenance of the condominium unit(s) provided, however, that copies of such rules and regulations are furnished to each unit owner prior to the time the same become effective, and where applicable or desirable, copies thereof shall be posted in a conspicuous place on the condominium property

Section 3 Conflict. In the event of any conflicts between the rules and regulations adopted by the Board of Directors at any time, and the condominium documents, or the Condominium Act, the latter shall prevail.

If any irreconcilable conflict should exist, or hereafter arise, with respect to the interpretation of these By-Laws and the Declaration, the provisions of the Declaration shall prevail.

APPROVED AND DECLARED AS THE BY-LAWS OF GATELAND VILLAGE CONDOMINIUM, INC., a Florida corporation not for profit.

GATELAND VILLAGE CONDOMINIUM, INC

By \_\_\_\_\_ President

Attest \_\_\_\_\_ Secretary (SEAL)

GATELAND ENTERPRISES, INC.

By \_\_\_\_\_ President

Attest \_\_\_\_\_ Secretary (SEAL)

-14-

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the documents when introduced.

Article II, Section 3. Voting. Par. B--A majority of the unit owners' total votes shall decide any question unless the By-Laws or the Declaration of Condominium provides otherwise, in which event the voting percentage required in the By-Laws or the Declaration of Condominium shall control.

(OLD)

Article II, Section 3. Voting. Par. B--A majority of the unit owners' total votes shall decide any question unless the By-Laws or Declaration of Condominium provides otherwise, in which event the voting percentage required in the By-Laws or the Declaration of Condominium shall prevail.

(NEW)

Article II, Section 4A. Nomination of the Board of Directors. A nominating committee of not more than five (5) members shall be appointed by the President during the month of October of each year, in time for said committee to present a slate of nominees for the Board of Directors at the special nominating meeting to be held on the second Thursday of November at 8 00 P.M. This meeting to be a nominating meeting only.

(OLD)

Section 4A. Nomination of the Board of Directors. A nominating committee of not more than five (5) members shall be appointed by the President during the month of October of each year, in time for said committee to present a slate of nominations for the Board of Directors at the November meeting. Nominations from the floor shall be honored at this meeting, after which nominations shall be closed. The uneven number of Directors to be elected shall be determined at this meeting by a majority vote of voting members. This meeting to be a nominating meeting. The Board shall consist of no more than 5-7-7 members.

(NEW)

Article II, Section 5A. Election of the Board of Directors. Election of the Board of Directors shall be held at the annual meeting. Date Second Thursday of January of each year.

(OLD)

Section 5A. Election of the Board of Directors. Election of the Board of Directors shall be held at the annual meeting, in the month of January of each year. Proxies are to be mailed to unit owners not living on the premises. Said proxies shall include a ballot with a list of all nominees. Proxies will be available to all unit owners who so desire them. The unit owners shall indicate their choices of not more than the Directors (in number) that have been decided on at the special nomination meeting. Fewer choices may be made, but not more than the number agreed upon at the special nominating meeting. More than one unit owner can be nominated and elected from a building.

(NEW)

Article II, Section 5B. Proxies. (Moved from 5 5A to 5B, and 5B to 5C.) No non-unit owner other than a Proxy child or parent is permitted at a Unit Owners' meeting.

(OLD)

Section 5B. Proxies: If present at the meeting, an adult child (age 18 or over), or parent of an absentee unit owner, or another attending unit owner may be a Proxy and exercise all entitlement of a unit owner. Non-unit owners will not be permitted to attend a unit owners' meeting unless they are the authorized agent by a properly registered Proxy, or by a Board of Directors' invitation.

(NEW)

Article III, Section 3A. Annual Meeting: (Amendment as written 4-6-78.) The annual meeting shall be held at the 2nd Thursday in January of each year, for the purpose of transacting any business authorized to be transacted by the Members provided, however, that if that day is a legal holiday the meeting shall be held at the same hour on the next secular day following. Subject to the provisions of the Articles of Incorporation, at the annual meeting, the members shall elect by a plurality vote (cumulative voting prohibited) a Board of Directors, and transact such other business as may properly be brought before the meeting.

(OLD)

Section 3A. Annual Meeting. It shall be held in the month of January of each year, for the purpose of transacting any business authorized to be discussed by the members subject to the provisions of the articles of Incorporation. They shall elect by a plurality vote (cumulative voting prohibited) a Board of Directors, and transact such other business as may properly be brought before the meeting.

(NEW)

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Article III, Section 3B. General Meetings: Meetings to be held during the months of April, July, October of each year. Such meetings must include, but not be limited to, a complete financial report including the total of all accounts Receivable and Payable. Said financial report to be available to each unit owner at least 48 hours prior to each meeting.

Section 3B. General Meeting: A general membership meeting will be held in April and November, such meeting to include but not limited to a financial statement. Said Financial Statement to be available to each unit owner at least 48 hours prior to each meeting.

Article IV, Section 1. Number, Term & Qualification: During such time as the affairs of the Corporation shall be governed by a Board of Directors, the election of the Board of Directors shall be by the Unit Owners. The affairs of the Corporation shall be governed by a Board of Directors, composed of an uneven number of not less than three (3) and not more than fifteen (15). Directors shall be elected for a term of one (1) year. In Joint Ownership of a Unit, only one (1) of the joint owners shall be eligible for office.

(17) Section 1. Number, Term & Qualification. The affairs of the Corporation shall be governed by a Board of Directors, composed of an uneven number of not less than five (5) and not more than nine (9). Directors shall be elected by the unit owners for a term of one (1) year. In joint ownership of a unit, only one (1) of the joint owners shall be eligible for office. Directors shall be unit owners and should be permanent residents of the complex and reside in a unit no less than nine (9) months annually.

Article IV, Section 9. Directors' Compensation

(CLD) There will be no compensation fees for any Director.

(131) Section 9 Directors' Compensation There shall be no compensation fees for serving as a Director.

Article IV, Section 10. Powers & 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 or by the Declaration of Condominium or by these By-Laws directed to be exercised and done by the unit owners. The Corporation shall employ professional management or effect management contract with a professional management company in order to assure proper maintenance of the Corporation property and the common elements of the condominium.

Section 10. Powers & 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 or by the Declaration of Condominium or by these By-Laws directed to be exercised and done by the unit owners. The Corporation may employ professional management or effect management contract with a professional management company in order to assure proper maintenance of the Corporation property and the common elements of the condominium.

Article IV, Section 10, Paragraph (G): 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. Such committee to consist of at least three (3) members of the corporation, one of whom shall be a Director. The committee or committees shall have such name or names as may be determined from time to time by the Board of Directors, and said committee shall keep regular minutes of their proceedings and report the same to the Board of Directors, as required. The foregoing powers shall be exercised by the Board of Directors or its contractor or employees subject only to approval by unit owners when such is specifically required.

Section 10, Paragraph (G): Designate one or more committees, which to the extent provided in the resolution designating said committee the business and affairs of the corporation. Such committee to consist of at least two (2) unit owners plus a member of the Board. The nominating committee, however, shall not have a member of the Board present. The committee or committees shall have such name or names as may be determined from time to time by the Board of Directors, and said committee shall keep regular minutes of their proceedings and report the same to the Board.



- 3 -

(OLD) Article IV, Section 11. Removal of Directors. A Director elected or appointed as provided in the Declaration may be removed from office upon the affirmative vote of three-quarters (3/4) of the unit owners for any reason deemed by the unit owners to be detrimental to the best interest of the Association; however, before any Director is removed from office, he shall be notified in writing that motion to remove him will be made prior to the meeting at which said motion is made, and such Director shall be given an opportunity to be heard at such meeting, should he be present, prior to the vote on his removal. However, this paragraph shall not be effective until the last unit is sold by the Developer. A Director elected or appointed by the Developer may be removed by the Developer and his successor named by the Developer at any time prior to the last unit being sold by the Developer.

(NEW) Section 11. Removal of Directors: A Director elected or appointed as provided in the Declaration may be removed from office upon the affirmative vote of majority of the unit owners for any reason deemed by the unit owners to be detrimental to the best interest of the Association; however, before any Director is removed from office, he shall be notified in writing that motion to remove him will be made seven (7) days prior to the meeting at which said motion is made, and such Director shall be given an opportunity to be heard at such meeting, should he be present, prior to the vote on his removal.

(OLD) Article V, Section 4. Term. The officers of the Corporation shall hold office until their successors are chosen and qualify in their stead. Any officer elected or appointed by the Board of Directors may be removed at any time, with or without cause, by the Board of Directors, provided, however, that no officers will be removed except by the affirmative vote for removal by a majority of the whole Board of Directors (e.g., if the Board of Directors is composed of five persons, then three of said Directors must vote for removal). If the office of any officer becomes vacant for any reason, the vacancy shall be filled by the Board of Directors.

(NEW) Section 4. Term: The officers of the Corporation shall hold office until their successors are chosen and qualify in their stead. Any officer elected or appointed by the Board of Directors may be removed with cause at any time by the Board of Directors, provided, however, that no officers will be removed except by the affirmative vote for removal by a majority of the whole Board of Directors (e.g., if the Board of Directors is composed of five persons, then three of said Directors must vote for removal). If the office of any officer becomes vacant for any reason, the vacancy shall be filled by the Board of Directors.

(OLD) Article V, Section 5A. Officers' Duties: No contract shall be entered into or signed, nor shall any project be assumed by the President without the approval of the majority of the Board of Directors in attendance at a duly held meeting, if the accumulative cost is estimated to be over one hundred dollars (\$100).

(NEW) Article V, Section 9. Contracts & Projects: No contract shall be entered into or signed, nor any project be assumed by any Board member without the approval of the majority of the Board of Directors, if the accumulative cost is estimated to be over twenty-five dollars (\$25.00).

(OLD) "Article VI, Section 6. Annual Financial Report." A review of the accounts of the Association shall be made annually. Said review shall be prepared by an Accountant. A copy of this report shall be filed with the Treasurer of the Association. A copy shall also be delivered to each unit owner. Such report shall be available no later than three (3) months from the end of the year for which the report is made.

The President shall appoint a Finance Committee of three (3) unit owners, whose duties shall be to spot check the Association accounts as often as they deem necessary. The Finance Committee shall give a report to the membership at each quarterly meeting.

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(NEW) To be written and titled "Article VI, Section 6. Annual Financial Statement "  
A review of the accounts of the Association shall be made annually. Said  
review shall be prepared by an Accountant. A copy of this statement shall  
be filed with the Treasurer of the Association. A copy shall also be  
delivered to each unit owner. Such statement shall be available no later  
than three (3) months from the end of the year for which the statement is  
made.

The President shall appoint a Finance Committee of three (3) unit owners,  
whose duties shall be to spot check the Association accounts as often as  
they deem necessary. The Finance Committee shall give a report to the  
membership at each quarterly meeting.

Article VII, Additions or Alterations: There shall be no additions or alterations to  
(DELETE) the recreational facilities under the 99-Year Lease which is Exhibit E to  
the Declaration of Condominium to which these By-Laws are attached unless  
the same are authorized by the Board of Directors of the Association,  
as to the aforesaid recreational facilities, and unless all condominium  
unit owners share in the cost of said additions or alterations and the  
maintenance thereof in the manner provided in Exhibit F of the Declaration  
of Condominium to which these By-Laws are attached, and further provided  
said additions or alterations are approved by the Lessor under the 99-Year  
Lease, as required therein.

Article VII (formerly "Article VIII, Compliance and Default")

Section 1. Violations: In the event of a violation (other than the  
non-payment of an assessment) by the unit owner in any of the provisions of  
the Declaration, of these By-Laws, or of the applicable portions of the  
Condominium Act, the Association, by direction of its Board of Directors,  
may notify the unit owner by written notice of said breach, transmitted by  
mail; and if such violation shall continue for a period of thirty (30) days  
from the date of such notice, the Association, through its Board of  
Directors shall have the right to treat such violation as a material breach  
of the Declaration, of the By-Laws, or of the pertinent provisions of the  
Condominium Act, and the Association may then, at its option, have the  
following elections:

(A) An action at law to recover for its damage on behalf of the  
Association or on behalf of the unit owners;

(B) An action in equity to enforce performance on the part of  
the unit owner;

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

Article VIII, Section 3A.

(OLD) In the event the owner of a unit, or lessee thereof, violates any of the  
"Rules and Regulations" promulgated by the Board of Directors of the  
Association, the Association through its Board of Directors shall have the  
right to levy a fine up to \$25.00 for each violation.

Before a fine may be levied, the Association must notify the offending party,  
in writing, of the Rule or Regulation being violated. If the violation does  
not cease within five (5) days of the receipt of the written notice, the  
Association may then levy the afore-described fine and shall notify the unit  
owner that a fine has been levied. The unit owner shall then have ten (10)  
days in which to pay the levied fine. Should the payment not be received  
by the Association within the said ten (10) day period, the Association  
shall have the right and authority to file a lien on the unit owner's  
apartment for the amount of that fine, which levy shall have the same force  
and effect as all assessments for maintenance, recreation fees, etc.

All notices required here-under shall be deemed effective when deposited in  
the United States mail, return receipt requested, addressed to the address  
then on file in the Association's office of the individual owner.

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Article VII, Section 3. Fines, Penalties & Late Payment In the event the owner of a unit or lessee thereof violates any of the "Rules and Regulations" promulgated by the Board of Directors of the Association, the Association through its Board of Directors shall have the right to levy a fine up to twenty-five dollars (\$25.00) for each violation.

(NEW)

Before a fine may be levied, the Association must notify the offending p in writing, of the Rule or Regulation being violated. If the violation does not cease within five (5) days of the receipt of the written notice, the Association may then levy the afore-described fine and shall notify the unit owner that a fine has been levied. The unit owner shall then have ten (10) days in which to pay the levied fine. Should the payment not be received by the Association within the said ten (10) day period, the Association shall have the right and authority to file a lien on the unit owner's apartment for the amount of that fine, which levy shall have the same force and effect as all assessments for maintenance, recreation fees, etc.

All notices required here-under shall be deemed effective when deposited in the United States mail, return receipt requested, addressed to the address then on file in the Association's office of the individual owner.

Article VII, Section 3A. All assessment fees (maintenance, recreation facilities, reserve funds, etc.) which are payable on a monthly basis are due on the first day of each month, and must be received no later than the tenth day of each month by the Treasurer of the Condominium Association or its authorized agent.

Section 3B. A late charge of ten dollars (\$10.00) for each offense of late payment will be levied against any unit owner when their monthly assessment is received after the tenth day of the month.

Section 4. Cost and Attorney Fees: (formerly Section 3)

Section 5. No Waiver of Rights: (formerly Section 4)

Section 6. No Election of Remedies. (formerly Section 5)

- Article VIII. Acquisition of Units: (formerly Article IX)

(OLD)

Section 1 (second paragraph). The Board of Directors shall have the further right to designate the Corporation as being "willing to purchase, lease or rent," upon the proposed terms, upon adoption of a Resolution by the Board of Directors recommending such purchase or leasing to the membership, but notwithstanding the adoption of such Resolution and such designation by the Board of Directors, the Corporation shall not be bound and shall not so purchase or lease except upon the authorization and of the approval of the affirmative vote of Voting Members casting not less than three-fourths (3/4) of the total votes of the unit owners of the condominium building of which the unit is a part thereof.

(NEW)

Section 1 (second paragraph). The Board of Directors shall have the further right to designate the Corporation as being "willing to purchase, lease or rent," upon the proposed terms, upon adoption of a Resolution by the Board of Directors recommending such purchase or leasing to the membership, but notwithstanding the adoption of such Resolution and such designation by the Board of Directors, the Corporation shall not be bound and shall not so purchase or lease except upon the authorization and approval of the affirmative vote of members voting casting not less than two-thirds (2/3) of the members voting.

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**Article IX. Amendments to the By-Laws. (formerly Article X)**

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

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

(OLD) Paragraph B. If the amendment has received the unanimous approval of the full Board of Directors, then it shall be approved upon the affirmative vote of a majority of the members voting.

(NEW) Section 2. If the amendment has received the majority approval of the full Board of Directors, then it shall be approved upon the affirmative vote of the majority of the members voting.

(OLD) Paragraph C. If the amendment has not been approved by the unanimous vote of the Board of Directors, then the amendment shall be approved by the affirmative vote of the voting members casting not less than a majority of the total votes of the unit owners, and

(NEW) Section 3. If the amendment has not been approved by the majority vote of the Board of Directors, the amendment shall be approved by the affirmative vote of not less than two-thirds (2/3) of the members voting.

(OLD) Paragraph D. Said amendment shall be recorded and certificated as required by the Condominium Act. Notwithstanding the provisions of this Article IX, these By-Laws may only be amended in compliance with Article III, Section 7, and Article IV, Section 1, of these By-Laws.

(NEW) Section 4. Said amendment shall be recorded and certificated as required by the Condominium Act. Notwithstanding the provisions of this Article IX, these By-Laws may only be amended in compliance with Article III, Section 7, and Article IV, Section 1, of these By-Laws.

Article X — formerly Article XI  
Article XI — formerly Article XII  
Article XII — formerly Article XIII  
Article XIII — formerly Article IV  
Article XIV — formerly Article IV  
Article XV — formerly Article XVI

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA

COUNTY ADMINISTRATOR

Article XV, Section 1. Liens: Protection of Property: All liens against a condominium unit, other than for permitted mortgages, taxes or special assessments, shall be satisfied or otherwise removed within thirty (30) days of the date the lien attaches. All taxes and special assessments upon a condominium unit shall be paid before becoming delinquent, as provided in these condominium documents or by law, whichever is sooner.

(NEW) Section 1. Liens: Protection of Property: All liens against a condominium unit, other than for permitted mortgages, taxes or special assessments, shall be satisfied or otherwise removed within ninety (90) days of the date the lien attaches. All taxes and special assessments upon a condominium unit shall be paid before becoming delinquent, as provided in these condominium documents or by law, whichever is sooner.

Article XV, Section 5. Delete in entirety.

Article XVI — formerly Article XVII

Article II, Section 5C. No Board Member or Unit Owner shall be permitted to hold more than five (5) proxies.

Section 5D. Holders of signed proxies which do not indicate how proxy vote is to be cast shall be used in count toward a quorum but does not apply as a vote since it did not indicate how vote was to be cast.

*Sam Sgro Pres*  
*Angela Palmer Treas.*

*Elizabeth Portnuth (Sec.)*

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA  
**F. T. JOHNSON**  
COUNTY ADMINISTRATOR

Notary Public State of Florida  
My Commission Expires Jan. 2 1989  
Broward County, Florida



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AFFIDAVIT CONCERNING AMENDMENTS  
TO THE BY-LAWS OF  
GATELAND VILLAGE CONDOMINIUM, INC.

STATE OF FLORIDA  
COUNTY OF BROWARD

**91414971**

WALTER VOGEL and DOROTHY WEBER, individually and as the President and Secretary respectively of GATELAND VILLAGE CONDOMINIUM, INC., depose and say under oath:

1 The Declarations of Condominium of the following condominiums were duly recorded in the Official Records Books, at such pages, of the Public Records of Broward County, Florida, as indicated below:

CONDOMINIUM	Official Records Book	Commencing at Page
GATELAND VILLAGE CONDOMINIUM A	5233	532
GATELAND VILLAGE CONDOMINIUM B	5470	667
GATELAND VILLAGE CONDOMINIUM C	5560	385
GATELAND VILLAGE CONDOMINIUM D	5699	819
GATELAND VILLAGE CONDOMINIUM E	5709	636
GATELAND VILLAGE CONDOMINIUM F	5839	817
GATELAND VILLAGE CONDOMINIUM G	5930	111
GATELAND VILLAGE CONDOMINIUM H	5950	078

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and attached as Exhibit "C" to each such Declaration of Condominium were the original By-Laws of GATELAND VILLAGE CONDOMINIUM, INC.

2. Pursuant to the provisions of Article X of the By-Laws, amendments and revisions of the original By-Laws were made, approved and ratified by the membership as more particularly set forth in the attached Composite Exhibit.

3. In order to avoid confusion to its membership and to the public, GATELAND VILLAGE CONDOMINIUM, INC. is recording a compilation of these various amendments as the Re-Stated Bylaws under Clerk's File Number 91414972.

4. That we have examined the Re-Stated By-Laws and have determined that they are merely a compilation of the amendments previously adopted by the membership

IN WITNESS WHEREOF, the Corporation specified below has caused these presents to be executed by its duly authorized officers and the seal of the corporation affixed thereto this 25th day of September, 1991.

Walter Vogel  
Walter Vogel, Individually  
Dorothy Weber  
Dorothy Weber, Individually

GATELAND VILLAGE CONDOMINIUM, INC.

By: Walter Vogel  
Walter Vogel, President  
By: Dorothy Weber  
Dorothy Weber, Secretary

(CORPORATE SEAL)

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Personally appeared before me, WALTER VOGEL and DOROTHY WEBER, the President and the Secretary respectively, whose names are signed to the attached and foregoing, and after having been first duly sworn, did hereby declare to the undersigned officer, that they signed the instrument voluntarily, under no constraint or undue influence on behalf of the Corporation, and that they have personal knowledge of the facts set forth above, on this 25th day of September, 1991

Irvin W. Nachman  
NOTARY PUBLIC, STATE OF FLORIDA

This instrument was prepared by:  
Irvin W. Nachman, Esquire  
4441 Stirling Road  
Fort Lauderdale, Florida 33314



"OFFICIAL NOTARY SEAL"  
IRVIN W. NACHMAN  
MY COMM. EXP. 1/18/92

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78- 84485 : APR 15 1978

**Gateland Village Condominium, Inc.**

3777 N.W. 78th Avenue • Box 9-1 • Hollywood, Florida 33024

April 6, 1978

Broward County Court House  
Division Recording  
P.O. Box 14668  
Ft. Lauderdale, Fla. 33302

Dear Sirs,

The attached By-Law changes as amended by the Unit Owners, at a General Meeting held on October 27, 1977, of Gateland Village Condominium ~~Association~~ Inc. 3777 N. W. 78th. Ave. Hollywood, Fla., hereby give notice that the attached BY-Law changes have been approved by the Unit Owners and the Board Of Directors.

*Robert Lerner*  
President  
*Philip Lerner*  
Secretary



Notary:



NOTARY PUBLIC, STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES FEBRUARY 5, 1982

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BY - LAWS

(As Written)

ARTICLE II.

Section 4. Quorum. Unless otherwise provided in these By-Laws, the presence of person or by proxy of a majority of the unit owners' total votes shall constitute a quorum. The term 'majority' of the unit owners' total votes shall mean unit owners holding more than 50 per cent of the votes.

To be added

ARTICLE II

Page 1;  
Article 2;

Section 4-A; Nominations of the Board of Directors. A nominating committee of not more than (5) members shall be appointed by the President during the month of October of each year, in time for said committee to present a slate of nominees for the Board of Directors at the special nominating meeting, to be held on the second Thursday of November at 8:00 PM. Nominations from the floor shall be honored at this meeting, after which nominations shall be closed. The uneven numbers of Directors to be elected shall be determined at this meeting by a majority vote of voting members. This meeting to be a nominating meeting only.

(as written)

ARTICLE II

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 (as set forth below in Section 6), and shall be filed with the Secretary prior to the meeting in which they are to be used, and shall be valid only for the particular meeting designated therein. Where a unit is owned jointly by a husband and wife, and if they have not designated one of them as a Voting Member, a proxy must be signed by both husband and wife where a third person is designated.

New section to be added

ARTICLE II

Section 5-A. Election of the Board of Directors. Election of the Board of Directors, shall be held at the annual meeting. Date JAN 5 1978. Proxies are to be mailed to unit owners not living on the premises. Said proxies shall include a ballot with list of all nominees. Proxies will be available to all unit owners who so desire them. The Unit Owners shall indicate their choices of not more than the Directors (in number) than has been decided on at the Special Nominating Meeting. Fewer choices may be made, but not more than the number agreed upon at the Special Nominating Meeting. There shall be no nominations from the floor at the Annual Election Meeting. More than one unit owner can be nominated and elected from a Building.

0603090626

06 7303 ME450

(As written)

Section 3. Annual Meeting The annual meeting shall be held at 10:00 A.M. Eastern Standard Time, on the 19th day of January, 1974, and thereafter on the 19th day of January of each year, for the purpose of transacting any business authorized to be transacted by the members, provided, however, that if that day is a legal holiday, the meeting shall be held at the same hour on the next regular day following. Subject to the provisions of the Articles of Incorporation, at the annual meeting, the members shall elect by a plurality vote (cumulative voting prohibited), a Board of Directors, and transact such other business as may properly be brought before the meeting.

### ARTICLE III

A special general Membership Meeting to be held during the months of April, July, and October of each year. Such meetings to include a Financial report, ~~of all expenses~~ and current Bank Balances in all bank accounts.

## ARTICLE IV

To be added

## Article IV

Section 1. Number, Term and Qualifications. During such time as the affairs of the Corporation shall be governed by a Board of Directors, the election of the Board of Directors shall be by the Unit Owners. The affairs of the corporation shall be governed by a Board of Directors, composed of an uneven number of not less than three(3) and not more than fifteen (15). Directors shall be elected for a term of one (1) year. In joint Ownership of Unit, only one of joint owners, shall be eligible for office.

BRIT 838P0627

Page 451



Page 3

BY - LAWS

ARTICLE VI

(As written)

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

(As Amended)

Section 2. Fidelity Bonds. The Treasurer and all officers who are authorized to sign checks, and all officers and employees of the Association, and any contractor handling or responsible for Association funds, shall be bonded in such amount as may be determined by the Board of Directors. No unbondable member shall continue to serve as a member of the Board of Directors. The premiums on such bonds shall be paid by the Association.

(New Section to be added)

Section 8. Restrictions of Expenditures. Any expenses of over one thousand dollars (\$1,000.00 for capital improvements, not including normal operating expenses or emergency expenses, must be approved by a majority of members voting at a regular or special meeting.

ARTICLE IX

(As written)

ACQUISITION OF UNITS

Section 1. (Second paragraph) The Board of Directors shall have the further right to designate the corporation as being 'willing to purchase, lease or rent,' upon the proposed terms, upon adoption of a Resolution by the Board of Directors recommending such purchase or leasing to the membership, but notwithstanding the adoption of such Resolution and such designation by the Board of Directors, the corporation shall not be bound and shall not so purchase or lease except upon the authorization and of the approval of the affirmative vote of Voting Members casting not less than three fourths ( $\frac{3}{4}$ ) of the total votes of the unit owners of the condominium building of which the unit is a part thereof.

(As rewritten)

Section 1. (Second paragraph) The Board of Directors shall have the further right to designate the corporation as being 'willing to purchase, lease or rent,' upon the proposed terms, upon adoption of a Resolution by the Board of Directors recommending such purchase or leasing to the membership, but notwithstanding the adoption of such Resolution and such designation by the Board of Directors, the corporation shall not be bound and shall not so purchase or lease except upon the authorization and approval of the affirmative vote of members voting casting not less than two-thirds ( $\frac{2}{3}$ ) of the members voting.

0810838P60628

RP 7203 06452

Page 4

BY - LAWS

ARTICLE IX

(As written)

Section 2. Acquisition on Foreclosure. At any foreclosure sale of a unit, the Board of Directors of the Association may, with the authorization and approval, by the affirmative vote of Voting Members casting not less than three-fourths ( $\frac{3}{4}$ ) of the total votes of the unit owners of the condominium building of which the unit is a part thereof, acquire in the name of the corporation or its designee a condominium parcel being foreclosed.

(As rewritten)

Section 2. Acquisition on Foreclosure. At any foreclosure sale of a unit, the Board of Directors of the Association may, with the authorization and approval, by the affirmative vote of Members Voting casting not less than two-thirds ( $\frac{2}{3}$ ) of the total votes of the unit owners, acquire in the name of the corporation or its designee a condominium parcel being foreclosed.

(As written)

Section 3. Assessments. Should the Association purchase or lease a unit or acquire a unit at a foreclosure sale as provided in Sections 1 and 2 of this Article, the expense of same shall be assessed only against the unit owners of the condominium building of which the unit is a part thereof.

(As rewritten)

Section 3. Assessments. Should the Association purchase or lease a unit or acquire a unit at a foreclosure sale as provided in Sections 1 and 2 of this Article, the expense of same shall be assessed against all unit owners.

EX18838PG0629

7513 ME453

Page 5

## BY - LAWS

## ARTICLE X

AMENDMENTS TO THE BY - LAWS

(As Written)

Paragraph B. If the amendment has received the unanimous approval of the full Board of Directors, then it shall be approved upon the affirmative vote of a majority of the members voting.

(As rewritten)

Paragraph B. If the amendment has received the majority approval of the full Board of Directors, then it shall be approved upon the affirmative vote of the majority of the members voting.

## ARTICLE X

AMENDMENTS TO THE BY - LAWS

(As written)

Paragraph C. If the amendment has not been approved by the unanimous vote of the Board of Directors, then the amendment shall be approved by the affirmative vote of the voting members casting not less than a majority of the total votes of the unit owners; and

(As rewritten)

Paragraph C. If the amendment has not been approved by the majority vote of the Board of Directors, the amendment shall be approved by the affirmative vote of not less than two-thirds (2/3) of the members voting.

RECORDED IN THE OFFICE OF THE CLERK  
OF BROWARD COUNTY, FLORIDA  
L. A. HESTER  
CLERK

RECORDED  
IN THE OFFICE OF THE CLERK  
OF BROWARD COUNTY, FLORIDA  
L. A. HESTER  
CLERKRECORDED  
IN THE OFFICE OF THE CLERK  
OF BROWARD COUNTY, FLORIDA  
L. A. HESTER  
CLERK



Article 3 Sec. 3A - (as amended Oct. 1977)

A special general meeting to be held during the months of April, July and October of each year. Such meetings to include a Financial report of all expenses and current bank balances in all bank accounts.

To be rewritten as follows:

General membership meetings to be held during the months of April, July and October of each year. Such meetings must include, but not be limited to, a complete financial report including the total of all accounts Receivable and Payable. Said financial report to be available to each unit owner at least 48 hours prior to each meeting.

+++++

Article 5 - (Officers Duties)

Add Section 5A:

No contract shall be entered into or signed, nor shall any project be assumed by the President without the approval of the majority of the Board of Directors in attendance at a duly held meeting, if the accumulative cost is estimated to be over one-hundred dollars (\$100.00).

+++++

Article 5 Sec. 7 (Add)

The Secretary shall perform the duties of the President in the absence of the President and the Vice-President.

+++++

Article 5 Sec. 8 - Paragraph F

The Treasurer shall perform the duties of the President in the absence of the President, Vice-President and the Secretary.

+++++

Article 6 - Sec. 6 (Annual Audit)  
As is at Present:

An audit of the accounts of the Association shall be made annually. Said audit shall be prepared by a Certified Public Accountant licensed in the State of Florida, and a copy of said report shall be filed with the Treasurer of the corporation, and shall be available for inspection by the members of the Association in the office of the Association. Such report shall be available no later than three months (3) from the end of the year for which the report is made.

To be written and titled: Article 6 Sec. 6 (Annual Financial Report)

A review of the accounts of the Association shall be made annually. Said review shall be prepared by an Accountant. A copy of this report shall be filed with the Treasurer of the Association. A copy shall also be delivered to each Unit Owner. Such report shall be available no later than three (3) months from the end of the year for which the report is made.

The president shall appoint a Finance Committee of three (3) Unit Owners, whose duties shall be to spot check the Association accounts as often as they deem necessary. The Finance Committee shall give a report to the membership at each quarterly meeting.

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA  
GRAHAM W WATT  
COUNTY ADMINISTRATOR

BR18338PS0632  
RE 8019 RE 40

73-360685

**Gateland Village Condominium, Inc.**  
3777 N.W. 78th Avenue • <sup>Apt.</sup> 9-1 • Hollywood, Florida 33024

EX-10830P60693

73 NOV 27 PM 4:11

THE ATTACHED BY-LAWS CHANGES AS AMENDED BY THE UNIT OWNERS AT A GENERAL MEETING HELD ON NOVEMBER 15, 1979 BY GATELAND VILLAGE CONDOMINIUM, INC. 3777 N.W. 78th AVENUE, HOLLYWOOD, FLORIDA, HEREBY GIVE NOTICE THAT THE ATTACHED BY-LAWS CHANGES HAVE BEEN APPROVED BY THE UNIT OWNERS AND THE BOARD OF DIRECTORS.

*Matt Vogel*  
MATT VOGEL, PRESIDENT  
*Philip K. K... ..*  
PHILIP K... .., SECRETARY

NOTARY: SWORN BEFORE ME THIS DAY OF THE MONTH *Nov* 1979.

NOTARY PUBLIC, STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES FEBRUARY 5, 1982

*Charles B. Sh... ..*



73 NOV 27 PM 4:11

BY-LAWS  
ARTICLE II

Section 5A. "Election of the Board of Directors".

(Amendment as written) Election of the Board of Directors shall be held at the Annual meeting, date January 5, 1978. Proxies are to be mailed to Unit Owners not living on the premises. Said proxies shall include a ballot with list of all nominees. Proxies will be available to all Unit Owners who so desire them. The Unit Owners shall indicate their choices of not more than the Directors (in numbers) than has been decided on at the Special Nominating meeting. Fewer choices may be made, but not more than the numbers agreed upon at the Special Nominating meeting. There shall be no nominations from the floor at the Annual Election meeting. More than one Unit Owner can be nominated and elected from a building.

Amendment to Amend an Amendment. Article II Section 5 A  
Election of the Board of Directors shall be held on the second Thursday of January of each year.

Proxies are to be mailed to Unit Owners not living on the premises. Said proxies shall include a ballot with a list of all nominees. Proxies will be available to all Unit Owners who so desire them. The Unit Owners shall indicate their choices of not more than the Directors (in Number) than has been decided on at the Special Nominating meeting. Fewer choices may be made, but not more than the number agreed upon at this Special Nominating meeting.

There shall be no nominations from the floor at the Annual Election Meeting. More than one Unit Owner can be nominated and elected from a building.

ARTICLE III

Section No. 3 "Annual Meeting"

(Amendment as written 4-6-78) The Annual Meeting shall be held at 10:00 A.M. Eastern Standard Time, on the 19th day of January of each year, for the purpose of transacting any business authorized to be transacted by the Members provided, however, that if that day is a legal Holiday, the meeting shall be held at the same hour on the next secular day following. Subject to the Provisions of the Articles of Incorporation, at the Annual Meeting, the members shall elect by a plurality vote (cumulative voting prohibited) a Board of Directors, and transact such other business as may properly be brought before the meeting.

An Amendment to Amend an Amendment. Article III Section No. 3  
The Annual Meeting shall be held on the second Thursday of January each year.

At the Annual Meeting the members shall elect, by a plurality vote, a Board of Directors and transact such other business as may properly be before the meeting.

EX-8838PG0634

ME 8579 ME427

ARTICLE VIII

Section No 3A

In the event the Owner of a Unit or Lessee there-of, violates any of the "Rules and Regulations" promulgated by the Board of Directors of the Association, the Association through its Board of Directors, shall have the right to levy a fine up to \$25.00 for each violation.

Before a fine may be levied, the Association must notify the offending party, in writing, of the Rule or Regulation being violated. If the violation does not cease within five (5) days of the receipt of the written notice, the Association may then levy the afore-described fine and shall notify the Unit Owner that a fine has been levied. The Unit Owner shall then have ten (10) days in which to pay the levied fine. Should the payment not be received by the Association within the said ten (10) day period, the Association shall have the right and authority to file a lien on the Unit Owners apartment for the amount of that fine, which levy shall have the same force and effect as all assessments for maintenance, recreation fees, etc.

All notices required here-under shall be deemed effective when deposited in the United States mail, return receipt requested, addressed to the address then on file in the Association's office of the individual Owner.

EX-8838PG0635

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY FLORIDA  
GRAHAM W. WATT  
COUNTY ADMINISTRATOR

RE 8579 MAR 4 28



80-306505  
**Gateland Village Condominium, Inc.**  
 3777 N W 78th Avenue • Box 9-1 • Hollywood, Florida 33024

The attached By-Laws changes as amended by the Unit Owners at a general meeting held October 9, 1980 at Gateland Village Condominium, Inc., 3777 N.W. 78 Ave., Hollywood, Florida, hereby give notice that the attached By-Laws changes have been approved by the Unit Owners and the Board of Directors.

*Margaret Soroachak*  
 Margaret Soroachak, President

*David Rosenbaum*  
 David Rosenbaum, Secretary

Notary: Sworn before me this 14 day of October 1980.

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
 MY COMMISSION EXPIRES FEBRUARY 5 1982

*Charles B. Slesinger*  
 Charles B. Slesinger, Notary

80 OCT 20 PM 3:10

0808838860636

809191 PM 3:37

EX 18038760637

GATELAND VILLAGE CONDOMINIUM, INC.  
RULES AND REGULATIONS FOR CONDOMINIUM UNITS.

**RULE #23 Long Term Rental**

A long term rental of any apartment unit by a unit owner (lessor) to a lessee can be made only by a lease. A lease may be for a term of only one (1) year and is renewable only by the approval from the Board of Directors.

All lessees must be interviewed by a committee, as delegated by the Board of Directors. The decision of the Board of Directors is final for approval or disapproval of the prospective lessee.

An application for approval form must be completed by the lessor and lessee. The occupancy date must be stated on the application form.

When a long term (annual) lease is terminated prior to the lease stated termination date by the lessor or the lessee, the unit owner (lessor) shall not be permitted to rent the vacated unit as a short term rental or another long term rental until a period of twelve (12) months have passed by from the initial date of the current long term (annual) lease.

The unit owner must notify the lessee to report their arrival to the Board of Directors upon occupancy of the apartment unit.

A transfer fee of Fifty (\$50.00) dollars must be presented with the rental application. An interview will not be granted or will the Board of Directors give their approval to the unit owner to rent the apartment until the fee is paid.

**RULE #24 Short Term Rental**

A short term rental of any apartment unit by a unit owner (lessor) to a lessee can be made only by a lease or application for approval to rent. Such completed rental application must be received by the Interview Committee, as delegated by the Board of Directors.

A short term rental may be for not less than three (3) months duration or more than six (6) months duration.

Only one (1) short term unit rental, during any twelve (12) month period will be permitted for each unit apartment.

When a short term rental is terminated by a vacancy, a new lease or rental application can not be written for the vacated unit until a period of (12) twelve months have passed from the initial date of the current lease or rental application. The period of occupancy must be stated on the rental application and show the date period.

All unit owners must notify the lessee to report to the Board of Directors upon arrival, after acceptance.

A transfer fee of Twenty five (\$25.00) dollars must be presented with the rental application. An interview will not take place or will the Board of Directors give their approval to the unit owner to rent the apartment unless the fee is paid.

**RULE #25 SPEED LIMITS**

Speed limits 10 MPH are posted throughout the complex.

EX 9191 RE338

GATELAND VILLAGE CONDOMINIUM, INC.  
BY-LAWS

ARTICLE VIII  
SECTION 3B

FINES PENALTY PAYMENT

- a. All assessments (maintenance fee, Recreation Facilities, Reserve funds, etc.) which are payable on a monthly basis are due on the first day of each month, and must be received no later than the tenth day of each month, by the Treasurer of the Condominium Association.
- b. A fine of ten dollars (\$10.00) for each offense of late payment will be levied against any Unit owner, when their monthly assessment is received after the tenth of the month.

ARTICLE IV  
SECTION 9

DIRECTORS COMPENSATION

As presently written:

The Directors fees, if any, shall be determined by the voting members.

Amended to read:

There will be no compensation fees for any Director.

RECORDED IN THE OFFICIAL RECORDS BOOKS  
OF BROWARD COUNTY, FLORIDA  
GRAHAM W. WATT  
COUNTY ADMINISTRATOR

2020111700000000

RE 9101 11/23/20

**Gateland Village Condominium, Inc.**  
 82-101016

3777 N.W. 78th Avenue • Box 9-I • Hollywood, Florida 33024

The attached By-Laws changes as amended by the Unit Owners at a general meeting held on March 11, 1982 at Gateland Village Condominium, Inc. 3777 N.W. 78th Ave., Hollywood, Fla., hereby give notice that the attached By-Laws changes have been approved by the Unit Owners and the Board of Directors.

Louis B. Gross  
 Lou Gross, President

David Rosenbaum  
 David Rosenbaum, Secretary

Notary: Sworn before me this 18 day of March 1982

Charles B. Slesberg  
 Charles B. Slesberg, Notary

Notary Public, State of Florida  
 My Commission Expires Feb. 5, 1985

72 APR 18 PM 12:17

RECEIVED 0639

RE 10140ME883

**Gateland  
Village  
Condominium, Inc.**

3777 N W 78th Avenue • Box 9-1 • Hollywood, Florida 33024

**AMENDMENT TO ARTICLE II SECTION V  
PROXIES**

- 5 A If present at the meeting, a child 18 years or older or a parent of an absentee Unit Owner or another attending Unit Owner may be a Proxy and exercise all entitlements of a Unit Owner. No non Unit Owner other than a Proxy child or parent is permitted at a Unit Owners meeting.
- 5 B In a show of hands vote, the following procedure will prevail:
- Par. 1 Chairman calls for a show of hands vote for the assembly. For-Against.
  - Par. 2 Chairman calls for a show of hands vote for Proxies of absentee owners. For- Against.

DKH8838PG0640

RE 10140 PM 884

# Gateland Village Condominium, Inc.

3777 N W 78th Avenue • Box 9-1 • Hollywood, Florida 33024

## PROXY

(I) (We) the undersigned member (s) and Unit owner (s) in good standing of Gateland Village Condominium, Inc., a non-profit corporation of the State of Florida, will not be able to attend the meeting on \_\_\_\_\_

(I) (We) do hereby appoint \_\_\_\_\_ to act as (my) (our) PROXY for voting purposes only, at the Gateland Village Condominium, Inc. meeting scheduled for the above date at 3777 N.W. 78 Avenue, Hollywood, Florida.

DATE \_\_\_\_\_ BY \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(If title to Condominium Unit is in more than one (1) name, all Owners must sign Proxy)

VOTE YES NO  
☐ ☐

YES NO  
☐ ☐

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY, FLORIDA  
GRAHAM W. WATT  
COUNTY ADMINISTRATOR

BK003880641

RE 10140PM 89S

81-265356

**Gateland Village Condominium, Inc.**

3777 N W 78th Avenue • Box 9-1 • Hollywood, Florida 33024

The attached By-Laws changes as amended by the Unit Owners at a general meeting held June 10, 1981 at Gateland Village Condominium, Inc. , 3777 N.W. 78 Ave., Hollywood, Florida, hereby give notice that the attached By-Laws changes have been approved by the Unit Owners and the Board of Directors.

Louis G. Gross  
Lou Gross, President

David Rosenbaum  
David Rosenbaum, Secretary

Notary: Sworn before me this 21<sup>st</sup> day of September 1981.

Charles B. Slosberg  
Charles B. Slosberg, Notary

NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES FEBRUARY 1982

8108038P60642

81 SEP 22 PM 12:47

REC 1906 MAR 5 1987

BY-LAWS

LIMITATIONS OF LIABILITY

Article XIV

Sec. 1 To read as is.

Sec. 2 No lessee or lessor or any other person (unless certified, licensed and insured) shall ascend to the roof or make repairs of any type, install equipment of any type on the roof without first consulting the Board of Directors and receiving proper authorization.

Sec. 3 Any person in violation of this Article or cause damage to any part of the roof, or if any person that violates this Article is in any way injured because of this violation, the liability will not be the responsibility of the Gateland Village Condominium, Inc.

Sec 4 Any person that is in violation of this Article will be liable for a fine as in accordance with Article VIII Section A.

20001117 0038P60643

RE 9808 REC 558



**Gateland Village Condominium, Inc.**

3777 N W 78th Avenue • Box 9-1 • Hollywood, Florida 33024

## RULES AND REGULATIONS

- Rule 26 A No Unit Owners shall permit visitors to occupy their Units for any length of time without the Unit Owners specific instructions to the Board as to who the visitors will be. Notify Board when visitors are due.
- Rule 26 B Any Unit Owner in violation of this Rule will be subject to a fine.

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY FLORIDA  
GRAHAM W WATT  
COUNTY ADMINISTRATOR

XXXXXXXXXXXX

REF 9806 PAGE 550

CERTIFICATE OF AMENDMENTS  
TO THE BY-LAWS OF  
GATELAND VILLAGE CONDOMINIUM, INC.

91414972

The Declarations of Condominium of the following condominiums were duly recorded in the Official Records Books, at such pages, of the Public Records of Broward County, Florida, as indicated below:

CONDOMINIUM	Official Records Book	Commencing at Page
GATELAND VILLAGE CONDOMINIUM A	5233	532
GATELAND VILLAGE CONDOMINIUM B	5470	667
GATELAND VILLAGE CONDOMINIUM C	5560	385
GATELAND VILLAGE CONDOMINIUM D	5699	819
GATELAND VILLAGE CONDOMINIUM E	5709	636
GATELAND VILLAGE CONDOMINIUM F	5839	817
GATELAND VILLAGE CONDOMINIUM G	5930	111
GATELAND VILLAGE CONDOMINIUM H	5950	078

Oct 18 10 53 AM '91

and attached as Exhibit "C" to each such Declaration of Condominium were the original By-Laws of GATELAND VILLAGE CONDOMINIUM, INC.

Pursuant to the provisions of Article X of the By-Laws, amendments and revisions of the original By-Laws were made, approved and ratified by the membership, as more particularly set forth under Clerk's File Number 91414971.

This Certificate and the attached Amendments to the By-Laws are being filed in the Public Records of Broward County, Florida, in conformity with Florida Statute 718. The Amendments to the By-Laws attached hereto consist of a compilation of the various amendments passed since the inception of GATELAND VILLAGE CONDOMINIUM, INC.; and are to be known as the Re-stated By-Laws.

Upon proper recordation and filing in the Public Records of Broward County, Florida, the attached Re-stated By-Laws will become effective as the By-Laws of GATELAND VILLAGE CONDOMINIUM, INC.

IN WITNESS WHEREOF, the Corporation specified below has caused these presents to be executed by its duly authorized officers and the seal of the corporation affixed thereto this 25<sup>th</sup> day of September, 1991.

Signed, sealed and delivered in the presence of.

*[Signature of Irvin W. Nachman]*  
*[Signature of Dorothy Weber]*

GATELAND VILLAGE CONDOMINIUM, INC.

By: *[Signature of Walter Vogel]*  
 Walter Vogel, President

By: *[Signature of Dorothy Weber]*  
 Dorothy Weber, Secretary

(CORPORATE SEAL)

STATE OF FLORIDA  
 COUNTY OF BROWARD

Personally appeared before me, WALTER VOGEL and DOROTHY WEBER, the President and the Secretary respectively, whose names are signed to the attached and foregoing, and after having been first duly sworn, did hereby declare to the undersigned officer, that they signed the instrument voluntarily, and under no constraint or undue influence on behalf of the Corporation, on this 25<sup>th</sup> day of September, 1991.

*[Signature of Irvin W. Nachman]*  
 NOTARY PUBLIC, STATE OF FLORIDA

This instrument was prepared by:  
 Irvin W. Nachman, Esquire  
 4441 Stirling Road  
 Fort Lauderdale, Florida 33314



"OFFICIAL NOTARY SEAL"  
 IRVIN W. NACHMAN  
 MY COM. EXP. 1/18/92

BK18838PG0651

BY-LAWS

OF

GATELAND VILLAGE CONDOMINIUM, INC.

ARTICLE I.

IDENTITY

The following By-Laws shall govern the operation of the condominium created by the Declaration of Condominium to which these By-Laws are attached.

GATELAND VILLAGE CONDOMINIUM, INC. is a Florida corporation not for profit, organized and existing pursuant to Florida Statute 711, known as "Condominium Act".

GATELAND ENTERPRISES, INC., a Florida corporation, hereinafter called "Developer", is the developer of GATELAND VILLAGE, a complex of condominium properties.

Section 1. The office of the Association shall be at the condominium property, or at such other place as may be subsequently designated by the Board of Directors.

Section 2. The seal of the corporation shall bear the name of the corporation, word "Florida" and the words "corporation not for profit", and the year of the incorporation.

Section 3. As used herein, the word "corporation" shall be the equivalent to "Association" as defined in the Declaration of Condominium to which these By-Laws are attached, and all other words as used herein shall have the same definitions as attributed to them in the Declaration of Condominium to which these By-Laws are attached.

ARTICLE II.

MEMBERSHIP AND VOTING PROVISIONS

Section 1. The corporation shall not issue stock or certificates.

Section 2. Membership in the corporation shall be limited to owners of condominium units wherein this corporation has been designated the Association to operate and administer said condominium by virtue of the condominium's Declaration of Condominium. It is contemplated that a number of Declarations of Condominium will be effected from time to time to be governed by

0000038P60652

GATELAND VILLAGE CONDOMINIUM BY-LAWS

the corporation. Membership by virtue of any and all of such Declarations of Condominium shall have equal rights and obligations. Transfer of unit ownership, either voluntary or by operation of law, shall terminate membership in the corporation, said membership is to become vested in the transferee. If unit ownership is vested in more than one person, then all of the persons so owning said unit shall be members eligible to hold office, attend meetings, etc., but as hereinafter indicated, the vote of a unit shall be cast by the "voting member". If unit ownership is vested in a corporation, said corporation may designate an individual officer or employee of the corporation as its "voting member". Any application for the transfer of membership, or for a conveyance of an interest in, or to encumber or lease a condominium parcel, where the approval of the Board of Directors of the Association is required as set forth in these By-Laws and the Declaration of Condominium to which they are attached, shall be accomplished by an application fee in an amount to be set by the Board of Directors to cover the cost of contacting the references given by the applicant and such others costs of investigation that may be incurred by the Board of Directors.

Section 3. Voting.

A. The owner(s) of each condominium unit shall be entitled to one vote for each condominium unit owned. If a condominium unit owner owns more than one unit he shall be entitled to one vote for each unit owned. The vote of a condominium unit shall not be divisible.

B. The majority of the unit owners' total votes shall decide any question unless the By-Laws or Declaration of Condominium provides otherwise, in which event the voting percentage required in the By-Laws or the Declaration of Condominium shall prevail.

Section 4. Quorum. Unless otherwise provided in these By-Laws, the presence of person or by proxy of a majority of the unit owners' total votes shall constitute a quorum. The term "majority" of the unit owners' total votes shall mean unit owners holding more than 50% of the votes.

Section 4a. Nomination of the Board of Directors: A nominating committee of not more than five (5) members shall be appointed by the President during the month of October of each year, in time for said committee to present a slate of nominations for the Board of Directors at the November Meeting. Nominations from the floor shall be honored at this meeting, after which nominations shall be closed. The uneven number of directors to be elected shall be

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GATELAND VILLAGE CONDOMINIUM BY-LAWS

determined at this meeting by a majority vote of voting members. This meeting to be a nominating meeting. The Board shall consist of no more than 5-7-9 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 (as set forth below in Section 6), and shall be filed with the Secretary prior to the meeting in which they are to be used, and shall be valid only for the particular meeting designated therein. Where a unit is owned jointly by a husband and wife, and if they have not designated one of them as a Voting Member, a proxy must be signed by both husband and wife where a third person is designated.

A. Election of the Board of Directors: Election of the Board of Directors shall be held at the annual meeting, in the month of January of each year. Proxies are to be mailed to unit owners not living on the premises. Said proxies shall include a ballot with a list of all nominees. Proxies will be available to all unit owners who so desire them. The unit owners shall indicate their choices of not more than the Directors (in number) that have been decided on at the special nominating meeting. Fewer choices may be made, but not more than the number agreed upon at the special nominating meeting. More than one unit owner can be nominated and elected from a building.

B. If present at the meeting, an adult child (age 18 or over), or parent of an absentee unit owner, or another attending unit owner may be a Proxy and exercise all entitlement of a unit owner. Non-unit-owners will not be permitted to attend a unit owners' meeting unless they are the authorized agent by a properly registered proxy, or by a Board of Directors' invitation.

C. No Board member or unit owner shall be permitted to hold more than five (5) proxies.

D. Holders of signed proxies which do not indicate how proxy vote is to be cast shall be used in count toward a quorum, but does not apply as a vote since it did not indicate how vote was to be cast.

Section 6. Designation of Voting Member. If a condominium unit is owned by one person, his right to vote shall be established by the recorded title to the unit. If a condominium unit is owned by more than one person, the person entitled to cast the vote for the unit shall be designated in a certificate signed by all of the

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GATZLAND VILLAGE CONDOMINIUM BY-LAWS

recorded owners of the unit and filed with the Secretary of the Association. If a condominium unit is owned by a corporation, the officer or employee thereof entitled to cast the vote of the unit for the corporation shall be designated in a Certificate for this purpose, signed by the President or Vice-president and attested to by the Secretary or Assistant Secretary of the corporation, and filed with the Secretary of the Association. The person designated in these Certificates who is entitled to cast the vote for a unit shall be known as the "Voting Member". If such a Certificate is not on file with the Secretary of the Association for a unit owned by more than one person or by a corporation, the vote of the unit concerned shall not be considered in determining the requirement for a quorum, or for any purpose requiring the approval of a person entitled to cast the vote for the unit, except if said unit is owned by a husband and wife. Such Certificates shall be valid until revoked, or until superseded by a subsequent Certificate, or until a change in the ownership of the unit concerned. If a condominium unit is jointly owned, the following three provisions are applicable thereto:

A. They may, but they shall not be required to, designate a Voting Member.

B. If they do not designate a Voting Member, and if both are present at a meeting and are unable to concur in their decision upon any subject requiring a vote, they shall lose their right to vote on that subject at that meeting. (As previously provided, the vote of a unit is not divisible.)

C. Where they do not designate a Voting Member, and only one is present at a meeting, the person present may cast the unit vote, just as though he or she owned the unit individually and without establishing the concurrence of the absent person.

ARTICLE III.

MEETING OF THE MEMBERSHIP

Section 1. Place. All meetings of corporation membership shall be held at the condominium property, or at such other place and time as shall be designated by the Board of Directors of the Association and stated in the Notice of the meeting.

Section 2. Notices. It shall be the duty of the Secretary to mail a Notice of each annual or special meeting, stating the time and place thereof, to each unit owner of record, at least five (5) days, but not more than fifteen (15) days, prior to such meeting.

GATELAND VILLAGE CONDOMINIUM BY-LAWS

Notice of any special meeting shall state the purpose thereof. All notices shall be mailed to or served at the address of the unit owner as it appears on the books of the Corporation.

Section 3A. Annual Meeting. It shall be held in the month of January of each year, for the purpose of transacting any business authorized to be discussed by the members subject to the provisions of the Articles of Incorporation. They shall elect by a plurality vote (cumulative voting prohibited) a Board of Directors and transact such other business as may properly be brought before the meeting.

3B. General Meeting. A general membership meeting will be held in April and November, such meeting to include but not limited to a financial statement. Said Financial Statement to be available to each unit owner at least forty-eight (48) hours prior to each meeting.

Section 4. Special Meeting. Special meetings of the members for any purpose or purposes, unless otherwise prescribed by Statute or by the Articles of Incorporation, may be called by the President, and shall be called by the President or Secretary, at the request, in writing, of Voting Members representing a majority of the unit owners' total votes, which request shall state the purpose or purposes of the proposed meeting.

Section 5. Waiver and Consent. Whenever the vote of members at a meeting is required or permitted by any provision of the Statutes or of the Articles of Incorporation, or of 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 not less than three-fourths (3/4) of the members 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 to be effected shall be given to all members, unless all members approve such action.

Section 6. Adjourned Meeting. If any meeting of members cannot be organized because of a quorum of Voting Members is not present, either in person or by proxy, the meeting may be adjourned from time to time until a quorum is present.

Section 7. Proviso. Provided, however, that until the Developer elects to terminate its control of the Association, there shall be no meeting of the members of the Association, unless a meeting is called by the Board of Directors of the Association; and should a meeting be called, the proceedings shall have no effect unless approved by the Board of Directors. As long as the Developer has not completed the development of the entire condominium complex

GATZLAND VILLAGE CONDOMINIUM ~~BY-LAWS~~

as described in the Articles of Incorporation of this Association and has not completely sold all the units contained therein, then notwithstanding the annual members' meeting taking place, the Developer shall be entitled to elect all of the Board of Directors who need not be residents of the condominium complex nor condominium unit owners. The foregoing provisions of this Section 7 may not be amended without the consent of the Developer of the condominium complex, and this provision supersedes all provisions to the contrary in these By-Laws and the Declaration of Condominium to which these By-Laws are attached.

Section 8. Approval or disapproval of a unit owner upon any matter, whether or not the subject of an Association meeting, shall be by the Voting Member; provided, however, where a unit is owned jointly by a husband and wife, and they have not designated one of them as a Voting Member, their joint approval or disapproval shall be required where they are both present; or in the event only one is present, the person present may cast the vote without establishing the concurrence of the absent person.

ARTICLE IV.

DIRECTORS

Section 1. Number, Term & Qualification. The affairs of the corporation shall be governed by a Board of Directors, composed of an uneven number of not less than five (5) and not more than nine (9). Directors shall be elected by the Unit Owners for a term of one (1) year. In joint ownership of a unit, only one (1) of the joint owners shall be eligible for office. Directors shall be Unit Owners and should be permanent residents of the complex and reside in a unit no less than nine (9) months annually.

Section 2. The organizational meeting of a newly elected Board of Directors 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 organization meeting shall be necessary, provided a quorum shall be present.

Section 2. First Board of Directors.

A. The Developer shall have full right and authority to choose and determine the entire membership of the Board of Directors until all units in the condominium community have been sold, or until January 1, 1980, whichever is sooner. The first Board of Directors who shall serve until their successors



GATZLAND VILLAGE CONDOMINIUM BY-LAWS

have been elected and qualified shall consist of:

S. DAVID GATES, DONALD LANDY AND NEOTA B. ASTLING

Section 3. 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, though less than a quorum, shall choose a successor or successors, who shall hold office for the balance of the unexpired term in respect to which such vacancy occurred. The election held for the purpose of filling said vacancy may be held at any regular or special meeting of the Board of Directors.

Section 4. 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. More than three (3) consecutive absences from regular meetings of the Board of Directors, unless excused by resolution of the Board of Directors, shall automatically constitute a resignation, effective when such resignation is accepted by the Board of Directors. No member shall continue to serve on the Board of Directors should he be more than thirty (30) days delinquent in the payment of an assessment and said delinquency shall automatically constitute a resignation effective when such resignation is accepted by the Board of Directors.

Section 5. Regular Meetings. The Board of Directors may establish a schedule of regular meetings to be held at such time and place as the Board of Directors may designate. Notice of such regular meetings shall nevertheless be given to each Director personally or by mail, telephone, or telegraph, at least five (5) days prior to the day named for such meetings.

Section 6. Special Meetings. Special 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 special meetings shall state the purpose of the meeting.

Section 7. 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

**GATELAND VILLAGE CONDOMINIUM BY-LAWS**

Board of Directors shall be a waiver of notice by him of the time and place thereof. If all Directors are present at any meeting of the Board, no notice shall be required and any business may be transacted at such meeting.

**Section 8. 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 be 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 the Director in the action of a meeting by signing and concurring in the Minutes thereto, shall constitute the presence of such Director for the purpose of determining a quorum.

**Section 9. Directors' Compensation.** There shall be no compensation fees for serving as a Director.

**Section 10. 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 or by the Declaration of Condominium or by these By-Laws directed to be exercised and done by the unit owners. The corporation may employ professional management or effect management contract with a professional management company in order to assure proper maintenance of the corporation property and the common element of the condominium.

A. To exercise all powers specifically set forth in the Declaration of Condominium in these By-Laws, the Articles of Incorporation of this corporation, and in the Condominium Act, and all powers incidental thereto.

B. To make assessments, collect said 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 operation of the project and of the common areas and facilities, including the right and power to employ attorneys, accountants, contractors and other professionals as the need arises.

**GATELAND VILLAGE CONDOMINIUM BY-LAWS**

D. To make and amend regulations respecting the operation and use of the common elements and condominium property and facilities and the use and maintenance of the condominium units therein.

E. To contract for the management of the condominium and to designate to such contractor powers and duties of the Association. To contract for the management or operation or portions of the common element or facilities susceptible to the separate management or operation, and to lease on concession such portions. No management contract shall have a term greater than three (3) years; this shall not preclude a contract which runs continuously subsequent to a right of termination by either party with notice of one year or less.

F. The further improvement of the property, real and personal, and the right to purchase items of furniture, furnishings and equipment.

G. Designate one or more committees, which to the extent provided in the resolution designating said committee the business and affairs of the corporation. Such committee to consist of at least two (2) unit owners plus a member of the Board. The nominating committee, however, shall not have a member of the Board present. The committee or committees shall have such name or names as may be determined from time to time by the Board of Directors, and said committee shall keep regular minutes of their proceedings and report the same to the Board.

**Section 11. Removal of Directors.** A Director elected or appointed as provided in the Declaration may be removed from office upon the affirmative vote of majority of the unit owners for any reason deemed by the unit owners to be detrimental to the best interest of the association; however, before any Director is removed from office, he shall be notified in writing that motion to remove him will be made, seven (7) days prior to the meeting at which said motion is made, and such Director shall be given an opportunity to be heard at such meeting, should he be present, prior to the vote on his removal.

**Section 12. Contracts and Projects.** No contract shall be entered into or signed, nor any project be assumed by any Board member without the approval of the majority of the Board of Directors, if the accumulative cost is estimated to be over twenty-five dollars (\$25.00).

GATELAND VILLAGE CONDOMINIUM BY-LAW

ARTICLE V.

OFFICERS

Section 1. Elective Officers. The principal officers of the corporation shall be a President, a Vice President, a Secretary and a Treasurer, all of whom shall be elected by the Board of Directors. One person may not hold more than one of the aforementioned offices, except one person may be both Secretary and Treasurer. The President and Vice President shall be members of the Board of Directors.

Section 2. Election. The officers of the corporation designated in Section 1 above shall be elected annually by the Board of Directors, at the organization meeting of each new Board following the meeting of the members.

Section 3. Appointive Officers. The Board may appoint an Assistant Secretary and an Assistant Treasurer and such other offices as the Board deems necessary.

Section 4. Term. The officers of the corporation shall hold office until their successors are chosen and qualify in their stead. Any officer elected or appointed by the Board of Directors may be removed with cause at any time by the Board of Directors; provided, however, that no officers will be removed except by the affirmative vote for removal by a majority of the whole Board of Directors (e.g., if the Board of Directors is composed of five (5) persons, then three of said Directors must vote for removal). If the office of any officer becomes vacant for any reason, the vacancy shall be filled by the Board of Directors.

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

Section 6. The Vice President. He 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. He shall issue notices of all Board of Directors meetings and all meetings of the unit owners; he shall attend and keep the minutes of the same; he shall have charge of all of the corporation's books, records and papers except those

GATTLAND VILLAGE CONDOMINIUM BY-LAWS

kept by the Treasurer. He shall have custody of the seal of the Association. The Assistant Secretary shall perform the duties of the Secretary when the Secretary is absent. The Secretary shall perform the duties of the President in the absence of the President and Vice President.

Section 8. The Treasurer.

A. He shall have custody of the corporation funds and securities and 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. The books shall reflect an amount for each unit in the manner required by Section 12 (7) (b) of the Condominium Act.

B. He shall disburse the funds of the corporation as may be ordered by the Board in accordance with these By-Laws, making proper vouchers for such disbursements, and shall render to the President and Board of Directors at the regular meeting 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 status reports to potential transferees on which reports the transferees may rely.

E. The Assistant Treasurer shall perform the duties of the Treasurer when the Treasurer is absent.

F. The Treasurer shall perform the duties of the President in the absence of the President, Vice President and the Secretary.

ARTICLE VI.

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 from time to time, upon resolutions approved by the Board of Directors, and shall be withdrawn only upon checks and demands for money signed by such officer or officers of the

### GATELAND VILLAGE CONDOMINIUM BY-LAWS

corporation as may be designated by the Board of Directors. Obligations of the corporation shall be signed by at least two officers of the corporation.

**Section 2. Fidelity Bonds.** The Treasurer and all officers who are authorized to sign checks, and all officers and employees of the association, and any contractor handling or responsible for association funds, shall be bonded in such amount as may be determined by the Board of Directors. No unbondable member shall continue to serve as a member of the Board of Directors. The premiums on such bonds shall be paid by the association.

**Section 3. Fiscal Year.** The fiscal year for the corporation shall begin on the first day of January of each year; provided, however, that 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 deem it advisable.

### **Section 4. Determination of Assessments.**

A. The Board of Directors of the corporation shall fix and determine, from time to time, the sum or sums necessary and adequate for the common expenses for the operation, maintenance, repair or replacement of the common elements and the limited common elements, costs of carrying out the powers and duties of the corporation, all insurance premiums and expenses relating thereto, including fire insurance and extended coverage, and any other expenses designated as common expenses from time to time by the Board of Directors of the corporation. The Board of Directors is specifically empowered on behalf of the corporation, to make and collect assessments, and to lease, maintain, repair and replace the common elements and the limited common elements of the Condominium. Funds for the payment of common expenses shall be assessed against the unit owners in the proportions or percentages of sharing common expenses, as provided in the Declaration. Said assessment shall be payable monthly in advance, and shall be due the first day of each month in advance, unless otherwise ordered by the Board of Directors. Special assessments, should such be required by the Board of Directors, shall be levied in the same manner as hereinbefore provided for regular assessments, and shall be payable in the manner determined by the Board of Directors.

B. When the Board of Directors has determined the amount of any assessment, the Treasurer of the corporation shall mail or present to each unit owner, a statement of said unit owner's assessment. All assessments shall be payable to the

GATELAND VILLAGE CONDOMINIUM BY-LAW

Treasurer of the corporation and, upon request, the Treasurer shall give a receipt for each payment made to him.

Section 5. Application of Payments and Co-Mingling of Funds. All sums collected by the association from assessments may be co-mingled in a single fund, or divided into more than one fund, as determined by the Board of Directors. All assessment payments by a unit owner shall be applied as to interest, delinquencies, costs and attorney's fees, other charges, expenses and advances, as provided herein and in the Declaration of condominium, and general or special assessments, in such manner as the Board of Directors determines in its sole discretion.

Section 6. Annual Financial Statement. A review of the accounts of the association shall be made annually. Said review shall be prepared by an accountant. A copy of this statement shall be filed with the Treasurer of the association. A copy shall also be delivered to each unit owner. Such statement shall be available no later than three (3) months from the end of the year for which the statement is made.

The President shall appoint a Finance Committee of three (3) unit owners, whose duties shall be to spot check the association accounts as often as they deem necessary. The Finance Committee shall give a report to the membership at each quarterly meeting.

Section 7. Acceleration of assessment installments upon Default. If a unit owner shall be in default in the payment of an installment, the Board of Directors may accelerate the remaining monthly installments for the fiscal year upon notice thereof to the unit owners and, thereupon, the unpaid balance of the assessment shall become due upon the date stated in the notice, but not less than fifteen (15) days after delivery of or the mailing of such notice to the unit owner.

Section 8. Restrictions of Expenditures. Any expenses of over one thousand dollars (\$1,000.00) for capital improvements, not including normal operating expenses or emergency expenses, must be approved by a majority of members voting at a regular or special meeting.

ARTICLE VII.

COMPLIANCE AND DEFAULT

Section 1. Violations. In the event of a violation (other than the non-payment of an assessment) by the unit owner in any of

GATELAND VILLAGE CONDOMINIUM BY-LAWS

the provisions of the Declaration, of these By-Laws, or of the applicable portions of the Condominium Act, the Association, by direction of its Board of Directors, may notify the unit owner by written notice of said breach, transmitted by mail, and if such violation shall continue for a period of thirty (30) days from the date of such notice, the Association, through its Board of Directors shall have the right to treat such violation as a material breach of the Declaration of the By-Laws, or of the pertinent provisions of the Condominium Act, and the Association may then, at its option, have the following elections:

A. An action at law to recover for its damage on behalf of the Association or on behalf of the unit owners;

B. An action in equity to enforce performance on the part of the unit owner;

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

Failure on the part of the Association to maintain such an action at law or in equity within thirty (30) days from the date of a written request, signed by a unit owner, sent to the Board of Directors, shall authorize any unit owner to bring an action in equity or suit at law on account of the violation, in the manner provided for by the Condominium Act. 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 Association, and the cost thereof shall be charged to the unit owner as a specific item which shall be a lien against said unit with the same force and effect as if the charge were a part of the common expense.

Additions or Alterations: There shall be no additions or alterations to the recreational facilities under the 99-year Lease which is Exhibit E to the Declaration of Condominium to which these By-Laws are attached unless the same are authorized by the Board of Directors of the Association, as to the aforesaid recreational facilities, and unless all condominium unit owners share in the cost of said additions or alterations and the maintenance thereof in the manner provided in Exhibit F of the Declaration of Condominium to which these By-Laws are attached and further provided said additions or alterations are approved by the Lessor under the 99 Year Lease, as required therein.

Section 2. Negligence or Carelessness of a Unit Owner, etc. All unit owners shall be liable for the expense of any maintenance, repair or replacement rendered necessary by his act, neglect or



GATELAND VILLAGE CONDOMINIUM BY-LAWS

carelessness, or by that of any member of his family, or his or their guests, employees, agents or lessees, but only to the extent that such expense is not met by the proceeds of insurance carried by the Association. Such liability shall include any increase in insurance rates occasioned by use, misuse, occupancy or abandonment of any unit or its appurtenances. Nothing herein contained, however, shall be construed so as to modify any waiver by insurance companies or rights of subrogation. The expense for any maintenance, repair or replacement required, as provided in this Section, shall be charged to said unit owner as a specific item which shall be a lien against said unit with the same force and effect as if the charge were a part of the common expenses.

Section 3. Fines, Penalties and Late Payment. In the event the owner of a unit or lessee thereof violates any of the "Rules and Regulations" promulgated by the Board of Directors of the Association, the Association through its Board of Directors shall have the right to levy a fine up to twenty-five dollars (\$25.00) for each violation.

Before a fine may be levied, the Association must notify the offending party, in writing, of the rule or regulation being violated. If the violation does not cease within five (5) days of the receipt of the written notice, the Association may then levy the aforescribed fine and shall notify the unit owner that a fine has been levied. The unit owner shall then have ten (10) days in which to pay the levied fine. Should the payment not be received by the Association within the said ten (10) day period, the Association shall have the right and authority to file a lien on the unit owner's apartment for the amount of that fine, which levy shall have the same force and effect as all assessments for maintenance, recreation fees, etc.

All notices required hereunder shall be deemed effective when deposited in the United States mail, return receipt requested, addressed to the address then on file in the Association's office of the individual owner.

A. All assessment fees (maintenance, recreation facilities, reserve funds, etc.) which are payable on a monthly basis are due on the first day of each month, and must be received no later than the tenth day of each month by the Treasurer of the Condominium Association or its authorized agent.

B. A late charge of ten dollars (\$10.00) for each offense of late payment will be levied against any unit owner when their monthly assessment is received after the tenth day of the month.

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GATELAND VILLAGE CONDOMINIUM BY-LAWS

Section 4. Costs and Attorney Fees. A defaulting unit owner shall pay for all costs incurred by the Association in enforcing the terms and conditions herein, including reasonable attorney fees, whether suit be brought or not.

Section 5. No Waiver of Rights. The failure of the Association or of a unit owner to enforce any right, provision, covenant or condition which may be granted by the condominium documents, shall not constitute a waiver of the right of the Association or unit owner to enforce such right, provision, covenant or condition of the future.

Section 6. No Election of Remedies. All rights, remedies and privileges granted to the Association or unit owner, pursuant to any terms, provisions, covenants or conditions of the condominium documents, shall be deemed to be cumulative, and the exercise of any one or more shall not be deemed to constitute an election of remedies, nor shall it preclude the party thus exercising the same from exercising such other and additional rights, remedies or privileges as may be granted to such other party by condominium documents, or at law, or in equity.

ARTICLE VIII.

ACQUISITION OF UNITS

Section 1. Voluntary Sale or Transfer. Upon receipt of a unit owner's written notice of intention to sell or lease, as described in Article XII of the Declaration of Condominium, the Board of Directors of the Association shall have full power and authority to consent to the transaction specified in said notice, or object for good cause, or to designate a person other than the corporation as a designee, pursuant to the provisions of said Article XII, without having to obtain any consent thereto by the membership.

The Board of Directors shall have the further right to designate the corporation as being "willing to purchase, lease or rent," upon the proposed terms, upon adoption of a Resolution by the Board of Directors recommending such purchase or leasing to the membership, but notwithstanding the adoption of such Resolution and such designation by the Board of Directors, the corporation shall not be bound and shall not so purchase or lease except upon the authorization and approval of the affirmative vote of members casting not less than two-thirds (2/3) of the members voting.

GATELAND VILLAGE CONDOMINIUM BY-LAW

Section 2. Acquisition on Foreclosure. At any foreclosure sale of a unit, the Board of Directors of the Association may, with the authorization and approval, by the affirmative vote of members voting casting not less than two-thirds (2/3) of the total votes of the unit owners voting, acquire in the name of the corporation or its designee a condominium parcel being foreclosed.

The term "foreclosure" as used in this Section, shall mean and include any foreclosure of any lien, including a lien for assessment.

The power of the Board of Directors of the Association to acquire a condominium parcel at any foreclosure sale shall never be interpreted as any requirement or obligation on the part of the Board of Directors or of the corporation to do so at any foreclosure sale, the provisions hereof being permissive in nature and for the purpose of setting forth the power in the Board of Directors to do so, should requisites of approval of the Voting Members, as aforesaid, be obtained.

Section 3. Assessments. Should the Association purchase or lease a unit or acquire a unit at a foreclosure sale as provided in Sections 1 and 2 of this Article, the expense of same shall be assessed against all unit owners.

ARTICLE IX.

AMENDMENTS TO THE BY-LAWS

During such time as the affairs of the corporation shall be governed by a Board of Directors elected by the Developer, these By-Laws may be altered, amended or added to by a majority vote of the Board of Directors.

Subsequent to the time when all condominium units are sold by the Developer, the By-Laws may be amended, altered, supplemented, modified or added to by the membership at the annual meeting or a duly convened special meeting of the unit owners as follows:

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

Section 2. If the amendment has received the majority approval of the full Board of Directors, then it shall be approved upon the affirmative vote of the majority of the members voting.

GATELAND VILLAGE CONDOMINIUM BY-LAWS

Section 3. If the amendment has not been approved by the majority vote of the Board of Directors, the amendment shall be approved by the affirmative vote of not less than two-thirds (2/3) of the members voting.

Section 4. Said amendment shall be recorded and certificated as required by the Condominium Act. Notwithstanding the provisions of this Article IX, these By-Laws may only be amended in compliance with Article III, Section 7, and Article IV, Section 1, of these By-Laws.

ARTICLE X.

NOTICES

Whenever notices are required to be sent hereunder, they shall be delivered or sent in accordance with the applicable provisions for notices, as set forth in the Declaration of Condominium to which these By-Laws are attached.

ARTICLE XI.

INDEMNIFICATION

The Corporation shall indemnify every director and every officer, his heirs, executors and administrators, against all loss, cost and expenses reasonably incurred by him in connection with any action, suit or proceeding to which he may be made a party by reason of his being or having been a director or officer of the Corporation, including reasonable counsel fees to be approved by the Corporation, except as to matters wherein he shall be finally adjudged in such action, suit or proceeding to be liable for or guilty of gross negligence or willful misconduct. The foregoing rights shall be in addition to and not exclusive of all other rights to which such director or officer may be entitled.

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ARTICLE XII.

LIABILITY SURVIVES TERMINATION OF MEMBERSHIP

The termination of membership in the condominium shall not relieve or release any such former owner or member from any liability or obligation incurred under or in any way connected with the condominium during the period of such ownership and membership, or impair any rights or remedies which the Association may have

**GATELAND VILLAGE CONDOMINIUM BY-LAWS**

against such former owner and member arising out of or in any way connected with such ownership and membership and the covenants and obligations incident thereto.

**ARTICLE XIII.**

**LIMITATION OF LIABILITY**

Section 1. Notwithstanding the duty of the Association to maintain and repair parts of the condominium property, the Association shall not be liable for injury or damage caused by a latent condition in the property, nor for injury or damage caused by the elements, or by other owners or persons.

Section 2. No lessee or lessor or any other person (unless certified, licensed and insured) shall ascend to the roof or make repairs of any type, or install equipment of any type on the roof without first consulting the Board of Directors and receiving proper authorization.

Section 3. Any person in violation of this Article or causes damage to any part of the roof, or if any person that violates this Article is in any way injured because of this violation, the liability will not be the responsibility of the Gatlend Village Condominium, Inc.

Section 4. Any person that is in violation of this Article will be liable for a fine as in accordance with Article VII, Section A.

**ARTICLE XIV.**

**PARLIAMENTARY RULES**

Roberts Rules of Order (latest edition) shall govern the conduct of the Association meetings, when not in conflict with the Condominium Act, Declaration of Condominium, or these By-Laws.

**ARTICLE XV.**

**LIENS**

Section 1. Protection of Property. All liens against a condominium unit, other than for permitted mortgages, taxes or special assessments, shall be satisfied or otherwise removed within ninety (90) days of the date the lien attaches. All taxes and

**GATELAND VILLAGE CONDOMINIUM BY-LAWS**

special assessments upon a condominium unit shall be paid before becoming delinquent, as provided in these condominium documents or by law, whichever is sooner.

**Section 2. Notice of Lien.** A unit owner shall give notice to the Association of every lien upon his unit, other than for permitted mortgages, taxes, special assessments, within five (5) days after the attaching of the lien.

**Section 3. Notice of Suit.** Unit owners shall give notice to the Association of every suit or other proceedings which will or may affect title to his unit or any other part of the property, such notice to be given within five (5) days after the unit owner receives notice thereof.

**Section 4. Failure to Comply.** Failure to comply with this Article concerning liens will not affect the validity of any judicial sale with regard to the rights of the Association involved in such judicial sale.

**ARTICLE XVI.****RULES AND REGULATIONS**

**Section 1. As to Common Elements and Recreational Facilities.** The Board of Directors may from time to time adopt or amend previously adopted administrative rules and regulations governing the details of the operation, use, maintenance, management and control of the common elements of the condominium and any facilities or services including recreational facilities made available to the unit owners. The Board of Directors shall from time to time post in a conspicuous place on the condominium property, a copy of the Rules and Regulations adopted from time to time by the Board of Directors. Such rules and regulations shall have the force and effect of the By-Laws.

**Section 2. As to Condominium Units.** The Board of Directors may from time to time adopt or amend previously adopted rules and regulations governing and restricting the use and maintenance of the condominium unit(s) provided, however, that copies of such rules and regulations are furnished to each unit owner prior to the time the same become effective, and where applicable or desirable, copies thereof shall be posted in a conspicuous place on the condominium property.

**Section 3. Conflict.** In the event of any conflicts between the rules and regulations adopted by the Board of Directors at any

**GATELAND VILLAGE CONDOMINIUM BY-LAWS**

time, and the condominium documents, or the Condominium Act, the latter shall prevail.

If any irreconcilable conflict should exist, or hereafter arise, with respect to the interpretation of these By-Laws and the Declaration, the provisions of the Declaration shall prevail.

APPROVED AND DECLARED AS THE BY-LAWS OF GATELAND VILLAGE CONDOMINIUM, INC., a Florida corporation not for profit.

file: bylaws1.991

RECORDED IN THE OFFICIAL RECORDS BOOK  
OF BROWARD COUNTY FLORIDA  
**COUNTY ADMINISTRATOR**

BK18838PG0672

97-411706 T#001  
09-07-97 10:34AM

This instrument is to be returned to  
Attorney Mark Grant  
Ruden McClosky Smith Schuster & Russell, P A  
200 E Broward Blvd  
Fort Lauderdale, FL 33301

Certificate of Amendment  
to the  
Bylaws of Gateland Village Condominium, Inc

The Declarations of Condominium of the following condominiums were duly recorded in the Official Records Books, at such pages, of the Public Records of Broward County, Florida as indicated below

<u>CONDOMINIUM</u>	<u>Official Records Book</u>	<u>Commencing at Page</u>
GATELAND VILLAGE CONDOMINIUM A	5233	532
GATELAND VILLAGE CONDOMINIUM B	5470	667
GATELAND VILLAGE CONDOMINIUM C	5560	385
GATELAND VILLAGE CONDOMINIUM D	5699	819
GATELAND VILLAGE CONDOMINIUM E	5709	636
GATELAND VILLAGE CONDOMINIUM F	5839	817
GATELAND VILLAGE CONDOMINIUM G	5930	111

and attached as Exhibit "C" to each such Declaration of Condominium were the original By-laws of GATELAND VILLAGE CONDOMINIUM, INC

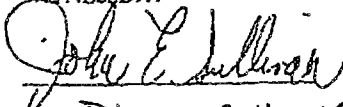
Pursuant to the provisions of Article IX of the By-laws, an amendment to the By-laws was made, approved and ratified by the requisite vote of the Members of the condominiums at the Special Meeting of the Members held on July 30, 1997

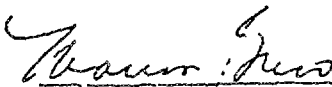
The proposal was affirmatively approved by a vote of 72 for, and 6 against

This certificate and the attached Amendment to the By-laws are being filed in the Public Records of Broward County, Florida Upon proper recordation and filing in the Public Records, the attached Amendment will become effective

IN WITNESS WHEREOF, the Corporation specified below has caused these presents to be executed by its duly authorized officers and the seal of the Corporation affixed hereto, this 6 day of August 1997

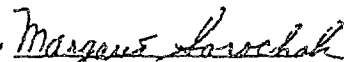
WITNESSETH

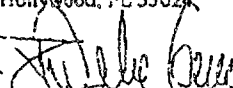
  
Print JOHN E SULLIVAN



Print RODNEY DEARASSA

GATELAND VILLAGE CONDOMINIUM, INC

By   
Margaret Sorochock, President  
3777 NW 78th Ave. Apt 3-E  
Hollywood, FL 33024

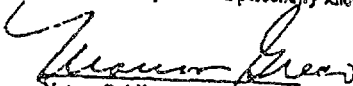
ATTEST  (SEAL)  
Rodney DeArassa, Secretary  
DE LA CISA PD

BK26821PG0057



STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 6 day of August 1997 by Margaret Soroche the President and Rodney Dearosa, the secretary of Ostland Village Condominium, Inc. a Florida corporation not for profit, on behalf of the corporation. They are each personally known to me or provided drivers licenses as identification

  
Notary Public, State of Florida

MARION SNECO  
Printed Signature of Notary  
(Seal)



MARION SNECO  
Commission #00346607  
Expires Feb 3, 1998  
Atlantic Bonding  
1 800-732-2248

BK26821PG0058

Amendment to the Bylaws of  
Gateland Village Condominium, Inc.

~~Strikethrough~~ denotes deletion  
Underline denotes replacement

ARTICLE VII COMPLIANCE AND DEFAULT

Section 3. Fines, Penalties &  
Late Payments. A, B

~~Fines, Penalties and Late Payment In the event the owner of a unit or lessee thereof violates any of the Rules and Regulations promulgated by the Board of Directors of the Association, the Association through its Board of Directors shall have the right to levy a fine up to twenty five dollars (\$25.00) for each violation. Before a fine may be levied, the Association must notify the offending party, in writing, of the rule or regulation being violated. If the violation does not cease within five (5) days of the receipt of the written notice, the Association may then levy the aforesaid fine and shall notify the unit owner that a fine has been levied. The unit owner shall then have ten (10) days in which to pay the levied fine. Should the payment not be received by the Association within the said ten (10) day period, the Association shall have the right and authority to file a lien on the unit owner's apartment for the amount of that fine, which levy shall have the same force and effect as all assessments for maintenance, recreation fees, etc.~~

The association may levy reasonable fines against a member or any tenant guest or invitee for the failure of the owner of the unit, or its occupant, tenant, guest, or invitee, to comply with any provision of the Declaration, the Association's Bylaws, or reasonable rules of the Association. No fine will become a lien against a unit. No fine may exceed \$100 per violation. However, a fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, provided that no such fine shall in the aggregate exceed \$1,000. No fine may be levied except after giving reasonable notice and opportunity for a hearing to the unit owner and, if applicable, its tenant, guest, or invitee. The hearing must be held before a committee of other unit owners. If the committee does not agree with the fine, the fine may not be levied.