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Prepared by:  
Kaye & Roger, P.A.  
6261 NW 6th Way, Suite 103  
Ft. Lauderdale, FL 33309

CERTIFICATE OF AMENDMENT  
TO THE DECLARATION OF RESTRICTIONS FOR  
EMERALD SPRINGS AT SILVERLAKES AND  
TO THE BY-LAWS AND RULES OF  
EMERALD SPRINGS HOMEOWNERS ASSOCIATION, INC.

WE HEREBY CERTIFY THAT the attached amendments to the Declaration of Restrictions, and to the By-Laws of Emerald Springs at SilverLakes, an Exhibit to the Declaration of Restrictions, as described in Official Records Book 22201 at Page 0574 of the Public Records of Broward County, Florida were duly adopted in accordance with the documents.

IN WITNESS WHEREOF, we have affixed our hands this 18 day of NOVEMBER, 2000, at PLINIES PROPERTY MANAGEMENT, Broward County, Florida. 17994 SW 2ND STREET

OFFICIAL COPY

KAYE & ROGER P.A.  
WILL CALL #109

By: [Signature]  
Print: RAY WHITTIER  
Attest: [Signature]  
Print: STEVE LIBLINSKI

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 18 day of NOVEMBER, 2000, by Ray Whittier as President and STEVE LIBLINSKI as Secretary of Emerald Springs Homeowners Association, Inc., a Florida corporation, on behalf of the corporation. They are personally known to me or have produced \_\_\_\_\_ as identification and did take an oath.

NOTARY PUBLIC:

sign [Signature]  
print Marie Verrecchia  
State of Florida at Large

My Commission Expires:



AMENDMENTS TO THE  
DECLARATION OF RESTRICTIONS FOR  
EMERALD SPRINGS AT SILVER LAKES  
AND TO THE BY-LAWS OF  
EMERALD SPRINGS OF HOMEOWNERS ASSOCIATION, INC.

(additions indicated by underlining, deletions by "----",  
and unaffected language by ". . .")

TO THE DECLARATION

10. MAINTENANCE ASSESSMENTS. In order to maintain the standards of the described land and the surrounding area, and in order to maintain the master irrigation system and guard gate facilities and such other services as may be furnished by the SUBDIVIDER and/or ASSOCIATION or any lawful authority, as well as in the interest of public health and sanitation, the SUBDIVISION is hereby subject to an annual assessment commencing with the year 1994. In addition to the sums set forth above, the Board may, at its discretion, include a reserve within the budget for emergency and/or special projects. Once a reserve account is established by the Board, the funds so reserved may only be used for the purpose specified for the account unless the use for another purpose is approved by a majority of the Board present at a meeting at which a quorum is present. Once the Board determines to use the funds for a different purpose than that originally specified, all OWNERS must be notified of the change of use, in writing, within 30 calendar days from the date the Board makes such determination. Such annual assessments, together with interest thereon and costs of collection as hereinafter provided, shall be a charge on the land and shall be a continuing lien upon the lot against which such assessment is made from, and after, the date of recording of said lien in the Public Records of Broward County, Florida. Said lien shall be subordinate to the lien of any mortgage filed by the Institutional Lender prior to the recording of the lien of the ASSOCIATION and to any lien filed by the Silver Lakes Community Association, Inc. Each such assessment, together with interest thereon and costs of collection as hereinafter provided shall also be the personal obligation of the person who was the OWNER of such property at the time when the assessments fell due. Such assessment shall be payable annually on the first day of January each year in advance to the Emerald Sound Homeowners' Association, Inc., at the office of the ASSOCIATION, presently located at 2826 University Drive, Coral Springs, Florida 33065. Such annual assessment may be adjusted from year to year by the ASSOCIATION as the needs of the described land may in the judgment of the ASSOCIATION require and shall be apportioned in proportion to their respective area. The judgment of the ASSOCIATION in the expenditure of said funds shall be final. The lien herein granted shall be subordinate to the lien of any mortgage filed by an Institutional Lender and shall be effective

from and after the date of recording in the Public Records of Broward County, Florida, and the Claim of Lien shall state the description of the property encumbered thereby, the name of the record owner, the amount due and date when due and the lien shall continue in effect until all sums secured by said lien as herein provided, shall have been fully paid.

15. NUISANCES. Nothing shall be done which may be or may become an annoyance or nuisance to the neighborhood. No noxious, unpleasant or offensive activity shall be carried on, nor may anything be done in the neighborhood which can be construed to constitute a nuisance, public or private in nature. In the event any damage occurs to the common areas owned or operated by the ASSOCIATION, caused by a resident or OWNER, or their guests or invitees, either through intentional or negligent conduct, the cost of repair of the common area shall be deemed to be a special assessment against that OWNER's lot, collectible in the same manner as any other assessment under Article 10 hereunder. Any question with regard to the interpretation of this paragraph shall be decided by the SUBDIVIDER or ASSOCIATION, whose decision shall be final.

23. ENFORCEMENT. Enforcement of these covenants and restrictions shall be by any procedure at law or in equity against any person or persons violating or attempting to violate any covenant or restriction either to restrain violation or to require certain performances or to recover damages or to enforce any lien created by these covenants. Any costs of enforcement or collection, including reasonable attorney's fees, which shall include those caused by reason of any appellate proceedings, incurred in the enforcement of these covenants, restrictions or liens shall be paid by OWNER. Failure by the ASSOCIATION or SUBDIVIDER to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. Notwithstanding anything to the contrary contained herein, in the event that the ASSOCIATION incurs any costs in obtaining compliance with its restrictions, including, but not limited to, unapproved alterations and/or modifications to the exterior of the dwelling unit, such costs shall be deemed to be a special assessment against the lot which is the subject of the enforcement by the Board, collectible in the same fashion as any other assessment hereunder. Additionally, in the event that the ASSOCIATION is required to engage the services of an attorney to seek enforcement of the provisions of this Declaration, the Articles of Incorporation, the By-Laws and the Rules of the ASSOCIATION, and the OWNER of the lot complies with the requirements subsequent to attorney involvement, the ASSOCIATION shall be entitled to reimbursement of its costs and attorneys fees so incurred from the OWNER of the lot, regardless of

whether litigation is necessary for the enforcement. The costs and attorneys fees so incurred shall be deemed to be a special assessment against the lot and shall be collectible in the same fashion as any other assessment as provided in Article 10 hereunder. In addition to the means for enforcement provided elsewhere herein, the ASSOCIATION shall have the right to assess fines against an OWNER or its guests, relatives or lessees, in the manner provided herein, and such fines shall be collectible as any other assessment such that the ASSOCIATION shall have a lien against each lot for such purpose, as provided in the Declaration.

A. The Board of Directors shall be charged with determining where there is probable cause that any of the provisions of the Declaration of Restrictions, the Articles of Incorporation, By-Laws, and the Rules and Regulations of the ASSOCIATION, regarding the use of lots, common and recreation areas, or ASSOCIATION property, are being or have been violated. In the event that the Board determines an instance of such probable cause, it shall thereupon provide written notice to the person alleged to be in violation, and the OWNER of the lot which that person occupies if that person is not the OWNER, of the specific nature of the alleged violation and of the opportunity for a hearing before a Fining Committee in not less than fourteen (14) days of the sending of the notice. The notice shall also specify, and it is hereby provided, that each recurrence of the alleged violation or each day during which it continues shall be deemed a separate offense, subject to a separate fine not to exceed the highest amount allowable under the law, as it may be amended from time to time.

B. At the hearing the Committee shall hear any defense to the charges including any witnesses that the alleged violator, the OWNER, or the Board may produce. Any party at the hearing may be represented by counsel.

C. Subsequent to the hearing, the Committee shall determine whether there is sufficient evidence of a violation or violations as provided herein. If the Committee determines that there is sufficient evidence, it may approve a fine for each violation in the amount provided herein.

D. A fine pursuant to this section shall be assessed against the lot which the violator occupied at the time of the violation, whether or not the violator is an OWNER of that lot, and shall be collectible in the same manner as any other assessment, including by the ASSOCIATION's lien rights as provided in the Declaration. Nothing herein shall be construed to interfere with any right that an OWNER may have to obtain from a violator occupying his unit payment in the amount of any fine or fines assessed against that lot.

E. Nothing herein shall be construed as a prohibition

of or a limitation on the right of the Board of Directors to pursue other means to enforce the provisions of the ASSOCIATION'S documents, including but not limited to legal action for damages or injunctive relief.

TO THE BY-LAWS

2. Members' meetings.

.4 A quorum at members' meetings shall consist of persons entitled to cast ~~a majority~~ thirty (30%) percent of the votes of the entire membership. The acts approved by a majority of the votes present at a meeting at which a quorum is present shall constitute the acts of the members, except where approved by a greater number of members is required by the Declaration of Restrictions, the Articles of Incorporation or these By-Laws.

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3. Directors.

.1 Membership and term of office. The affairs of the Association shall be managed by a board of not less the five (5) directors, except as provided hereinafter in subsection 3.2(d) below. All directors must be owners of a lot within Emerald Springs at Silver Lakes, which lot must be the primary residence of the director. At the first election following the adoption of this amendment, the two (2) individuals receiving the most number of votes shall serve for a term of three (3) years; the two (2) individuals receiving the next highest number of votes shall serve for a term of two (2) years; and the last individual elected shall serve for a term of one (1) year. Thereafter, the term of service for each director shall be three (3) years. In the event that there is not enough candidates to hold an election, or there is a tie in the voting, the individuals elected shall determine among themselves as to their term of office. If the individuals cannot decide among themselves, the issue shall be decided by drawing lots.

5. Officers.

.1 The executive officers of the corporation shall be a President who shall be a director, a Vice President who shall be a director, a Treasurer who shall be a director, a Secretary who shall be a director and an Assistant Secretary, all of whom shall be elected annually by the Board of Directors and who may be

peremptorily removed by vote of the directors at any meeting. Any person may hold two or more offices except that the President shall not also be the Secretary or an Assistant Secretary. The Board of Directors shall from time to time elect such other officers and designate their powers and duties as the board shall find to be required to manage the affairs of the Association.

6. Fiscal management. The provisions for fiscal management of the Association set forth in the Declaration of Restrictions and Articles of Incorporation shall be supplemented by the following provisions:

2. Budget. The Board of Directors shall adopt a budget for each calendar year which shall include the estimated funds required to defray the common expense and to provide and maintain funds for the foregoing accounts and reserves according to good accounting practices as follows:

(d) Betterments, which shall include the funds to be used for capital expenditures in additional improvements or additional personal property which shall be part of the common elements, the amount for which shall not exceed \$~~240,000~~; provided, however, that in the expenditure of this fund no sum in excess of \$~~5,000~~ 11,500 shall be expended for a single item or purpose without approval of the members of the Association.

(e) Provided, however, that the amount for each budgeted item may be increased over the foregoing limitations when approved by lot owners entitled to cast not less than ~~65~~ 30% of the votes of the entire membership of the Association.

.8 Reimbursement requests from a director, officer, or committee member appointed by the Board, for expenses incurred on behalf of the Association by that director, officer, or committee member appointed by the Board, must be accompanied with documentation to support the expense request, including original invoices, date and signed as correct by the requesting individual and submitted to the Board for majority vote prior to reimbursement.

BY-LAWS OF  
THE EMERALD SPRINGS HOMEOWNERS ASSOCIATION, INC.

A Corporation not for profit under the laws of the State of Florida.

1. Identity. These are the By-Laws of the EMERALD SPRINGS HOMEOWNERS ASSOCIATION, INC., herein called Association, a corporation not for profit under the laws of the State of Florida, the Articles of Incorporation of which were filed in the office of the Secretary of State on,                     , 2000. The Association has been organized for the purpose of administering a Homeowners Association which is identified by the name EMERALD SPRINGS HOMEOWNERS ASSOCIATION and is located upon the following lands in Broward County, Florida:

Lots R1 through R108, inclusive, of Silver Lakes Phase II Replat, according to the Plat thereof, as recorded in Plat Book, 54 at Page 50 of the Public Records of Broward County, Florida.

.1 The office of the Association shall be at 17794 SW 2<sup>nd</sup> Street, Pembroke Pines, Florida 33029.

.2 The fiscal year of the Association shall be the calendar year.

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

2. Members' meetings.

.1 The annual members' meeting shall be held annually at a date and time to be determined by the Board for the purpose of electing directors and transacting any other business authorized to be transacted by the members.

.2 Special members' meetings shall be held whenever called by the President or Vice President or by a majority of the Board of Directors, and must be called by such officers upon receipt of a written request from members entitled to cast one-third of the votes of the entire membership.

.3 Notice of all members' meetings stating the time and place and the objects for which the meeting is called shall be given by the President or vice President or Secretary unless waived in writing. Such notice shall be in writing to each member at his address as it appears on the books of the Association and shall be mailed not less than fourteen (14) days nor more than sixty (60) days prior to the date of the meeting. Proof of such mailing shall be given by the affidavit of the person giving the notice. Notice of meeting may be waived before or after meetings.

.4 A quorum at members' meetings shall consist of persons entitled to cast thirty (30%) percent of the votes of the entire membership. The acts approved by a majority of the votes present at a meeting at which a quorum is present shall constitute the acts of the members, except where approved by a greater number of members is required by the Declaration of Restrictions, the Articles of Incorporation or these By-Laws.

.5 Voting.

(a) In any meeting of members the owners of a lot shall be entitled to cast one vote.

(b) If a lot is owned by one person his right to vote shall be established by the record title to his lot. If a lot is owned by more than one person, or is under lease, the person entitled to cast the vote for the lot shall be designated by a certificate signed by all of the record owners of the lot and filed with the Secretary of the Association. If a lot is owned by a corporation, the person entitled to cast the vote for the lot shall be designated by a certificate of appointment signed by the President or Vice President and attested by the Secretary or Assistant Secretary of the corporation and filed with the Secretary of the Association. Such certificates shall be valid until revoked or until superseded by a subsequent certificate or until a change in the ownership of the lot concerned. A certificate designating the person entitled to cast the vote of a lot may be revoked by any owner thereof. If such a certificate is not on file, the vote of such owners shall not be considered in determining the requirement for a quorum nor for any other purpose.

.6 Proxies. Votes may be cast in person or by proxy. Proxies may be made by any person entitled to vote and shall be valid only for the particular meeting designated therein and must be filed with the Secretary before the appointed time of the meeting.

.7 Adjourned meetings. If any meeting of members cannot be organized because a quorum has not attended, the members who are present, either in person or by proxy, may adjourn the meeting from time to time until a quorum is present.



.8 The order of business at annual members' meetings, and as far as practical at all other members' meetings, shall be:

- (a) Election of chairman of meeting.
- (b) Calling of the roll and certifying of proxies.
- (c) Proof of notice of meeting or waiver of notice.
- (d) Reading and disposal of any unapproved minutes .
- (e) Reports of officers.
- (f) Reports of committees.
- (g) Election of directors.
- (h) Unfinished business.
- (i) New business.
- (j) Adjournment.

3. Directors.

.1 Membership. The affairs of the Association shall be managed by a board of not less than five (5) directors, except as provided hereinafter in subsection 3 2(d) below. All directors must be owners of a lot within Emerald Springs at Silver Lakes, which lot must be the primary residence of the director. At the first election following the adoption of this amendment, the two (2) individuals receiving the most number of votes shall serve for a term of three (3) years; the two (2) individuals receiving the next highest number of votes shall serve for a term of two (2) years; and the last individual elected shall serve for a term of one (1) year. Thereafter, the term of service for each director shall be three (3) years. In the event that there are not enough candidates to hold an election, or there is a tie in the voting, the individuals elected shall determine among themselves as to their term of office. If the individuals cannot decide among themselves, the issue shall be decided by drawing lots.

.2 Election of directors shall be conducted in the following manner:

(a) Election of directors shall be held at the annual members' meeting.

(b) A nominating committee of five (5) members shall be appointed by the Board of Directors not less than thirty (30) days prior to the annual members' meeting. The committee shall nominate one person for each director then serving. Nominations may be made from the floor.

(c) The election shall be by ballot (unless dispensed by unanimous consent) and by a plurality of the votes cast, each person voting being entitled to cast his votes for each of as many nominees as there are vacancies to be filled. There shall be no cumulative voting.

(d) Except as to vacancies provided by removal of directors by members, vacancies in the Board of Directors occurring between annual meetings of members shall be filled by the remaining directors.

(e) Any Director may be removed by concurrence of two-thirds of the votes of the entire membership at a special meeting of the members called for that purpose. The vacancy in the Board of Directors so called shall be filled by the members of the Association at the same meeting.

.3 The organization 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 providing a quorum shall be present.

.4 Regular meetings of the Board of Directors may be held at such time and place as shall be determined, from time to time, by a majority of the Directors. Notice of regular meetings shall be given to each director, personally or by mail, telephone or telegraph at least three (3) days prior to the day named for such meeting.

.5 Special meetings of the directors may be called by the President and must be called by the Secretary at the written request of one-third of the directors. Not less than three (3) days' notice of the meeting shall be given personally or by mail, telephone or telegraph, which notice shall state the time, place and purpose of the meeting.

.6 Waiver of notice. Any director may waive notice of a meeting before or after the meeting and such waiver shall be deemed equivalent to the giving of notice.

.7 A quorum at directors' meetings shall consist of a majority of the entire Board of Directors. The acts approved by a majority of those present at a meeting at which a quorum is present shall constitute the acts of the Board of Directors, except where approval by a greater number of directors is required by the Declaration of Restrictions, the Articles of Incorporation or these By-Laws.

.8 Adjourned meetings. 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 until a quorum is present. At any adjourned meeting any business which might have been transacted at the meeting as originally called may be transacted without further notice.

.9 Joinder in meeting by approval of minutes. The Joinder of a Director in the action of a meeting by signing and concurring in the minutes thereof shall constitute the presence of such director for the purpose of determining a quorum.

.10 The presiding officer of directors' meetings shall be the chairman of the board if such an officer has been elected; and if none, the President shall preside. In the absence of the presiding officer the directors present shall designate one of their number to preside.

.11 The order of business at directors' meetings shall be:

- (a) Calling the roll.
- (b) Proof of due notice of meeting.
- (c) Reading and disposal of any unapproved minutes .
- (d) Reports of officers and committees.
- (e) Election of officers.
- (f) Unfinished business.
- (g) New business.
- (h) Adjournment.

4. Powers and duties of the Board of Directors. All of the powers and duties of the Association existing under the Declaration of Restrictions, Articles of Incorporation and these By-Laws shall be exercised exclusively by the Board of Directors, its agents, contractors or employees, subject only to approval by lot owners when such is specifically required.

5. Officers.

.1 The executive officers of the corporation shall be a President who shall be a director, a vice President who shall be a director, a Treasurer who shall be a director, a Secretary who shall be a director and an Assistant Secretary, all of whom shall be elected annually by the Board of Directors and who may be peremptorily removed by vote of the directors at any meeting. Any person may hold two or more offices except that the President shall not also be the Secretary or an Assistant Secretary. The Board of Directors shall from time to time elect such other officers and designate their powers and duties, as the board shall find to be required to manage the affairs of the Association.

.2 The President shall be the chief executive officer of the Association. He shall have all of the powers and duties which are usually vested in the office of President of an association, including but not limited to the power to appoint committees from among the members from time to time as he may in his discretion determine appropriate, to assist in the conduct of the affairs of the Association.

.3 The vice President shall in the absence or disability of the President exercise the powers and perform the duties of the President. He shall also generally assist the President and exercise such other powers and perform such other duties as shall be prescribed by the directors.

.4 The Secretary shall keep the minutes of all proceedings of the directors and the members. He shall attend to the giving and serving of all notices to the members and directors and other, notices as required by law. He shall have custody of the seal of the Association and affix the same to instruments requiring

a seal when duly signed. He shall keep the records of the Association, except those of the Treasurer, and shall perform all other duties incident to the office of Secretary of an association and as may be required by the directors or the President. The Assistant Secretary shall perform the duties of the Secretary when the Secretary is absent.

.5 The Treasurer shall have custody of all property of the Association, including funds, securities and evidences of indebtedness. He shall keep the books of the Association in accordance with good accounting practices; and he shall perform all other duties incident to the office of Treasurer.

.6 The compensation of all officers and employees of the Association shall be fixed by the directors. This provision shall not preclude the Board of Directors from employing a director as an employee of the Association nor preclude the contracting with a director for the management of the Association.

6. Fiscal management. The provisions for fiscal management of the Association set forth in the Declaration of Restrictions and Articles of Incorporation shall be supplemented by the following provisions:

.1 Accounts. The funds and expenditures of the Association shall be credited and charged to accounts under the following classifications as shall be appropriate, all of which expenditures shall be common expenses.

(a) Current expenses, which shall include all funds and expenditures to be made within the year for which the funds are budgeted, including a reasonable allowance for contingencies and working funds, except expenditures chargeable to reserves, to additional improvements or to operations. The balance in this fund at the end of each year shall be applied to reduce the assessments for current expenses for the succeeding year.

(b) Reserve for deferred maintenance, which shall include funds for maintenance items, which occur less frequently than annually.

(c) Reserve for replacement, which shall include funds for repair or replacement required because of damage, depreciation or obsolescence.

(d) Additional improvements, which shall include the funds to be used for capital expenditures for additional improvements or additional personal property which will be part of the common elements .

.2 Budget. The Board of Directors shall adopt a budget for each calendar year, which shall include the estimated funds required to defray the common expense and to provide and maintain funds for the foregoing accounts and reserves according to good accounting practices as follows:

(a) Current expense, the amount for which shall not exceed 115% of the budget for this account for the prior year.

(b) Reserve for deferred maintenance, the amount for which shall not exceed 105% of the budget for this account for the prior year.

(c) Reserve for replacement, the amount for which shall not exceed 105% of the budget for this account for the prior year.

(d) Betterments, which shall include the funds to be used for capital expenditures in additional improvements or additional personal property which shall be part of the common elements, the amount for which shall not exceed \$40,000; provided, however, that in the expenditure of this fund no sum in excess of \$11,500 shall be expended for a single item or purpose without approval of the members of the Association.

(e) Provided, however, that the amount for each budgeted item may be increased over the foregoing limitations when approved by lot owners entitled to cast not less than 30% of the votes of the entire membership of the Association.

(f) Copies of the budget and proposed assessments shall be transmitted to each member on or before December 1 preceding the year for which the budget is made. If the budget is subsequently amended, a copy of the amended budget shall be furnished to each member.

.3 Assessments. Assessments against the lot owners for their shares of the items of the budget shall be made for the calendar year annually in advance on or before December 20 preceding the year for which the assessments are made. Such assessments shall be due in such periodic installments as the Board of Directors shall from time to time determine. If an annual assessment is not made as required, an assessment shall be presumed to have been made in the amount of the last prior assessment. In the event the annual assessment proves to be insufficient, the budget and assessments therefore may be amended at any time by the Board of Directors if the items of the amended budget do not exceed the limitations thereon for that year. Any account, which does exceed such limitations, shall be subject to the approval of the membership of the Association heretofore required. Amended

assessments shall be due and payable as determined by the Board of Directors.. The first assessment shall be determined by the Board of Directors of the Association.

.4 Acceleration of assessment installments upon default. If a lot owner shall be in default in the payment of an installment upon an assessment, the Board of Directors may accelerate the remaining installments of the assessment upon notice thereof to the lot owner, and thereupon the unpaid balance of the assessment shall come due upon the date stated in the notice, but not less than ten (10) days after delivery thereof to the lot owner, or not less than twenty (20) days after the mailing of such notice to him by registered or certified mail, whichever shall first occur.

.5 Assessments for emergencies. In emergency situations affecting the maintenance or safety of the common elements and/or the limited common elements, or constituting a dangerous or unsafe situation, the repair, replacement or installation relative thereto shall proceed as promptly as possible, as deemed necessary by approval of the majority of the Board of Directors. Assessments for the expenses related thereto, which cannot be paid from the normal assessments or which are not covered or anticipated in the budget, shall be made upon notice of the need therefore to the membership of the Association.

.6 The depository of the Association shall be such bank or banks as shall be designated from time to time by the Directors and in which the moneys of the Association shall be deposited. Withdrawal of moneys from such accounts shall be only by checks signed by two or more of such persons as are authorized by the board of directors.

.7 Fidelity bonds shall be required by the Board of Directors from all persons handling or responsible for Association funds. The amount of such bonds shall be determined by the directors, but shall be at least one-half of the amount of the total annual assessments against members for common expenses. The premiums on such bonds shall be paid by the Association.

.8 Reimbursement requests from a Director, Officer or a Committee member appointed by the Board, for expenses incurred on behalf of the Association by that Director, Officer, or Committee member appointed by the Board, must be accompanied with documentation to support the expense request, including original invoices, date and signed as correct by the requesting individual and submitted to the Board for a majority vote prior to reimbursement.

7. Parliamentary Rules. Roberts' Rules of Order (latest edition) shall govern the conduct of the Association meetings when not in conflict with the Declarations of Restrictions, Articles of Incorporation or these By-Laws.

8. Amendments. These By-laws may be amended in the Following manner:

.1 Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting at which a proposed amendment is considered.

.2 A resolution adopting a proposed amendment may be proposed by either the Board of Directors of the Association or by the members of the Association. Directors and members not present in person or by proxy at the meetings considering the amendment may express their approval in writing, providing such approval is delivered to the Secretary at or prior to the meeting. Except as elsewhere provided, such approvals must be by either:

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(a) not less than a majority vote by the Board of Directors and by not less than 30% of the votes of the entire membership of the Association at a meeting at which a quorum is present; or

(b) by not less than 75% of the votes of the entire membership of the Association

.3 Proviso. Provided, however, that no amendment shall discriminate against any lot owner nor against any lot or class or group of lots unless the lot owners so affected shall consent. No amendment shall be made which is in conflict with the Articles of Incorporation or the Declaration of Restrictions.

.4 Recording. A copy of each amendment shall be attached to a certificate certifying that the amendment was duly adopted as an amendment of the By-Laws, which certificate shall be executed by the officers of the Association with the formalities of a deed. The amendment shall be effective when such certificate and a copy of the amendment are recorded in the public records of Broward County, Florida.

The foregoing were adopted as By-Laws of EMERALD SPRINGS HOMEOWNERS ASSOCIATION, INC., a corporation not for profit under the laws of the State of Florida, at the first meeting of the Board of Directors on \_\_\_\_\_, 2000.

\_\_\_\_\_  
Secretary

Approved:

\_\_\_\_\_  
President