

**Bylaws of**  
**Eagle Point Homeowners, Inc.**

(Revised 1/22/08)

Eagle Point Homeowners, Inc. is a Florida Not for Profit Corporation organized pursuant to Florida Statute 617, FS 720.301 – 720.312, and FS 689.26. The primary purpose of this Corporation is to own and operate Eagle Point Mobile Home Park (The Park), an adult community as defined in The Housing for Older Persons Act, as amended. Resident owners of the Park shall be required to own shares of the Corporation and pay assessments as defined in Florida Statute 689.26. The management of Eagle Point Mobile Home Park and resident owners shall be afforded all protections granted under Florida Statute 720.301 - 720.312.

Eagle Point Homeowners, Inc. shall comply with The Fair Housing and Equal Opportunities Acts, as amended, except for those exemptions afforded by law.

These Bylaws specifically recognize the Park Rules and Regulations and Lease Agreement as parts of the governing documents of this Corporation.

References in these Bylaws to members or shareholders shall mean any resident homeowner owning a share of the Corporation.

The use of the masculine gender and the singular person shall be deemed to include the feminine gender and the plural whenever context so requires.

The rules contained in Robert's Rules of Order, latest edition, shall govern the conduct of business at all meetings to which they are applicable, and in which they are not inconsistent with the rules of order of these Bylaws.

**ARTICLE I - MEETING OF THE SHAREHOLDERS**

**Section 1. Annual Meeting:** The annual shareholders meeting shall be held in the recreation hall of Eagle Point Mobile Home Park, 10303 Burnt Store Road, Charlotte County, Punta Gorda, Florida. The meeting shall be held on the fourth Tuesday in January each year, or at such other time and place as stated in the notice of the meeting, designated by the Board of Directors. If the day so designated falls on a legal holiday, then the meeting shall be held on the first secular day thereafter. Written notice of the annual meeting shall be made at least fourteen (14) days prior to the meeting date, to each shareholder. Unless a shareholder waives in writing the right to receive notice of the annual meeting, the notice shall be sent by mail, or hand delivered to the shareholder, at the address of record on file in the Corporation office. Prior to the meeting, a copy of the current financial statement of the Corporation shall be made available to each shareholder. The meeting notice and a copy of the current financial statements shall be posted on the Corporation bulletin board in the recreation hall. Such mailing or hand delivery constitutes due notice and an officer of the Corporation shall provide an affidavit affirming that the notice was posted, mailed, or hand delivered in accordance with the provisions of this section. **720.306 (2)**

**Section 2. Quorum:** Thirty percent of the total outstanding shares in the Corporation, represented in person or by proxy, shall constitute a quorum at any meeting of the shareholders. This shall be determined by shareholder registration at the time of the meeting. Only residents who are shareholders are eligible to attend meetings and vote at the Annual meeting or special meetings. Each person must register and have their eligibility to vote verified according to the most current official records. If the share certificate has more than one person listed, all persons listed may attend; however, only one person may be designated to cast the vote(s). If a Trust, the Trustee shall designate the person to cast the vote(s) for the Trust. The designated voter is eligible to cast a ballot or cast a standing vote. In the absence of a quorum, the President shall set a new date for a meeting not less than six (6) nor more than twenty (20) days in the future and instruct the Secretary to notify the absent shareholders at least three days prior to the date set. **720.306 (1)(a)**

**Section 3. Special Meetings:** Special meetings of shareholders, other than those regulated by statute, may be called at any time by a majority of the Directors. Notice of such meeting, stating the purpose for which it is called, shall be served personally or by mail, not less than ten (10) nor more than sixty (60) days prior to the date set for the meeting. This notice may be dispensed with, provided the procedures are the same as required for the annual meeting. The Board of Directors shall also, in like manner, call a special meeting of shareholders whenever requested in writing by shareholders representing no less than twenty (20) percent of the outstanding issued shares of the Corporation. No business other than that specified in the call of the meeting shall be transacted at any meeting of the shareholders. **720.306 (3)**

**Section 4. Voting:** At all shareholder meetings, the manner of deciding questions, which is not specifically regulated by Statute or other provisions of these Bylaws, shall be determined by a majority vote of the shareholders present in person or by proxy. All voting shall be by a standing or ballot vote. However, any ten (10)-qualified voters may demand a share vote. In which case each shareholder present, in person or by proxy, shall be entitled to cast one vote for each share owned or represented by him. A share vote shall be by ballot. The Audit Committee shall prepare ballots and provide for privacy as to the way any individual voted. A shareholder's shares must be voted as a block and may not be divided or split in any election or on any issue being voted on. Ballots cast by proxy shall be handled in the same manner. The provisions of the Laws of the State of Florida shall govern the casting of votes at all meetings of shareholders. Every shareholder entitled to vote at a meeting of shareholders may authorize another person or persons to act for him by proxy. The shareholder or his attorney of record must sign each proxy. The proxies must be registered and accepted by the Secretary prior to any vote being taken. Each proxy shall be valid only for the specific meeting for which it was executed and any lawfully adjourned meetings thereof. In no event shall any proxy be valid for a period longer than ninety (90) days after the date of the first meeting for which it was given. Additionally, every proxy shall be revocable at the pleasure of the shareholder executing it. The shareholder or his attorney of record must sign revocation of the proxy. **720.306 (6)**

**Section 5. Order of Business:** The order of business at annual meetings of the shareholders shall be as follows:

- |  |                                     |
|--|-------------------------------------|
| 1. Establish a quorum                        | 7. President's report               |
| 2. Proof of notice of meeting                | 8. Report of committees             |
| 3. Close nominations for Directors           | 9. Unfinished business              |
| 4. Call for ballots                          | 10. New business                    |
| 5. Reading of minutes of last annual meeting | 11. Election results (If Available) |
| 6. Treasurer's report                        | 12. Adjournment                     |

## **ARTICLE II - DIRECTORS**

**Section 1. Number:** The affairs and business of the Park shall be managed by a Board of Directors of seven shareholders of record who shall have been elected for two consecutive years, or until their successors shall have been elected or appointed. Any shareholder is eligible to be a candidate for Director and may nominate himself from the floor at the meeting at which the election of Directors is to be held. **720.306 (7)**

**Section 2. How Elected:** At all elections of directors of this Corporation, each shareholder shall be entitled to as many votes as he has shares. Each share shall entitle the holder thereof to one vote. In the event that a share is in joint or multiple names, said share shall be entitled to one vote. Ballots for the election of Directors may be cast by mail. **617.0721 (2)**

**Section 3. Term of Office:** Directors will be elected at the annual meeting each year for a two (2) - year term of office. In order to provide staggered elections, four (4) directors will be elected in even numbered years and three (3) directors elected in odd numbered years.

**Section 4. Ballots:** Ballots for the election of Directors are to be prepared by the Nominating Committee and are to contain the following information:

- (1) Date of the Election meeting
- (2) Number of shares applicable to the voting shareholder

- (3) Number of Directors to be elected
- (4) Names of candidates – listed alphabetically
- (5) Proxy statement including signature space for shareholder exercising proxy
- (6) Signature of Chairperson of the Nominating Committee
- (7) Corporate seal

**Section 5. Duties of the Directors:** The Board of Directors shall have control and general management of the affairs and business of the Corporation. Such directors shall in all cases act as a Board, regularly convened, by a majority. They may adopt such rules and regulations for the conduct of their meetings and the management of the Corporation, as they may deem proper, in consistence with these Bylaws and the laws of the State of Florida.

**Section 6. Directors Meetings:** Regular meetings of the Board of Directors shall be held immediately following the annual meeting of shareholders, at least once a month thereafter, and at such other times as the Board of Directors may determine. Special meetings of the Board of Directors may be called by the President at any time, and shall be called by the President or the Secretary upon the written request of one of the Directors.

**Section 7. Notice of Directors Meetings:** Notice of meetings other than regular meetings shall be posted on the Corporate Bulletin Board. Notice of Special meetings shall be posted or given by service upon each Director in person, or by telephone, at least seven (7) days before the date therein designated for such meeting. It must specify the time, place and business to be considered by the Board. **720.303 (2)**

**Section 8. Quorum:** At any meeting of the Board of Directors, a majority of the Board shall constitute a quorum for the transaction of business. In the event of a quorum not being present the following action may be taken:

- A. The meeting shall be adjourned to the earliest date on which a quorum of directors will be available, in which case the Executive Committee will conduct the business affairs of the Corporation until the next regular Board meeting, or when a quorum is available.
- B. In the event urgent matters requiring Board action must be resolved, the Executive Committee will function as authorized in Article VII, Section 2B.

**Section 9. Voting:** At all the meetings of the Board of Directors each Director is to have one vote, irrespective of the number of shares that he may hold.

**Section 10. Vacancies:** Vacancies in the Board shall be filled for the unexpired portion of the term by majority vote of the remaining directors.

**Section 11. Removal of a Director:** Any one or more of the directors may be removed, either with or without cause, at a special meeting of the shareholders called for that purpose, by a vote of the shareholders holding a majority of the issued shares. A special meeting of the shareholders to recall a member or members of the Board of Directors may be called by shareholders representing Twenty (20) percent of the outstanding issued shares of the Corporation. Notice of such meetings must conform to Article 1, Section 3 of these Bylaws. The notice shall state the purpose of the meeting.

**Section 12. Directors Meetings Open:** All meetings of Board of Directors shall be open to shareholders and notice of such meetings shall be posted on the official Corporation Bulletin Board at least forty-eight (48) hours in advance thereof, except in cases of emergency. The only Board meetings not open to the shareholders are labor negotiations and those set forth in Florida Statute 720.303-(2) which include meetings with legal counsel with respect to proposed or pending litigation where the contents of discussion would otherwise be governed by the attorney-client privilege.

**ARTICLE II - DIRECTORS Cont.**

**Section 13. Budget and Expenses:** The Finance Committee, as indicated in Article VII, Section 1C, will recommend the annual budget, and the disposition of any surplus funds, to the Board of Directors. The Board of Directors shall mail a special meeting notice and copy of the proposed budget to each shareholder of record not less than thirty (30) days prior to the date of the special meeting at which the budget as proposed will be considered. The Board will establish and adopt the budget as presented or as amended at this meeting which shall be open to all shareholders, or at an adjourned meeting on a

date certain within fourteen (14) calendar days of the date of the original budget meeting. All normal operating cost contained in the budget as well as any unusual expenses incurred over and above said normal operating cost shall be shared equally among all of the shareholders. This distribution of expenses shall be equal without regard to the number of shares of stock held by the shareholder except as authorized by these Bylaws.

**Section 14. Meeting Involving Assessments:** When assessments against shareholders for expenses not in the annual budget are being considered, a special meeting of shareholders will be called by the Board of Directors. A notice specifically setting forth those assessments will be mailed or hand delivered to each shareholder at the address of record in the corporate office. Except as otherwise specified in these Bylaws, the Directors shall be limited in expenditures to the authorizations approved by the shareholders except in emergencies or replacement of critical equipment.

**Section 15. Minutes:** Minutes of all meetings of shareholders and the Board of Directors shall be kept in a businesslike manner and shall be available for inspection by shareholders, or their authorized representatives, and Board members at reasonable times and upon request. All requests for copies of minutes or other Park records shall be made in writing to the Park Manager. These requests will be available within ten (10) business days after receipt of the request. The Corporation shall retain all approved minutes for a period of not less than seven (7) years.

### **ARTICLE III - OFFICERS**

**Section 1. Number:** The officers of the Corporation shall be:

- President
- First Vice President
- Second Vice President
- Secretary
- Treasurer
- Assistant Secretary
- Assistant Treasurer

**Section 2. Election:** All officers of the Corporation shall be elected annually by the Board of Directors at its first meeting held immediately after the election results are announced to the shareholders and shall hold office for the term of one year or until their successors are duly elected.

**Section 3. Duties of Officers:** The President, Secretary, or Treasurer, with the approval of the majority of the Board of Directors, may delegate the preparation and signing of specific documents to the Park Manager. Such delegation must be in writing, signed by a majority of the Board, and subject to review by the Audit Committee. The duties and powers of the officers of the Corporation shall be as follows:

#### **PRESIDENT**

The President shall preside at all meetings of the Board of Directors and shareholders. He shall present at each annual meeting of the shareholders and Directors a report of the condition of the business of the Corporation. He shall cause to be called regular and special meetings of the shareholders and the Directors in accordance with these Bylaws. He shall appoint and remove, employ and discharge, and fix the compensation of all servants, agents, employees, and clerks of the Corporation other than the duly appointed officers, subject to the approval of the Board of Directors. He shall sign and make all contracts and agreements in the name of the Corporation. He shall see that the books, reports, statements and certificates required by the statutes are properly kept, made and filed according to law. He shall sign all certificates of stock, notes, drafts, or bills of exchange, warrants or other orders for the payment of money duly drawn by the Treasurer. He shall enforce these Bylaws and perform all duties incident to the position and office, and those which are required by law.

### **FIRST AND SECOND VICE PRESIDENTS**

During the absence and inability of the President to render and perform his duties or exercise his powers, as set forth in these Bylaws, or in the acts under which this Corporation is organized, the same shall be exercised by one of the Vice Presidents; and when so acting, he shall have all the powers and be subject to all the responsibilities hereby given to or imposed upon the President.

### **SECRETARY**

The Secretary shall keep the minutes of the meeting of the Board of Directors and the shareholders in appropriate books. He shall give and serve all notices of the Corporation. He shall be custodian of the records and the seal, and affix the latter when required. He shall keep the stock and transfer books in the manner prescribed by law, so as to show at all times the amount of issued stock, the manner and the time the same was paid in, the names of the owners thereof, alphabetically arranged, their respective places of residence, their post office addresses, the number of shares owned by each, the time at which each person became an owner, the amount paid, and keep such stock and transfer books open daily during business hours at the office of the Corporation, subject to the inspection of any shareholder of the Corporation, and permit such shareholder to make extracts from said books to the extent and as prescribed by law. He shall sign all certificates of stock. He shall present to the Board of Directors, at their stated meetings, all communications addressed to him officially by the President or any officer or shareholder of the Corporation. He shall attend to all correspondence and perform all the duties incident to the office of Secretary.

### **TREASURER**

The Treasurer shall have the care and custody of and be responsible for all the funds and securities of the Corporation, and deposit all such funds in the name of the Corporation in such bank or banks, trust company or trust companies, or safety deposit vaults as the Board of Directors may designate. He shall sign, make and endorse in the name of the Corporation all checks, drafts, warrants and orders of the Corporation, all checks drafts, warrants and orders for the payment of money, and pay out and dispose of same and receipt thereof, under the direction of the President or the Board of Directors. He shall exhibit at all reasonable times his books and accounts to any director or shareholder of the Corporation during business hours. He shall render a statement of the condition of the finances of the Corporation at each regular meeting of the Board of Directors, and at such other times as shall be required of him, and a full financial report at the annual meeting of the shareholders. He shall keep at the office of the Corporation, correct books of accounts of all its business and transactions and such other books as the Board of Directors may require. He shall do and perform all duties appertaining to the office of Treasurer.

### **ASSISTANT SECRETARY**

The Assistant Secretary shall assist the Secretary in case of absence, and in such duties as may be assigned by the President and/or Board of Directors.

### **ASSISTANT TREASURER**

The Assistant Treasurer shall assist the Treasurer in case of absence and in such duties as may be assigned by the President and/or Board of Directors.

### **Section 4. Fidelity Bonds:**

- A. The Treasurer shall, if required by the Board of Directors, give to the Corporation such security for the faithful discharge of his duties as the Board may direct and if bond shall be required, it shall be at the expense of the Corporation.
- B. Should any other employees or persons be authorized by the Board of Directors to handle funds of the Corporation, such employees or persons shall be required to post bond in like manner as the Treasurer.

**Section 5. Vacancies:** All vacancies, in any office, shall be filled by the Board of Directors without undue delay, at its regular meeting, or at a special meeting called for that specific purpose.

**Section 6. Removal:** The Board of Directors may remove any officer, by a majority vote, at any time, with or without cause.

**Section 7. Park Manager:**

The Board of Directors shall be authorized to hire a Park Manager and delegate specific duties to be performed for the officers of the Corporation. The Manager will report directly to the President of the Board of Directors or his designee.

**ARTICLE IV - CORPORATE SEAL**

The Seal of the Corporation shall be as follows:

(Imprint of Corporate Seal)

**ARTICLE V – CERTIFICATE OF SHARES**

**Section 1. Description:** The certificates, listing the number of shares owned, shall be numbered and registered in the order in which they are issued. They shall be secured in a locked cabinet and shall be issued in consecutive order therefrom. Certificates shall be signed by the President or Vice President and countersigned by the Secretary or Treasurer and have the seal of the Corporation affixed. A certificate logbook shall be kept, listing the certificate numbers, the name of the person owning the shares, the number of shares owned, and the dates purchased. A copy of the certificate shall be placed in the homeowner's file.

**Section 2. Transfer of Shares:** The shares of the Corporation cannot be assigned and are transferable on the books of the Corporation only by the person in whose name it appears on said books, or his legal representative. In case of transfer by attorney, the power of attorney, duly executed and acknowledged, shall be deposited with the Secretary. In all cases of transfer, the former certificate must be surrendered and canceled before a new certificate can be issued. No transfer shall be made upon the books of the Corporation within ten (10) days preceding the annual meeting of the shareholders.

**Section 3. Share Ownership:** Ownership of shares in Eagle Point Homeowners, Inc. shall be required of tenant owners. For this purpose a tenant owner shall be defined as one who is an owner of a mobile home in Eagle Point Mobile Home Park. All homeowners must qualify for ownership as defined in Article XIII of these Bylaws.

A maximum of twenty (20) shares may be sold to each household. All new tenant owners after 1-1-97 must purchase a minimum of five (5) shares. Each share purchased provides a reduction of fees at a rate to be established from time to time by the Board of Directors. Such rates to be applicable to all issued shares. Additional shares from five (5) to a maximum of twenty (20) may be purchased during the thirty (30) day period prior to the beginning of a quarter year.

All shares redeemed by the Corporation upon the sale of an owner's home and all shares purchased by a new owner shall be at not less than the price of \$1000.00 per share. Such redemption shall not be more that sixty (60) days following transfer of title on the home.

**Section 4. Share Recall:** Should a tenant owner find it necessary to move from the Park, or live in another home in the Park, he may retain ownership of his shares in the Corporation for a period of twelve (12) months. This period shall commence at the beginning of the first quarter year following the move. During this time period, the owner's unit, as noted on the share certificate, must be listed for sale at a reasonable price. This time limit may be extended by resolution

of the Board of Directors in cases of established hardships. Upon expiration of this time period, the Corporation may recall the owner's shares. Shares may also be recalled in the event that the lease between the shareholder and the Park is terminated due to a breach of that lease agreement.

## **ARTICLE VI - ASSESSMENTS / FINES**

**Section 1. When Established:** The Board of Directors may, by majority vote, establish monthly assessments, fees, or other charges, as stated in the lease agreement between the Corporation and the homeowner. Changes in fees will become effective on April 1 of any year, provided the Board approves such decision at least sixty (60) days prior to April 1.

**Section 2. Suspension of Rights and Fines:** It is the intent of this section to incorporate the provisions of FS 720.305 into these Bylaws. The Board of Directors may suspend, for a reasonable period of time, the rights of a shareholder or a shareholder's tenants, guests, or invitees, or both, to use common areas and facilities. The Board of Directors may levy reasonable fines, against any shareholder or any tenant, guest, or invitee, for violations of approved Park Rules and Regulations. **720.305 (2)**

**Section 3. Lien Authorization:** The Corporation has a lien on each share for any unpaid assessments and fines with interest at the maximum rate allowed by Florida law (presently 18% per annum) and for reasonable attorney's fees incurred in the collection of the assessment or enforcement of the lien, including attorney's fees on appeal. The corporation has the power to purchase the share(s), the mobile home and any improvements on the shareholder's leased lot at the foreclosure sale and to hold, lease, mortgage or convey said property.

The Corporation is entitled to execute and record claim of lien in the manner provided in Florida Statutes Sections 718.116(5)(a) and (b). The claim of lien shall secure all unpaid assessments, fines, interest, late charges, costs and attorney's fees which are due and which may accrue subsequent to the recording of the claim of lien and prior to entry of a final judgment of foreclosure.

The Corporation may bring an action to foreclose any lien for unpaid assessment(s) and fines in the manner that a mortgage of real property is foreclosed. It may also bring an action to recover a money judgment for unpaid assessment(s) and fines without waiving any claim of lien. The Corporation is entitled to recover its reasonable attorney's fees in either a lien foreclosure action or an action to recover a money judgment for unpaid assessment(s) and fines. The Corporation shall give notice to the shareholder of its intention to foreclose its lien at least thirty (30) days before the foreclosure action is filed. The notice shall be given by delivery of a copy of it to the shareholder or by certified mail, return receipt requested, addressed to the shareholder.

## **ARTICLE VII – COMMITTEES**

**Section 1. Standing Committees:** The standing committees shall be:

- Audit Committee
- Finance Committee
- Building & Grounds Committee
- Social Committee
- Development Committee

The Board of Directors shall appoint from among its members, the chairperson of these standing committees. With approval of the Board of Directors, each chairperson shall appoint two or more shareholders to his committee.

### **AUDIT COMMITTEE:**

**Section 1A. Duties:** This committee shall:

- a) Examine the books of accounts, bills, vouchers and all other records pertaining to the financial affairs of the Corporation.

- b) Report to the officers of the Corporation, not less than quarterly, the state of accounts of the Treasurer.
- c) Consult, as may be deemed necessary or advisable, with a CPA selected by the Board of Directors.
- d) Develop and follow approved procedures to establish voter eligibility, voter registration, and ballot distribution for each meeting (except election of Directors) where stock votes will be cast.
- e) Prepare, distribute and count all ballots cast, and report the results directly to the shareholders.
- f) Ensure any member, spouse or unit cohabitant of said member, who is seeking election to the Board, is excused from the ballot counting process.
- g) Carry out any other such duties and assignments that the Board of Directors may designate.

**BUILDING AND GROUNDS COMMITTEE:**

**Section 1B. Duties:** This committee shall:

- a) Review and recommend updates to established maintenance standards for Park owned buildings and grounds.
- b) Recommend replacement or renovations of buildings and equipment.
- c) Secure volunteers to serve as needed.
- d) Recommend the terms of employment, remuneration and job specifications of all Maintenance Department employees.
- e) Prepare an annual maintenance budget request for consideration by the Finance Committee.
- f) Keep the Park Manager informed of any areas or projects needing special attention, and any proposed changes in Park maintenance schedules.
- g) Refer all Maintenance requests to the Park Manager.
- h) Review resident's requests for landscape changes and recommend action to the Board.
- i) Meet as a committee at least once a month; keep appropriate minutes of meetings, present all recommendations to the Park Manager, for appropriate action.
- j) Carry out such other duties and assignments as the Board of Directors may designate.

**DEVELOPMENT COMMITTEE:**

**Section 1C. Duties:** This committee shall:

- a) Recommend to the Board of Directors a set of Park Rules and Regulations for members. Upon approval by the Board, a printed copy will be delivered to each member.
- b) Prepare a long-range program for improving and keeping homes and facilities of the Park in top condition.
- c) Review and recommend actions on request for Variance from Hardship.
- d) Review and recommend suitable action on all requests from homeowners to rent their homes.
- e) Review requests from homeowners for exterior modifications.
- f) Make lease recommendations for park dock rentals.
- g) Carry out any other such duties and assignments as the Board of Directors may designate.

**FINANCE COMMITTEE:**

**Section 1D. Duties:** This committee shall:

- a) Consult and advise the officers of the Corporation in regard to the budget and financial affairs of the Corporation.
- b) Prepare an annual income and expense budget subject to approval of the Board of Directors and review it monthly to avoid overruns.
- c) Recommend to the Board of Directors any changes in the monthly assessment rate for shareholders.
- d) Recommend disposition or distribution of any surplus funds.
- e) Develop Lease agreements as required by changes to these Bylaws, Park rules, or Florida Statutes.
- f) Recommend and formulate a set of Rules and Regulations for ownership of stock for Board approval, after which a printed copy shall be delivered to each shareholder or prospective shareholder. (These Rules and Regulations shall be in addition to those set forth in Article V, Section 3 hereof.)



- g) Recommend to the Board of Directors salary recommendations, fire, liability and flood insurance, workman’s compensation insurance, and such other insurance as seems desirable.
- h) Carry out any other such duties and assignments that the Board of Directors may designate.

**SOCIAL COMMITTEE:**

**Section 1E. Duties:** This committee shall oversee the use of the Recreation Hall & Wreck Room, including the following:

- a) Social Activities
  - 1. Scheduling social activities & events
  - 2. Coordinating the Saturday coffees
  - 3. Coordinating the monthly activities of the States Groups
  - 4. Maintaining an inventory of equipment and supplies needed for the activities
  - 5. Recommending equipment purchases
  - 6. Coordinating the park newsletter
- b) Hospitality/Sunshine
  - 1. Welcoming and introducing new residents at Saturday coffee
  - 2. Maintaining contact with residents who are ill and communicating their status to other residents
- c) Bingo
  - 1. Operating and supervising weekly bingo games
  - 2. Recommending replacement equipment
- d) Other On-Site Activities  
 Coordinating activities such as shuffleboard, water aerobics, exercise classes, horseshoes, block-parties, etc

**Section 2. Special Committees:** The Special Committees shall be:

- Executive Committee
- Nominating Committee
- Legislative Committee
- Safety Committee
- Compliance Committee

With the exception of the Executive Committee and Compliance Committee and Social Committee, the Board of Directors shall appoint from among the shareholders the chairman of these Special Committees. Chairperson of this committee need not be a member of the Board of Directors. With the approval of the Board of Directors, this chairperson shall appoint two or more shareholders to his committee. Reports from these committees shall be made directly to the Board of Directors.

**EXECUTIVE COMMITTEE**

**Section 2A. Members:** On occasion when a quorum of Directors is not available and actions or decisions must be made, members of the Board present may act as an Executive Committee.

**Section 2B. Duties:** This committee shall conduct and act on behalf of the Board of Directors when actions or decisions must be made but only when a quorum of the Board is not available. On urgent and very important matters, as determined by the Committee, requiring a vote of the entire Board, the Executive Committee will poll all members of the Board of Directors by conference call.

## **NOMINATING COMMITTEE:**

**Section 2C. Duties:** Not later than October 15 of each year, the President of the Board of Directors shall appoint the chairperson of this committee. The chairperson shall then appoint four or more shareholders to his committee, none of which shall be a member of the Board of Directors or their spouse. He shall post a notice on all park bulletin boards stating that his committee is preparing a slate of candidates for the ensuing term. The committee will interview and select eligible candidates from all the shareholders of the Corporation. The chairperson will post a tentative list of candidates on the Official Park Bulletin Boards by December 1. Shareholders wishing to make nominations may do so by notifying the Nominating Committee prior to December 10. If the suggested nominee accepts the nomination his name will be placed on the ballot. The chairperson shall submit a list of all eligible nominees to the Board of Directors not later than December 20. This list will be posted on all Official Bulletin Boards of the Park no later than December 25. Ballots listing all eligible candidates shall be mailed or hand delivered to each shareholder at the address of record in the corporate office no later than January 5.

## **LEGISLATIVE COMMITTEE**

**Section 2D. Duties:** This committee shall keep the directors informed of any laws, rules and regulations affecting mobile home parks or matters of taxation involved with both the State and County. In addition, the chairman shall attend any County Commission meetings when matters affecting mobile home park residents shall come up for discussion, and shall keep a liaison with the State Mobile Home Park Association or other interested parties working toward the betterment and welfare of mobile home owners.

## **SAFETY COMMITTEE:**

**Section 2E. Duties:** This committee shall review and recommend safety procedures for the Park. The committee should prepare guidelines for actions required during a community disaster, such as fires, floods, hurricanes, or other natural disasters. Committee members should take an active roll in providing safety awareness to all residents.

## **COMPLIANCE COMMITTEE:**

**Section 2F. Duties:** This committee shall review fines or possible suspension of rights for shareholders or their guests misusing or breaking Park rules or Bylaws. This committee shall consist of at least three shareholders, appointed by the Board, who are not officers, directors, or employees of the Corporation, or the spouse, parent, child, brother, sister of an officer, director or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed. **720.305 (2) (a)**

## **ARTICLE VIII - BILLS, NOTES, ETC.**

**Section 1. Authorization:** All bills payable, notes, checks, or other negotiable instruments of the Corporation shall be made in the name of the Corporation. They shall be signed by the President and counter signed by the Secretary, Treasurer or any bonded member of the board except as herein expressly prescribed and provided for. No other officer or agent of the Corporation, either singly or jointly with others shall have the power to authorize the payment of any bill payable, note, check, draft, warrant or other negotiable instrument, or endorse the same in the name of the Corporation, or contract, or cause to be contracted, any debt or liability in the name or in behalf of the Corporation. In the event the President is not immediately available, then any two bonded members of the Board of Directors may sign any of the above documents and in the case of checks issued against the office operating account any one bonded member may sign.

## **ARTICLE IX - AMENDMENTS**

**Section 1. Changes:** These Bylaws may be altered, amended, repealed, or added to, by an affirmative vote of the shareholders representing at least two thirds (2/3) of the issued stock at an annual meeting, or at a special meeting called for that purpose. A written notice shall be mailed or hand delivered to each shareholder of record a minimum of thirty (30)

days before said special meeting. The notice shall state all proposed alterations, amendments, or changes, to be made to these Bylaws. Only such changes as are specified in the notice shall be made. In the event that all the shareholders shall be present at any regular or special meeting, these Bylaws may be amended as provided herein. In no event shall any amendment change the proportion or percentage by which members share in the expenses as established by these Bylaws unless all members affected by such change approve the amendment.

#### **ARTICLE X - EFFECTIVE DATE**

These revised Bylaws shall become effective when ratified by the shareholders at an annual or special meeting called for that purpose.

#### **ARTICLE XI - DISSOLUTION**

Dissolution of this Corporation shall occur upon an affirmative vote of 2/3 of all outstanding shareholders of this Corporation, at a special meeting properly called and noticed for consideration of the question of dissolution. Upon the entry of such a vote of at least 2/3 of all outstanding shares, the business and affairs of the Corporation shall be wound down in accordance with the provisions of Florida Law and Article 13 of the Articles of Incorporation.

#### **ARTICLE XII - LEASE AGREEMENT**

All homeowners of EAGLE POINT MOBILE HOME PARK shall be given a lease agreement complying with the applicable Florida Statutes as amended from time to time. The Finance Committee shall be responsible for recommending a form of lease to the Board of Directors who may adopt such lease and any amendments thereto as required by Florida Statutes.

#### **ARTICLE XIII – RESIDENCY**

In order to continue the theme and purpose of this Park, all new homeowners must qualify for residency under the Housing for Older Persons Act, sign the disclosure agreement as defined in FS 689.26, and be approved by the Board of Directors prior to finalizing the sales contract. All homeowners must reside in the Park for a minimum of three (3) months during each calendar year, or by written request, obtain a written Variance from Hardship from the Board of Directors. No Variance from Hardship shall extend past December 31 of each year. The Board of Directors shall enforce all rules, provide and maintain all documents for qualification under the Housing for Older Persons Act.

#### **ARTICLE XIV - FISCAL YEAR**

The fiscal year of the Corporation shall begin on the first day of April of each year or at some other time at the discretion of the Directors.

#### **ARTICLE XV– INSURANCE**

The Board of Directors shall use its best efforts to provide and keep in force at all times adequate hazard insurance or other funds, which may include bank loans, reserve funds or special assessments or any combination thereof, to provide replacement costs for all common buildings, and maintain adequate liability insurance to protect the assets of the Corporation

**ARTICLE XVI – RESERVE FUNDS**

A pooled Reserve Fund for repairs or replacement of major capital assets will be maintained and funded quarterly using funding formulas described in Florida Statutes, as amended. The Board of Directors shall review the Reserve Fund on an annual basis and adjust assessments, with the approval of the shareholders, according to projected expenditures. Non-emergency expenditures from this fund in excess of \$10,000.00 will require shareholder approval. The assessment for the Reserve Fund may be suspended on an annual basis by a majority vote of the shareholders at the annual meeting.

**ARTICLE XVII - APPROVAL AND ADOPTION**

These Revised Bylaws were confirmed, ratified and approved on the Twenty-second (22) day of January, 2008 and by vote of the Shareholders of Eagle Point Homeowners, Inc.

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President

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Secretary