

Prepared by and Return to:  
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**CERTIFICATE OF AMENDMENTS TO THE AMENDED AND RESTATED BY-LAWS  
OF LAKESIDE GREEN II-B HOMEOWNERS ASSOCIATION, INC.**

The following are Amendments to that certain Amended and Restated By-Laws of Lakeside Green II-B Homeowners Association, Inc. recorded as Exhibit "C" of the Amended and Restated Declaration of Restrictions for Lakeside Green II-"B recorded on April 20, 1990 in Official Record Book 6427 at Page 51 of the Public Records of Palm Beach County, Florida and as thereafter amended were approved by at least a majority of members present in person or by proxy at a duly called membership meeting held on January 21, 2019 in which a quorum was present:

NOTE: The language added is underlined; the language deleted is ~~stricken through~~. Only the Sections/Paragraphs below are being amended herein.

I. Section 1 entitled "GENERAL" –

Paragraph 1.1 entitled "Principal Office" is amended as follows:

1.1 Principal Office. The principal office of the Association is at such place the Board of Directors determines and otherwise at the current address on file with the Florida Division of Corporations, which may be amended from time to time ~~115 SW Woolbright Road, Suite F-412, Boynton Beach, Florida 33435.~~

Paragraph 1.4 entitled "Applicable Laws" is amended as follows:

1.4 Applicable Laws. Unless otherwise specifically provided in these By-Laws: All references shall be to the Florida Homeowners Association Act, to wit: Chapter 720 F.S., as amended from time to time and to the Florida Not for Profit Corporations Act, to wit: Chapter 617 F.S., as amended from time to time. ~~to the Corporate Acts or Law and/or Chapter 607, Florida Statutes, shall apply to Chapter 617, Florida Statutes in existence this date; and to Chapter 607, Florida Statutes in existence on this date, and only to the extent that same is applicable at the particular time.~~

II. Section 4 entitled "BOARD OF DIRECTORS" –

Paragraph 4.1 entitled "Qualifications, Number and Term of Service" is amended as follows:

Paragraph 4.1 Qualifications, Number and Term of Service. The number of Directors which shall constitute the whole Board of Directors shall be not less than three (3) nor more than five (5), ~~the precise number being determined by the members at each annual meeting unless absentee ballots are utilized for the election in which case the number of Directors shall not be~~

changed from the prior year unless at least one-third of the membership petitions the Association to vote on changing the number of board members at least thirty (30) days prior to the annual election.

- A. At each annual meeting Directors will be elected to fill terms ending at that annual meeting ~~in a manner preserving staggered terms of three years.~~
- B. All Directors shall serve their term until the end of the members meeting at which his or her successor is duly elected, unless he or she sooner resigns, is removed, or is recalled pursuant to law or Section 4.4 below.
- C. No person may be a candidate for Director, or serve as a Director, if that person's unit, or the unit which qualifies that person to be a Director, assessments or any other monetary obligation due to the Association, are delinquent for ninety (90) days or more.

Paragraph 4.2 entitled "Nominations and Elections" is amended as follows:

Paragraph 4.2 Nominations and Elections. At each annual meeting (or annual or special meeting in the event of recall), the members shall elect ~~as many Directors as there are regular terms of Directors expiring and other vacancies to be filled. A nominating committee shall be appointed by the Board of Directors no later than seventy five (75) days preceding the annual meeting. The nominating committee shall submit its recommended nominees for the office of Director, to the Board of Directors by no later than forty five (45) days preceding the annual meeting. The slate of nominees recommended by the nominating committee shall be mailed to all Owners along with the notice of annual meeting. Nominations may be made pursuant to the direction of the Board of Directors, Florida Statute, as amended from time to time, and otherwise shall be taken for the office of Director from the floor of the annual meeting. Directors shall be elected by written ballot distributed at the meeting or by proxy (unless dispensed with a majority consent of the voting interests represented at the meeting) and shall be elected by a plurality of the votes cast at the meeting. In the election of directors, there shall be appurtenant to each Unit as many votes as there are Directors to be elected. No voting representative of any Unit may cast more than one (1) vote for any candidate. It being the intent that voting in the election of Directors shall be non-cumulative. The candidates receiving the highest number of votes shall be declared elected, except that any tie vote shall be decided by a run-off election to be held the same night as the annual election the flip of a coin. The members shall vote for candidates running for 3, 2 and 1 year terms separately by term.~~

Paragraph 4.5 entitled "Meetings of the Board of Directors" - Subsection A is amended as follows:

- A. Organizational Meeting. The organizational meeting of a new Board of Directors may be held immediately following the election on the same day of the annual meeting if so noticed to the membership or otherwise shall be held within ten (10) days after the election of new Directors, at such place and time as may be fixed by the Directors at the Annual Meeting at which they were elected.

Paragraph 4.6 entitled "Notice of Board Meetings" – Subsection A is amended as follows:

A. Notice to Directors. Notice of the time and place of meetings shall be given to each Directors, personally or by email, mail, or telephone ~~or telegraph~~, and shall be transmitted at least three (3) days prior to the meeting; notwithstanding the foregoing to the contrary, no notice need be given to Directors of a meeting if it is a regular meeting which is held on the same date or day of each month (for example, the 2<sup>nd</sup> Tuesday of each month). Notice of all special meetings shall state the purpose of the meeting.

III. Section 8 entitled "SYSTEM OF FINES FOR NON-COMPLIANCE; SUSPENSION"

Paragraph 8.3 entitled "Written Notice Required; Contents" is deleted in its entirety and replaced/amended as follows:

~~Paragraph 8.3 Written Notice Required; Contents. No fine shall be imposed against an Owner for any violation unless and until the offending party or parties (which always shall include the Owner) has/have been given an opportunity to request a hearing on whether the fine should be levied. The Association shall provide notice to the offending party or parties that they have an opportunity to request a hearing on whether the fine should be levied. If the Association fails to receive a written request for a hearing within fifteen (15) days after the Association mails such notice, no hearing need be held, and the fine may be levied automatically without further warning. The written notice from the Association shall also include a statement as to the provisions of the Governing Documents, Rules and Regulations and/or Law which are being violated and the names of the violators, if known. If a hearing is timely requested, then the Board of Directors shall schedule a hearing as soon as is possible and notify the offending party or parties of the date, time and place of the hearing.~~

Paragraph 8.3 A fine or suspension levied by the board of administration may not be imposed unless the board first provides at least fourteen (14) days' notice to the parcel owner and, if applicable, any occupant, licensee, or invitee of the parcel owner, sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee (the "Fining Committee"). If the Fining Committee, by majority vote, does not approve a proposed fine or suspension, the proposed fine or suspension may not be imposed. The role of the Fining Committee is limited to determining whether to confirm or reject the fine or suspension levied by the board. If the proposed fine or suspension levied by the board is approved by the committee, the fine payment is due five (5) days after the date of the committee meeting at which the fine is approved. The association must provide written notice of such fine or suspension by mail or hand delivery to the parcel owner and, if applicable, to any tenant, licensee, or invitee of the parcel owner.

Paragraph 8.4 entitled "Level of Fines" is amended as follows:

8.4 Level of Fines. A fine for each violation as determined by the Association may be for an amount not to exceed the Florida statutory maximum for same as amended from time to time shall be \$15.00. This fine may be levied at the maximum rate allowed by law of \$15.00 per day for each day that the violation occurs, on a running per day continuing basis upon a single notice and opportunity for hearing. Fines may exceed \$1,000.00 in the aggregate. Fines may become a lien against the parcel pursuant to Florida Statutes as amended from time to time. In

any action to recover a fine, the prevailing party is entitled to reasonable attorney fees and costs from the nonprevailing party as determined by the court, so long as the Board's notice informs the offending party or parties of this possibility.

Paragraph 8.5 entitled "Record Keeping" is amended as follows:

8.5 Record Keeping. The Association shall maintain records as required by Florida Statute as amended from time to time, ~~a file of all notices issued and findings of the Board of Directors in order that a record of offenses and offenders may be kept.~~

Paragraph 8.6 entitled "Hearing Before the Board of Directors" is amended as follows:

8.6 Hearing Before Fining Committee ~~the Board of Directors~~. If the offending party or parties requested a hearing before the Fining Committee ~~Board of Directors~~, then the following shall apply:

- A. A party against whom the fine may be levied shall have a reasonable opportunity to respond, to present evidence, and to provide written and oral argument on all issues involved, to have counsel present, and shall have an opportunity at the hearing to review, challenge and respond to any material considered by the Association pursuant to Florida Statute as amended from time to time.
- B. Failure of the Owner and the violator in question to appear at the scheduled hearing meeting shall may result in the automatic vote by the Fining Committee to confirm the fine imposed by the Board that the Owner is in violation, whereupon the fine will may be levied ~~without further warning~~.

~~Notwithstanding any provision in these By-Laws to the contrary, the Board of Directors shall be permitted to delegate the conduct of hearings to a Committee ("Hearings Committee"), which Hearings Committee will make recommendations to the Board of Directors for a final Board decision.~~

Paragraph 8.7 entitled "Collection of the Fine" is amended as follows:

8.7 Collection of the Fine. Once a fine is deemed to be due and owing, the Association shall provide written notice to the Owner of the fine due and owing, with due date for payment. ~~The notice shall inform the Owner of his rights to appeal under Section 8.8 of these By-Laws.~~ The fine shall be paid and collectible as a charge pursuant to the provisions of the Declaration, the By-Laws and Florida Statutes, all as amended from time to time.

Paragraph 8.8 entitled "Appeal" is hereby deleted in its entirety and not replaced.

~~8.8. Appeal. An Owner is hereby given the right to appeal the decision of the Board of Directors as to a fine. Any Owner who desires to appeal must make written request for same to be received by the Board of Directors within fifteen (15) days from the date that the Board mails the notice referred to in Section 8.7 above. If such written request is timely received by the Association, an appeal shall be conducted by a committee appointed by the Board of Directors, none of whom shall be members of the Board. The decision of that committee shall be final. If such an appeal is not timely requested, then the decision of the Board of Directors is final.~~

NOW THEREFORE and IN WITNESS WHEREOF, Lakeside Green II-B Homeowners Association, Inc., by and through its president and attested to by its secretary, has hereunto set its hand and seal as of this 18<sup>th</sup> day of February 2019.

Signed, sealed & delivered in the presence of:

Lakeside Green II-B Homeowners Association, Inc.

Shawn Thompson  
Witness

Printed Name: Shawn Thompson

Saul Custama  
Witness

Printed Name: Saul Custama

By: Jennifer Griffin

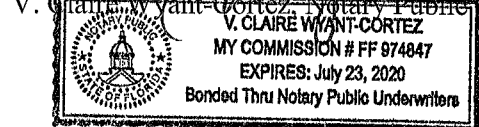
Jennifer Griffin, its President

Attest: Mike Dowling  
Mike Dowling, its Secretary

STATE OF FLORIDA )  
COUNTY OF PALM BEACH ) ss:

The foregoing Amendment(s) to the Amended and Restated By-Laws for Lakeside Green II-B Homeowners Association, Inc. was acknowledged before me this 18<sup>th</sup> day of February 2019, by Jennifer Griffin, President of Lakeside Green II-B Homeowners Association, Inc., on behalf of the corporation, who  is personally known OR  has produced N/A as identification.

V. Claire Wyant-Cortez



STATE OF FLORIDA )  
COUNTY OF PALM BEACH ) ss:

The foregoing Amendment(s) to the Amended and Restated By-Laws for Lakeside Green II-B Homeowners Association, Inc. was acknowledged before me this 18<sup>th</sup> day of February 2019, by Mike Dowling, Secretary of Lakeside Green II-B Homeowners Association, Inc., on behalf of the corporation, who  is personally known OR  has produced N/A as identification.

V. Claire Wyant-Cortez  
V. Claire Wyant-Cortez, Notary Public

