

# RESOLUTION ADOPTING ADMINISTRATIVE RULES

WHEREAS, the membership adopted Bylaw Amendment 1-2010 at the annual membership meeting held on March 20, 2010; and

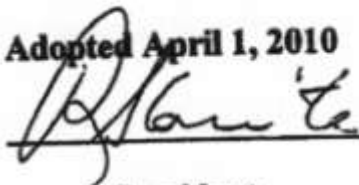
WHEREAS, several sections of the Carefree Rules and Regulations dealing primarily with unit or lot use were transferred to the Bylaws; and

WHEREAS, the remaining rules and regulations now need to be reformatted and rewritten; and

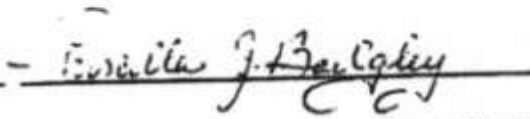
WHEREAS, the former rules and regulations will now be referred to as; "Administrative Rules", and will become effective October 1, 2010.

NOW, THEREFORE BE IT RESOLVED that the Carefree Board of Directors adopt the attached Administrative Rules which have been reformatted and rewritten.

Adopted April 1, 2010



President



Secretary

**SHEET AND CLOSING PROCEDURE CHECKLIST**

**WHEREAS; the Carefree "Blue Book" contains the current closing procedure information sheet and thus is considered one of the Carefree documents to be reviewed by the Documents Review Committee, and**

**WHEREAS, an AD HOC/SALE OF PROPERTY Committee was established by the Carefree Board of Directors who's task it was, among others, to assist sellers and prospective buyers presented a report to the Board and was forwarded to the Documents Review Committee in March, 2007,**

**WHEREAS, the report was reviewed and, where necessary and practicable, the recommendations and suggestions were incorporated into existing closing documents and the closing procedure, in order to expedite and simplify the sale of property, and**

**WHEREAS, it is not the intent of the Documents Review Committee to have closing done by Carefree staff, and**

**WHEREAS, a closing procedure checklist was developed to Insure that the files of Carefree contain all the necessary Information and documents to protect the interests of Carefree Country Club, and**

**WHEREAS, the Documents Review Committee ltpdated and clarified the existing closing procedure sheet in an attempt to follow the recommendations of the AD HOC/SALE OF PROPERTY Committee to assist sellers and prospective buyers, now**

**THEREFORE BE IT RESOLVED, that the Carefree Board of Directors adopt the updated closing procedure information sheet and dosing procedure checklist.**

**ADOPTED THIS 12<sup>th</sup> DAY OF MARCH, 2009**

  
**President**

  
**Secretary**

AMENDMENT

The following resolution adopted on November 20, 2008 was amended on  
February 19, 2009 to read as follows;)

RESOLUTION PLACING WAIVING RETROFITTING OF SPRINKLER SYSTEM AND HANDRAILS AND  
GUARDRAILS ON AGENDA OF ANNUAL MEETING MARCH 21, 2009

**WHEREAS; Carefree Country Club is a "residential cooperative association" organized under Chapter 719 of Florida Statutes, and**

**WHEREAS; Chapter 633** of the Florida Statutes deals with "fire prevention and control", and

**WHEREAS; Chapter 719.1005** (5) states "Notwithstanding the provisions of chapter 633 . . . a cooperative ... is not obligated to retrofit the common elements ... of a residential cooperative with a fire sprinkler system ... if the unit owners have voted to forego such retrofitting ... by the affirmative vote of two-thirds of all voting interests in the affected cooperative. and

**WHEREAS; Chapter 719.1055** (5) (b) states "A vote to forego retrofitting may be obtained by limited proxy or by a ballot personally cast at a duly called membership meeting, or by execution of a written consent by the member, and shall be effective upon the recording of a certificate attesting to such vote in the public records of the county where the cooperative is located." and

**WHEREAS; Cooperative Associations are required to report to the Division of Florida Land Sales, Condominiums, and mobile Homes (FLSC&MH) certain information regarding the membership vote to waive retrofitting requirements for fire sprinkler systems and handrails and guardrails.**

**NOW, THEREFORE BE IT RESOLVED THAT; the Carefree Board of Directors authorizes ~~two questions~~ the question of retrofitting the sprinkler system(s) be placed on the agenda of the annual meeting March 21, 2009. ~~One dealing with retrofitting sprinkler systems and a second question dealing with retrofitting handrails and guardrails.~~**

~~ADOPTED THIS 20th DAY OF NOVEMBER, 2008~~

AMENDED THIS 19th DAY OF FEBRUARY, 2009

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

**RESOLUTION PLACING WAIVING RETROFITTING OF SPRINKLER  
SYSTEM AND HANDRAILS ON AGENDA OF ANNUAL MEETING  
MARCH 21, 2009**

WHEREAS; Carefree Country Club is a "residential cooperative association" organized under Chapter 719 of Florida Statutes, and

WHEREAS; Chapter 633 of the Florida Statutes deals with "fire prevention and control", and

WHEREAS; Chapter 719.1005 (5) states "Notwithstanding the provisions of chapter 633 ... a cooperative ... is not obligated to retrofit the common elements ... of a residential cooperative with a fire sprinkler system .. if the unit owners have voted to forego such retrofitting ... by the affirmative vote of two-thirds of all voting interests in the affected cooperative." and

WHEREAS; Chapter 719.1055 (5) (b) states "A vote to forego retrofitting may be obtained by limited proxy or by a ballot personally cast at a duly called membership meeting, or by execution of a written consent by the member, and shall be effective upon the recording of a certificate attesting to such vote in the public records of the county where the cooperative is located." and

WHEREAS; Chapter 719.1055 (6) states ". .. a cooperative is not obligated to retrofit the common elements .. of a residential cooperative ... relating to handrails and guardrails ... if the unit owners have voted to forego such retrofitting by the affirmative vote of two-thirds of all voting interests in the affected cooperative." and

WHEREAS; Chapter 719.1055 (6) (a) states "A vote to forego retrofitting may not be obtained by general proxy or limited proxy, but shall be obtained by a vote personally cast at a duly called membership meeting, or by execution of a written consent by the member, and shall be affective upon the recording of a certificate attesting to such vote in the public records of the county where the cooperative is located." And

WHEREAS; Cooperative Associations are required to report to the Division of Florida Land Sales, Condominiums, and mobile Homes (FLSC&MH) certain information regarding the membership vote to waive retrofitting requirements for fire sprinkler systems and handrails and guardrails.

NOW, THEREFORE BE IT RESOLVED THAT; the Carefree Board of Directors authorizes two questions be placed on the agenda of the annual meeting March 21, 2009. One dealing with retrofitting sprinkler systems and a second question dealing with retrofitting handrails and guardrails.

ADOPTED THIS 20 DAY OF NOVEMBER, 2008

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

**RETROFITTING REPORT FOR COOPERATIVES**

Name of cooperative? Carefree Country Club of Winter Haven Inc.

Name of the association? Carefree Country Club of Winter Haven Inc.

The cooperative FLSC&MH file number?

Cooperative# [ 1 ] [ 7 ] [ 0 ] [ 5 ] [ ]

(Insert one number per block - to be found in the division's annual billing statement)

Cooperative Associations are required to report to the Division of Florida Land Sales, Condominiums, and Mobile Homes (FLSC&MH) certain information regarding the membership vote to waive retrofitting requirements for fire sprinkler systems and handrails and guardrails. See Chapters 2003-14 and 2004-80, Laws of Florida.

Please select the retrofitting information provided in this report (select only one, provide two reports if waiving requirements for both fire sprinkler systems and handrails and guardrails,

(1) fire sprinkler systems handrails and guardrails

(Mark an "X" in any applicable block and complete all requested information.)

1. X The above-named cooperative has voted to waive retrofitting as indicated above (please complete all blanks). The vote to waive retrofitting requirements was conducted:

X at a duly-called meeting of the association on March 21, 2009 (fill in date); and/or by execution of written consents.

The specific results of that voting was...

375 The number of unit owners voting to waive the State of Florida requirements.

23 The number of unit owners voting not to waive the State of Florida requirements.

500 The total number of voting interests in the cooperative association.

A certificate attesting to this vote is recorded in the County of Polk, Florida.

Book number 7850 Page number 1864

2 0 The above-named cooperative did not waive retrofitting requirements. Commencement of the retrofitting project took place on (fill in date).  
The per unit cost of the retrofitting project is: S

3 0 The above-named cooperative already has fire sprinklers or handrails and guardrails installed pursuant to the requirements and guidelines of Chapter 633, Florida Statutes.

4 Please provide the last date the Association filed its Annual Report with the Office of the Florida Secretary of State: March 30, 2009

Signed and attested to by: Alex Potter, Corpora

Alex Potter  
(Print Name)

President  
(Title) (Date)

April 2, 2009

Return by mail to:

Department of Business and Professional Regulation  
Division of Florida Land Sales, Condominiums, and Mobile Homes  
1940 North Monroe Street, Tallahassee, Florida 32399-1033  
Attention: RETROFITTING CERTIFICATION

or

FAX this report to 1 850.921 5446

This information is subject to Florida's Public Records Law and will be provided to the Florida Division of State Fire Marshall of the Department of Financial Services

**RESOLUTION AUTHORIZING A VERIFICATION OF  
OCCUPANCY AFFIDAVIT**

**WHEREAS; Carefree Country Club is a "residential cooperative association" organized under Chapter 719 of Florida Statutes. And**

**WHEREAS; all of the documents of Carefree reflect the fact that Carefree has designated itself as housing for older persons as defined by the "Housing for Older Persons Act of 1995. And**

**WHEREAS; the Rules and Regulations, Bylaws and all other documents of Carefree, state that Carefree lots are designated for occupancy by at least one person fifty-five years of age or over. And**

**WHEREAS; the Housing for Older Persons Act states that communities may require that 100% of the units have at least one occupant who is 55 years of age or older. And**

**WHEREAS; on November 20th, 2008 the Carefree Board of Directors adopted a resolution indicating the desire to have 100% of the units occupied by at least one person who is 55 years of age or older. And**

**WHEREAS; an exception to the above resolution can only be granted by the Carefree Board of Directors at a duly noticed meeting. And**

**WHEREAS; the covenants of Carefree define "Permanent Occupant" as a person who resides in a living unit as their primary or seasonal residence for a period of thirty (30) days or more in any twelve (12) month period. And**

**WHEREAS; the covenants of Carefree restrict the number of "Permanent Occupants" who can occupy a living unit to two (2). And**

**WHEREAS; the "final rules" of the Housing for Older Persons Act (1995) as implemented by the Department of Housing and Urban Development requires a verification of occupancy.**

**NOW, THERE BE IT RESOLVED THAT; the Carefree Board of Directors approve a document which is an affidavit verifying the permanent occupants of a lot.**

**ADOPTED THIS 22" DAY OF JANUARY, 2009**

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

Date:

Lot

AFFIDAVIT OF PERMANENT OCCUPANT(S)

Carefree Country Club has designated itself a housing for older persons as a residential cooperative pursuant to the provisions of Chapter 719, Florida Statutes, which a designated an over 55 community as defined by the Housing for Older Persons Act (1995) (HOPA) under the final rules that were implemented by the Department of Housing and Urban Development (HUD) is the federal Register dated Friday, April 2, 1999, Part IV CFR Part 100 "Implementation of Housing for Older Persons Act" (Final Rules) and Florida Statute 760, Part II, Fair Housing Act. The (Final Rules) require verification of occupancy. This certification can he made by affidavit signed by any member of the household age 18 or older asserting that at least one person in the unit is 55 years of age or older..

The Amendment to Declaration of Covenants Easements and Restrictions Carefree Country Club of Winter Haven Inc. (Covenants) defines a "Permanent Occupant" as a person who resides in a living unit as their primary or seasonal residence for a period of thirty (30) days or more in any twelve (12) month period. The (Covenants) restrict the maximum number of "Permanent Occupants" to occupy a living unit at two (2) and that they must be at least eighteen (18) years f age. The Carefree Country Club Board of Directors, at a duly noticed meeting, on November 20, 2008, resolved that at least one (1) of the Permanent Occupants" must be at least fifty five (55) years of age or older. Any exceptions to this requirement can only be granted by the approval of the Carefree Board of Directors at a duly noticed meeting.

I, (I) \_\_\_\_\_ understand the age and number limitation, as stated in the fore-mentioned documents, regarding the "Permanent Occupants" on the designated lot and that any exception to at least one (1) of the "Permanent Occupants" being 55 years of age or older can only be granted by the approval of the Board of Directors at a duly noticed meeting. The following named person(s) meet these requirements and (will be/are) the "Permanent Occupant(s) on the designated lot.

(2) \_\_\_\_\_ (6) \_\_\_\_\_  
Print Name \_\_\_\_\_ Birth Date \_\_\_\_\_ Verification Document \_\_\_\_\_

(3) \_\_\_\_\_ (6) \_\_\_\_\_  
Print Name \_\_\_\_\_ Birth Date \_\_\_\_\_ Verification Document \_\_\_\_\_

(4) \_\_\_\_\_ (4) \_\_\_\_\_  
\_\_\_\_ Occupants Signature \_\_\_\_\_ Occupants Signature

(5) \_\_\_\_\_  
Carefree Country Club Representative

INSTRUCTIONS

1. Print name of person completing the form. This person must be a permanent resident of the referenced lot and be at least 18 years of age. .
2. Print name and date of birth of permanent occupant that is 55 years of age or older.
3. Print name and date of birth of the second permanent occupant. This permanent occupant may be under 55 years of age but at least 18 years of age. If there is only one permanent occupant, this line is left blank.
4. Signature of person (1) completing the form.
5. Signature of Carefree administrative staff that is verifying ages of permanent occupant(s) and receiving documents.
6. Age verification document can be a valid driver's license, passport or government issued identification card with picture and date of birth.

**RESOLUTION UPDATING QUESTION AND ANSWER SHEET AND  
AUTHORIZING ITS FILING WITH THE DIVISION OF FLORIDA  
CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES.**

**WHEREAS, Carefree Country Club is a "residential cooperative association" organized under Chapter 719 of the statutes of the state of Florida; and**

**WHEREAS, section 503 subsection 2 of Chapter 719 entitled "Nondeveloper Disclosure" (paragraph a) states "Each prospective purchaser who has entered into a contract for the purchase of an interest in a cooperative is entitled, at the seller's expense, to a current copy of the articles of incorporation of the association, the bylaws, and rules of the association, as well as a copy of the question and answer sheet as provided in section 719.504"; and**

**WHEREAS, Section 504 of Chapter 719 states that ". . . each buyer shall be furnished a separate page entitled 'Frequently Asked Questions and Answers,' which must be in accordance with a format approved by the division" (of Florida Condominiums, Timeshares, and Mobile Homes); and**

**WHEREAS, the contents of the "Question and Answer Sheet" are based on the following legal documents of Carefree; Declaration of Covenants, Easements and Restrictions, Articles of incorporation, By-laws, Rules and Regulations and the Master Form of the Proprietary Lease,**

**NOW, THEREFORE, BE IT RESOLVED that the Carefree Board of Directors approve the updated "Question and Answers Sheet" and authorize its filing with the Division of Florida Condominiums, Timeshares, and Mobile Homes, and;**

**BE IT FURTHER RESOLVED that the "Question and Answer Sheet" be updated and filed yearly after the Carefree Board of Directors has adopted the budget for the next fiscal year.**

**Adopted this 11th day of December, 2008.**

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary



**RESOLUTION ESTABLISHING A POLICY PERTAINING TO OCCUPANCY OF  
UNITS IN CAREFREE**

**WHEREAS;** all the Carefree documents reflect the fact that carefree has designated itself as housing for older persons as defined by the "Housing for Older Persons Act of 1995, and

**WHEREAS;** section 807(b)(2)(C) of the Fair Housing Act 42 U.S.C. 3607(b)(2)(c) as amended, along with the rules and regulations and other documents of Carefree, state that Carefree lots are designated for occupancy by at least one person fifty-five years of age or over, and

**WHEREAS;** the Housing for Older Persons Act states that Communities may require that 100% of the units have at least one occupant who is 55 years of age or older, and

**WHEREAS;** on December 19, 1991 "A policy was established of providing 5% leeway on the 55 year old adult park requirement as a temporary allowance for unit owners to live in the park prior to their becoming 55 years of age. Each case to be decided on an individual basis." And

**WHEREAS;** on January 7, 1993 a policy was established stating "It will be association's policy to allow adults under the age of 55 to become residents of the Park subject to 20% limitation required to qualify for the age of 55 and older status." And

**WHEREAS;** Carefree desires to have 100% of the units occupied by at least one person who is 55 years of age or older,

**NOW, THEREFORE BE IT RESOLVED THAT;** the Carefree Board of Directors rescind the policies of December 19, 1991 and January 7, 1993, and establish a new policy requiring that 100% of the occupied units have at least one person over 55 years of age or older and that any exception to this requirement can only be granted by the approval of the Carefree Board of Directors at a duly noticed Board of Directors meeting.

**ADOPTED THIS 20th DAY OF NOVEMBER, 2008**

  
\_\_\_\_\_  
**President**

  
\_\_\_\_\_  
**Secretary**

**RESOLUTION APPROVING AMENDMENTS TO CAREFREE  
ARTICLES OF INCORPORATION AND  
CALLING FOR A MEMBERSHIP MEETING**

WHEREAS; The Carefree Board of Directors formed a committee, in December of 2007, to review Carefree's documents, and

WHEREAS; The Documents Review Committee has completed the revision/amendment process for the Articles of Incorporation, and

WHEREAS; The attorney has reviewed the revised Articles and made recommendations, and

WHEREAS; Article IX of the current Articles of Incorporation outline the amendment process, and

WHEREAS; Article IX, section 2 (a) states that approval must be given "By not less than seventy-five percent (75%) of the entire membership of the Board of Directors and by the holders of not less than fifty-one percent (51%) of the outstanding memberships of the Corporation," and

WHEREAS; The Documents Review Committee unanimously recommends that the Carefree Board of Directors and the membership approve the amendments to the Articles, now

**THEREFORE BE IT RESOLVED;** That the Carefree Board of Directors approve the amendments to the Carefree Articles of Incorporation and call a special membership meeting on April 4, 2008, for the purpose of having the membership vote on the amendments to the Articles.

Adopted this 13th day of March, 2008

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary

# State of Florida



Department of State

I certify the attached is a true and correct copy of the Amended and Restated Articles of Incorporation, filed on April 21, 2008, for CAREFREE RV COUNTRY CLUB OF WINTER HAVEN, INC. which changed its name to CAREFREE COUNTRY CLUB OF WINTER HAVEN, INC., a Florida corporation, as shown by the records of this office.

The document number of this corporation is N00443.

Given under my hand and the  
Great Seal of the State of Florida  
at Tallahassee, the Capitol, this the  
Twenty-ninth day of April, 2008



*[Handwritten signature]*

**RESOLUTION CERTIFYING ARTICLE 7(3) OF THE DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS OF CAREFREE COUNTRY CLUB AND AUTHORIZING THE RECORDING IN THE PUBLIC RECORDS OF POLK COUNTY.**

**WHEREAS;** in April of 2007 the Carefree Board of Directors, upon the recommendation of the Documents Review Committee, authorized an election be held on the question of amending Article 7(3) of the Declaration of Covenants, and

**WHEREAS;** the election was conducted from April 2007 to October 2007 in accordance with the procedures outlined in the Declaration of Covenants, and

**WHEREAS;** eighty percent (80% percent) approval of all Carefree voting interests (500) is needed to amend the Declaration of Covenants, and

**WHEREAS;** four hundred nineteen (419) or eighty-three and eight tenths percent (83.8%) signed an instrument approving the amendment, and

**WHEREAS;** the signatures on the voting instruments were verified by the Documents Review Committee, now

**THEREFORE, BE IT RESOLVED;** that the Carefree Board of Directors certifies the results of the election and forwards, for recording in the Public Records of Polk County, the amendment which changes the second sentence of Article 7(3) of the Covenants to read;

**(3) Amendment.** The provisions, covenants, conditions, easements and restrictions of this Declaration shall run with and bind the land for a term of fifty (50) years from the date this Declaration is recorded. This declaration may be amended by an instrument signed by not less than (80%) percent of the Lot Lessees upon a majority vote of the total voting interests as more specifically provided in the Bylaws of the Association. Any amendment of this Declaration (but not of the Articles of Incorporation and Bylaws of the Association) must be recorded in the Public Records of Polk County before it shall be deemed effective.

**ADOPTED BY THE CAREFREE BOARD OF DIRECTORS THIS 15<sup>TH</sup> DAY OF NOVEMBER, 2007.**

\_\_\_\_\_  
President

*Sebastian P. Aquilino*  
Secretary

SAL AQUILINO  
9705 LK BESS RD LOT 1024  
WINTER HAVEN, FL 33884

INSTR # 007231715  
BK 07481 PG 1764 PG(s) 1  
RECORDED 11/15/2007 01:08:29  
RICHARD M WEISS, CLERK OF COURT  
POLK COUNTY  
RECORDING FEES 10.00  
RECORDED BY S Wetzel


**AMENDMENT 10  
DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS  
CAREFREE RV COUNTRYCLUB OF WINTER HAVEN**

Article 7, paragraph (3) to the Declaration of Covenants, Easements and Restrictions, Carefree RV Country Club of Winter Haven is hereby amended to read as follows:

**ARTICLE 7  
GENERAL PROVISIONS**

(3) Amendment. The provisions, covenants, conditions, easements and restrictions of this Declaration shall run with and bind the land for a term of fifty (50) years from the date this Declaration is recorded. This Declaration may be amended upon a majority vote of the total voting interests as more specifically provided in the Bylaws of the Association. Any amendment of this Declaration (but not of the Articles of Incorporation and Bylaws of the Association) must be recorded in the Public Records of Polk County before it shall be deemed effective.

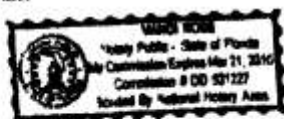
IN WITNESS WHEREOF, the undersigned Vice President and Secretary of the Corporation have executed this Amendment, approved by an instrument signed by not less than eighty percent (80%) of the Lot Lessees. The Carefree Board of Directors, by resolution, in their duly noticed meeting of November 15, 2007 certified the results of this election and forwarded the results for recording in the Public Records of Polk County, Florida.

  
By Salvatore P. Aquilino, Secretary

Carefree RV Country Club of Winter Haven  
9705 Luke Bess Road  
Winter Haven, Florida 33884  
By Leslie T. Hansen, Vice President

STATE OF FLORIDA  
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 15th day of November, 2007 by Leslie T. Hansen the Vice President and Salvatore P. Aquilino the Secretary of Carefree RV Country Club of Winter Haven, Inc. a Florida not for profit corporation on behalf of the corporation. Each of them is personally known to me.

  
Mandi Rose, Notary Public

Mandi Rose  
Mandi Rose, Notary Public