

24 August 2021

**CAREFREE COUNTRY CLUB
9705 LAKE BESS ROAD
WINTER HAVEN FL 33884**

**CAREFREE COUNTRY CLUB
OF WINTER HAVEN, INC
BYLAWS**

Includes CAREFREE COUNTRY CLUB BYLAW 2014 AMENDMENTS

**Future Amendments to these Bylaws will be denoted
after each paragraph amended as follows: [amended (date)]**

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GLOSSARY OF TERMS

For the purpose of these rules bylaws, the following definitions will prevail:

- A. *Adult* – Person at least 21 years of age except where otherwise stated.
- B. *Association/Lessor* – Shall mean and refer to Carefree Country Club of Winter Haven, FL. Not for Profit Corporation.
- C. *Board of Directors* – Those elected by the members to direct the operation of the park.
- D. *Common areas* – Portions of the cooperative property, exclusive of the lots.
- E. *Fiscal year/Season/Rental Season* – October 1 through September 30.
- F. *Guest* – A registered, overnight guest of a member, permanent occupant or renter.
- G. *Living unit* – A home which may be recreational vehicles (RV) or mobile homes.
- H. *Lot* – Any leased parcel of land located within Carefree Country Club which is part of the cooperative property and subject to exclusive use and possession.
- I. *Management* – The Community Association Manager (CAM) or his or her appointee.
- J. *Member/Lessee* – A holder of a Membership Certificate of Carefree Country Club of Winter Haven, Inc.
- K. *Designated Voter* – Must be a holder of a Membership Certificate. Only one member per lot can be a designated voter. This designation must be registered with the Corporation. There are 500 voting interests in Carefree Country Club.
- L. *Non-Member* – A permanent occupant who resides with a member and is not a holder of a Membership Certificate or Proprietary Lease and has limited privileges (i.e. no voting right, no voice at Membership or posted meetings, not eligible for Board of Directors or to be Chair of a Committee). A permanent occupant is defined in Covenants as “a person who resides in a living unit as their primary or seasonal residence for a period of thirty (30) days or more.” The Affidavit of Permanent Occupant can be amended once in any fiscal year. 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 of age.
- M. *Corporation, Carefree or Lessor* – refers to Carefree Country Club.
- N. *Renter* – Person who rents or sub-leases for a consideration, the right to occupy a member’s lot and available storage area and is entitled to limited privileges (same as L above) and/or as determined by Lessor.
- O. *Resident* – Member(s), permanent occupant(s) or renter(s) while occupying a site.
- P. *Senior* – Any person fifty-five years of age or older pursuant to Housing for Older Persons Act.
- Q. *Immediate Family* – includes parents, children, grandchildren (including adoptive and step) and siblings.

ARTICLE I – IDENTIFY

Carefree Country Club of Winter Haven, Inc. is a not-for-profit residential cooperative incorporated, pursuant to the provisions of Chapter 719, Florida Statutes. This is defined by the Housing for Older Persons Act of 1995 (HOPA) under the final rules that were implemented by the Department of Housing and Urban Development (HUD) in the Federal Register dated Friday, April 2, 1999, Part IV, 24 CFR Part 100 “Implementation of the Housing for Older Persons Act.” and Florida Statute 760, Part II, Fair Housing Act. These Bylaws, as amended, are for the purpose of governing the cooperative, hereinafter called the “Corporation”.

SECTION 1 – Corporate Office. The office of the Corporation shall be at 9705 Lake Bess Road, Winter Haven, FL 33884.

SECTION 2 – Fiscal Year. The fiscal year of the Corporation shall be as determined by the board of directors.

SECTION 3 – Seal. The seal of the corporation shall bear these words: “CAREFREE COUNTRY CLUB OF WINTER HAVEN, INC.”, “NOT FOR PROFIT”, and “FLORIDA”.

ARTICLE II – LAWS OF THE STATE OF FLORIDA

All laws of the State of Florida now in effect, or that may be adopted, hereafter regulating the internal administration and operation of this Corporation shall be considered incorporated by reference herein and shall control in case of any conflict with these Bylaws. All members shall be considered as vested with all rights granted them and subject to all obligations imposed upon them as members under the laws of the State of Florida with respect to the administration and operation of the Cooperative.

ARTICLE III – MEMBERSHIP MEETINGS

Roberts Rules of Order (latest edition) shall guide the conduct of all meetings when not in conflict with the Articles of Incorporation, Covenants or these Bylaws.

SECTION 1 – Annual Meeting. The annual membership meeting shall be held at the clubhouse of the Corporation, unless another location within Polk County is designated by the board of directors. The meeting will be held in the first three months of the calendar year. The annual membership meeting shall be for the purpose of electing directors and transacting other annual business of the Corporation. A member of the Corporation, designated by the President, shall chair all meetings.

SECTION 2 – Special Meetings. Special membership meetings shall be held whenever called for by a majority of the board of directors. A meeting must be called by the directors upon receipt of a written request from members representing 10% (50 voting members) of the entire membership. Only the business for which the meeting was called may be voted upon.

SECTION 3 – Notice. Notice of all membership meetings, stating the time, place and purpose, shall be delivered in person, by electronic transmission or by U.S. mail to each voting member, unless waived in writing by the member. The annual meeting shall receive two notices, one not less than 60 days before the meeting and the second notice not more than 35 or less than 30 days before the meeting and must incorporate a meeting agenda. Special membership meetings shall receive a notice not more than 45 days or less than 14 days before the meeting. Notice of all membership meetings will be posted in a conspicuous place on the Corporation property at least 14 days prior to the meeting. Any meeting considering a budget shall be given at least 14 days notice.

SECTION 4 – Quorum. Two hundred fifty-one (251) of the designated voters entitled to vote, represented in person or by proxy, shall constitute a quorum at a meeting of the membership.

SECTION 5 – Voting.

A. Each membership certificate shall be entitled to one vote on each matter submitted to a vote at a meeting of the membership. Votes may be cast in person or by proxy.

B. If a membership certificate is owned by more than one person, one of the owners shall be designated to vote interest of the membership certificate. The designated voter shall be recorded on a certificate signed by all recorded owners. If a membership certificate is held by a corporation or a trust its president and/or a designated member must file a Certificate that is notarized and filed with the board secretary designating the person authorized to vote the membership certificate interest.

SECTION 6 – Proxies. If a proxy is used, it must be on the form provided by the association. The proxy shall be valid only for the particular meeting and any lawful adjourned meeting thereof but in no event longer than 90 days after the date of the first meeting and must be filed with the Secretary before the appointed time of the meeting or any adjournment of the meeting.

SECTION 7 – Adjourned (Continued) Meetings. If any meeting of the membership cannot be organized because a quorum has not been attained, the members who are present, either in person or by proxy, may adjourn (continue) the meeting to a time when a quorum is present.

SECTION 8 – The Order of Business. The order of business at the annual membership meetings and as far as practical at other meetings of the membership shall be:

- A. Certification of proxies and quorum determination.
- B. Proof of notice of meeting or waiver of notice.
- C. Reading and disposing of any unapproved minutes.
- D. Officers reports.
- E. Committee reports.
- F. Unfinished business.
- G. New business.
- H. Election of directors.
- I. Adjournment

SECTION 9 – Minutes. The secretary shall keep all the minutes of all meeting of the membership and of the board of directors. Such minutes shall be available for inspection by members or their authorized representatives at reasonable times.

ARTICLE IV – DIRECTORS

SECTION 1 – Indemnification.

Every director and every officer of the Corporation shall be indemnified by the Corporation against all expenses and liabilities including attorneys' fees, reasonably incurred by, or imposed upon, him/her in connection with any proceedings, including actions in regard to the, Housing for Older Persons Act of 1995 (HOPA) or the settlement of any proceeding to which he/she may be a party, or in which he/she may become involved by reason of his/her being or having been a director or officer at the time such expenses are incurred, except when the director or officer is adjudged guilty of willful misfeasance, malfeasance, or nonfeasance, in the performance of his/her duties. The foregoing right of indemnification shall be in addition to, and exclusive of, all other rights and remedies to which such director or officer may be entitled.

SECTION 2 – The Board.

A. General Administration Description.

The board of directors shall be composed of members. The Board is charged with performance of all duties delegated to them by the corporate documents and shall take all other actions necessary to operate the Corporation, other than those actions specifically reserved to a vote of the membership. The board of directors shall not take any actions or make any decisions except at duly noticed meetings at which a quorum is present. The board of directors, through the president, shall direct the daily operations of the Corporation by communicating decisions, policies and procedures to the CAM. Board members shall serve without compensation.

B. Number and Term.

There shall be seven (7) directors. Directors shall serve 3-year terms, which shall be staggered so that three (3) or two (2) positions expire each year.

C. Vacancies.

In the event a director's seat shall become vacant before the term has expired, the remaining directors shall appoint a member to fill the vacancy until the next annual membership meeting. A member shall then be elected to serve the remainder, if any, of the term. Election for the remainder of the term of the vacated seat shall follow regular election procedures as provided herein.

SECTION 3 – Elections.

Directors shall be elected at the annual membership meeting. Voting will be by secret ballot, cast in person, or by mail. Candidates receiving the most votes will receive the longer terms of the open positions. The election notices will be made part of the notices of the annual meeting. All election procedures will be contained in a policy manual maintained by the board of directors, and any changes in procedures will only be made at a duly noticed meeting of the board.

SECTION 4 – Organizational Meeting.

An organizational meeting of the board shall be scheduled no later than 15 days after the annual meeting where the directors shall elect officers by secret ballot and appoint check signers.

SECTION 5 – Regular Meetings.

Regular meetings of the board of directors will be held in at least six (6) months of the year at such time and place as shall be determined by a majority of the directors at their first regular meeting. Notice of regular meetings shall be given to each director personally, by U. S. mail, telephone, or electronic/email at least 48 hours prior to the day named for such a meeting. Notice to members of directors' meetings shall be given by posting such notice in a conspicuous place at least 48 hours in advance of said meeting.

SECTION 6 – Special Meetings.

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. Except in an emergency, not less than 48 hours notice of the meeting shall be given personally, by U. S. Mail, telephone or electronic/email. The notice shall state the time, place and purpose of the meeting. In an emergency, notice to directors shall be given by telephone, or in person. No posting of a notice for this type of emergency meeting shall be required. Only the business of the emergency may be handled at that meeting. Any decisions made will be ratified at the next regularly-scheduled board meeting.

SECTION 7 – Waiver of Notice.

Notice of a meeting of the board of directors need not be given to any director who signs a waiver of notice either before or after the meeting. Attendance of a director at a meeting shall constitute a waiver of notice of such meeting and a waiver of any and all objections to the place of the meeting, the time of the meeting, or the manner in which it has been called or convened, except when a director states, at the beginning of the meeting or promptly upon arrival at the meeting, any objection to the transaction of affairs because the meeting is not lawfully called or convened.

SECTION 8 – Quorum.

A quorum at a directors' meeting shall consist of a majority of the entire board of directors. The acts approved by the majority of those present at a meeting at which a quorum is present shall constitute the acts of the board of directors, except when approval by a greater number of directors is required by the Articles of Incorporation, Declaration of Covenants, or these Bylaws.

SECTION 9 – Approval of the Minutes.

A member of the board of directors or a committee may submit in writing his or her comments with any action taken at a meeting that the member did not attend. Such comments may not be used as a vote for or against the action taken and may not be used for the purposes of creating a quorum.

SECTION 10– Adjourned (Continued) Meetings.

If at any meeting of the board of directors there is less than a quorum present, the majority of those present may adjourn the meeting from time to time. No further notice need be given of an adjourned meeting.

SECTION 11 – Presiding Officer.

If the president is absent, the vice-president shall preside at directors' meetings. If both the president and vice-president are absent, the secretary shall preside. In the event all the above are absent, the remaining directors shall designate a presiding officer for the meeting.

SECTION 12 – Order of Business. The order of business at directors' meetings shall be:

- A. Proof of due notice of meeting.
- B. Calling of the roll and quorum determination.
- C. Reading and disposal of any unapproved minutes.
- D. Reports of officers and committees.
- E. Unfinished business.
- F. New business.
- G. Adjournment.

SECTION 13 – Media Conferences.

A director or members shall be considered as present for a regular or special meeting if he/she is in simultaneous communication by telephone or other media with the other directors. Such communications will be at member's expense.

SECTION 14 – Powers and Duties.

- A. The board shall exercise all those powers granted to the Corporation by law, the Proprietary Lease, Articles of Incorporation, Declaration of Covenants and these Bylaws, subject to the approval of the membership where so required. Specific powers include, but are not limited to:
- (1) the power to enter into a one-year management contract.
 - (2) the power to enter into other service contracts for one-year periods.

(3) the power to enter into three-year public utility contracts and to enter into other contracts including a bulk contract for cable television service, for terms not to exceed five years where such terms provide substantial price reduction over yearly rates. Bulk contracts for cable television service shall be treated as a common expense.

(4) the power to levy, charge, assess and collect fees, charges, assessments and to enforce their collection.

(5) the power to adopt rules and procedures and enforce the same.

B. It shall be the duty of the board, in addition to all those duties provided by law, the Declaration of Covenants, the Proprietary Lease, the Articles of Incorporation and these Bylaws, to obtain competitive bids for services where available and appropriate, adopt and amend the budget, assess members at least annually in such amounts as are required to provide funds in advance for payment of operating expenses.

SECTION 15 – Removal of Directors. A director may be removed peremptorily from office by a written vote of the majority of all designated voters. The action shall take place at a membership meeting. Additionally, directors may be recalled following the procedures listed in Chapter 719 Florida Statutes and Section 61B-75 Florida Administrative code.

SECTION 16 – Financial Interests. A director may not vote on any issue before the board that would affect his/her direct or indirect financial interests other than the interests he/she holds in common with all other members. Payments made to directors or the CAM for any out-of-pocket expense must be approved by an officer of the Corporation, other than him/herself.

The board of directors and its appointees cannot accept any gratuity for any service or services rendered.

SECTION 17 – Member Participation. To insure the board's communication of its activities and encourage member participation, all board meetings will be open to the membership. Members may attend, but participation shall only be as provided below:

A. Items planned for discussion will be posted as an agenda at least 48 hours prior to the board meeting.

B. Any item not included on the notice may be taken up on an emergency basis by at least a majority plus one of the members of the board. Such emergency action shall be noticed and ratified at the next regular meeting of the board.

C. A period of time will be set aside before the beginning of the agenda items for members to express opinions pertaining to agenda items of that meeting, limited to three minutes per member. The board president may invite comments from members on each agenda item with a limit of one minute. Members will be required to maintain a proper decorum during all meeting.

ARTICLES V – OFFICERS

SECTION 1- The Officers. The officers of the Corporation shall be a president, vice-president, secretary, treasurer and such other officers as the board of directors may from time to time designate, all of whom shall be directors elected annually by secret ballot by the board of directors. The same individual may simultaneously the offices of vice-president and secretary.

Any officer may be removed peremptorily, by secret ballot, by a majority vote of the directors at any duly constituted meeting. In case of the resignation of any officer, the remaining board will vote by secret ballot to replace that officer, by a majority vote of the directors at any duly constituted meeting. There will be no succession from one office to another. Any director may be nominated for the vacant position.

SECTION 2 – The President. The president shall be the chief executive officer of the Corporation and shall take direction from the board of directors. He/she shall have all the powers and duties usually vested in the office of the president of a corporation, including but not limited to, directing the daily operation of the CAM, appointing committee chairs from among the membership from time to time as he/she in his/her discretion, may determine appropriate to assist in the conduct of the affairs of the Corporation. The president at his/her discretion may dissolve a committee with approval of the board. Committee chairpersons shall be appointed/reappointed on a yearly basis.

SECTION 3 – The Vice-President. The vice-president, in the absence or disability of the president, shall exercise the powers and perform the duties of the president. He/she shall also assist the president generally and exercise such other powers and perform such other duties as shall be prescribed by the directors.

SECTION 4 – The Secretary. The secretary shall keep the minutes of all proceedings of the directors and the membership. He/she shall attend to the giving and serving of notices requested by the president or a majority of the directors as required by law. He/she shall have custody of the seal. He/she shall keep all records of the Corporation, and shall perform all duties incident to this office.

4a. Recording Secretary. The board of directors may, from time to time, authorize the position of recording secretary. This person will be appointed by the President. The recording secretary will perform such duties as assigned, but not be limited to, responsibilities specifically associated with the Office of Secretary. This person is not a director.

SECTION 5 – The Treasurer. The treasurer shall have access to all property of the Corporation, including funds, securities and evidences of indebtedness. He/she shall see that the books of the Corporation are kept in accordance with good accounting practices and he/she shall perform all other duties incident to this office.

5a. Assistant Treasurer/Accountant. The board of directors may from time to time, authorize the position of assistant treasurer/accountant. This person will be appointed by the board of directors. The assistant treasurer/accountant will perform such duties as assigned by the treasurer and approved by the board of directors and may include, but not limited to, responsibilities specifically associated with the Office of Treasurer. This person is not a director.

SECTION 6 – Committee Guidelines

A. Committees may not take any action on behalf of the association which affect policy, compliance with county regulations or involve the expenditure of association funds without explicit authorization from the board of directors.

B. Expenditure of association funds by budgeted committees is approved but not to exceed the amount fixed by the board of directors. All other committees need prior approval of the board.

C. Committees shall not encroach within areas of responsibility of the CAM, staff and/or the board of directors or other committees. Communications between corporation employees and committees shall be at meetings only, scheduled for such purpose with prior approval of the CAM.

D. Committee chairs shall receive a copy of these guidelines which are to be followed. Board committee liaisons must be contacted before any committee meetings.

E. Committees shall hold meetings from time to time to conduct their business. These meetings shall be open to all members. Member participation at committee meetings shall be limited within the same restrictions imposed for board of directors' meetings.

F. Notice of committee meetings, including an agenda, shall be dated and posted at the designated posting location at least 48 hours prior to the meeting.

G. A report of committee activity and actions shall be given to the board liaison and the committee chairperson shall present a written report to the board of directors.

ARTICLE VI – FISCAL MANAGEMENT

The provisions for fiscal management of the Corporation set forth in the Articles of Incorporation and Declaration of Covenants shall be supplemented by the following provisions:

SECTION 1 – Corporate Books. The books and records of the Corporation shall be kept in accordance with generally accepted accounting principles. The accounting records must be maintained in Florida and retained for at least seven years. The Corporation shall engage an accounting firm to conduct an annual audit of its financial operations. On the 15th day of the fourth month following the end of the fiscal year, a copy of the audited financial statements for the previous fiscal year will be delivered to an owner of each membership certificate in person or by U. S. mail.

SECTION 2 – Budget. The finance committee, together with the CAM and the board treasurer, will prepare a recommended budget. The proposed annual budget of common expenses shall be detailed and shall show the amounts budgeted by accounts and expense classifications, including if applicable, but not limited to, those expenses listed in Chapter 719, Florida statutes. In addition to annual operating expenses, the budget shall include reserve accounts for capital expenditures and deferred maintenance. These accounts shall include, but not be limited to, roof replacement, building painting, and pavement resurfacing, regardless of the amount of referred maintenance expense or replacement cost, and for any other items for which the referred maintenance expense or replacement cost exceeds \$5000. A notice of all meetings of the finance committee, including a statement that assessments will be considered, shall be posted in a conspicuous place upon the Association property at least 48 continuous hours before the meeting. Such meetings shall be open to all members.

The committee's recommendations and a separate report by the CAM with any proposed modifications to the committee's report will be delivered to the board of directors. Considering these recommendations, the board of directors will accept the proposed budget for mailing to the membership, or propose a new budget for mailing, unless the proposed assessments exceed 115 percent of the previous year's assessments. Budgets requiring larger increases in assessments will be considered at a membership meeting called for that purpose and must receive the approval of two-thirds of the members voting.

In determining whether assessments exceed 115 percent of similar assessments for the prior year, any authorized provisions for reasonable reserves for repair or replacement of cooperative property, expenses by the association which are not anticipated to be incurred on a regular or annual basis or assessments for betterment to the cooperative property shall be excluded from computation.

A copy of the proposed budget will be delivered in person, by U.S. mail or by electronic transmission to each voting member not less than fourteen days prior to the meeting at which it is to be considered, together with a notice of the time and place of the meeting. Evidence of compliance with this fourteen-day notice must be made by an affidavit executed by an officer of the Corporation or the CAM or other person providing notice of the meeting and filed among the official records of the Corporation. The meeting must be open to the members.

The board of directors may consider special assessments at any meeting provided notice of such meeting is mailed, by electronic transmission or delivered to the members and posted conspicuously on cooperative property not less than 14 days prior to the meeting. The specific purpose of the special assessment shall be set forth in the notice. Special assessments must receive approval of two-thirds of the members voting in person or by proxy.

Funds collected pursuant to a special assessment may only be used for specific purpose or purposes included on the notice. Any funds remaining after the completion are to be considered common surplus. Excesses in the budget for a fiscal year shall be applied to reduce assessments for the succeeding year, applied to reserves, or may be distributed to the members, as the members shall determine. These actions shall be taken at a membership meeting requiring a vote of the majority of the voting interests (251) and be part of the minutes thereof. Furthermore, the election shall be held prior to the filing of the income taxes.

SECTION 3 - Fiscal Management Reserve Funds. Any interest accruing thereon shall remain in the reserve accounts, and shall be used only for authorized expenditures unless their use for other purposes is approved in advance by a vote of the majority of the voting interests, voting in person or by limited proxy at a duly called meeting of the Corporation.

The Corporation collects reserve and operating funds as a single payment and the reserve portion of the payment must be transferred to a separate account, or accounts, within 30 calendar days from the date such funds were deposited.

All funds shall be maintained separately in the Corporation's name. Reserve and operating funds of the Corporation shall not be co-mingled unless combined for investment purposes. Such funds must be accounted for separately, and the combined account balance may not, at any time, be less than the amount identified as reserve funds in the combined account.

The depositories of the Corporation shall be federally insured commercial banks (FDIC) and brokerage firms with securities investor protection corporation membership (SIPC) as designated from time to time by the board of directors. The corporation may invest in U.S. government securities with a fixed known maturity date. Such investments must receive approval at the board of directors' meeting.

The provisions of the statutory reference as amended in this section will be followed.

SECTION 4 – Assessments. Notice of assessments against the members for their share of the items in the budget will be made 60 days in advance of the fiscal year to which they apply. The assessments will be due and payable in advance. If an annual assessment has not been levied as required, the assessment will be presumed to have been levied in the amount of the last prior assessment. In the event the annual assessment proves to be insufficient, due to an emergency, the budget and assessments may be amended by the board of directors.

SECTION 5 – Proration of Assessments. Members will be liable for 1/500 of the total annual assessment for each certificate held.

SECTION 6 – Default for Nonpayment of Assessments. To establish an assessment collection policy, the Corporation will send the first notification letter five days after the account is overdue. This procedure will be communicated to all members and uniformly applied.

Assessments which are not paid when due will bear interest at the rate established by the board of directors. This rate may not exceed the rate allowed by law. If no rate is provided, interest shall accrue at the rate of 18 percent per year. Additionally, the Corporation will levy an administrative late fee in an amount not to exceed five percent (5%) of the quarterly assessment amount. When the assessments are received by the Corporation, the payment received is first applied to the interest accrued, second, to any administrative late fee, next to the cost and reasonable attorney's fees incurred in the collection, and finally to the amount of the assessment which is delinquent. In addition to the above internal methods of collecting delinquent accounts, the Corporation will file a claim of lien for non-payment of assessments, including interest, and reasonable costs and attorney's fees incurred by the Corporation in the collection of assessments or enforcement of the lien. The provisions of the statutory reference as amended in this section will be followed.

When assessments become 30 days delinquent, the Corporation will notify the member that a lien will be filed if the assessments are not paid within 60 additional days. The lien will include any additional assessment payments due at the time of filing. The lien shall also secure all late charges, interest, costs of collection including reasonable attorney's fees and all assessments which become due and payable until payment in full of same. The Corporation will institute a suit for foreclosure within 30 days after a lien is filed if the assessments remain unpaid. The Corporation has a right to bid on the cooperative parcel at the foreclosure sale and to acquire and hold, lease, mortgage or convey it. Suit to recover a money judgment for unpaid assessments may be maintained without waiving the lien securing them.

ARTICLE VII – COOPERATIVE PARCELS

Carefree is composed of 500 "cooperative parcels." Each cooperative parcel consists of a membership in Carefree Country Club of Winter Haven, Inc. representing an undivided 1/500 share in its assets, together with its appurtenant proprietary lease to a particular lot. Evidence of membership, including a legal description of each lot must be recorded in the form of a "Proprietary Lease" in the Public Records of Polk County, Florida.

ARTICLE VII – MEMBERSHIP CERTIFICATES AND PROPRIETARY LEASE

SECTION 1 – Proprietary Lease. A total of 500 membership certificates have been issued in conjunction with their 500 proprietary leases as appurtenances to the 500 cooperative parcels. A master proprietary lease, which is recorded in the Public Records of Polk County, Florida, is on file at the corporate office, Carefree Country Club of Winter Haven, Florida, Inc. Each member will receive a copy of this master proprietary lease for their personal file. Appurtenant proprietary lease assignments will be made by a "Proprietary Lease".

SECTION 2 – Registration. The Corporation will maintain a register of membership certificates and proprietary leases. Properly endorsed membership certificates and proprietary leases executed between seller (assignor) and the buyer (assignee) are required prior to transfer of ownership of a cooperative parcel. Carefree will recognize no other interests other than those membership certificates and proprietary leases included in this register.

SECTION 3 – Mortgages and Liens. The Corporation shall have a first lien on its membership certificates and the appurtenant proprietary lease registered in the name of each member for debts due the Corporation by such member.

SECTION 4 – Transfer Fees. The Corporation will charge a fee in connection with the sale, mortgage, lease, sublease or other transfer of a unit. The fee shall be preset by the board of directors not to exceed the amount authorized by Chapter 719, FL Statutes. However, if a lease or sublease is a renewal of a lease or sublease with the same lessee or sub lessee, no charge shall be made.

ARTICLE IX – COMPLIANCE WITH CORPORATION DOCUMENTS

SECTION 1 – Members. The Corporation and each member shall be governed by and shall comply with the Corporation's documents including its Articles of Incorporation, Declaration of Covenants, Bylaws and Rules and Regulations and Master Proprietary Lease. Serious or repeated violations, of a nature as to be determined by the CAM, will be referred to the board of directors by the CAM.

A. Rule Violations - Complaints relating to Corporation Document violations will be made in writing, signed and submitted to the CAM. The complainant's name will not be disclosed without his/her permission. The CAM will respond in writing to the complainant as to the action taken or why no action was required. An individual who wishes to carry a complaint beyond the manager's level will lose his/her anonymity.

A member not satisfied with the CAM's action may have the complaint reviewed by the violations appeal committee, which will be appointed by the board, consisting of members unrelated to the board or member in violation. In addition, the member has the right to appeal the committee's determination to the board of directors.

B. Fines. The Corporation may levy reasonable fines against members for failure of the member, his invitee or sub lessee to comply with any Corporation document. No fine shall exceed the amount authorized by the Chapter 719, FL Statutes. The party against whom a fine is sought to be levied will be afforded an opportunity of a hearing before a committee of other members appointed by the board of directors after notice of not less than 14 days.

The notice will include:

- (1) a statement of the time and place of the hearing,
- (2) a statement of the provisions of the Corporation's documents allegedly violated,
- (3) a short and plain statement of the matters asserted by the Corporation, and,
- (4) the board notice shall specify, and it is provided, that each day of which the violation continues shall be deemed a separate offense, subject to a separate fine, not to exceed \$100 for each offense, provided the total amount of the fines does not exceed \$1,000 exclusive of interest, costs and attorney fees.

The party against whom the fine may be levied shall have an opportunity to respond to present evidence, and to provide written and/or oral argument on all issues involved and shall have an opportunity at the hearing to review, challenge and respond to any material considered by the directors.

Any fine imposed will be by a vote of the board of directors. A director may not vote on his/her own alleged violations.

If the committee does not agree with the recommended fine, a fine cannot be levied.

The Corporation will be entitled to reasonable interest, costs and attorney fees incurred incident to the collection of fines.

SECTION 2 - Sublessees and Guests. All persons in the park are subject to the Corporation Documents. Persons not registered as in residence may be removed from the park with no advance notice if they violate the Corporation Documents or commit any disorderly or unlawful acts.

Sublessees and guests in residence may be evicted for Corporation Document violation after being given at least 24 hours written notice. The Corporation's right to remove or evict persons from the park has priority over any agreement between a member and their sublessee or guest.

All persons legally residing in a member's unit while the member is not in residence will sign an agreement to comply with the Corporation Documents as part of the registration process. The form of the agreement will be determined by the board of directors and will contain the Corporation's right to evict sublessee or guest.

ARTICLE X – RULES

Before the board has a meeting to consider a rule regarding unit use or amendments thereto, a separate written notice or one included on the Carefree Website, must be mailed or delivered to the members and posted conspicuously on the cooperative property not less than 14 days prior to the meeting. This procedure must be followed to ensure such rule is valid. Only the board of directors shall adopt rules and amend them from time to time upon majority vote of the directors. Adopted changes will become effective thirty (30) days after their approval.

ARTICLE XI – CORPORATION PROPERTY

The real property belonging to the Corporation shall not be sold, leased, exchanged or mortgaged without an approval by proxy of at least 75% of the votes cast of the designated voters. [Amended: 21-3-13]

No additional real property shall be purchased, added or leased by the Corporation without approval by proxy of at least 75% of the votes cast of the designated voters. [Amended: 21-3-13]

SECTION 1 – Wetlands Areas. No owner of property within the subdivision may construct or maintain any building, residence or structure, or undertake or perform any activity in the wetlands, wetland mitigation areas, buffer areas, upland conservation areas and drainage easements described in the approved permit and recorded plat of the subdivision, unless prior approval is received from the Southwest Florida Water Management District Brooksville Regulation Department.

ARTICLE XII - UNIT USE GENERAL

SECTION 1 - Members, Renters and Guest Responsibilities.

A. Registration and Identification

(1) Immediate family members are permitted to reside in the member's unit for up to 14 days during the fiscal year when the member is not in residence. Advance notice from the members to the office is required in writing, with dates, number of people, and ages. Immediate family members must include an adult at least 21 years of age when in residence. No registration fee is required. These family members have the same status as guests.

(2) The limit of a stay for an overnight guest is 14 days in the park during the fiscal year (October 1 – September 30). Any exception must be approved by management. Each unit in the park is entitled to have two persons (2) i.e. permanent residents residing there at any time. When more than two (2) people are residing at any site, the extra person(s) are classified as a guest.

3) Members are responsible for any violation of park rules and regulations or damage to common property by family members. Members can be subject to fines and assessments, in accordance with procedures outlined in Article VIII.

B. Members' Responsibilities to Renter Occupancy

When a member subleases, or allows others to occupy their unit/lot, that member relinquishes all use rights in the association property available for use generally by the members and the member does not have such rights except as a guest.

(1) Members' responsibilities to Renter Occupancy

- a. No sub subleasing will be permitted.
- b. A site may be rented a maximum of two times during the fiscal year (October 1 to September 30).
- c. A rental agreement may not extend beyond 12 months or less than 30 days.
- d. Provide a signed rental agreement and registration fee, if applicable, to the corporate office at least 14 days in advance of renter's arrival.
- e. Verify a renter(s) compliance with housing for older person regulations regarding age restriction.
- f. Instruct renters to register at office, obtain and sign a copy of the rules and regulations, supply age verification and complete the orientation process.
- g. Members are responsible for any violation of park rules and regulations or damage to common property by renters. Members can be subject to fines and assessments, in accordance with procedures outlined in Article VIII.
- h. An individual or family is allowed to rent a maximum of five seasons (October 1 – September 30) in Carefree regardless of the duration of the rental periods. [Amended: 18-03-17]

(2) Member's Responsibilities' to Guest Occupancy

- a. Register guests with the office giving date of arrival and dates of departure.
- b. Make guests aware of rules and regulations that govern the use of the park. Members may be subject to fines and assessments in accordance with procedures as outlined in Article VIII.

(3) Renter Responsibilities

- a. A renter must conform to all rules in Corporate documents.
- b. A renter in residence who violates a rule or rules may be evicted after being given 24 hours written notice from the CAM's office.
- c. Renters must conform to occupancy regulations of one person at least 55 years of age and

must provide age verification.

- d. Renter's Guest: The limit of stay for each guest is 14 days in a fiscal year (October 1 to September 30).

SECTION 2 – Sewer and Water Line Maintenance.

A. If a sewer becomes clogged between a site and the main line, the expense will be the Member's. If the corporation is required to clean the sewer, management has the right to complete repairs at Member's expense.

B. The corporation will have the responsibility to maintain all water lines up to and including the first stop valve at each site. All site water lines beyond the first stop valves are the responsibility of the Member.

SECTION 3 - Site Access.

A. The corporation reserves the right to access all sites to repair or prevent damage to said sites. Such access will be during normal working hours except in an emergency.

B. When leaving a site for an extended period of time, from a week up to several months or more, members must be positive no loose items are left outside. Items must be placed in a member's home or utility shed. Automobile storage is permitted on a driveway or under the patio roof during the off-season.

SECTION 4 - Irrigation and Electricity.

Water conservation is vital to the preservation of our park and to the well-being of our residents.

a. Automatic rain shut-offs are required for all unit sprinkler systems.

b. Automatic lawn sprinklers are required at all sites. Water timers are set by park personnel and not to be changed by residents.

c. Electricity and water to lawn sprinklers must be on at all times.

d. Lot lamp posts must be operational at all times. These fixtures must emit the equivalent of 800 lumens.

e. Each site must have a separate water shut-off valve to the unit and to the irrigation system.

SECTION 5 - Parking, Vehicles and Safety.

A. All motor vehicles, including golf cars, are to be parked on a member's driveway or at the mailbox parking area (maximum 72 hours at mailboxes). No motor vehicle lawn parking is permitted on common grounds except where posted.

B. No one is permitted to use motor vehicles and RV's for living or sleeping quarters while parked in the above areas.

C. Street parking is allowed for loading and unloading up to 24 hours.

D. No parking in the driveway of another site is allowed without the express permission of the owner.

E. No unsightly, extensively damaged or unlicensed vehicles will be allowed.

F. No trailers, car caddies, boats or boat trailers will be allowed on a site, except for short periods (24 hours) for loading and unloading.

G. Corner lots with direct side access to the street may have rear lot driveways.

SECTION 6 - Recreational Facilities.

The recreational facilities of the park are primarily for the use and enjoyment of the residents. The use of such facilities by guests may be limited, from time to time.

SECTION 7 - Business Activities.

In accordance with Carefree Declaration of Covenants, Article IV, Section 5. no commercial activity of any kind whatsoever shall be conducted on or from any lot. However, a service activity may be allowed, providing it meets the following criteria:

- (1) It must be of a non-commercial nature (no sales of merchandise).
- (2) It must be a personal service extended by a member to a member only.
- (3) The activity may not involve the use of common property.
- (4) It may not be publicly advertised.
- (5) The services offered must be approved by the CAM.

SECTION 8 - Signs and Notices.

A. Personal "For Sale" signs may only be posted on the bulletin boards provided for that purpose in the clubhouse.

B. No commercial or political signs shall be displayed or placed on any lot. A lamp post sign, bearing the name of owners, shall not exceed 14" x 24".

SECTION 9 - Pets.

A. Cats, birds and dogs only are allowed. No more than 2 dogs per unit or three pets in total. Proof of up-to-date rabies vaccination is required

B. Pick up after your pet (s). This includes both private lots and common ground.

C. Dogs and cats must be leashed at all times when out of doors.

D. Do not allow dogs and cats to walk on lawns and gardens of others.

E. Annoying, aggressive or dangerous dogs, as defined by Polk County, are not allowed.

SECTION 10 – Solicitation.

Selling, soliciting or peddling within the park is permitted only with the prior consent of the CAM.

A member has the right to canvass as permitted by Florida Statute, Section 723.054(3).

ARTICLE XIV UNIT USE – LIVING UNIT- CONSTRUCTION, MAINTENANCE, RESTRICTIONS

All construction must conform to Polk County building codes.

SECTION -1 Specification for Living Units/Sheds on the lot.

A. Permits:

It is the owner's responsibility to ensure that required park and county permits are obtained before any of the following actions are taken. Check with the office to determine which permits are applicable.

- (1) Before moving any manufactured living unit or shed into the park.
- (2) Before beginning any exterior construction work.
- (3) Before installing or modifying any plumbing, heating/cooling, or electrical system.
- (4) Before movement of a living unit or shed from one site to another or out of the park and before disassembly of a living unit.

B. Plans

Two sets of plans showing length, width, perimeter roof lines and height must be submitted to park management for approval before county permits are obtained. A plat plan indicating location of living unit and other improvements on the site must be included. The plans must be signed by the owner, the contractor, and management before construction is started. Any changes to the original plans must be resubmitted for approval. The park retains the right to require removal of any unauthorized construction.

C. General Living Unit Specifications

- 1) A double-wide mobile home cannot exceed a frame size of 36 feet in length and 24 feet in width (36 x 24).
- (2) A single-wide mobile home may not exceed a frame size of 36 feet in length and 14 feet in width (36 x 14) while a park trailer may be a frame size of 40 feet in length and 12 feet in width (40 x 12).

- (3) A site-built living unit, not to exceed 36 feet in length and 12 feet in width may be attached to single-wide mobile homes, park trailers and travel trailers. This combination may not exceed a frame size of 24 foot in width or a maximum frame area of 864 square feet.
- (4) No living unit may exceed a height of 16 feet from base concrete to roof peak at front of living unit.
- (5) Outside doors may not be on the side of the living unit that requires a two- foot setback (the utility side).

D. Roof Overhang

The roof overhang may not exceed a maximum of 16 inches, front, back and sides, including the gutter.

E. Construction Requirements

All structural exterior work must be done under the supervision of a licensed contractor with proper liability and workers' compensation insurance.

F. Setup Requirements

- (1) Management must be notified at least two working days prior to bringing manufactured living unit into the park. The form "Notification of Living Unit Entering the Park" must be completed.
- (2) Management must approve location of a building to determine if it is within required setbacks.

SECTION 2 - General Rules Regarding Construction.

A. Setback Requirements - Areas in which no construction may take place.

- (1) From the front lot line to living unit, except porches and steps, 23 feet measured from the living unit corner nearest to the front lot line 23 feet
- (2) From utility side lot line. 2 feet
- (3) From patio side lot line 8 feet
- (4) From rear lot line - storage shed and cement work 2 feet
- (5) From rear lot line - living unit 12 feet
- (6) Side streets to improvements - corner lots 5 feet
- (7) Distance between living units 10 feet
- (8) Distance between storage buildings 4 feet
- (9) Sidewalks - from side lot lines 2 feet
- (10) Patio cover post from rear lot line 5 feet

B. Lot Lines - Lot lines must be verified by trained corporate employee(s) before any construction may take place and construction inspected by the same employee(s) within 2 week(s) of completion.

C. Exceptions to Setback - All improvements must be within lot lines but the following may intrude into the setbacks:

- (1) Artificial fireplaces extending 1 foot or less from a unit.
- (2) Air conditioning on side or rear of a unit.
- (3) No planter may extend into the front setback more than 2 feet.
- (4) Steps on the unit side, not to exceed 4 by 8 feet, are permitted to intrude no more than 4 feet into the 8-foot setback.

SECTION 3 - Improvements – Limitation and Specifications.

A. Porous Area - A minimum of 35 percent of each lot must be covered by grass, shrubs, and flowerbeds or like porous areas. Areas covered by concrete or any form of constructions are

not porous. Rock, patio blocks and bricks are considered porous if they are not cemented in place or underlaid by vinyl or plastic sheeting.

B. Skirting - All living units of permanent nature must be skirted within 60 days of delivery.

C. Front Porches or Decks and Steps – Whether located on the front or side of the Living Unit porches or decks and steps must abut the home, be at floor level or below, extend no more than 6 feet from the Living Unit and be no more than 10 feet wide. The dimensions include facing. If located on the front of the Living Unit, the porch or deck and front steps must be located so a driveway of at least 10 feet wide by 21 feet long remains. If located on the side of the living unit, the steps and porch or deck must be in compliance with Article XIII, Section 2© (4) above.

D. Porch, Patio, Deck and Step Railings - Only vertical see-through railings are allowed, not to exceed 3 feet in height above the porch, patio, deck or step floor. Railing spindles must be no more than 4 inches apart and be of at least 50 percent open design. Rear decks or porches may be level or below at rear entries.

E. Window Awnings Including Hurricane Awnings - Awning size can be window height or less. Awnings cannot extend more than 48 inches from the basic structure. Awnings must be installed in accordance with Polk County Building Code.

F. Decks - Concrete or wooden patio decks must meet county and park setbacks. Rear decks may be level or below at rear entries. [Amended: 1-31-11].

G. Storage Sheds - Sheds must have rustproof metal or vinyl siding and be of approved design, either manufactured or site built (see office for details). One shed is to be installed per lot and located as approved by management. Allowable shed size may not exceed 125" wide, 125" deep and 9 feet high, with doors no less than 6' high and 5' wide. A roof overhang of up to 8 inches is allowed. No upright, stand-alone, or attachment of storage containers to the shed is permitted. Any replacement or relocation of a shed shall conform to the side and rear setbacks based on current lot lines. Sheds must be securely attached in accordance with Polk County building codes.

H. A storage box only large enough to store a golf cart battery charger is acceptable. In addition, one storage box in the rear of the living unit, not to exceed 56 inches long, 30 inches wide and 24 inches high is permitted.

I. Debris - Contractors are not allowed to store or leave potentially dangerous construction material on the site during setup or construction. It is the responsibility of the Member to see that this is done daily. Management has the right to remove the materials at the expense of the Member or contractor if management feels there is potential for a dangerous situation.

J. Hitches - Removable hitches must be stored under the unit or removed from the park.

K. Decorative Fencing

(1) Most park services such as electric, water, telephone and cable services are buried along lot lines. The repair of such services due to problems caused by fencing trees or hedges within 2 feet of the lot line is the financial responsibility of the hedge, tree, or fence owner.

(2) Fencing must be open design and not placed within 2 feet from the rear lot line nor exceed 72 inches in height from the ground.

(3) Fences are only permitted in the rear of the lot.

(4) Enclosures are permitted around air conditioning units but may not extend more than 6 inches above the unit nor more than a foot away from the unit.

L. Border Plantings, Trees and Hedges

(1) Border plantings, trees, and hedges must not interfere with road visibility, and must be properly maintained so as not to be an eyesore or an encroachment.

(2) Border hedges must be planted a minimum of 2 feet from the rear lot line and may not encroach on the adjacent lot.

(3) Rear and side border hedges may not exceed 72 inches in height from the ground.

(4) Front yard border hedges are not permitted.

(5) Type and location of tree planting must be approved by management.

(6) Dead and hazardous trees must be removed. All dead branches from palm trees and other trees, etc., must be trimmed.

M. Antennas

Maximum height for antennas is 20 feet. No receiving towers are allowed. CB and amateur radio operations are permitted as licensed by the FCC. In case of radio or television interference, the parties involved should cooperate with the FCC and cable TV company, if cable TV is involved, to resolve the problem. In difficult cases, the operator may be required to observe "quiet hours" on the frequency band causing the interference. The CAM must be notified of any federally licensed radio or TV transmitters being operated in the park.

N. Satellite Dishes

Satellite dishes up to 24 inches in diameter are permitted. Satellite dishes should be mounted on the back of the living unit on the roof end away from the street or shed roof side closest to the living unit whenever possible. FCC regulations will apply.

O. Patio Covers - Patio or deck covers are allowed at the rear of the unit.

(1) Plans must first be submitted to the park management for approval.

(2) Park and county permits must be obtained.

(3) The assemblies must conform to such as pitch, wind resistance, etc.

(4) Patio cover can be a flat or gable design, a maximum of 12 feet in length projection. A gable patio or deck cover shall be no higher in height than the existing rear roof line.

Construction shall comply with the requirements defined in the "Patio, Deck Cover" document available in the office for homeowners and contractors.

(5) A screened enclosure under the rear patio cover under the following conditions and specifications:

a. The enclosure must be under the patio cover and must meet all setbacks required by Polk County.

b. The materials used shall be mainly mesh screening aluminum or fiberglass with no wooden uprights permitted.

c. A bottom kick-plate or upper top-plate may not exceed three (3) feet in total measured vertically.

d. The rear of the screen enclosure, including posts and mesh screen, shall conform to the five (5) foot setback from the rear lot line.

e. The size of the screened area cannot exceed the support posts and beams which support the patio cover.

f. Doors are not permitted on the utility side (two-foot setback side). [Amended: 21-3-13]

g. Three-season (vinyl or acrylic only) windows are permitted in the screened area. [Amended: 21-3-13]

h. Prior to the start of construction, a Carefree permit is required with a diagram outlining dimensions and materials to be used.

i. Side privacy screening of a roll-up or fold-away type, attached only at the top and temporarily at the bottom is permitted. No type involving a framework or lattice panels or requiring any type of construction is allowed.

j. Park management will oversee the construction.

P. Entry Roofs

Roofs are allowed over entry steps and doorways. They may be of gable or flat design and shall not extend over six feet or be over 12 feet wide including overhang. [Amended: 21-3-13]

SECTION 4 - Variances to Building and Grounds.

A. The board of directors may grant variances to the building and grounds regulations where it can be shown that the regulation in question creates a specific hardship to existing conditions.

B. Applications for variances must be obtained from the park office. Completed applications will be referred to management for recommendations. The request for a variance and the attached recommendations will be forwarded to the board of directors for final decision.

SECTION 5 – Revisions.

Revisions to county, state or federal statutes which force revisions to these Bylaws and are applicable and enforceable even prior to such time that such revisions can be incorporated into these Bylaws.

ARTICLE XIV – AMENDMENTS

A resolution for adoption of proposed amendment of these Bylaws may be proposed either by the board of directors of the Corporation or by the members of the Corporation. Members may propose amendments by written instruments delivered to the secretary. Amendments may be proposed by the board of directors by majority vote at any duly noticed meeting.

A. If 10% (50) or more of all designated voters petition the board of directors for Bylaw changes in writing, such suggested amendments shall be submitted for membership approval by the board.

B. Approval of amendments will be by vote in person or by limited proxy at a duly noticed membership meeting. A copy of the proposed text will be provided to the members along with a notice of the meeting.

C. A majority (50% plus 1) of valid proxies cast determine approval or denial of the proposed Bylaw change, except Article X which required 75%. [Amended 21-3-13]

SECTION 1 – Proviso. No amendment shall discriminate against any member or be in conflict with the Articles of Incorporation, Covenants, or Florida law.

SECTION 2 – Execution and Recording. A copy of each duly adopted and certified amendment will be placed in the Corporation records.

(The following to be updated at time of vote)

IN WITNESS THEREOF, the undersigned President and Secretary of Carefree Country Club of Winter Haven, Inc. a Florida Not-For-Profit Corporation and an Association under Chapter 719, Florida Statutes have executed the AMENDED CAREFREE COUNTRY CLUB OF WINTER HAVEN, INC. BYLAWS, THAT WERE PROMULGATED IN Carefree Country Club Bylaw Amendment 1-2010; which was distributed by mail, to all unit owners voting at that meeting duly called March 29, 2010 in accordance with the amending procedures set forth in the BYLAWS OF CAREFREE RV COUNTRY CLUB OF WINTER HAVEN, INC. , as recorded in the Official Records of Book 4642, Pages 1261-1277 of the Public Records of Polk County, Florida

The specific results of that voting were:

393 The number of unit owners voting to amend.
27 The number of unit owners voting not to amend.
500 The total number of voting interests in the cooperative association.

This amendment shall become effective October 1, 2010

Carefree Country Club of Winter Haven, Inc.
9705 Lake Bess Road
Winter Haven, FL 33884

By. _____
Secretary

By. _____
President

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this ____th day of March 2010 by _____ the President and _____ the Secretary of Carefree Country Club of Winter Haven, Inc. a Florida Not-For-Profit Corporation, each of them is personally known to me.

, Notary Public