

PREPARED BY : ✓ JOSEPH CONE RESIDING AT 144 S PLYMOUTH,
CENTURY VILLAGE, WEST PALM BEACH, FLORIDA, 33409

BYLAWS

SECRETARY

20718

PLYMOUTH CONDOMINIUM ASSOCIATION, INC.
A CORPORATION NOT FOR PROFIT UNDER THE
LAWS OF THE STATE OF FLORIDA

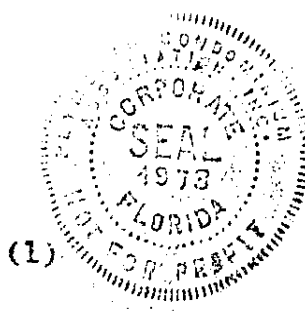
1. IDENTITY.

These are the BYLAWS of PLYMOUTH CONDOMINIUM ASSOCIATION, INC., HEREINAFTER CALLED "ASSOCIATION" IN THESE BYLAWS, a corporation NOT FOR PROFIT under the laws of the State of Florida, the ARTICLES OF INCORPORATION of which were filed in the office of the SECRETARY OF STATE on the 27th day of June, 1973. The ASSOCIATION HAS BEEN ORGANIZED FOR the purpose of administering several condominiums pursuant to CHAPTER 711, FLORIDA STATUTES 1967, as amended, called the CONDOMINIUM ACT in the Bylaws, which condominiums will be known collectively as PLYMOUTH CONDOMINIUM, located in PLYMOUTH, CENTURY VILLAGE, WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA, ZIP CODE # 33409. Hereafter in these Bylaws, the several condominiums shall be referred to as "CONDOMINIUM", and whenever "CONDOMINIUM" is used, it shall mean and be deemed to refer to all the condominiums created at the aforescribed location and described as PLYMOUTH CONDOMINIUM ASSOCIATION 3, 4, and 5, ALL UNINCORPORATED.

1.1 The office of the association shall be at PLYMOUTH, CENTURY VILLAGE, WEST PALM BEACH, FLORIDA.

1.2 The FISCAL YEAR of the association shall be the twelve (12) month period from July 1st of each year through June 30th of the following year, or such twelve (12) month period as shall be determined by the BOARD OF DIRECTORS from time to time.

1.3 The seal of the corporation shall bear the name of the corporation, the word "FLORIDA", the words "CORPORATION NOT FOR PROFIT", and the YEAR of INCORPORATION; an impression of which is as follows:



1.4 The provisions of these Bylaws are applicable to the CONDOMINIUM, and the terms and provisions hereof are expressly subject to the terms, provisions, conditions and authorizations contained in the ARTICLES OF INCORPORATION and in the formal DECLARATIONS OF CONDOMINIUM for PLYMOUTH CONDOMINIUM ASSOCIATION, INC., which refers to PLYMOUTH CONDOMINIUM ASSOCIATION (3) and for PLYMOUTH CONDOMINIUM ASSOCIATIONS (4) and (5) all unincorporated, recorded in the Public Records of PALM BEACH COUNTY, FLORIDA, at the time said properties and the improvements then or thereafter erected and situate thereon were submitted to the PLAN OF CONDOMINIUM OWNERSHIP, the terms and provisions of said ARTICLES OF INCORPORATION and DECLARATION OF CONDOMINIUM to be controlling wherever the same may be in conflict herewith.

2. MEMBERS MEETINGS

2.1 The ANNUAL MEMBERS MEETING shall be held at the office of the corporation at 10:00 O'clock A.M., or at such other place and time as the BOARD OF DIRECTORS may designate, on the first THURSDAY IN MARCH OF EACH YEAR for the purpose of transacting all business authorized to be transacted by the members, provided, however, if that day is a legal or religious holiday, the meeting shall be held on the next business day that is not a legal or religious holiday, nor a SATURDAY OR SUNDAY. At least one additional meeting annually shall be held during the second week of NOVEMBER EACH YEAR.

2.2 SPECIAL MEMBERS MEETINGS shall be held whenever called by the PRESIDENT, or in the absence or disability of the PRESIDENT, by the VICE-PRESIDENT, or by a MAJORITY of the BOARD OF DIRECTORS, and must be called by such officers within twenty (20) days after receipt of a written request from a majority of the members entitled to cast votes of the entire membership, provided, however, if that date is a legal or religious holiday, or a Saturday or Sunday, the meeting shall be held on the next business day that is not a legal or religious holiday, nor a Saturday or Sunday.

2.3(a) Notice of all members' meetings stating the time and place and the objects for which the meeting is called shall be given by the President or in the absence or disability of the President by a Vice President.

(b) Written notice of meetings, including annual meetings, shall be given to each unit owner at least fourteen (14) days in advance of the meeting and a notice of the meeting shall be posted at a conspicuous place on the condominium property at least fourteen (14) days prior to said meeting. Written notice to the unit owners shall be given in a reasonable and practical manner as shall be determined by the Board of Directors, or in the absence of such determination by the Officer charged with the giving thereof there being no requirement that same be sent by ordinary, registered or certified form. Notice of meetings may be waived before or after meetings.

2.4 A quorum at members' meetings shall consist of persons entitled to cast a majority of the votes of the entire membership. The acts approved by a majority of the votes present at a meeting at which a quorum is present shall constitute the acts of the members, except when approval by a greater number of members is required by the DECLARATIONS OF CONDOMINIUM, THE ARTICLES OF INCORPORATION or these Bylaws.

2.5 a) In any meeting of members each owner of an apartment shall be entitled to cast one (1) vote unless the decision to be made is elsewhere, required to be determined in another manner.

b) If an apartment is owned by one (1) person, the right to vote shall be established by the record title to the apartment or by a certificate signed by him and filed with the SECRETARY OF THE ASSOCIATION, he may designate any other person to cast the vote for the apartment at all members' meetings.

c) If an apartment is owned by more than one (1) person, or is under lease, the person entitled to cast the vote for the apartment shall be designated by a certificate signed by all of the record owners of the apartment and filed with the SECRETARY OF THE ASSOCIATION. Whenever any apartment is owned by husband and wife, as the case may be, each shall be treated as one person and the agent and proxy of the other when in attendance at any membership meeting for the purpose of determining a vote and casting a vote for each apartment owned by them, without necessity for filing a certificate. If an apartment is owned by a corporation, the person entitled to cast the vote for the apartment shall be designated by a certificate signed by the President or Vice President and attested by the Secretary or Assistant Secretary of the corporation and filed with the Secretary of the ASSOCIATION. Such certificates shall be valid until revoked or until superseded by a subsequent certificate or until

2.5 (CONTINUED)

a change in the ownership of the apartment concerned. A certificate designating the person entitled to cast the vote of an apartment may be revoked by any owner of an apartment. If such a certificate is not on file, the vote of such owners shall not be considered in determining the requirement for a quorum nor for any other purpose.

2.6 PROXIES. Votes may be cast in person or by PROXY. A PROXY may be made by any person entitled to vote and shall be valid only for the particular meeting designated in the PROXY, and must be filed with the Secretary before the appointed time of the meeting or any adjournment of the meeting.

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

2.8 ORDER OF BUSINESS. The order of business at members meetings, shall be:

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

3.0 DIRECTORS

3.1 MEMBERSHIP. The affairs of the CORPORATION will be managed by a BOARD OF DIRECTORS consisting of nine (9) DIRECTORS. THREE (3) DIRECTORS shall be members of PLYMOUTH CONDOMINIUM ASSOCIATION # 3; THREE (3) DIRECTORS shall be members of PLYMOUTH CONDOMINIUM ASSOCIATION # 4; and THREE (3) DIRECTORS shall be members of PLYMOUTH CONDOMINIUM ASSOCIATION # 5; all of which ASSOCIATIONS are located in CENTURY VILLAGE, WEST PALM BEACH, PALM BEACH COUNTY, FLORIDA. In

3.1 MEMBERSHIP (CONTINUED)

In addition, each ASSOCIATION shall designate two (2) ALTERNATE DIRECTORS for a total of six (6) ALTERNATE DIRECTORS. The President of each ASSOCIATION shall certify one ALTERNATE AS ALTERNATE # 1 and the other as ALTERNATE NO. 2. and in the absence of a voting DIRECTOR of said ASSOCIATION, the alternate shall, in numerical order, act in place of the absent voting Director. The ASSOCIATION DIRECTORS from each of the ASSOCIATIONS shall be chosen by the unincorporated associations independently and if not otherwise chosen, such directors shall be the PRESIDENT, VICE-PRESIDENT AND SECRETARY OF EACH SUCH Condominium Association. The affairs and business of the CORPORATION shall be conducted by the BOARD OF DIRECTORS, all of whom shall be unit owners of record.

3.2 DIRECTORS elected by each Plymouth Condominium Association may be removed by the members of such Association in accordance with the Bylaws thereof and all vacancies shall be filled by members of each such Condominium Association.

3.3 The TERM OF OFFICE of each DIRECTOR's service shall extend until the next annual meeting of the members and subsequently until his successor is duly elected and qualified or until he is removed in the manner elsewhere provided.

3.4 The ORGANIZATION meeting of a newly-elected BOARD OF DIRECTORS shall be held within ten (10) days of their election at such place and time as shall be fixed by the directors at the meeting at which they were elected, and no further notice of the organization meeting shall be necessary.

a) ALL PAST PRESIDENTS of the PLYMOUTH CONDOMINIUM ASSOCIATION, INC. shall be designated as an HONORARY DIRECTOR WITHOUT VOTE.

3.5 REGULAR MEETINGS of the BOARD OF DIRECTORS may be held at such time and place as shall be determined from time to time by a majority of the DIRECTORS. Notice of regular meetings shall be given to each DIRECTOR, personally or by telephone, or sent by mail or telegraph, at least THREE (3) DAYS prior to the day named for such meeting.

(5)

3.6 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. Not less than three (3) days notice of the meeting shall be given personally or by telephone or sent by mail or telegraph, which notice shall state the time, place, and purpose of the meeting. Three (3) days notice may be waived in case of EMERGENCY.

3.7 WAIVER OF NOTICE. Any DIRECTOR may waive notice of a meeting before or after the meeting and such waiver shall be deemed equivalent to the giving of notice.

3.8 QUORUM. A Quorum at DIRECTORS meetings shall consist of a majority of the entire Board of DIRECTORS of which at least one (1) DIRECTOR shall be present from each PLYMOUTH SECTION 3-4-5. The acts approved by a majority of those present at a meeting at which a QUORUM is present shall constitute the acts of the BOARD OF DIRECTORS, EXCEPT when approval by a greater number of DIRECTORS is required by the DECLARATIONS OF CONDOMINIUM, THE ARTICLES OF INCORPORATION, OR THESE BYLAWS.

3.9 ADJOURNED MEETINGS. If at any meeting of the BOARD OF DIRECTORS, there be less than a quorum present, the MAJORITY of those present may adjourn the meeting from time to time until a QUORUM is present. At any adjourned meeting any business that might have been transacted at the meeting as originally called, may be transacted without further notice.

3.10 JOINDER. IN MEETING BY APPROVAL OF MINUTES. The JOINDER of a DIRECTOR in the action of a meeting by signing and concurring in the minutes of that meeting shall constitute the presence of such DIRECTOR for the purpose of determining a QUORUM.

3.11 The PRESIDENT OF THE PLYMOUTH CONDOMINIUM ASSOCIATION, INC. shall be the PRESIDING OFFICER at DIRECTORS meetings and shall be the CHAIRMAN OF THE BOARD.

3.12 ORDER OF BUSINESS. The ORDER OF BUSINESS at DIRECTORS meetings shall be:

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

3.13 DIRECTORS FEES . No director shall receive any fee or compensation for services as a DIRECTOR.

4.0 POWERS AND DUTIES OF THE BOARD OF DIRECTORS.

All of the powers and duties of the Association existing under the CONDOMINIUM AT, DECLARATION OF CONDOMINIUM, ARTICLES OF INCORPORATION and these BYLAWS shall be exercised exclusively by the BOARD OF DIRECTORS, subject only to the approval of the unit owners when such approval is specifically required.

5.0 OFFICERS

5.1 The EXECUTIVE OFFICERS of the association shall be a PRESIDENT, A FIRST VICE PRESIDENT, A SECOND VICE PRESIDENT, A TREASURER, WHO SHALL ALL BE DIRECTORS OF THE PLYMOUTH CONDOMINIUM ASSOCIATION, INC.: A SECRETARY AND AN ASSISTANT SECRETARY, WHO SHALL NOT NECESSARILY BE A DIRECTOR OF THE PLYMOUTH CONDOMINIUM ASSOCIATION, INC. All officers shall be elected annually by the Board of Directors and may be peremptorily removed by vote of the DIRECTORS at any meeting. No person may hold more than one office. The BOARD OF DIRECTORS, FROM TIME TO TIME, SHALL elect such other officers and designate their powers and duties as the board shall find to be required to manage the affairs of the association. No PRESIDENT shall serve two (2) consecutive terms or fraction thereof beyond the first term.

5.2 The PRESIDENT shall be the chief executive officer of the association. He shall have all of the powers and duties usually vested in the office of the President of an association, including, but not limited to the power to appoint committees from among the unit owners from time to time, as he in his discretion may determine appropriate, to assist in the conduct of the affairs of the association. The PRESIDENT shall be an EX-OFFICIO member of all committees. Committees may be appointed on approval of a motion for that purpose by the Board of Directors.

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

b. The second Vice President, in the absence or disability of the President and the first Vice President shall

exercise the powers and perform the duties of the President. He shall also assist the President generally and exercise such other powers and perform such other duties as shall be prescribed by the directors.

5.4 THE SECRETARY shall keep the minutes of all proceedings of the directors and the members. He shall attend to the giving and serving of all notices to the members and directors and other notices required by law. He shall have custody of the seal of the association and affix it to instruments requiring a seal when duly signed. He shall keep the records of the association, except those of the Treasurer, and shall perform all other duties incident to the office of SECRETARY of an association and as may be required by the directors or the President. The ASSISTANT SECRETARY shall perform the duties of the Secretary when the Secretary is absent.

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

5.6 COMPENSATION. No officer shall receive any fee or compensation for his services as such. The compensation of all employees of the association shall be fixed by the Board of Directors.

6.0 FISCAL MANAGEMENT. The provisions for fiscal management of the association set forth in the Declarations of Condominium and Articles of Incorporation shall be supplemented by the following provisions:

6.1 ACCOUNTS. The receipts and expenditures of the association shall be credited and charged to accounts under the following classifications as shall be appropriate, all of which expenditures shall be common expenses:

a) CURRENT EXPENSE, which shall include receipts and expenditures within the year for which the budget is made including a reasonable allowance for contingencies and working funds, except expenditures chargeable to reserves, to additional improvements or to operations. The balance in this fund at the end of each year may be applied to reduce the assessments for current expense for the succeeding year.

b) RESERVE FOR DEFERRED MAINTENANCE, which shall include funds for maintenance items that occur less frequently than annually.

c) RESERVE FOR REPLACEMENT, which shall include funds for repair or replacement required because of damage, depreciation or obsolescence.

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

e) OPERATIONS, which shall include the gross revenues from the use of the common elements. Only the additional direct expense required by the revenue producing operation will be charged to this account, and any surplus from such operation may be used to reduce the assessments for current expense in the year following the year in which the surplus is realized. Losses from operations shall be met by special assessments against apartment owners, which assessments may be made in advance in order to provide a working fund.

There shall be maintained a set of accounting books in which there shall be an account for each apartment which such accounts shall designate the name and address of the owner or owners, the amount of each assessment against the owners, the dates and amounts in which the assessments become due, the amounts paid upon the account and the balance due upon assessments.

6.2 BUDGET. The Board of Directors shall adopt a budget for each FISCAL YEAR that shall include the estimated funds required to defray the common expense and to provide and maintain funds for the foregoing accounts and reserves according to good accounting practices as follows:

a) CURRENT EXPENSE, the amount for which shall not exceed 110% of the budget for this account for the prior year.

b) RESERVE FOR DEFERRED MAINTENANCE, the amount for which shall not exceed 110% of the budget for this account for the prior year. .

c) RESERVE FOR REPLACEMENT, the amount for which shall not exceed 110% of the budget for this account for the prior year.

d) BETTERMENTS, WHICH shall include the funds to be used for capital expenditures for additional improvements or additional personal property that will be part of the common elements, the amount for which shall not exceed \$1,000.00 provided, however, that

in the expenditure of this fund no sum in excess of \$1,000.00 shall be expended for a single item or purpose without APPROVAL OF THE MEMBERS OF THE ASSOCIATION.

e) OPERATIONS, the amount of which may be to provide a working fund or to meet losses.

f) Provided, however that the amount for each budgeted item may be increased over the foregoing limitations when approved by apartment owners entitled to cast not less than 75% of the votes of the entire membership of the association present at a meeting whether in person or by proxy.

g) Provided, further, however, that no budgeted item may be set forth nor any expenditures made unless there is at least one director from each Plymouth Association (3, 4, & 5) who votes in favor of such budgeted item and such expenditures.

h) Copies of the budget and proposed assessments shall be transmitted to each member on or before June 1 preceding the year for which the budget is made. If the budget is amended subsequently, a copy of the amended budget shall be furnished to each member. Delivery of a copy of any budget or amended budget to each shall not affect the liability of any member for any such assessment nor shall delivery of a copy of such budget or amended budget be considered as a condition precedent to the effectiveness of said budget and assessments levied pursuant thereto, and nothing herein contained shall be construed as restricting the right of the Board of Directors to, at any time, at their sole discretion, levy any additional assessment in the event that the budget originally adopted shall appear to be insufficient to pay costs and expenses of operation and management, or in the event of emergencies.

6.3 ASSESSMENTS

a) Assessments against the apartment owners for ~~the~~ their shares of the items of the budget shall be made for the FISCAL year annually in advance on or before June 20 preceding the year for which the assessments are made. Said assessments shall be payable monthly in advance and shall be due on the 1st day of each month in advance, unless otherwise ordered by the Board of Directors. Special assessments, should such be required by the Board of Directors shall be levied in the same manner as hereinbefore provided for regular assessments, and shall be payable in the manner deter-

mined by the Board of Directors. If an annual assessment is not made as required, an assessment shall be presumed to have been made in the amount of the last prior assessment and installments on such assessments shall be due ~~upon~~ each installment payment date until changed by an amended assessment. In the event the annual assessment proves to be insufficient, the budget and assessments may be amended at any time by the Board of Directors if the accounts of the amended budget does exceed the limitations for that year. Any account that does exceed such limitation shall be subject shall be subject to the approval of the membership of the Association as previously required in these BYLAWS. The unpaid assessment for the remaining portion of the FISCAL YEAR for which the amended assessment is made shall be due as ordered by the BOARD OF DIRECTORS.

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

6.5 The depository of the Association shall be such bank or banks as shall be designated from time to time by the DIRECTORS, and in which the moneys of the ASSOCIATION shall be deposited. Withdrawal of moneys from such accounts shall be only by checks signed by such persons as are authorized by the DIRECTORS, but ~~NOT~~ LESS THAN TWO SIGNATURES SHALL BE REQUIRED.

6.6 AN AUDIT of the accounts of the ASSOCIATION shall be made annually by a CERTIFIED PUBLIC ACCOUNTANT, and a copy of the audit report shall be furnished to EACH MEMBER not later than THREE (3) MONTHS following the year for which the audit is made.

(11)

6.7 FIDELITY BONDS shall be required by the Board of Directors from all persons handling or responsible for ASSOCIATION funds. The amount of such bonds shall be determined by the DIRECTORS. The premium on such bonds shall be paid by the ASSOCIATION.

7.0 PARLIAMENTARY RULES.

ROBERT'S RULES OF ORDER (LATEST EDITION) shall govern the conduct of association meetings when not in conflict with THE DECLARATION OF CONDOMINIUM, ARTICLES OF INCORPORATION, or these Bylaws.

8.0 AMENDMENTS

These BYLAWS may be amended in the following manner:

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

8.2 A resolution adopting a proposed amendment may be proposed by the BOARD OF DIRECTORS. Directors not present in person at the meeting considering the amendment may express their OPINIONS in writing, providing same is delivered to the SECRETARY at or prior to the meeting. Except as elsewhere provided, such approval or disapproval shall be by not less than 75% of the voting membership of the Board of Directors.

8.3 PROVISO. Provided, however, that no amendment shall discriminate against any apartment owner or against any apartment or class or group of apartments unless the apartment owners so affected shall consent. No AMENDMENT shall be made that is in conflict with the ARTICLES OF INCORPORATION OR THE DECLARATION OF CONDOMINIUM.

8.4 EXECUTION AND RECORDING. A copy of each amendment shall be attached to a certificate certifying that the amendment was duly adopted as an amendment of the DECLARATION AND BYLAWS, which certificate shall be executed by the officers of the ASSOCIATION with the formalities of a DEED. The amendment shall be effective when such certificate and copy of the amendment are recorded in the PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

9.0 RATIFICATION. THE ASSOCIATION DOES HEREBY RATIFY AND CONFIRM ALL ACTS AND THINGS DONE AND PERFORMED BY THE OFFICERS AND DIRECTORS OF THE ASSOCIATION, IN ALL RESPECTS.

(12)

THE FOREGOING WERE ADOPTED AS THE BYLAWS OF PLYMOUTH
CONDOMINIUM ASSOCIATION, INC., A CORPORATION NOT FOR PROFIT,
UNDER THE LAWS OF THE STATE OF FLORIDA, AT THE FIRST MEETING OF
THE BOARD OF DIRECTORS ON THE 28 DAY OF January 1975

Joseph Cone
SECRETARY

APPROVED: Jack C. Klar

PRESIDENT

Sworn before me on Jan 28 1975

Charles William Albert

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES NOV. 15, 1975
GENERAL INSURANCE UNDERWRITERS

STATE OF FLORIDA
COUNTY OF PALM BEACH

I HEREBY CERTIFY That on this day personally appeared before me, an officer duly author-
ized to administer oaths and take acknowledgments, JACK KLAR and JOSEPH CONE, President
and Secretary respectively of PLYMOUTH CONDOMINIUM ASSOCIATION, INC. to me well known
to be the persons described in and who executed the foregoing
instrument and acknowledged before me that they executed the same for the
purposes therein expressed.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my official seal at
West Palm Beach, in said County and State,
this 4th day of March, A. D., 1975 .

Charles William Albert
NOTARY PUBLIC

MY COMMISSION EXPIRES
NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES NOV. 15, 1975
GENERAL INSURANCE UNDERWRITERS

(Seal)

OFFICIAL RECORD 2398 PAGE 947

Recorded in O R Book 8
Record verified
Palm Beach County, Fla.
John B. Dunkle
Clerk Circuit Court

