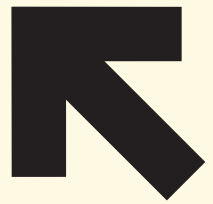
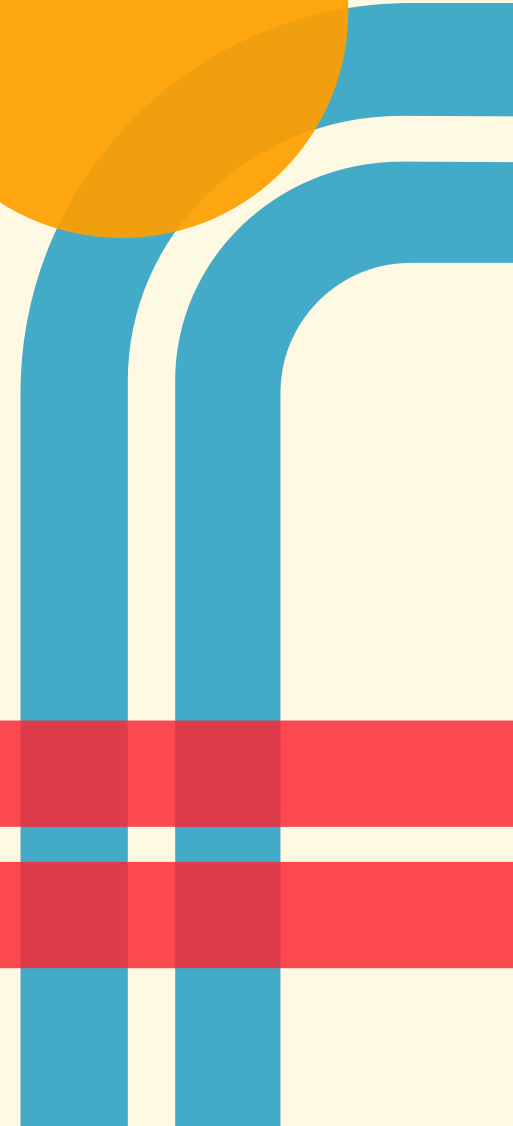




Governing Documents



Bylaws



Agenda

Disclaimer

3

Board Synergy Club

4

Governing Documents

8

Example – Northampton A

24

Closing Thoughts

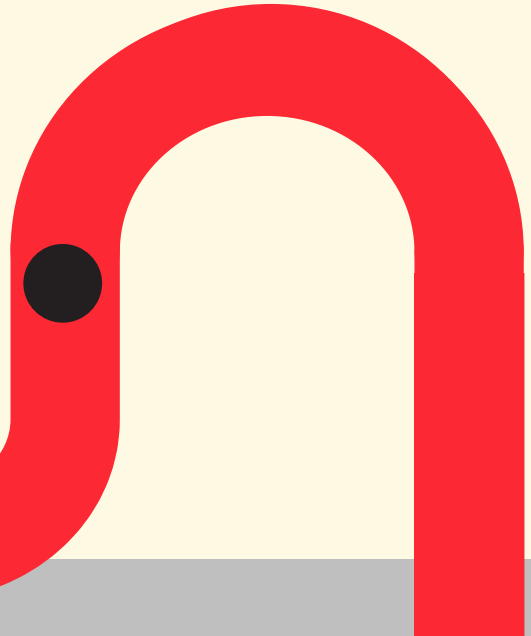
33



3

Disclaimers

- **I am not an attorney.**
- **This presentation should not replace professional services.**
- **If you require legal advice, please consult an attorney.**
- **In my opinion you should consult an attorney for what constitutes your current governing documents and not do it on your own.**



Board Synergy Club

Thursdays 1:30pm in the Clubhouse

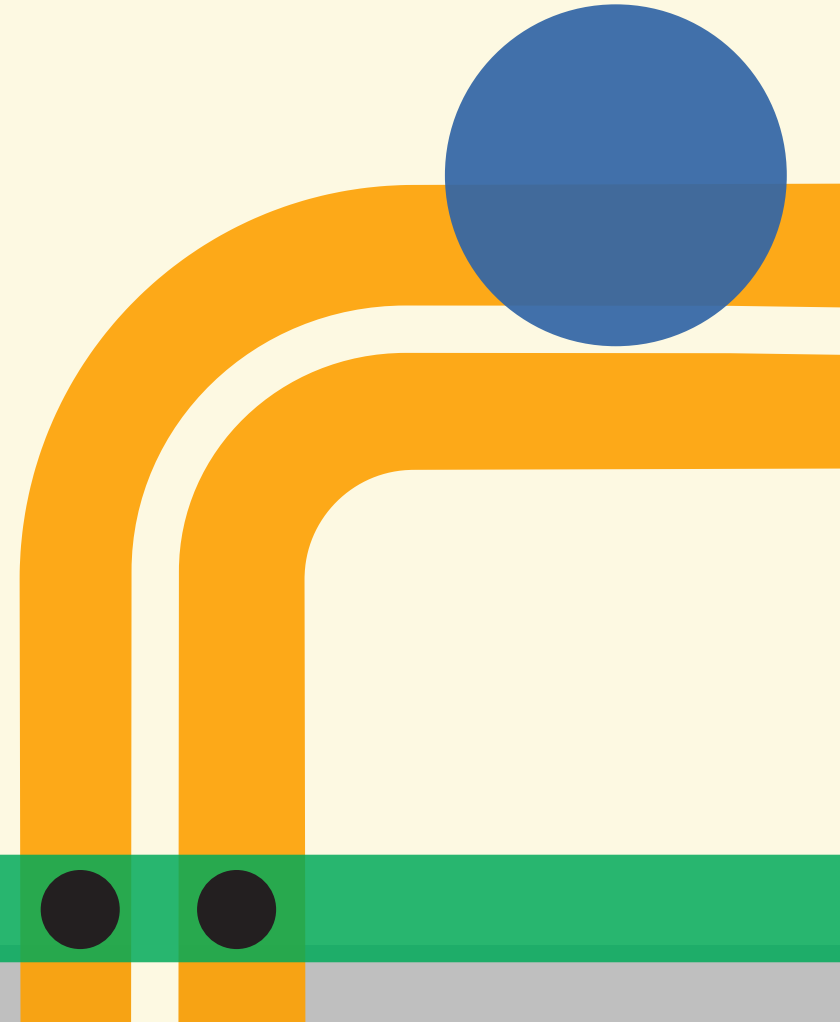
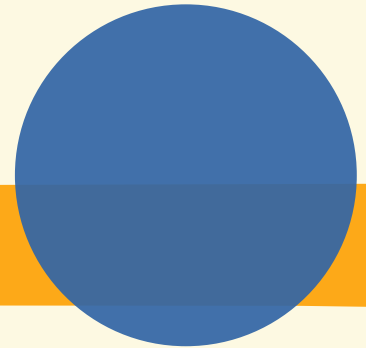




5

About Board Synergy Club

- **Started in July 2023.**
- **We meet Thursdays @ 1:30 pm in the Club House (Cardroom B).**
- **Vision: Every association has a well-informed and capable board.**
- **Actively working on:**
 - **Website (225+ visitors)**
 - **Monthly Presentations (Like this)**
 - **Welcome Materials**





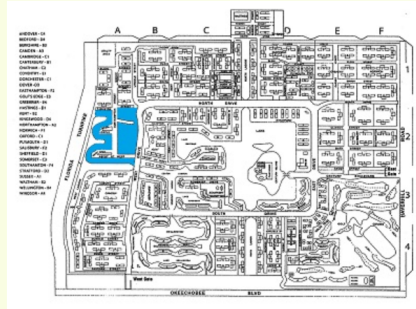
Bylaws

- Andover (A-M)
- Bedford (A-K)
- Berkshire (A-K)
- Cambridge (A-I)
- Camden (B-P)
- Canterbury (A-K)
- Chatham (A-U)
- Coventry (A-L)
- Dorchester (A-K)
- Dover (A-C)
- Easthampton (A-I)
- Golf's Edge (A-H)
- Greenbrier (A-C)
- Hastings (A-I)
- Kent (A-N)
- Kingswood (A-F)
- Northampton (A-S)
- Norwich (A-O)
- Oxford (100-700)
- Plymouth
- Salisbury (A-I)
- Sheffield (A-Q)
- Somerset (A-L)
- Southampton (A-C)
- Stratford (A-O)
- Sussex (A-M)
- Waltham (A-I)
- Wellington (A-M)
- Windsor (A-S)

Northampton Association Records

Disclaimer Our club makes every effort to publish the most current and accurate information; however, we make no warranty or guaranty concerning the accuracy of the information retrieved from the PBC Official Records Database, and in accordance thereto, any information retrieved is not to be used as support in any official matter.

Number of Associations: 19
 Number of Buildings: 19 (A-S)
 Number of Units: 394



Northampton A Condominium Records

[1972 Declaration](#) [1978 Amendment](#) [1980 Amendment](#) [1985 Amendment](#) [1985 Amendment](#) [1987 Amendment](#) [1989 Amendment](#) [1991 Amendment](#)
[2000 Amendment](#) [2005 UCO Model](#) [2017 Amendment](#)

Northampton B Condominium Records

[1972 Declaration](#) [1978 Amendment](#) [1984 Amendment](#) [1987 Amendment](#) [1989 Amendment](#) [1991 Amendment](#) [1992 Amendment](#) [2000 Amendment](#)
[2002 UCO Model](#)

Northampton C Condominium Records

[1972 Declaration](#) [1978 Amendment](#) [1987 Amendment](#) [1989 Amendment](#) [1992 Amendment](#) [1997 Amendment](#) [2000 Amendment](#) [2000 Amendment](#)

Northampton D Condominium Records

[1972 Declaration](#) [1987 Amendment](#) [1989 Amendment](#) [1989 Amendment](#) [1992 Amendment](#) [1996 Amendment](#) [1996 Amendment](#) [1997 Amendment](#)
[2000 Amendment](#) [2000 UCO Model](#) [2018 Amendment](#) [2020 Restatement](#)



Q & A

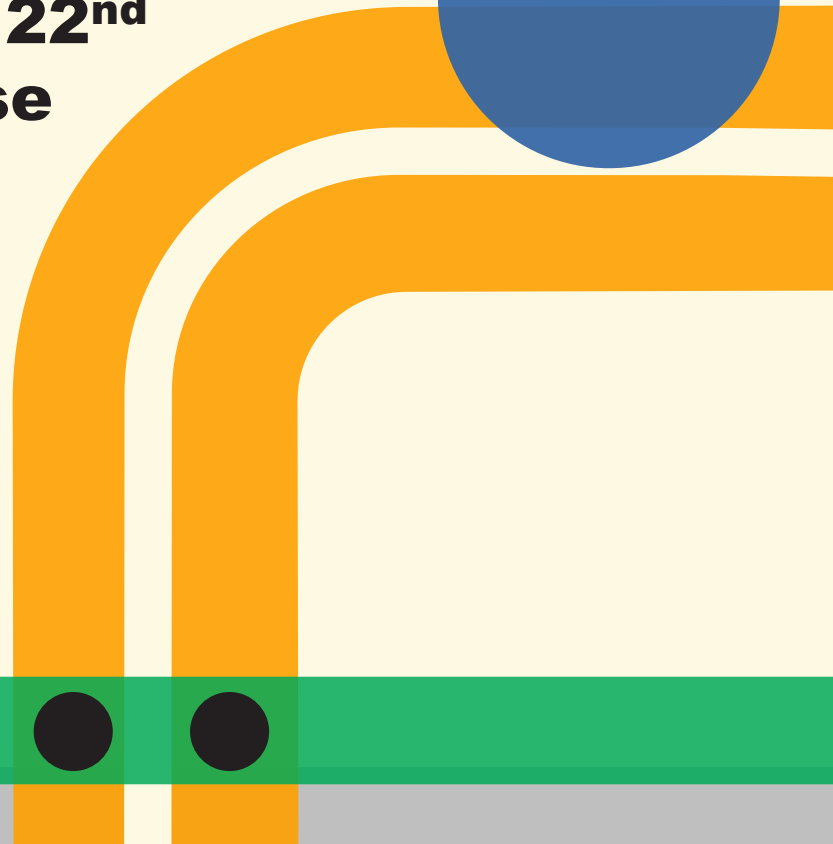
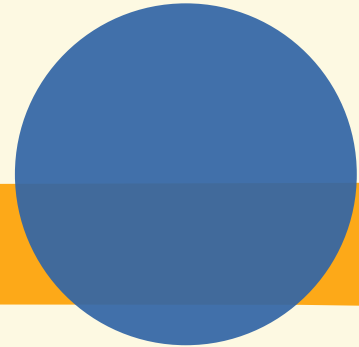


"I will unite with anyone to do right and no one to do wrong" –
Frederick Douglass

Questions? boardsynergyclub@gmail.com - (920) 544-6025
or stop by Clubhouse Classroom C February 22 @ 1:30pm
Please visit <https://boardsynergyclub.com>

★ **Next Presentation** ★

- **Thursday February 22nd**
- **1:30pm in Clubhouse Classroom C**



Governing Documents





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Governing Documents

- **Declaration of Condominium**
- **Articles of Incorporation**
- **Bylaws**
- **Rules & Regulations**
- **Amendments**





10

Declaration of Condominium

The declaration of condominium is the document or the set of documents that creates the condominium.





11

Declaration of Condominium

2014 Florida Statutes §718.104

<https://www.flsenate.gov/Laws/Statutes/2014/718.104>

Palm Beach County Official Records Search

<https://erec.mypalmbeachclerk.com/>

**Board Synergy Club Website (Created to save time,
always verify with official site or a lawyer!)**

<https://boardsynergyclub.com/records.html>

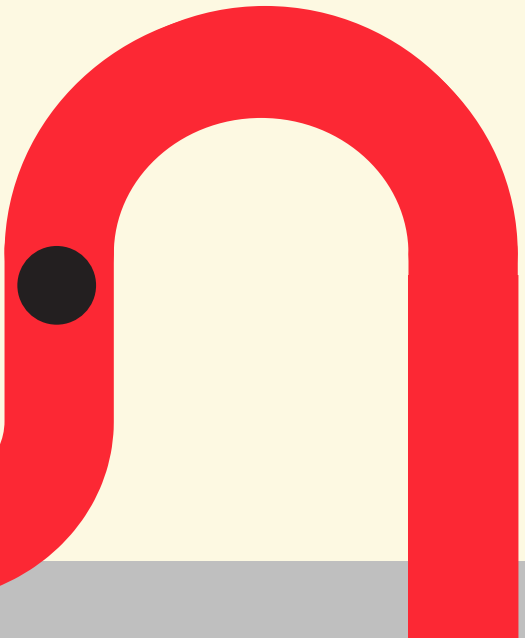




12

Kaufman Language

The “as amended from time to time” language allows for future legislative amendments to automatically apply to the documents. Attorneys refer to the “as amended from time to time” phrase as the “Kaufman” language. This term originated from the 1977 case of Kaufman v. Shere.





13

Kaufman Language

- **The Century Village West Declaration of Condominium documents appear to have this language. **Verify with your attorney.****
- **Original Declaration Page 1 Example: “R. Condominium documents means this Declaration, the By-laws, and all Exhibits annexed hereto, as the same may from time to time.”**
- **1999 UCO Model Page 2 Example: “R. Condominium documents means an original declaration as amended, this Declaration, the By-laws, and all Exhibits annexed hereto, as the same may from time to time.”**



14

Articles of Incorporation

The articles of incorporation is the original document creating the association.





15

Articles of Incorporation

Division of Corporations Search

**[https://search.sunbiz.org/Inquiry/Corporation
Search/ByAddress](https://search.sunbiz.org/Inquiry/CorporationSearch/ByAddress)**





16

Bylaws

The bylaws of the association govern the operation of the association, which may include methods of adopting and amending administrative rules and regulations governing the use of common elements, the restrictions and regulations regarding the use, maintenance, and the appearance of the units and their use of the common elements, provisions for giving electronic notice for board, committee, annual, and special meetings.





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Bylaws

Palm Beach County Official Records Search

<https://erec.mypalmbeachclerk.com/>

**Board Synergy Club Website (Created to save time,
always verify with official site or a lawyer!)**

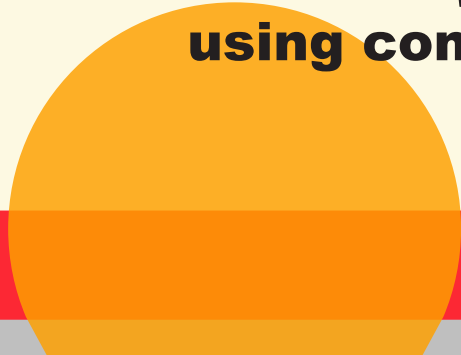
<https://boardsynergyclub.com/records.html>



18

Rules & Regulations

The condominium association has the authority to pass reasonable rules and regulations that relate to the elements of the condominium that affect the owners as a whole, such as whether pets are allowed, the use of parking spaces and the weight of vehicles. Rules and regulations are created to promote the health, happiness, and peace of mind of the majority of the unit owners since they are living in close proximity and using common facilities.





19

Amendments

- **Governing documents will have procedures for amending, otherwise statutes procedures apply (2/3 of units must approve)**
- **Must underline, strikethrough, etc.**





20

Amendments

- **Declaration of Condominium – See VII (3/4 of total vote of members)**

This Declaration may be amended at any regular or special meeting of the unit owners of this Condominium, called and convened in accordance with the By-Laws, by the affirmative vote of Voting Members casting not less than three-fourths (3/4ths) of the total vote of the members of the Association.

- **Bylaws – See Article X.**

(2) The Amendment shall be approved by the affirmative vote of the voting members casting not less than three-fourths (3/4ths) of the total votes of the unit owners; and,



21

Amendments

- **1999 UCO Model Documents**

VII METHOD OF AMENDMENT DECLARATION

This Declaration may be amended at any regular or special meeting of the unit owners of this Condominium, called and convened in accordance with the By-Laws, by the affirmative vote of Voting Members casting not less than ~~three-fourths (3/4ths)~~ two-thirds (2/3) of the total vote of ~~the members of the Association.~~ those present in person or proxy provided a quorum is present.

ARTICLE X. AMENDMENTS TO THE BY-LAWS

The By-Laws may be altered, amended or added to at any duly called meeting of the unit owners provided:

- (1) Notice of the meeting shall contain a statement of the proposed Amendment.
- (2) The Amendment shall be approved by the affirmative vote of the voting members casting not less than ~~three-fourths (3/4ths)~~ two-thirds (2/3) of those present in person or proxy (provided a quorum is present) of the ~~total votes of~~ the unit owners; and



22

Amendments

In my opinion this was a significant change.

My interpretation is:

- **Before (26-unit)**
 - **$26 \times \frac{3}{4} = 20$ (three-fourths majority)**
- **After**
 - **$26 \times 51\% = 14$ (Quorum)**
 - **$14 \times \frac{2}{3} = 10$ (two-thirds majority)**

This is not legal advice! Contact a lawyer to verify this is how to interpret this.



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Recording Requirements

- **Amendments are “Effective and enforceable once recorded in public record of the county.”**



Example

Northampton A

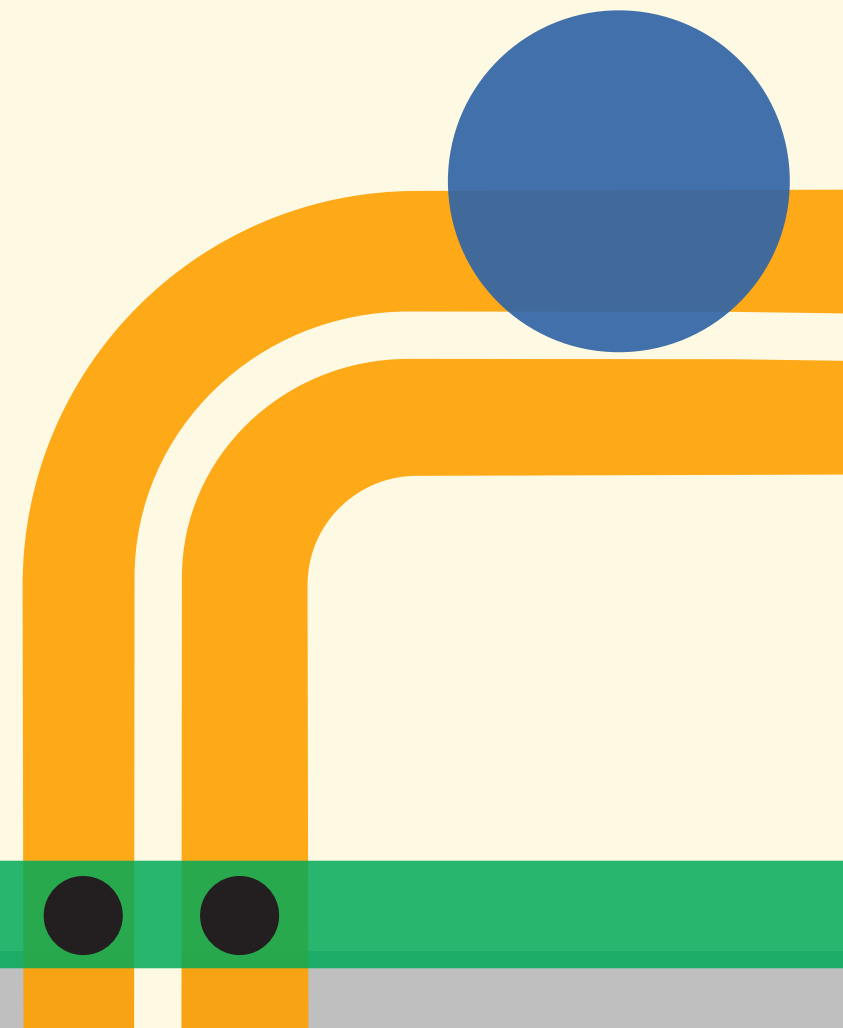




25

Example – Northampton A

We had our lawyer assemble our current governing documents. Here is what it contains.





26

1st Document

1999 UCO Model – 66 Pages

How to find?

- **Northampton A 4/25/2005 Amendment references UCO 3/31/1999 Master Amendment in Book 11019 Page 728**



27

2nd Document

1972 Survey – 4 Pages

How to find?

- **Northampton A 12/4/1972 Declaration of Condominium Pages 14-17 (766-769)**



28

3rd Document

1972 Articles of Incorporation – 1 Page

How to find?

- **Northampton A 12/4/1972 Declaration of Condominium Pages 13 (765)**



29

4th Document

1999 UCO Model Amendment – 2 Pages

How to find?

- **UCO Amendment 8/21/1999 in Book 11307
Page 1062**



30

5th Document

2000 “UCO” Amendment – 6 Pages

How to find?

- **Northampton A/”UCO” Amendment
4/18/2000**
- **All associations added on 4/18/2000**
- **Made by the President of UCO**



31

6th Document

2005 Amendment – 3 Pages

How to find?

- **Northampton A Amendment 4/25/2005**
- **Adoption of 1999 UCO Model Master Documents**



32

7th Document

2017 Amendment – 4 Pages

How to find?

- **Northampton A Amendment 4/21/2017**
- **Rental changes**

Closing Thoughts

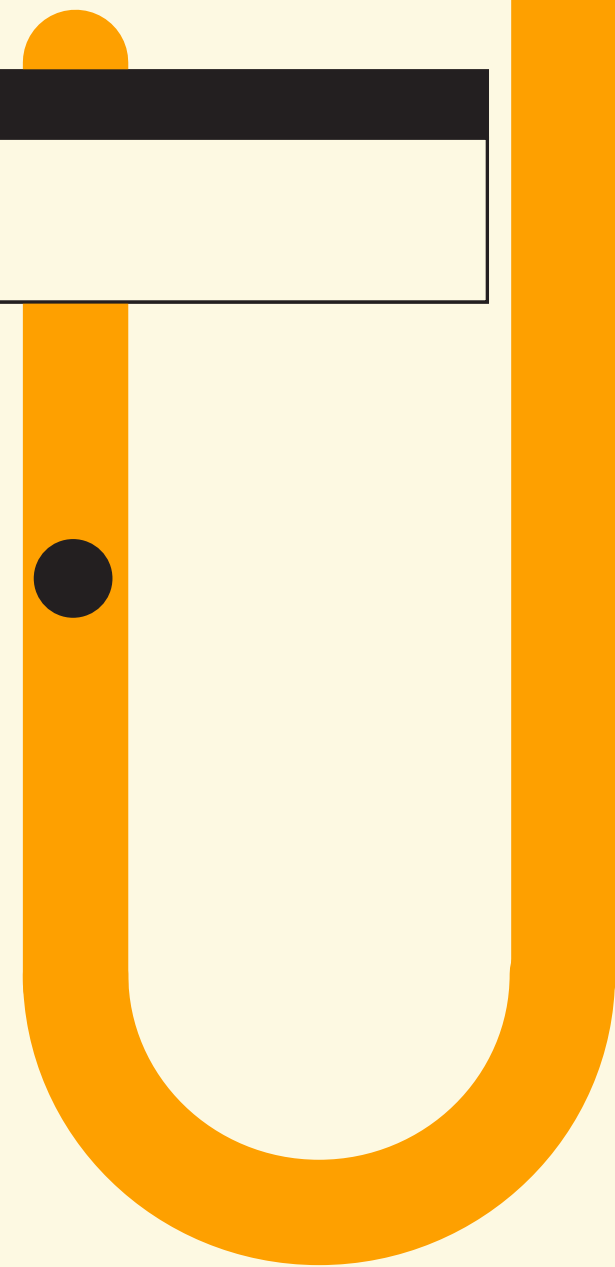
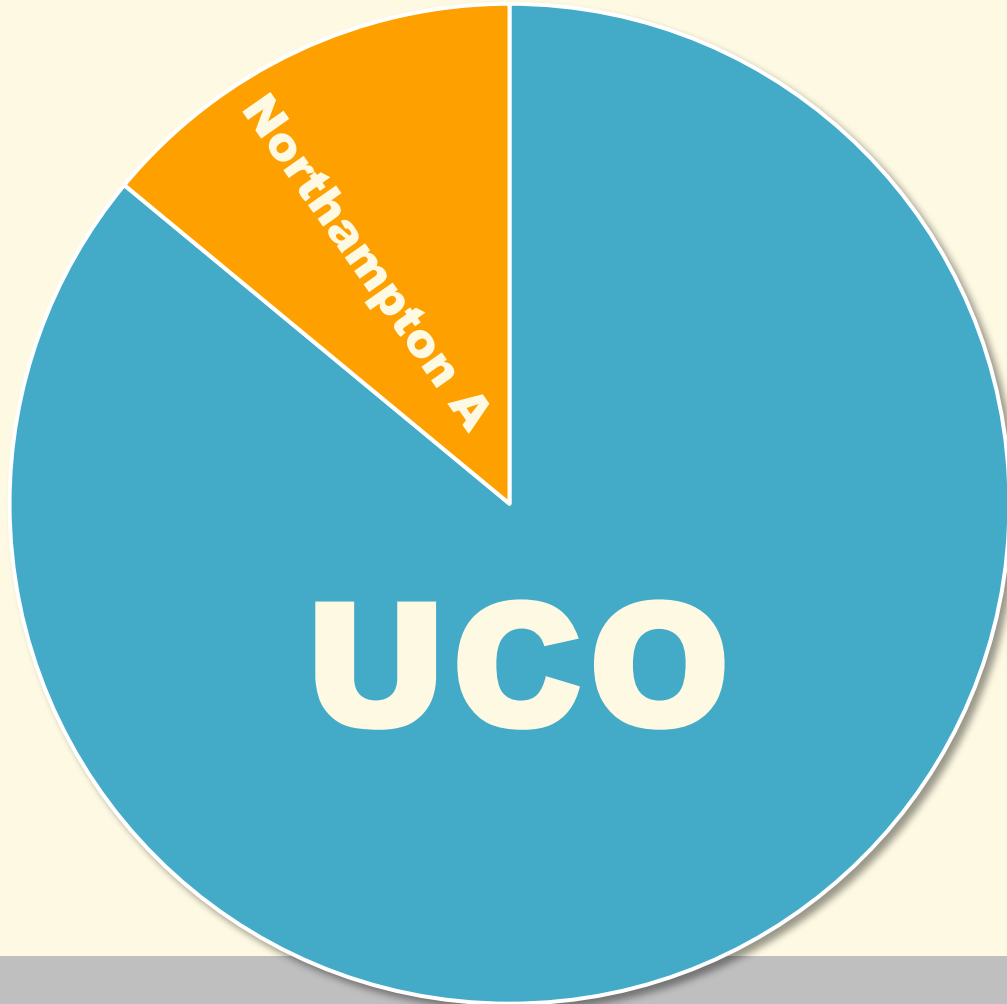




34

UCO's Role

Source of Northampton A Current Governing Documents





35

UCO's Role

I believe it is a good thing that most of our governing documents were provided by UCO! We should not be doing many things 309 times or 309 different ways.



36

Closing Credits

I am the mouthpiece of this club, but none of this would have happened without the ideas, feedback, and contributions of a great group of people.

A decorative graphic on the left side of the page consists of thick, rounded lines in red and orange. A vertical orange line runs down the left side, with two horizontal red lines crossing it. To the right, a vertical red line runs down, with a green circle overlapping it. There are two black dots: one at the intersection of the orange and red lines, and another on the red line to the right.

Thank You

boardsynergyclub@gmail.com

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www.facebook.com/groups/centuryvillageboardmembers