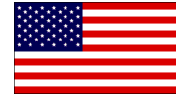




THE BY-LAWS



Leisure World Mobile Home Park Association, Inc. 6100 138th Ave. N, Clearwater, FL 33760-3627 (727) 536-0594

ARTICLE 1. NAME AND LOCATION

The name of the corporation is Leisure World Mobile Home Park Association, Inc. hereinafter referred to as the "Association". The principal office of the corporation is located at 6100 - 138th Avenue North, Clearwater, Florida, 33760-3627 where meetings of members and Directors shall be held. In the event meetings cannot be held at this location, they may be held at such other local address as designated by the Board of Directors.

ARTICLE II. DEFINITIONS

- Section 1. "Association" shall mean and refer to Leisure World Mobile Home Park Association, Inc., its successors and assigns.
- Section 2. "Properties" shall mean and refer to that certain real property described in the Declaration of Covenants, Conditions and Restrictions, and such additions thereto as may hereafter be brought within the jurisdiction of the Association.
- Section 3. "Common Area" shall mean all real property owned by the Association for the common use and enjoyment of the owners.
- Section 4. "Lot" shall mean and refer to any plot of land with the exception of the common area as originally recorded in Plat Book 69 pages 42, 73 and 74, Public Records of Pinellas County, Florida. (Note: there are 268 plots (lots) in the Association.)
- Section 5. "Owner" shall mean and refer to the record Owner; whether one or more persons or entities, of the fee simple title to any lot, which is a part of the Properties, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation. (Note: holders of a security interest (typically a mortgage holder.) in a property are not members of the Association unless they are also listed on the property deed.)
- Section 6. "Governing Documents" of the Association shall mean and refer to The Articles of Incorporation, "The Articles", The Declaration of Covenants, Conditions and Restrictions, "The Declaration", The By-Laws, and all appropriate state statutes. (Note: Currently Chapter 617 defines the regulations for Not for Profit Corporations and Chapter 720 defines specific regulations for Home Owners Associations.)
- Section 7. "Member" shall mean and refer to those persons entitled to membership as provided in the "The Declaration".
- Section 8. "Board of Directors" shall mean and refer to that body of elected Officers and Directors at Large, charged with the management of the Association's affairs.

ARTICLE III. MEETING OF MEMBERS

Section 1. Annual Meetings

The Annual meeting and the election of Directors shall be held the second Tuesday of December each year at a time set by the Board of Directors. The newly designated Board of Directors shall assume office at the Board of Directors meeting on the first Tuesday of January. The retiring Directors shall also attend the Board of Directors meeting in January.

Section 2. Regular Meetings

Regular meetings of the members may be held monthly October thru March on the second Tuesday of the month at 7:30 PM and shall be conducted according to the current edition of Robert's Rules of Order.

Any member in default of payment of an assessment including interest, fees and costs, levied by the Association shall be considered not to be a member in "good standing" and shall be denied voting rights and admittance to the meeting.

Section 3. Special Meetings

Special meetings of the members may be called at any time by the President or by the Board of Directors, or upon written request of one fourth ($\frac{1}{4}$) of the membership in good standing. (Note: ($\frac{1}{4}$) of the membership is sixty seven. (67))

Section 4. Notice of Special Meetings

Written notice of each special meeting of the members shall be given by, or at the direction of the Secretary or person authorized to call the meeting, by notice posted at the office, and before such meeting, delivered to each member entitled to vote thereat by newsletter. Such notice shall be given at least fifteen days (15) days prior to the meeting and shall specify the date, time, and purpose of the meeting.

Section 5. Quorum

The presence at a meeting of one tenth ($\frac{1}{10}$) of the members in good standing, either in person or by proxy shall constitute a quorum for any action otherwise provided in the Articles of Incorporation, The Declaration of Covenants Conditions and Restrictions or these By-Laws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote thereat shall have power to adjourn the meeting from time to time, without notice other than by announcement at the meeting, until a quorum as aforesaid shall be present or be represented. (Note: $\frac{1}{10}$ of the members is twenty seven. (27))

Section 6. Proxies

At all members meetings, members may vote in person or by proxy. Proxies must be in writing on a form approved by the Board of Directors and must be notarized. The **Original Proxy** must be presented to the Secretary to be photocopied, at least forty eight (48) hours prior to the meeting stating when they are to be used. A copy will be kept in the Association Office. Every proxy shall be revocable, shall automatically cease upon conveyance by the member of his/her lot and shall be in force from date of issuance for a period of ninety days (90). Proxies shall be held by and voted by a member in "good standing" in the Association. Proxies must list the date, time and for what type of meeting it will be used. (Note: FS 720.306 (6))

ARTICLE IV. BOARD OF DIRECTORS AND OFFICERS, ELECTION, TERM OF OFFICE

Section 1. Number

A Board of seven (7) Directors, who must be members of the Association shall manage the affairs of this Association. The Board of Directors shall consist of four (4) Officers: a President, a Vice-President, a Secretary, a Treasurer, and three (3) Directors at Large. All Directors shall be elected by the membership. The number of Directors may be changed by amendment of the By-Laws. All Officers and Directors must occupy a parcel (lot) in Leisure World. (Note: FS 617.0802 (2))

Section 2. Term of Office

- a. The term of office for each of the four (4) officers shall be two years (2). At the annual meeting, the membership shall elect the number of officers necessary to replace those officers whose terms have expired. At each Annual Meeting, the membership shall also elect one (1) Directors at Large for a term of three years (3).
- b. Any vacancy occurring on the Board of Directors due to death, resignation or removal of shall be filled by appointment by the Board. Such appointee shall serve only until the next annual election (Note: December) and shall have his or her successor elected to the remainder of the unexpired term of the Director or Officer who is being replaced.
- c. Officers and Directors may not exchange offices while serving a term of office.

Section 3. Resignation and Removal

A member of the Board of Directors may resign at any time by giving written notice to the Board, stating the date of effect of such resignation, and it shall be accepted as thus. A member of the Board who resigns shall be barred from serving again for a period of one (1) year.

Any member of the Board of Directors may be removed with or without just cause by a majority vote of the all the members. The total number of votes eligible to be cast is two-hundred sixty-eight (268); therefore there must be a minimum of one-hundred thirty-five (135) actual votes cast demanding removal of any Officer or Director. (Note: FS 617.0808 (2))

Section 4. Compensation

No Director shall receive compensation for any service he/she may render to the Association as a Board Member. However, any Director may be reimbursed for his/her actual expenses incurred in the performance of his/her duties. Any member in good standing may be compensated for providing additional services to the Association and may serve on the Board of Directors, providing that all compensation received for additional services is incidental to their service as a Board Member.

ARTICLE V. NOMINATION AND ELECTION TO THE BOARD OF DIRECTORS AND OFFICERS

Section 1. Nomination

A nominating committee shall be appointed by the Board of Directors sixty days (60) prior to the annual meeting. (Note: October general meeting). The nominating committee shall consist of a Chairman, who shall be a member of the Board of Directors and two (2) or more members of the Association.

ARTICLE V. NOMINATION AND ELECTION TO THE BOARD OF DIRECTORS AND OFFICERS
(Continued)

The procedure for nominations shall be as follows:

- a. Nominations shall be made by the nominating committee and by the Association membership.

There shall be no discrimination against any nominated member in good standing because of race, color, creed, sex, religion or residential status. Nominees must be at least 18 years of age. (Note: FS 617.0802 (1))

- b. Nominations made by either source shall be made in writing or from the floor at the regular meeting prior to the annual meeting. (Note: November general meeting.)
- c. A list of all nominations, whether made by the nominating committee or by the membership, shall be submitted to the Board of Directors at the close of business of the regular meeting prior to the annual meeting. (Note: November general meeting.)
- d. All persons who nominate and all nominees must be members of the Association in good standing.
- e. Election ballots shall contain the names of all nominees for the office for which they were nominated. To exclude a name is a violation of The By-Laws and State Law.

Section 2. Election

Election to the Board of Directors shall be by secret written ballot at the annual meeting. Members may vote in person, by proxy or by absentee ballot, and may cast, in respect to each vacancy as many votes as they are entitled to exercise under the provisions of the Declaration of Covenants Conditions and Restrictions. The persons receiving the largest number of votes shall be elected. Cumulative voting is not permitted. Candidates un-opposed for office shall be considered elected by acclamation. If all candidates are un-opposed, **no** election will be held.

Those members wishing to cast absentee ballots may do so, providing they notify the Secretary in writing no later than twenty-one days (21) prior to the election. All absentee ballots shall be returned in this manner:

After voting for the candidates of your choice, the ballot shall be folded, placed in the envelope provided, and sealed. This sealed envelope shall then be placed in a second envelope and addressed as follows:

Leisure World Home Owner's Association
C/O Nominating Committee Chairman
6100 - 138th Avenue North, Clearwater, FL 33760-3627

The outer envelope shall also bear the name and address of the member entitled to cast the absentee ballot, but no markings or other means of identification shall be entered upon the sealed envelope containing the ballot. The sealed ballots will be opened the night of the election by the nominating Chairman and tallied along with all eligible votes by the nominating committee.

ARTICLE V. NOMINATION AND ELECTION TO THE BOARD OF DIRECTORS (Continued)

Section 3. Multiple Offices

No Director shall simultaneously hold more than one office.

ARTICLE VI. MEETINGS OF DIRECTORS AND OFFICERS

Section 1. Regular Board Meetings

Regular meetings of the Board of Directors shall be held monthly on the first Tuesday at 7:30 PM and shall be open to the general membership. Meetings between the Board and its attorney with respect to proposed or pending litigation where the contents of the discussion would otherwise be governed by attorney-client privilege and meetings for other reasons permitted by State Statutes shall be closed to the members. (Note: FS 720.303 (2) (a) (b) (c))

Should said meeting fall upon a legal holiday, then that meeting may be held on the next day which is not a legal holiday.

Any member in good standing may be allowed to speak about an agenda item for three minutes (3). Members requesting that an item be placed on the agenda are required to obtain a written petition of twenty percent (20%) of the total voting interests. Twenty percent (20%) of the total voting interests are fifty-four (54). If the Board receives a successful petition, the item will be placed on the agenda within sixty days (60). A notice will be posted on the common area and will be included in the newsletter. (Note: FS 720.303 (3) (d))

Section 2. Special Meetings

Special meetings of the Board of Directors shall be held when called by the President of the Association, or by any two Directors, after not less than three days (3) notice to each Director.

Section 3. Quorum

A majority of the number of Directors shall constitute a quorum for the transaction of business. Every act or decision done or made by a majority of the Directors present at a duly held meeting at which a quorum is present shall be regarded as the act of the Board.

Section 4. Action Taken Without a Meeting

The Directors shall have the right to take any action in the absence of a meeting, which they could take at a meeting by obtaining the written approval of all Directors. Any action so approved shall have the same effect as though taken at a meeting of the Directors.

ARTICLE VII. POWERS AND DUTIES OF THE BOARD OF DIRECTORS AND OFFICERS

Section 1. Powers

- a. Adopt and publish rules and regulations governing the use of the common area and facilities, and the personal conduct of the members, residents, guests and invitees thereon, and to establish penalties for the infractions of published rules and regulations.

ARTICLE VII. POWERS AND DUTIES OF THE BOARD OF DIRECTORS AND OFFICERS (Continued)

- b. Suspend the voting rights and use of the recreational facilities of a member, resident, guests or invitees during any period in which such member shall be in default in the payment of any assessment levied by the Association. Such rights may also be suspended after a fourteen-day (14) notice of hearing, for a period not to exceed sixty days (60) for infractions of published rules and regulations. (Note: FS 720.305 (2) (a))
- c. Exercise for the Association all powers, duties and authority vested in or delegated to this Association and not reserved to the membership by other provision of these By-Laws, the Articles of Incorporation, The Declaration of Covenants Conditions and Restrictions and all appropriate State Statutes.
- d. May declare the office of a member of the Board of Directors to be vacant in the event such Member shall be absent from three (3) consecutive regular meetings of the Board of Directors.
- e. Employ a manager, an independent contractor, or such other employees as they deem necessary and to prescribe their duties.
- f. Require all members of the Board of Directors to take an oath of office at the time of their assuming office. Oath of Office to read as follows: "I, (name) promise to abide by and enforce the rules and regulations as stated in the Articles of Incorporation, the Declaration of Covenants, Conditions and Restrictions, the By-Laws and State Statutes governing Leisure World Mobile Home Park Association, Inc., and will execute the duties of my office to the best of my ability." Dated: Signed:

Section 2. Duties

It shall be the duty of the Board of Directors to:

- a. Cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the members at the annual meeting of the members.
- b. Supervise all officers, agents and employees of this Association, and to see that their duties are properly performed.
- c. As more fully provided in the Declaration of Covenants Conditions and Restrictions to:
 - 1. Fix the amount of the annual assessment against each lot at least thirty days (30) in advance of each annual assessment period.
 - 2. Send written notice of each assessment to every owner subject thereto at least thirty days (30) in advance of each annual assessment period.
 - 3. May foreclose the lien against any property for which assessments are not paid subject to all governing documents, regulations and any waiting periods prescribed by state statutes or to bring an action at law against the owner personally obligated to pay the same.

Section 2. Duties (Continued)

- d. Issue, or to cause an appropriate office to issue upon demand by any person, a certificate setting forth whether or not any assessment has been paid. The Board for the issuance of these certificates may make a reasonable charge. If a certificate states an assessment has been paid, such certificate shall be conclusive evidence of such payment.
- e. Procure and maintain adequate liability and hazard insurance on property owned by the Association.
- f. Cause all officers or employees having fiscal responsibilities to be bonded.
- g. Cause the common area to be maintained.
- h. At all times, act in the best interest of the entire membership.

ARTICLE VIII. SPECIAL DUTIES OF OFFICERS AND DIRECTORS AT LARGE

- A. President The President shall preside at all meetings of the Board of Directors; shall see that the orders and resolutions of the Board are carried out; shall sign all leases, mortgages, deeds and other written instruments and shall co-sign all checks and promissory notes.
- B. Vice-President The Vice-President shall act in the place and stead of the President in the event of his absence, inability or refusal to act, and shall exercise and discharge other duties as maybe required by him/her by the Board.
- C. Secretary The Secretary shall record the votes and keep the minutes of all meetings and proceedings of the Board and of the members; keep the Corporate Seal of the Association and affix it on all papers requiring said seal, serve notice of meetings of the Board and of the members, keep appropriate current records showing the members of the Association together with their addresses, and shall perform such other duties as required by the Board.
- D. Treasurer The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association; and shall disburse such funds as directed by resolution of the Board of Directors, shall sign all checks and promissory notes of the Association; keep proper books of accounts, cause an annual compilation of the Association books to be made by a public accountant and at the completion of each fiscal year shall prepare an annual budget and a statement of income and expenditures to be made available to the membership at the February general meeting. A public accountant shall complete all necessary tax returns.
- E. Directors The Directors at Large shall at all times show concern for the welfare of the entire membership and conduct themselves accordingly. They shall direct the officers in the performance of their duties and in general act as arbiters to resolve problems arising among the membership.

ARTICLE IX. COMMITTEES

The Association shall appoint a Nominating Committee, as provided in these By-Laws. In addition, the Board of Directors shall appoint other committees as deemed appropriate in carrying out its purpose.

ARTICLE IX. COMMITTEES (Continued)

Members, either individually or through a committee, may submit in writing to the Board of Directors their ideas and/or suggestions for consideration concerning the rules, regulations, restrictions or other matters pertaining to the Association.

ARTICLE X. BOOKS AND RECORDS

The books, records and papers of the Association shall: within ten days (10) after a written request or during reasonable business hours and with prior appointment, be subject to inspection by any member of the Association in good standing. Records may not be removed from the office. Photocopies may be made of records not subject to attorney-client privilege or for any other lawful reasons permitted by state statutes. A reasonable charge may be imposed for photocopies. (Note: FS 720.303 (5))

ARTICLE XI. ASSESSMENTS

Section 1. As more fully provided in the Declaration, each member is obligated to pay to the Association annual and special assessments, which are secured by a continuing lien upon the property against which the assessment is made. Assessment amounts must be the same for each lot, regardless of the payment schedule chosen.

- a. The assessment year will begin January 1 and end December 31.
- b. Assessments are due on the first day of the month. There will be a grace period of ten days (10). Assessments not paid by the 11th of that month are considered delinquent.
- c. Schedule for each assessment period selected:
 1. If paid annually, are due January 1 for the current year.
 2. If paid semi-annually, are due January 1 for January through June, and July 1 for July through December of the current year.
 3. If paid quarterly, are due January 1 for January through March, April 1 for April through June, July 1 for July through September, and October 1 for October through December of the current year.
 4. If paid monthly, are due the first day of each month.

Section 2. Any assessments, which are not paid when due shall be delinquent. If the assessment is not paid within the calendar month after the due date, the assessment shall bear interest from the date of delinquency at the rate of six percent (6) per annum. In addition, lawful fees permitted by the governing documents or state statutes may be added. The Association may bring an action at law against the owner personally obligated to pay same, or foreclose the lien against the property subject to all rules and regulations prescribed by the governing documents and appropriate state statutes. (Note: FS 720.3085 (4) (a))

No owner may waive or escape liability for assessments provided for herein by non-use of the common area or abandonment of his parcel (lot).

ARTICLE XII. CORPORATE SEAL

The Association shall have a seal in circular form having within its circumference the words:

LEISURE WORLD MOBILE HOME PARK ASSOCIATION, INC., FLORIDA, A
CORPORATION NOT FOR PROFIT.

ARTICLE XIII. AMENDMENTS

- Section 1. These By-Laws may be amended at a regular meeting of the members, by a vote of a majority of a quorum of members present, in person or by proxy. The amendment must first be submitted in writing at any regular membership meeting, and then presented to each member through the newsletter, which follows this meeting. It shall then be voted on at the next regularly scheduled meeting.
- Section 2. In the case of any conflict between The Articles of Incorporation and these By-Laws, The Articles of Incorporation shall control, and in case of any conflict between The Declaration of Covenants, Conditions and Restrictions and these By-Laws, The Declaration of Covenants, Conditions and Restrictions shall control. The Association shall comply with all appropriate state statutes. Should any governing document conflict with the state statutes, the appropriate state statute shall control. (Note: Current applicable State Statutes are Chapter 617 and Chapter 720.)

Notes:

- These amended By-Laws were respectfully submitted to the Board of Directors, voted upon and adopted by the membership on March 9, 2010.
- The Association is comprised of 268 parcels (lots).
- State Statutes Chapter 617 deals primarily with members and Board Members (Rights & Qualifications etc.)
- Chapter 720 deals primarily with the operations of a Homeowners Association.
- Notes and references have only been included to clarify the language, reference relevant documents and sources.
- All attempts have been made to ensure accuracy.

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