

BY-LAWS  
OF  
HACIENDA DEL MAR CONDOMINIUM ASSOCIATION, INC.  
(a corporation not for profit)

1. IDENTITY.

These are the By-Laws of HACIENDA DEL MAR CONDOMINIUM ASSOCIATION, INC., a corporation not for profit of the State of Florida, the Articles of Incorporation of which were filed in the office of the Secretary of State on the 26<sup>th</sup> day of February, 1974.

HACIENDA DEL MAR CONDOMINIUM ASSOCIATION, INC., herein after called "Association" or "Corporation", has been organized for the purpose of administering the operation and management of a condominium apartment project established or to be established in accordance with the Condominium Act of the State of Florida by GEM Developers, Inc., a Florida corporation, hereinafter called "Developer", upon lands described in said Articles of Incorporation, situate, lying and being in Brevard County, Florida.

(a) The provisions of these By-Laws are applicable to said condominium and the terms and provisions hereof are expressly subject to the effect of the terms, provisions, conditions and authorizations contained in the Articles of Incorporation and which may be contained in the Declaration of Condominium which is to be recorded in the Public Records of Brevard County, Florida. The terms and provisions of said Articles of Incorporation and Declaration of Condominium are to be controlling whenever the same may be in conflict herewith.

(b) All present or future owners, tenants, future tenants or their employees, or any other person that might use said condominium or any of the facilities thereof in any manner are subject to the regulations set forth in these By-Laws and in said Articles of Incorporation and Declaration of Condominium.

(c) The mere acquisition or rental of any of the family units (hereinafter referred to as "units") of the project or the mere act of occupancy of any of said units will signify that these By-Laws, Charter provisions and regulations in the Declaration of Condominium are accepted, ratified and will be complied with.

(d) The fiscal year of the Association shall be the calendar year.

(e) The seal of the Association shall bear the name of the Association, the word "Florida", the words "a corporation not for profit" and the year of incorporation.

(f) The office of the Association shall be at 326 East Merritt Island Causeway, Merritt Island, Florida 32952.

(g) Anything in these By-Laws to the contrary notwithstanding, the said By-Laws shall not become applicable or effective, insofar as the management of the condominium project is concerned, until actual management of the condominium project is delivered and turned over to this non-profit corporation, the management of said condominium project being vested in the Developer until said turn-over, which shall be no later than July 1st, 1975. Until a turn-over is perfected as set out above, the Developer shall retain management of the condominium project, and in so doing shall collect all assessments, the same being payable to the Developer during this interim.

2. MEMBERSHIP, VOTING, QUORUM, PROXIES.

(a) The qualifications of members, the manner of their admission to membership and termination of such membership, and voting by members, shall be as set forth in Article IV of the Articles of Incorporation of the Association, the provisions of which Article IV of the Articles of Incorporation are incorporated herein by reference.

(b) A quorum of member's meetings shall consist of persons entitled to cast a majority of the votes of the entire membership. Joinder of a member in the action of a meeting by signing and concurring in the Minutes thereof shall constitute the presence of such person for the purpose of determining a quorum.

(c) The vote of the owners of an apartment unit owned by more than one (1) person or by a corporation or other entity shall be cast by the person named in the written notice signed by all of the owners of the apartment unit filed with the Secretary of the Association, and such written notice shall be valid until revoked by subsequent written notice. If such written notice is not on file or not produced at the meeting, the vote of such owners shall not be considered in determining the requirement for a quorum, nor for any other purpose.

(d) Any unit owned by the Association shall not be entitled to vote as a member or be considered in determining the requirement for a quorum.

(e) Votes may be cast in person or by proxy. Proxies shall be valid only for the particular meeting designated thereon, and must be filed with the Secretary before the appointed time of the meeting.

(f) Approval or disapproval of an apartment unit owner upon any matters, whether or not the subject of an Association meeting, shall be by the same person who would cast the vote of such owner if in an Association meeting.

(g) Except where otherwise required under the provisions of the Articles of Incorporation of the Association, these By-Laws, the Declaration of Condominium or where the same may otherwise be required by law, the affirmative vote of the owners of a majority of the apartment units represented at any duly called members' meeting of which a quorum is present will be binding upon the members.

3. ANNUAL AND SPECIAL MEETINGS OF MEMBERSHIP.

(a) The annual members' meeting shall be held at the office of the Association at 7:00 o'clock P. M., Eastern Standard Time, on the second (2nd) Monday in January of each year for the purpose of electing Directors by the members; provided, however, that if that day is a legal holiday, the meeting shall be held at the same hour on the next succeeding Monday.

(b) Special members' meetings shall be held whenever called by the President or Vice-President or by a majority of the Board of Directors, and must be called by officers upon receipt of a written request from members owning a majority of the apartment units. The notice of any special meeting shall state the time and place of such meeting and the purpose thereof. No business shall be transacted at a special meeting except as stated in the notice, unless by consent of four-fifths (4/5) of the votes present, either in person or by proxy.

(c) Notice of all members' meetings, regular or special, shall be given by the President, Vice-President, Secretary or Treasurer of the Association, or other officer of the Association in the absence of said officers, to each member, unless waived in

writing, such notice to be written or printed and to state the time, place and object for which the meeting is called. Such notice shall be given to each member not less than ten (10) days, nor more than sixty (60) days prior to the date set for such meeting, which notice shall be mailed or presented personally to each member within said time. If presented personally, receipt of such notice shall be signed by the member, indicating the date on which such notice was received by him. If mailed, such notice shall be deemed to be properly given when deposited in the United States Mails, addressed to the member at his post office address as it appears on the records of the Association, the postage thereon prepaid. Proof of such mailing shall be given by the affidavit of the person giving such notice. Any member may, by written waiver of notice signed by such member, waive such notice; and such waiver, when filed in the records of the Association, whether before or after the holding of the meeting, shall be deemed equivalent to the giving of such notice to such member. If any members' meeting cannot be organized because a quorum has not attended, or because a greater percentage of the membership required to constitute a quorum of attendance may be required as set forth in the Articles of Incorporation, these By-Laws or the Declaration of Condominium, the members who are present, either in person or by proxy, may adjourn the meeting from time to time until a quorum or the required percentage of attendance, if greater than a quorum, is present.

(d) At meetings of membership, the President, or in his absence, the Vice-President, shall preside, or in the absence of both, the membership shall elect a Chairman.

(e) The order of business at annual members' meetings, and as far as practical, at any other members' meetings, shall be:

- (i) Calling the roll and certifying of proxies.
- (ii) Proof of notice of meeting or waiver of notice.
- (iii) Reading of Minutes.
- (iv) Reports of officers.
- (v) Reports of committees.
- (vi) Appointment of Chairman of Inspectors of Election.
- (vii) Election of Directors.
- (viii) Unfinished business.
- (ix) New business.
- (x) Adjournment.

(f) Meetings of the Association shall be held at the principal office of the Association or such other suitable place convenient to the owners as may be designated by the Board of Directors.

#### 4. BOARD OF DIRECTORS AND OFFICERS.

(a) Each Director elected at the first annual meeting of the members and at each annual members' meeting thereafter shall serve for the term of one (1) year or until his successor is duly elected. Directors may be removed with or without cause by an affirmative vote of the members owning in excess of 50% of the apartment units in the condominium at a special meeting called for such purpose.

(b) Election of Directors shall be conducted in the following manner:

(i) Each member of the Board of Directors shall be elected by a plurality of the votes cast at the annual meeting of the members of the Association.

(ii) Vacancies in the Board of Directors may be filled until the date of the next annual meeting by the majority vote of the remaining Directors.

(c) The organization meeting of a newly elected Board of Directors shall be held within ten (10) days of their election, at such time and at such place 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 provided a quorum shall be present.

(d) The officers of the Association shall be elected annually by the Board of Directors at the organization meeting of each new Board, and shall hold office at the pleasure of the Board.

(e) Upon an affirmative vote of a majority of the members of the Board of Directors, any officer may be removed, either with or without cause, and his successor elected at any regular meeting of the Board of Directors, or any special meeting of the Board called for such purpose.

(f) 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, but at least six (6) bi-monthly meetings shall be held during each calendar year. Notice of regular meetings shall be given to each Director, personally or by mail, telephone or telegram, at least ten (10) days prior to the day named for such meeting, unless notice is waived.

(g) Special meetings of the Directors may be called by the President, and must be called by the Secretary at the written request of two (2) Directors. Not less than three (3) days' notice of a meeting shall be given to each Director, personally or by mail, telephone or telegram, which notice shall state the time, place and purpose of the meeting.

(h) 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. Attendance by a Director at any meeting of the Board shall be waiver of notice by him of the time and place thereof. If all the Directors are present at any meeting of the Board, no notice shall be required and any business may be transacted at such meeting.

(i) A quorum of a Directors' meeting shall consist of the Directors entitled to cast a majority of the votes of the entire Board. The acts of the Board approved by a majority of the votes present at the meeting at which a quorum is present shall constitute the acts of the Board of Directors, except as specifically otherwise provided in the Articles of Incorporation, By-Laws or Declaration of Condominium. If any Directors' meeting cannot be organized because a quorum has not attended, or because the greater percentage of Directors required to constitute a quorum for particular purposes has not attended, whenever the latter percentage of attendance may be required, Directors who are present may adjourn the meeting from time to time until a quorum or required percentage attendance if greater than a quorum is present. At any adjourned meeting any business which might have been transacted at the meeting as originally called may be transacted without further notice. The joinder of a Director in the action of a meeting by signing and concurring in the Minutes thereof shall constitute the presence of such Director for the purpose of determining a quorum.

(j) The presiding officer of Directors' meetings shall be the President. In the absence of the President, the Vice-President shall preside.

(k) Directors' fees, if any, shall be determined by the members.

(l) All the powers and duties of the Association shall be exercised by the Board of Directors, including those powers existing under the common law and statutes, Articles of Incorporation of the Association, these By-Laws and the Declaration of Condominium, and shall include, without limiting the generality of the foregoing, the following:

(i) To make, levy and collect assessments against members and members' apartment units to defray the costs of the condominium, and to use the proceeds of said assessments in the exercise of the powers and duties granted unto the Association.

(ii) The maintenance, repair, replacement, operation and management of the condominium wherever the same is required to be done and accomplished by the Association for the benefit of its members.

(iii) The reconstruction of improvements after casualty, and further improvement of the property, real and personal.

(iv) To make and amend regulations governing the use of the property, real and personal, in the condominium, so long as such regulations or amendments thereto do not conflict with the restrictions and limitations which may be placed upon a use of such property under the terms of the Articles of Incorporation and Declaration of Condominium.

(v) To approve or disapprove proposed purchasers and lessees of apartment units in the manner specified in the Declaration of Condominium.

(vi) To acquire, operate, lease, manage and otherwise trade and deal with property, real and personal, including apartment units in the condominium, as may be necessary or convenient in operating and managing the condominium, and in accomplishing the purposes set forth in the Declaration of Condominium.

(vii) To contract for the management of the condominium and to delegate to such contractor all of the powers and duties of the Association, except those which may be required by the Declaration of Condominium to have approval of the Board of Directors or membership of the Association.

(viii) To enforce by legal means the provisions of the Articles of Incorporation, the By-Laws, the Declaration of Condominium, and any regulations hereinafter promulgated governing the use of the property in the condominium.

(ix) To pay all taxes and assessments which are liens against any part of the condominium other than apartment units and the appurtenances thereto, and to assess the same against the members and their respective apartment units subject to such liens.

(x) To carry insurance for the protection of the members and the Association against casualty and liability.

(xi) To pay all costs of power, water, sewer and other utility services rendered to the condominium and not billed to the owners of the separate apartment units; and

(xii) To employ personnel to perform the services required for proper administration of the Association.

(m) The undertaking and contracts authorized by the said first Board of Directors shall be binding upon the Association in the same manner as though such undertakings and contracts had been authorized by the first Board of Directors duly elected by the membership.

5. OFFICERS.

(a) The principal officers of the Association shall be a President, Vice-President, Secretary and a Treasurer. The President shall be elected from among the membership of the Board of Directors, but no other officer needs to be a Director. The Directors may appoint an Assistant Secretary, an Assistant Treasurer and such other officers as in their judgment may be necessary.

(b) The President shall be the chief executive officer of the Association. He shall preside at all meetings of the Association and of the Board of Directors. He shall have all of the general powers and duties which are usually vested in the office of President of an association, including, but not limited to, the power to appoint committees from among the owners, from time to time as he may in his discretion decide is appropriate, to assist in the conduct of the affairs of the Association.

(c) The Vice-President shall take the place of the President and perform his duties whenever the President shall be absent or unable to act. If neither the President nor the Vice-President is able to act, the Board of Directors shall appoint some other member of the Board to do so on an interim basis. The Vice-President shall also perform such other duties as shall from time to time be imposed upon him by the Board of Directors.

(d) The Secretary shall have custody of, and maintain, all of the corporate records, except the financial records; shall record the Minutes of all meetings of the Board of Directors and send out notices of meetings, and perform such other duties as may be directed by the Board of Directors and President. He shall have custody of the seal of the Association and affix the same to instruments requiring a seal when duly signed.

(e) 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.

6. FISCAL MANAGEMENT.

The management of the condominium in fiscal matters will be governed by the terms and provisions of any agreements made by the Association for the management and operation of said condominium. However, in the event such agreements are not made, or if they do not contain provisions for fiscal management, or at the termination of any such agreements, fiscal management will be as set forth in the Declaration of Condominium, supplemented by the following:

(a) Accounts. The receipts and expenditures of the Association will be credited and charged to accounts under the following classifications, as shall be appropriate, all of which expenditures will be common expenses.

(i) Current expense, which will include all 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 will be applied to reduce the assessments for current expenses for the succeeding year.

(ii) Reserve for deferred maintenance, which will include funds for maintenance items that occur less frequently than annually.

(iii) Reserve for replacement, which will include funds for repair or replacement required because of damage, depreciation or obsolescence.

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

(b) Budget. The Board of Directors will adopt a combined budget for each calendar year that will include the estimated funds required to defray the common expenses and to provide and maintain funds for the foregoing accounts and reserves according to good accounting practices, as follows:

(i) Current expense.

(ii) Reserve for deferred maintenance, the amount for which will not exceed 110% of the budget for this account for the prior year.

(iii) Reserve for replacement, the amount for which will not exceed 110% of the budget for the account for the prior year.

(iv) 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; and further, provided, however, that until the Developer has completed all of the contemplated improvements and closed the sales of all of the apartments of the condominium established by it upon said land, or until it elects to terminate its control of the Association, or until July 1st, 1975, whichever first occurs, the Board of Directors may omit from the budget all allowances for contingencies and reserves.

(v) Copies of the budget and proposed assessments will be transmitted to each member on or before December 1st preceding the year for which the budget is made. If the budget is amended subsequently, a copy of the amended budget will be furnished to each member.

(c) Assessments. Assessments against the apartment owners for their shares of the items of the budget will be made for the calendar year annually in advance on or before December 20th preceding the year for which the assessments are made. Such assessments will be due in equal monthly installments on the first day of each month of the year for which the assessments are made. If an annual assessment is not made as required, an assessment will be presumed to have been made in the amount of the last prior assessment and monthly installments on such assessments will 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 from time to time by the Board of Directors if the accounts of the amended budget do not exceed such limitation as would be subject to the approval of the membership of the Association as previously required by these By-Laws. The unpaid assessment for the remaining portion of the calendar year for which the amended assessment is made will be due in equal monthly installments on the first day of each month remaining in the year for which such amended assessment is made.

(d) 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 owner, and then the unpaid balance of the assessment will come due upon the date stated in the notice, but not less than ten (10) days after hand-delivery of the notice to the apartment owner, nor less than twenty (20) days after mailing of such notice to him by registered or certified mail, whichever shall first occur.

(e) Assessments for emergencies. Assessments for common expenses of emergencies that cannot be paid from the annual assessments for common expenses will be made only after notice of the need for such is given to the members. After such notice and upon

approval by not less than 75% of the membership of the Association, the assessment will become effective, and it will be due after thirty (30) days' notice in such manner as the Board of Directors of the Association may require in the notice of assessment.

(f) The depository of the Association will be such bank or banks as shall be designated from time to time by the Directors and in which the monies of the Association will be deposited. Withdrawal of monies from such accounts will be only by checks signed by such persons as are authorized by the Directors.

(g) An audit of the accounts of the Association will be made annually and a copy of the audit report will be furnished to each member not later than April 1st of the year following the year for which the audit is made.

(h) Fidelity bonds shall be required by the Directors from all officers and employees of the Association and from any contractor handling or responsible for Association funds. The amount of such bonds shall be determined by the Directors, but shall be at least the amount of the total annual assessments against members for common expenses. The premiums on such bonds shall be paid by the Association.

7. PARLIAMENTARY RULES.

Robert's Rules of Order (latest edition) shall govern the conduct of corporate proceedings when not in conflict with the Articles of Incorporation, these By-Laws, the Declaration of Condominium or with the Statutes of the State of Florida.

8. AMENDMENTS TO BY-LAWS.

Amendments to these By-Laws shall be proposed and adopted in the following manner:

(a) Amendments to these By-Laws may be proposed by the Board of Directors of the Association acting upon vote of the majority of the Directors, or by a majority of the members of the Association, whether meeting as members or by instrument in writing signed by them.

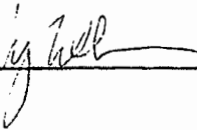
(b) Upon any amendment or amendments to these By-Laws being proposed by said Board of Directors or members, such proposed amendment or amendments shall be transmitted to the President of the Association or other officer of the Association in the absence of the President, who shall thereupon call a special meeting of the members for a date not sooner than ten (10) days nor later than sixty (60) days from receipt by such officer of the proposed amendment or amendments, and it shall be the duty of the Secretary to give each member written or printed notice of such meeting in the same form and in the same manner as notice of the call of a special meeting of the members is required as herein set forth.

(c) In order for such amendment or amendments to become effective the same must be approved by an affirmative vote of the members owning not less than two-thirds (2/3) of the apartment units in the condominium. Thereupon, such amendment or amendments to these By-Laws shall be transcribed, certified by the President and Secretary of the Association, and a copy thereof shall be recorded in the Public Records of Brevard County, Florida, within ten (10) days from the date on which any amendment or amendments have been affirmatively approved by the members.

(d) At any meeting held to consider such amendment or amendments to the By-Laws, the written vote of any member of the Association shall be recognized if such member is not in attendance at such meeting or represented thereat by proxy, provided such written vote is delivered to the Secretary of the Association at or prior to such meeting.

PGS 1459 and 889

The undersigned, being the Secretary of HACIENDA DEL MAR  
CONDOMINIUM ASSOCIATION, INC., a corporation not for profit,  
under the laws of the State of Florida, does hereby certify that  
the foregoing By-Laws were adopted as the By-Laws of said Associa-  
tion at a meeting held for such purpose, on the 15<sup>th</sup>  
day of February, 1974.

  
\_\_\_\_\_  
Secretary

564228

THIRD AMENDMENT

*Landy Crawford* Clerk Circuit Court  
 Recorded and Verified Brevard County, FL  
 # Pgs. 2 # Names 2  
 Trust Fund 1.50 Rec Fee 9.00  
 Excise Tx \_\_\_\_\_  
 Stamp Tax \_\_\_\_\_ Int Tx \_\_\_\_\_  
 Service Chg \_\_\_\_\_ Refund \_\_\_\_\_

TO

DECLARATION OF HACIENDA DEL MAR CONDOMINIUM ASSOCIATION, INC

The Declaration of Condominium establishing Hacienda del Mar, a

Condominium, as recorded in the Official Record Book 1459, Page 839, Public

Records of Brevard County, Florida, was amended on October 20, 1993, based on

statutory requirements of Section 718.112(2)(d)3, Florida Statutes.

CODING: Words in *italics* are deleted from the document; underlined words are additions to the document.

4. BOARD OF DIRECTORS AND OFFICERS.

(a) Each Director elected at the first annual meeting of the members and at each annual members' meeting thereafter shall serve for the term of one (1) year or until his successor is duly elected. *Directors may be removed with or without cause by an affirmative vote of the members owning in excess of 50% of the apartment units in the condominium at a special meeting called for such purpose.*

(1) Ten percent of the voting membership may call a meeting of the unit owners to recall one or more of the members of the Board, using the procedures in paragraph 4(b)(i).

(2) Owner(s) desiring such recall action must obtain the signatures of at least ten percent of the voting owners, post a notice of recall meeting, list the names of Board members to be recalled, state that replacement board members will be selected at the recall meeting, and select a voting owner other than a recalled Board member to chair the recall meeting.

(3) The owner designated as Presiding Officer of the recall meeting must notify the board of the time and place of the recall meeting at least 10 days in advance. The meeting date cannot be more than 60 days from the first date of the recall petition action.

(4) The Presiding Officer will appoint a Recorder for the recall meeting, a voting owner who is not a Board member subject to the recall action. The Presiding Officer will also designate a voting owner, other than a Board member who is a subject of the recall action, to serve as a representative to receive pleadings, notices, or other papers on behalf of the recalling unit owners in the event the Board disputes the recall. One voting owner, not a Board member who is a subject of the recall action, may serve in more than one of these capacities.

(5) If all of the members of the Board are not subject to the recall action, the recall does not have to include election of replacement Board members, since remaining Board members may select replacements as authorized by paragraph 4(b)(ii), below.



ROBERT BROOKS  
1305 S. ATLANTIC AVE.  
COCOA BEACH, FL 32937

BX3374PG0466

Third Amendment to Declaration of Hacienda del Mar Condominium Association

(b) Election of Directors shall be conducted in the following manner:

(i) Each member of the Board of Directors shall be elected by a plurality of the votes cast at the annual meeting of the members of the Association.

(1) Members of the Board of Directors will be elected by the following procedures:

(a) Written ballot or voting machine. Proxies are not allowed in general elections or elections to fill vacancies caused by recall, resignation, or otherwise. No write-in candidates are allowed. An election and balloting are not required unless more candidates file notices of intent to run or are nominated than vacancies exist on the board.

(b) Elections will be held at the annual meetings of the membership conducted at 7 PM on the second Monday in January in the Recreation Room of the Association.

(c) Not less than 60 days prior to that meeting, the Secretary will notify each owner entitled to vote of that meeting.

(d) Any eligible owner desiring to serve on the Board must notify the Secretary of intent to be a candidate for the Board not less than 40 days before the annual meeting. An eligible owner may nominate another owner, with the written permission of the candidate.

(e) If desired, the candidate may submit an information sheet about the candidate on 8.5 by 11 inch paper. The Association is responsible for the cost of copying and mailing such materials but is not responsible for the veracity and incurs no liability for the contents of information sheets.

(f) Not less than 30 days prior to the annual meeting, the Secretary will send to all eligible owners a second notice of the annual meeting, together with a list of candidates and any information sheets submitted by candidates.

(g) Each voting owner will be provided with a ballot, an inner envelope into which to place the completed ballot, and an outer envelope addressed to the Association and identifying the number of the unit. The voting owner will sign the outer envelope and mail or deliver it to the Secretary of the Association.

(h) Any voting owner who has not so voted may do so by completing a ballot at the annual meeting. No unit owner shall permit any other person to vote his or her ballot, and any such ballots improperly cast shall be deemed invalid. A unit owner who needs assistance in casting the ballot for reasons stated in Florida Statute 101.051 may obtain assistance in casting the ballot. Any unit owner violating this provision may be fined by the association in accordance with Florida Statute 718.303.

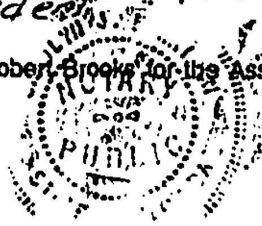
(i) Election will be decided at the annual meeting by a plurality of those ballots cast. There is no quorum requirement, but at least 20% of the eligible voters must cast a ballot in order to have a valid election of members of the board of directors.



*RR Brooks, President* F.L.D.L. B620-716-30-443

This instrument was prepared by Robert Brooks for the Association.

*Nov. 12, 1993*  
*Carolyn J. NARRISON* A518151  
*CAROLYN J. NARRISON*  
NOTARY PUBLIC, STATE OF FLORIDA.  
MY COMMISSION EXPIRES: Oct. 20, 1995.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.



Page 2 of 2 Pages

BX3374PG0467

STATE OF FLORIDA  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me this NOV 12, 1993 (Date)

by ROBERT BROOKS, who is personally known to me (Name of person acknowledging)

or who has produced MILITARY ID 258-34-7583 (Type of identification)

as identification.  
Carolyn J. Narrison Notary Public, Commission No A518151  
CAROLYN J. NARRISON (Name of Notary typed, printed, or stamped)



(SEAL ABOVE)

NOTARY PUBLIC, STATE OF FLORIDA.  
MY COMMISSION EXPIRES: Oct. 20, 1995.  
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to an unauthorized document.

THIS CERTIFICATE  
MUST BE ATTACHED  
TO THE DOCUMENT  
DESCRIBED AT RIGHT:

Title or Type of Document AMENDMENT TO CONDOMINIUM DOCUMENT  
Number of Pages 2 Date of Document NOV 12, 1993  
Signer(s) Other than Named Above NONE

# Hacienda Del Mar Condominium Association, Inc.

1305 S Atlantic Avenue, Cocoa Beach, Florida 32931-2359

## TENTH AMENDMENT

TO

### DECLARATIONS OF HACIENDA DEL MAR CONDOMINIUM ASSOCIATION, INC

The Declaration of Condominium establishing Hacienda del Mar, a Condominium, as recorded in the Official Record Book 1459, Page 839, Public Records of Brevard County, Florida, is amended as follows

CODING Words in ~~strikeout~~ are deleted from the Document and words in underscore are added to the Document

The following is deleted

BY LAWS  
OF  
HACIENDA DEL MAR CONDOMINIUM ASSOCIATION, INC  
(A corporation not for profit)

3 ANNUAL AND SPECIAL MEETINGS OF MEMBERSHIP

The following is deleted

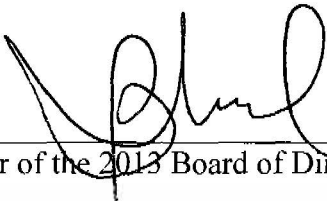
Paragraph 3(a)

~~The annual members' meeting shall be held at the office of the Association at 7:00 o'clock P.M., Eastern Standard Time, on the second (2<sup>nd</sup>) Monday in January of each year for the purpose of electing Directors by the members, provided, however, that if that day is a legal holiday, the meeting shall be held at the same hour on the next succeeding Monday.~~

The following is added

Paragraph 3(a)

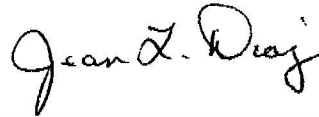
The annual members' meeting shall be held at the Common Room (aka Recreation Room) at the Condominium at 10 A M Eastern Standard Time on the second Saturday in January of each year for the purpose of electing Directors by the members

SIGNATURE  1/28/13  
TITLE Member of the 2013 Board of Directors for purpose of preparing this amendment

This instrument prepared for the Association by Brenda Keel, 1305 S Atlantic Avenue, Cocoa Beach, FL 32931-2359

State of Florida  
County of Brevard

Sworn to and subscribed before me this  
30th day of January 2013.



 **JEAN L. DIAZ**  
MY COMMISSION # DD 864302  
EXPIRES February 25, 2013  
Bonded Thru Budget Notary Services

**This Instrument Prepared by  
and Record and Return to:**

John L. Soileau, Esq.  
Watson, Soileau, DeLeo & Burgett, P.A.  
3490 North US Highway 1  
Cocoa, Florida 32926  
Our File No · 2958.000319

**CERTIFICATE OF AMENDMENT  
TO BY-LAWS FOR  
HACIENDA DEL MAR CONDOMINIUM ASSOCIATION, INC.**

Pursuant to Section 718.112(1), Florida Statutes (2021), and the provisions of the Declaration of HACIENDA DEL MAR CONDOMINIUM (“Declaration”) recorded in Official Records Book 1459, Page 839, Public Records of Brevard County, Florida and pursuant to the approval of the Association at a duly-noticed meeting thereof, which was held on **October 4, 2021**, in the manner required, the By-Laws are amended as follows:

**1. Paragraph 6(g) of the By-Laws is deleted, as follows:**

**6. FISCAL MANAGEMENT.**

~~(g) An audit of the accounts of the Association will be made annually and a copy of the audit report will be furnished to each member not later than April 1<sup>st</sup> of the year following the year for which the audit is made.~~

**IN WITNESS WHEREOF**, the Association has caused this instrument to be signed in its name and by its President and Secretary, for purposes of recording in the Brevard County Public Records as required by the Florida Condominium Act.

**CERTIFICATE OF ASSOCIATION**

The undersigned officers of HACIENDA DEL MAR CONDOMINIUM ASSOCIATION, INC. hereby certify that the foregoing Amendment to the By-Laws of Condominium was adopted by the Association at a duly called meeting held on October 4, 2021.

HACIENDA DEL MAR CONDOMINIUM ASSOCIATION, INC.

WITNESSES:

X Cynthia Kolombo
Print Name: Cindy Kolombo

X Jean Diaz
Print Name: Jean Diaz

BY: [Signature]
Print Name: Brenda Keel
Brenda Keel, President
Address: 1305 S. ATLANTIC AVE #470
COCO BEACH FL 32931

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this 13th day of October, 2021, by Brenda Keel, as president of Hacienda Del Mar Condominium Association, Inc., on behalf of the corporation, who is personally known to me or who produced [ ] as identification and did not take an oath.



JEAN DIAZ
Commission # HH 094014
Expires February 25, 2025
Bonded Thru Budget Notary Service

Notary Public
[Signature]
Name:
State of Florida at Large (SEAL)
My Commission Expires:

HACIENDA DEL MAR CONDOMINIUM ASSOCIATION, INC.

WITNESSES:

X Cynthia Kolombo
Print Name: Cindy Kolombo

X Jean Diaz
Print Name: Jean Diaz

BY: [Signature]
Print Name: Ellen Orr
Ellen Orr, Secretary Treasurer
Address: 1305 S. ATLANTIC AVE # 110
COCO BEACH FL 32931

STATE OF FLORIDA
COUNTY OF BREVARD

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this 13th day of October, 2021, by Ellen Orr, as Secretary of Hacienda Del Mar Condominium Association, Inc., on behalf of the corporation, who is personally known to me or who produced [ ] as identification and did not take an oath.



JEAN DIAZ
Commission # HH 094014
Expires February 25, 2025
Bonded Thru Budget Notary Service

Notary Public
[Signature]
Name:
State of Florida at Large (SEAL)
My Commission Expires: