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FORM 7 ORIGINAL
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APPLICATION FOR NONPROFIT ASSOCIATION EXEMPTION
SECTION 367.022(7), FLORIDA STATUTES
RULE 25-30.060(3)(g), FLORIDA ADMINISTRATIVE CODE

NAME OF SYSTEM: Oyster Creek Mobile Home Park Condominium Assoc. Inc.

PHYSICAL ADDRESS OF SYSTEM: 6767 San Casa Dr. #101
Englewood Fl. 34224

MAILING ADDRESS (IF DIFFERENT): Same

COUNTY: Charlotte

PRIMARY CONTACT PERSON:

ACK _____ NAME: Jean E. Roehrs

AFA _____ ADDRESS: 6767 San Casa Dr. #101

APP _____ Englewood, Fl. 34224

CAF _____ PHONE #: 813-426-1563

CTR _____ NATURE OF APPLICANT'S BUSINESS ORGANIZATION: (CORPORATION,
EAG _____ PARTNERSHIP, SOLE PROPRIETOR, ETC.) Land Cooperative
LEG Commons

LIV _____ I believe this system to be exempt from the regulation of the
OPC _____ Florida Public Service Commission pursuant to Section 367.022(7),
Florida Statutes, for the following reasons:

RCH _____ ① The corporation, association, or cooperative is
SEC 1 nonprofit.

WAS taken ② Service will be provided solely to members who own
OTH _____ and control it.

3. The system provides (CHOOSE THE ONE THAT IS APPLICABLE):
Water only _____
Wastewater only X
Both _____

* There is no billing for sewer service.

4. N/A (Oyster Creek MHP Condo. Assoc. Inc.) will do the billing for such service.

5. The service area is located at: 6767 San Casa Dr. DATE
Englewood, FL 34224 11/5/88 NOV 21 88

RECEIVED
MAY 21 1994
MAIL ROOM

APPLICATION FOR NONPROFIT ASSOCIATION EXEMPTION

6. Attached are the articles of incorporation as filed with the Secretary of State and bylaws which clearly show the requirements for membership, that the members' voting rights are one vote per unit of ownership and the circumstances under which control of the corporation passes to the non-developer members. Control of the corporation must pass: 1) at 51 percent ownership by the non-developer members or 2) at some greater percentage delimited by a time period not to exceed 5 years from the date of incorporation.

n. proof of ownership
7. Attached is proof of ownership of the utility facilities and the land upon which the facilities will be located or other proof of the applicant's right to continued use of the land, such as a 99-year lease. The Commission may consider a written easement or other cost effective alternative.

I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in Section 775.082, S. 775.083, or S. 775.084.

Jean E. Roehrs
(Applicant please print or type)

Nov. 14 1994
(Date)

Jean E. Roehrs
(Signature)

President
(Title)

When you finish filling out the application, the original and two copies of the application, Articles of Incorporation, Bylaws and proof of ownership should be mailed to: Director, Division of Records and Reporting, Florida Public Service Commission, 101 East Gaines Street, Tallahassee, Florida 32399-0850.

State of Florida



Department of State

OR 804 PG 2091

I certify that the attached is a true and correct copy of the Articles of Incorporation of

OYSTER CREEK MOBILE HOME PARK, CONDOMINIUM ASSOCIATION, INC.

*a corporation organized under the Laws of the State of Florida,
filed on October 29, 1984.*

The charter number for this corporation is W05905.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
30th day of October, 1984



WP-104 CER-101

George Firestone
Secretary of State

ARTICLES OF INCORPORATION

OF

OYSTER CREEK MOBILE HOME PARK, CONDOMINIUM ASSOCIATION
(A NON-PROFIT FLORIDA CORPORATION)

FILED
DEC 13 2 24 PM '81
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

ARTICLE I

The name of this corporation is OYSTER CREEK MOBILE HOME PARK, CONDOMINIUM ASSOCIATION, INC.

ARTICLE II

The purpose for which this corporation is organized is to act as the governing association of the proposed Oyster Creek Mobile Home Park, a Condominium located in Charlotte County, Florida.

ARTICLE III

The qualification of members and the manner of their admission shall be as follows: Any person or persons who hold title in fee simple to a condominium unit in OYSTER CREEK MOBILE HOME PARK, A CONDOMINIUM shall by virtue of such ownership be a member of this corporation.

ARTICLE IV

This corporation shall exist perpetually.

ARTICLE V

The names and residences of the subscribers to these Articles of Incorporation are as follows:

Dennis L. Dale	1900 San Casa Drive Englewood, Florida 33533
SHELLEY Erdman Dale	1900 San Casa Drive Englewood, Florida 33533
Ellen Danahy	1861 Placida Road Englewood, Florida 33533

ARTICLE VI

The affairs of the corporation are to be managed initially by a Board of three (3) Directors. The Board may be increased to any number not to exceed seven (7). The Directors will be elected each year at the annual meeting of the Condominium Association as provided for in the Bylaws.

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Exhibit "B"

ARTICLE VII

The names of the officers who are to serve until the first election or appointment under the Articles of Incorporation are:

Dennis L. Dale	President
Shelley Erdman Dale	Vice President
Ellen Danahy	Secretary/Treasurer

ARTICLE VIII

The number of persons constituting the first Board of Directors shall be three (3) and their names and addresses are as follows:

Dennis L. Dale	1900 San Casa Drive Englewood, Florida 33533
Shelley Erdman Dale	1900 San Casa Drive Englewood, Florida 33533
Ellen Danahy	1861 Placida Road Englewood, Florida 33533

ARTICLE IX

The Bylaws of the corporation are to be made, altered or rescinded by the members of the corporation as provided for in the Bylaws or by majority vote of the Board of Directors at a special or regular meeting duly called pursuant to the Bylaws.

ARTICLE X

Amendments to these Articles of Incorporation may be proposed and adopted at any regular or specially called meeting of the members of the Association by a majority vote of all the members. Due notice of the meeting must have been given as provided for in the Bylaws.

ARTICLE XI

Each unit in the condominium shall have one (1) full vote, which shall be cast by a designated owner as provided for in the Declaration of Condominium.

ARTICLE XII

No part of the net earnings of this corporation shall inure to the benefit of any member or individual, except through the acquisition, construction, management, maintenance, or care of association property or through the rebate of the excess

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membership dues, fees or assessments.

ARTICLE XIII

The purposes and objects for which this corporation is organized are any and all purposes to be performed by a corporation not for profit under Chapter 617, Florida Statutes, as same may from time to time be amended. As used herein, the term "corporation not for profit" means a corporation of which no part of the income is distributable to its members, directors and officers. Without limiting the generality of the foregoing, the purposes for which the corporation is organized shall include maintenance, preservation, administration, operation and management of OYSTER CREEK MOBILE HOME PARK, A CONDOMINIUM, formed pursuant to the Florida Condominium Act, and a Declaration of Condominium to be executed and filed in the office of the Clerk of the Circuit Court of Charlotte County, Florida.

DR 804 PG 2094

IN WITNESS WHEREOF, the undersigned subscribers have executed these Articles of Incorporation this 2nd day of October, 1984

Witnesses:

Susan E. Colvin

Dennis L. Dale (SEAL)
Dennis L. Dale

Melody Norris

Susan E. Colvin

Shelley Erdman Dale (SEAL)
Shelley Erdman Dale

Bonnie E. Kasper

Bonnie E. Kasper

Ellen Danahy (SEAL)
Ellen Danahy

Melody Norris

STATE OF FLORIDA :
COUNTY OF Charlotte :

BEFORE ME, the undersigned Notary Public authorized Notary Public authorized in the State and County aforesaid, personally appeared DENNIS L. DALE, SHELLMYERDMAN DALE and ELLEN DAMAHY, known to me and known to be the persons who executed the foregoing Articles of Incorporation, and they acknowledged before me that they executed those Articles of Incorporation.

WITNESS my hand and official seal in the State and County aforesaid this 20 day of October, 1984.

Melody Harris
Notary Public

My Commission expires:

Notary Public, State of Florida
My Commission Expires July 16, 1988
Issued New York Post, Inc., New York, NY



OR 804 PG 2095

**CERTIFICATE DESIGNATING A REGISTERED AGENT AND REGISTERED OFFICE
FOR THE SERVICE OF PROCESS**

In compliance with Section 48.091, Florida Statutes, the following is submitted:

Oyster Creek Mobile Home Park, Condominium Association, ^{INC} (a non-profit Florida Corporation) desiring to organize under the laws of the State of Florida with its principal office, as indicated in the articles of incorporation at Englewood, County of Charlotte, State of Florida, has designated Dennis L. Dale, whose street address is 1900 San Casa Drive, Englewood, County of Charlotte, State of Florida, as its agent to accept service of process within this state.

OYSTER CREEK MOBILE HOME PARK, CONDOMINIUM ASSOCIATION INC.

ACCEPTANCE

Having been designated as agent to accept service of process for the above-named corporation, at the place stated in this certificate, I hereby agree to act in this capacity and to comply with the provision of said law relative to same.

Dennis L. Dale
Registered Agent

FILED
OCT 29 2 28 PM '84
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

OR 804 PG 2096

BYLAWS

OF

OYSTER CREEK MOBILE HOME PARK

CONDOMINIUM ASSOCIATION, INC.

"A corporation not for profit under the laws
of the State of Florida."

ARTICLE I

IDENTIFICATION

1.1) Identify. These are the Bylaws of OYSTER CREEK MOBILE HOME PARK CONDOMINIUM ASSOCIATION, 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 October 29, 1984. The Association has been organized for the purpose of administering a Condominium pursuant to Chapter 718, Florida Statutes, called the Condominium Act in these Bylaws, which condominium is identified by the name OYSTER CREEK MOBILE HOME PARK, A CONDOMINIUM and is located upon lands as more particularly described in the Declaration of Condominium recorded Charlotte County, Florida.

1.2) Office. The office of the Association will be located at 1990 San Casa Drive, Englewood, Charlotte County, Florida 33533.

1.3) Fiscal Year. The fiscal year of the Association shall be the calendar year.

1.4) Seal. 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, and the impression of which is as follows:

ARTICLE II

MEMBERS' MEETINGS

2.1) Annual Meeting. The annual meeting of the members shall be held at the condominium during the period from January 1 up to and including May 1 in each calendar year provided there shall be no less than fifteen (15) days' written notice given to each unit owner, for the purpose of electing directors and transacting any other business authorized to be transacted by the members; provided, however, if that day is a legal holiday, the meeting shall be held at the same hour on the next day that is not a holiday.

2.2) Special Meetings. Special meetings of the members 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 such officers upon receipt of a written request from members entitled to cast one-half of the votes of the entire membership, or as otherwise provided by general law.

2.3) Notice of Meetings. Notice of meetings of the members stating the time and place and objects for which the meeting is

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Exhibit "C"

called shall be given by the President or Vice President or Secretary, unless waived in writing. Such notice shall be in writing to each member at his address as it appears on the books of the Association and shall be mailed not less than 14 days nor more than 60 days prior to the date of the meeting. Proof of such mailing shall be given by the affidavit of the person giving the notice. Notice of meeting may be waived before or after the meetings. Notice will also be given by posting a copy of such notice at a conspicuous place on the condominium property at least 14 days prior to the date of the meeting.

2.4) Quorum. A quorum at meetings of the members 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 Declaration of Condominium, the Articles of Incorporation, or these Bylaws. If due notice shall be given for a special or regular meeting of the members, but a quorum shall not be present at the scheduled time and place of the meeting, the Board of Directors is expressly authorized to conduct the business of the meeting until such time as a meeting attended by a quorum can be held, provided that the Board of Directors shall use due diligence in renoticing such meeting.

2.5) Voting. In any meeting of members the owners of Units shall be entitled to cast one vote for each unit owned by the member, unless the decision to be made is elsewhere required to be determined in another manner. If a unit is owned by one person, his right to vote shall be established by the record title to his unit. If a unit is owned by more than one person, or is under lease, the person to cast the vote for the unit shall be designated by a certificate signed by all of the record owners of the unit and filed with the Secretary of the Association. If a unit is owned by a corporation, the person entitled to cast the vote for the unit 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 certificate shall be valid until revoked or until superseded by a subsequent certificate or until a change in the ownership of the unit concerned. A certificate designating the person entitled to cast the vote of a unit may be revoked by any owner of a unit. If such a certificate is not on file, the vote of such owners shall not be considered in determining the requirement for a quorum or 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 of the Association before the appointed time of the meeting, or any adjournment of the meeting.

A proxy may be voted by the individual holding same on any matter which may lawfully come before the meeting.

2.7) Adjourned Meeting. If any meeting of the 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 annual meetings of the members, and as far as practical at other meetings of the members, shall be:

- a. Election of Chairman of the meeting.

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- b. Calling of the roll and certifying or proxies.
- c. Proof of notice of meeting, or waiver of notice.
- d. Reading and disposal of any unapproved minutes.
- e. Reports of committees.
- f. Reports of Officers.
- g. Election of inspectors of election.
- h. Election of Directors.
- i. Unfinished business.
- j. New business.
- k. Adjournment.

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ARTICLE III

DIRECTORS

3.1 Number. The affairs of the Association shall be managed by the Board of not less than three nor more than nine Directors, the exact number to be determined at the time of the election.

3.2 Election of Directors. The election of Directors shall be conducted in the following manner:

a. Election of Directors shall be held at the annual meeting of the members.

b. A nominating committee of two members shall be appointed by the Board of Directors not less than fifteen days prior to the annual meeting of members. The committee shall nominate one person for each Director then serving. Nominations for additional directorships created at the meeting shall be made from the floor, and other nominations may be made from the floor.

c. The election shall be by ballot (unless dispensed by unanimous consent) and by a plurality of the votes cast, each person voting being entitled to cast his votes for each of as many nominees as there are vacancies to be filled. There shall be no cumulative voting.

d. Except as to vacancies provided by removal of Directors by members, vacancies in the Board of Directors occurring between annual meetings of members shall be filled by the remaining Directors.

e. Any Director may be removed with or without cause by concurrence of a majority of the votes of the entire membership at a special meeting of the members called for that purpose. The vacancy in the Board of Directors so created shall be filled by the members of the Association at the same meeting.

f. Provided, however, that Developer shall be empowered to elect Directors of the Association pursuant to the Declaration of Condominium.

3.3) Term. The term 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) Organization Meeting. The organization meeting of a newly elected Board of Directors shall be held within 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.

3.5) Regular Meetings. 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 mail, telephone or telegraph, at least three days prior to the day named for such meeting. Meetings of the Board of Directors shall be open to all unit owners and notices of said meetings shall be posted conspicuously on the condominium property 48 hours in advance for the attention of the unit owners except in cases of emergency.

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 24 hours notice of the meeting shall be given personally or by mail, telephone or telegraph, which notice shall state the term, place and purpose of the meeting. Special meetings shall be held only in cases 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 Director's meetings shall consist of a majority of the entire Board of Directors. 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 Declaration 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) Presiding Officer. The presiding officer of Directors' meetings shall be the Chairman of the Board, if such an officer has been elected; and if none, the President shall preside. In the absence of the presiding officer, the Directors present shall designate one of their number to preside.

3.11) Order of Business. The order of business at Directors' meetings shall be:

- a. Call of Roll.
- b. Proof of due notice of meetings.
- c. Reading and disposal of any unapproved minutes.
- d. Reports of officers and committees.
- e. Election of officers.
- f. Unfinished Business.
- g. New business.

h. Adjournment.

3.12) Directors' Fees. Directors' fees, if any, shall be determined by the members. In addition, Directors may be reimbursed for travel expenses incurred in conducting association business in such amounts as may be determined by the members at a special or regular meeting.

ARTICLE IV

POWERS AND DUTIES OF THE BOARD OF DIRECTORS

4.1) All of the powers and duties of the Association existing under the Condominium Act, Declaration of Condominium, Articles of Incorporation and these Bylaws shall be exercised exclusively by the Board of Directors, or its duly authorized agents, contractors, or employees subject only to the approval by unit owners when such is specifically required. Such powers and duties of the Directors shall include but shall not be limited to the following:

a. To make and collect assessments against members to defray the costs, expenses and losses of the condominium and association property.

b. To use the proceeds of assessments in the exercise of its powers and duties.

c. The maintenance, repair, replacements and operation of the condominium property.

d. The reconstruction of improvements after casualty and the further improvements of the property.

e. To make and amend regulations respecting the use of the property in the condominium.

f. To approve or disapprove proposed transactions in the manner provided by the Condominium Declaration.

g. To enforce by legal means the provisions of applicable laws, the Condominium documents, Declaration of Condominium, the Bylaws of the Association, and the Regulations for the use of the property within the condominium.

h. To contract for management of the condominium and to delegate to such contractor such powers and duties of the Association except as are specifically required by the condominium documents or applicable laws to have approval of the Board of Directors or the membership of the Association.

i. To pay taxes and assessments which are liens against any part of the condominium other than individual units and appurtenances thereto, and to assess the same against the unit subject to such liens.

j. To carry insurance for the protection of apartment owners and the Association against casualty and liabilities.

k. To pay the cost of all power, water, sewer and other utility services rendered to the condominium and not billed to owners of individual units.

l. To employ personnel for reasonable compensation to perform the services required for proper administration of the purposes of the Association.

m. To acquire and to enter into agreements whereby it

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acquires leaseholds, memberships and other possessory or use interest in lands or facilities whether or not contiguous to the lands of the Condominium intended to provide for the enjoyment, recreation or other use and benefit of the unit owners within the Condominium.

n. To contract for the management or operation of portions of the common elements susceptible to separate management or operation and to lease such property.

o. To purchase units in the Condominium subject to any restrictions to set forth within the Declaration of Condominium and to acquire and hold, lease, mortgage and convey same.

p. To maintain a class action on behalf of the Association and to settle a cause of action on behalf of the unit owners with reference to matters of common interest.

ARTICLE V

OFFICERS

5.1) Executive Officers. The executive officers of the Association shall be a President who shall be a Director; a Treasurer; a Secretary and an Assistant Secretary, all of whom shall be elected annually by the Board of Directors and who may be preemptorily removed by vote of the Directors at any meeting. Any person may hold two or more offices, except that the President shall not also be the Secretary or an Assistant Secretary. 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.

5.2) President. 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 president of an association, including but not limited to the power to appoint committee from among the members from time to time, as he in his discretion may determine appropriate, to assist in the conduct of the affairs of the Association.

5.3) Secretary. 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.

5.4) Treasurer. The Treasurer shall have custody of all property of the Association, including funds, securities and evidence of indebtedness. He shall keep the books of the Association in accordance with good accounting practice and he shall perform all other duties incident to the office of Treasurer.

5.5) Compensation. The compensation of all officers and employees of the Association shall be fixed by the Directors. The provisions that Directors' fees shall be determined by members of the Association, nor preclude the contracting with a Director for the management of the condominium.

DR 804 PG 2102

5.6) Indemnification of Directors and Officers. Every Director and officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon him in connection with any proceeding to which he may be a party, or in which he may become involved, by reason of his being or having been a director or officer of the Association, at the time such expenses were incurred, except in such cases wherein the Director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance in the performance of his required duties, provided that in the event of a settlement the indemnification herein shall apply only when the Board of Directors shall approve such settlement and reimbursement as being for the best interests of the Association. The foregoing rights of indemnification shall be in addition to and not exclusive of all other rights to which such director or officer may be entitled. At the expense of the Association, the directors are authorized upon majority vote to obtain director's and officer's liability insurance.

ARTICLE VI

FISCAL MANAGEMENT

The provisions for fiscal management of the Association set forth in the Declaration shall be supplemented by the following provisions:

6.1) Assessment Roll. The assessment roll shall be maintained in a set of accounting books in which there shall be an account for each unit. Such an account 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 come due, the amounts paid upon the account, and the balance due upon assessment.

6.2) Budget. The Board of Directors shall adopt a budget for each calendar year which shall contain estimates of the cost of performing the functions of the Association. The budget shall include estimated common expenses and a reasonable allowance for contingencies and reserves less the unneeded fund balances on hand, if any. Copies of the budget and proposed assessments shall be transmitted to each unit owner not less than 30 days prior to the meeting at which the budget will be considered together with notice of that meeting. Such notice shall include the time and place at which the meeting of the Board of Directors to consider the budget shall be held, and such meeting shall be open to unit owners. If the budget is substantially amended before the assessments are made a copy of the amended budget shall be furnished. The budget shall contain a reserve for capital expenditures ~~PREVIOUS TO F.Y. 1979.~~
(1979).

6.3) The Depository. The depository of the Association shall be such bank or banks in Florida as shall be designated from time to time by the Directors and in which the moneys for 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.

6.4) Audit. An audit of the accounts of the Association shall be made annually by a certified public accountant, and a copy of the report shall be furnished to each member not later than April 15 of the year following the year for which the report is made.

6.5) Bonds. Fidelity bonds shall be required by the Board of 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 Board of Directors. However, the amount of such bonds shall not be less than one-half or one-third of the amount of the total annual assessments against members for common expenses. The premiums on such bonds shall be paid by the Association.

ARTICLE VII

PARLIAMENTARY RULES

7.1) Roberts' 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.

ARTICLE VIII

AMENDMENTS

8.1) Amendments. Amendments to the Bylaws shall be proposed in the following manner.

a. 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.

b. A resolution adopting a proposed amendment must receive approval of 66% of the votes of the membership of the Board of Directors and 51% of the votes of the entire membership of the Association. Directors and members not present at the meetings considering the amendments may express their approval in writing.

c. An amendment may be proposed by either the Board of Directors or by the membership of the Association, and after being proposed and approved by one of such bodies it must be approved by the other.

d. When an amendment has been so adopted, a copy of same 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 when such certificate and copy of amendment are recorded in the Public Records of Charlotte County, Florida.

e. These Bylaws shall be amended, if necessary, so as to make the same consistent with the provisions of the Declaration of Condominium.

f. Weight of votes cast by members of the Association shall be one vote for each unit.

g. When a quorum is present at any meeting, the holders of a majority of the voting rights present in person or represented by written proxy shall decide any question brought before the meeting, unless the question is one upon which by expressed provision of applicable laws, the Condominium Declaration, the Articles of Incorporation, or by the Bylaws a different percentage is required, in which case such expressed provision shall govern and control the decision of such meeting.

h. In lieu of the foregoing requirements stated in subparagraphs a through g, the Board of Directors may amend the Bylaws at special or regular meeting called therefor.

OR 804 PG 2104

These instruments prepared by:
Michael R. McKinley of
BATSEL & MCKINLEY
Post Office Box 1398
Englewood, Florida 33533

RECORDED IN
OFFICIAL RECORDS

1985 FEB -6 PM 3:42

CLEAR
CLERK OF COURT
CHARLOTTE COUNTY, FLA.

DECLARATION OF CONDOMINIUM
OF
OYSTER CREEK MOBILE HOME PARK,
A CONDOMINIUM
ENGLEWOOD, FLORIDA

OR 804 PG 2053

Oyster Creek Mobile Home Park, Inc., a Florida corporation, herein called "Developer," on behalf of itself, its successors, grantees and assigns, to its grantees and assigns and their heirs, successors and assigns hereby makes this Declaration of Condominium.

1. **SUBMISSION TO CONDOMINIUM.** The lands located in Charlotte County, Florida, owned by Developer in fee simple and described hereafter in paragraph 2 are submitted to the condominium form of ownership pursuant to Chapter 718 of the Florida Statutes.

2. **THE LAND.** A parcel of land situated in Charlotte County, Florida, being more particularly described on Exhibit "A" attached hereto as a part hereof, hereinafter called "the land."

3. **NAME.** The name of the condominium is OYSTER CREEK MOBILE HOME PARK, and its address is 1800 San Casa Drive, Englewood, Florida 33533.

4. **DEFINITIONS.** The terms used herein shall have the meanings stated in the Condominium Act (Florida Statutes, Chapter 718) and as follows unless the context otherwise requires:

A. **Assessment** - a share of the funds required for the payment of common expenses, which from time to time is assessed against the unit owner as herein provided.

B. **Association** - OYSTER CREEK MOBILE HOME PARK CONDOMINIUM ASSOCIATION, INC., and its successors, through which all of the unit owners act as a group and which is responsible for the

FILE 85-699674

operation of this condominium.

C. Board of Directors - the representative body responsible for the administration of the Association.

D. Common Elements - the portions of the condominium property not included in the units as defined in Chapter 718.108 Florida Statutes, including:

(.1) The land (other than the land contained within a unit).

(.2) All improvements and portion of improvements not included within a unit as hereinafter bounded.

(.3) Easements.

(.4) Installations for the furnishing of services to more than one unit or to common elements, such as electricity, gas, water and sewer.

(.5) The tangible personal property required for the operation and maintenance of the condominium. Provided, however, that no reference to tangible personal property, contracts, leases or other things owned by the association as being condominium property or common elements shall be construed to give those terms the technical meanings set forth in the Condominium Act (Florida Statutes, Chapter 718). Such references mean that such items are owned by the Association, as an entity, on behalf of its members, and they may be purchased, sold, leased, replaced, contracted for and otherwise dealt with by the Association without the separate joinder of the unit owners or lienholders.

E. Common expenses - means and includes:

(.1) Expenses of administration; expenses of maintenance, operation, repair or replacement of the common elements.

(.2) Expenses agreed upon as common expenses by the Association.

(.3) Any valid charge against the condominium property as a whole.

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