

**TERRACE PARK ESTATES, PHASE I & II
HOMEOWNERS' ASSOCIATION, INC.**

BYLAWS

Approved by the Corporate Membership

April 3, 2023

A Resolution of the Terrace Park Homeowners' Association, Inc., Phase I & II, amending the Bylaws to delete all previous Bylaws and amend them to read as follows:

ARTICLE I: NAME

Section 1: The name of this Corporation shall be "Terrace Park Estates Homeowners' Association, Incorporated, Phase I & II hereinafter also referred to as the "Corporation," "Homeowners' Association," or "Association."

ARTICLE II: OBJECTIVE

Section 1: The Association exists for the purpose(s) as set forth in the Articles of Incorporation, which by reference are made part of these Bylaws.

Section 2: It is the intent of these Bylaws that they shall be deemed to comply with the provisions of Chapter 720.301-407 of the Florida Statutes, and any inconsistencies in the provisions contained herein shall be deemed amended to conform therewith.

Section 3: The Association is established to conduct business and legal matters on behalf of the members including, but not limited to, filing and pursuit of complaints, and in the event of acquisition of real property, the management of such properties, determination and collection of assessments, establishment of rules, regulations, etc.

ARTICLE III: MEMBERSHIP AND VOTING

Section 1: Each property owner shall automatically become a member of the Association. Property owners are defined as a person or persons whose name or names are on the deed to the property at the address of said property. All residential homes in Terrace Park Association Phase I and II must be occupied by at least one resident over the age of 55 years.

Section 2: When a member of the Association sells his/her home, that person's membership in the Association shall no longer be in effect as of the date of the transaction.

Section 3: Each lot whether it be jointly or singularly held, shall be entitled to one vote. Only members whose dues, assessments, late fees, and legal fees are paid to date will be allowed to vote.

Section 4: A member may vote in person or by proxy executed in writing by the member or his/her attorney-in-fact. All proxies shall be in writing and filed with the Designated Representative of the Association before the appointed time of the meeting in order to be effective. The number of proxies brought in by an individual household is limited to 4 per meeting. Proxies shall be effective only for the specific meeting thereof. A proxy is revocable at any time prior to said meeting at the pleasure of the member executing it either in person at the General Meeting or by written request by mail to the Association at their address (33741 Terrace Blvd.) three (3) days prior to date of such meeting. In the event of more than one proxy from a homeowner, all proxies from that homeowner will be considered void. Proxies may be received by the Secretary of the Association either by hand delivery, email or by mail. In the event of an extended meeting (with tabled motion or other reason), proxies shall be valid no longer than ninety (90) days.

Section 5: The percentage of voting interest required to constitute a quorum at a meeting of the members shall be 30 percent of the total voting interests. Decisions that require a vote of the members must be made by the concurrence of at least a majority of the voting interests present.

Section 6: The following Procedure is to be followed for all new business that is to be brought before the Homeowners' Association meeting and the handling of all complaints.

1. Contact the President to be put on the agenda for the next Board of Directors' meeting.
2. Only new business that has been presented to the Board of Directors will be put on the agenda for the Homeowners' Association meeting. No new business will be accepted at a Homeowners' Association meeting from the floor.
3. Complaints must be in writing and be presented to a member of the Board.
 - A. Any member may fill out the Terrace Park Estates complaint form involving a violation of a deed regⁿ Action or Bylaw, sign it and present it to a board member. Upon verification, the board member will remove the complainant's name from the bottom of the form so it's kept confidential. The board member will follow up on the complaint. If needed, bring to the attention of the Board of Directors. If needed, the Board of Directors will follow up with a telephone call, email and registered/certified letter giving the owner fourteen (14) days to resolve the violation. The Association may levy reasonable fines. (Florida Statute 720-305(2))
4. Absolutely no complaints or grievances will be heard at any regularly scheduled Business Meeting. Complaints only to be heard at Board of Directors' meeting, not by any individual member of Board, unless using form as described in #3.
5. The Board will discuss and decide on how the complaint will be handled. If the Directors deem it necessary, a special meeting will be called to handle that complaint only, refer to Article IV, Section 2.

ARTICLE IV: MEETINGS

Section 1: The Homeowners' Association shall hold an ANNUAL MEETING on the third Thursday of March of each year at 7:00 p.m. in the Clubhouse. This meeting cannot be changed in any respect except by a majority vote of the Board of Directors which would then require notification to all residents by email, mail or hand delivered with at least fourteen (14) days notice.

- **Chapter 720 requirement: "Preservation of the Covenants and Restrictions" (put on agenda each and every year at the first board meeting of the calendar year excluding the organizational meeting which follows the annual meeting of the members).**

Section 2: Special Meetings may be held at the call of the President or at the written request of ten percent (10%) of the Association's members providing the purpose of the meeting is stated at the time of the request, and no other business shall be transacted at such meeting. **Notice of Special Meeting shall be posted at least fourteen (14) days prior to the meeting.**

Section 3: Monthly Board of Director Meetings will be held on the 2nd Tuesday at 10am November, December, January, February, March and April in the clubhouse. Monthly Business Meetings shall be held at 7:00 p.m. on the third Thursday November, December, January, February, and April, in the clubhouse. These meeting dates cannot be changed in any respect, except by a majority vote of the Board of Directors. Notice of these meetings shall be posted forty-eight (48) hours prior to being conducted. The board will conduct summer meetings May through October at the clubhouse and via zoom on the second Tuesday of each month at 10am. If there are no items for the agenda, the meeting will be cancelled.

Section 4: At the **Annual, Monthly or Special Meetings**, thirty percent (30%) of the Association's voting members shall constitute a quorum. A Parliamentarian, if available and appointed by the Board of Directors, will interpret **Robert's Rules of Order** when not in conflict with the Articles of Incorporation or these Bylaws.

ARTICLE V: BOARD OF DIRECTORS (The "Board")

Section 1: The Board of Directors shall be comprised of nine (9) members, consisting of a President, Vice President, Secretary, Treasurer and five (5) Directors.

1. The President, Vice President, Secretary and Treasurer shall be elected for two (2) year terms.
2. Each Director will serve a two-year term.
3. Only one family member can serve on the Board at a time.

Section 2: Within 90 days alter being elected or appointed to the board, the newly elected or appointed director must submit a certificate of having satisfactorily completed the educational curriculum administered by a division-approved education provider within 1 year before or 90 days alter the date of election or appointment.

- a. The educational certificate is valid for the uninterrupted tenure of the director on the board. A director who does not timely file the educational certificate shall be suspended from the board until he or she complies with the requirement. The board may temporarily fill the vacancy during the period of suspension.
- b. The association shall retain each director's educational certificate for inspection by the members for 5 years after the director's election. However, the failure to have the educational certificate on file does not affect the validity of any board action.

Section 3: All meetings of the Board of Directors shall be conducted under **Robert's Rules of Order**, except that the presiding officer at all meetings shall have a vote. Five (5) members constitute a quorum. Attempts to contact absent members will be made by telephone conference call.

Section 4: The Corporation shall be governed by the Board of Directors.

Section 5: The duties of the Board of Directors shall be to represent the Terrace Park Estates Homeowners' Association, Incorporated, Phase I & II, to conduct the fmanicial and managerial duties of the Corporation and to pay all regular, current, maintenance and emergency expenses. No commitment or expenditures exceeding five hundred dollars (\$500.00) shall be made without the approval of the homeowner's membership each month, except those expenses allocated by the annual budget or set asides. The board has the authority to spend what is needed to maintain a normal and safe environment in an emergency situation.

Section 6: Members of the Board of Directors shall be elected at the **Annual Meeting**, as defined in **Article IV: Meetings**. Successful candidates will assume office the following November. Board members may succeed themselves.

Section 7: Candidates names shall be submitted to the Nominating Chairperson - See *ARTICLE VIII: STANDING COMMITTEES - Section 9*. Opposition candidates may be nominated from the floor provided prior consent of this nominee has been secured. A member may nominate hirn or herself.

Section 8: Any Director may be removed from office for just cause by a majority vote of the Board. Also, with or without cause by a majority vote of the members at a Special Meeting called for such purpose at the written request of ten percent (10%) of the membership. All officers must be members in good standing or relinquish their position. (*Article III, Section 1 applies*)

Section 9: Any officer who resigns, may take a seat on the Board of Directors if they so choose. The Board of Directors then elects from among themselves someone to fill the vacating officer's position. Any director's vacancy shall be filled by appointment by the President, to fulfill the unexpired term on the Board of Directors. This appointment is subject to the approval of the corporate membership at the next meeting. If the President resigns the Vice President shall move up to the position of President if they so choose. If the Vice President does not wish to move up, then the Board of Directors will choose a President from the remaining Board members. (*Article IH, Section 1 applies*)

Section 10: The Board shall meet at the call of the President, not less frequently than once each month. Such regular Board meeting shall be open to all members and shall be posted forty-eight (48) hours in advance, except for an emergency.

Section 11: An emergency meeting is a meeting of the Board in which the urgency of a situation prevents all minimal notification of such meeting. Emergency meetings may take place at any time.

Section 12: Upon departure from the Board, members shall, at the earliest possible opportunity, turn over all Corporation records and pertinent articles in their possession to the President of the Association.

ARTICLE VI: OFFICERS

Section 1: President (Also see Standard Operating Procedures file)

1. The president shall preside at all meetings of the Corporation and all meetings of the Board of Directors. In case of absence or disability of the President, the Vice-President shall perform the duties of that office. In case of absence or disability of the President and Vice-President, the remaining Board members shall decide on a temporary replacement from among the Board members.
2. The President shall appoint the chairman of any open standing and special committees. The chairman will select their committee members.
3. Unless otherwise directed by the Board of Directors, the President shall represent the Corporation and the Board of Directors at any meeting at which representation that is requested or considered advisable.

Section 2: Vice-President (Also see Standard Operating Procedures file)

1. The Vice-President shall preside and perform the duties of the President in the event of his/her absence or disability.

Section 3: Secretary (Also see Standard Operating Procedures file)

1. The Secretary shall keep minutes of all meetings of the Corporation and Board of Directors. The Secretary shall attend to the giving and serving of all notices to members and the Board of Directors and any other notices as required by law. The Secretary shall maintain a record of the property owners and keep all records of the Corporation that are not specifically assigned to others, such as Treasurer or various committee chairmen. The Secretary shall perform such other duties incident to the office, or as may be required by the President or the Board. The Secretary must prepare a copy of the minutes of the last meeting to assist the President in preparing his/her agenda for the next meeting. Written minutes shall include the wording of all motions, maker of motion where possible and tally of positions.

Section 4: Treasurer (Also see Standard Operating Procedures file)

1. The Treasurer shall keep accurate records of all monies received and disbursed by the Corporation. Requests for disbursements shall be in the form of duly executed vouchers, which shall specify the date, payee, amount, and purpose. All monies of the Corporation shall be invested or deposited in a bank designated by the Board of Directors.

Section 5: All Officers and Directors will be bonded at the expense of the Association. (Covered through our annual Insurance Policy)

Section 6: Annual Review

Within 90 days alter the end of the fiscal year, the association shall prepare and complete a financial report for the preceding fiscal year that shall include the cash receipts and expenditures.

ARTICLE VII: LEGAL FEES

Any homeowner and/or person violating the Association rules that cannot be resolved after notice, shall be held liable for all expenses including fines, attorney fees, and court costs. See *ARTICLE VIII• STANDING COMMITTEES, Section 7: Covenants Enforcement Committee.*

ARTICLE VIII: STANDING COMMITTEES

Each committee must point someone to take notes of each meeting including the date of the meeting, members present and summary of what was discussed and decisions made. These notes must be filed with the Secretary within five (5) days after the meeting.

Section 1: Bylaws & Deed Restrictions Committee

The Bylaws and Deed Restrictions may be amended or revised as may be found necessary upon written proposals for amendment or revision. The Association President shall appoint a Committee Chairperson with membership volunteers to draw up such amendments or revisions. Such amendment or revisions shall be presented at a special or regularly scheduled meeting to the membership and must receive an affirmative vote from a majority of the 30% of the total voting interests of the Association. Within thirty (30) days after recording an amendment to the governing documents, the Association shall provide copies of the amendment to the members. Amendments to these Bylaws and/or Deed Restrictions may also be proposed by the members with the proposed amendment in writing and signed by at least ten percent (10%) of the membership. Such amendments or revisions shall be presented at a special or regularly scheduled meeting to the membership. (*Article III, Section 3 applies.*)

Section 2: Budget and Finance Committee

1. The Budget and Finance Committee members will recommend members to the Budget Chairperson to fill the vacated positions on the Budget and Finance Committee and the term each will serve.
2. The Budget and Finance Committee will be made up of seven (7) members and will serve as follows:
 - 2 members for 1 year
 - 2 members for 2 years
 - 2 members for 3 years
3. One (1) Chairperson will serve a three-year term and may succeed themselves. See Article VI, Section 1, #2.
4. The current President and Treasurer will also serve on the Budget and Finance Committee and will be voting members.

The Board of Directors of Terrace Park Homeowners' Association will be responsible for notifying the homeowners of the meeting at which the Budget will be voted on. This notice shall be served thirty (30) days prior to the meeting involving this budget as is required by Florida Statute 720.303(7). Upon budget being passed by Board of Directors, the Board of Directors will notify members of the HOA dues due date. The first payment of HOA dues will be due within 30 days of due date notification and can be paid quarterly, semi-annually or annually.

The accounts of the Homeowners' Association shall be set up as follows:

Clubhouse Account

Income:

- Bingo Food Profit
- Coffee
- Donations
- Raffle
- All Fundraisers (All food functions, dances, entertainments, park wide sale)
- Miscellaneous income, i.e., phone book advertisement, recycles

Expenses:

- All purchases not covered through budgeted items in the Maintenance and Operating, i.e. supplies for fund raising events, Clubhouse supplies, printing for newsletters/calendars, printing of phonebooks.

Maintenance and Operating Account

Income:

- Maintenance Fees (Dues) charged to the residents, estoppels, Capital Contribution fee, Tate fees.

Expense:

- All regular expenses included in the annual budget.

Capital Improvement Account

Income:

- Remainder of Clubhouse Account funds minus \$1500.00 start-up plus proceeds from phonebook revenue carried into the new year (when applicable).
- The balance of the Maintenance and Operating funds in the account at the end of each year shall be held until the budget is approved and a vote is taken on where to deposit the funds.
- All Certificates of Deposit shall be included in the Capital Improvement Account.

Procedures for Capital Improvement Fund Expenditures:

- Any expense from the Capital Improvement Fund will go before the Board of Directors for their approval.
- If the requested expense is not in the annual budget or set asides and is \$500 or more then the Board of Directors will then present the proposal to the homeowners at the next monthly Business Meeting. Any expense less than \$500, the Board of Directors may approve.

The Treasurer of Terrace Park Homeowners' Association, Phase I & II is to keep a list of all contents within the safety deposit box, located at the bank.

Removal of a member of the Budget and Finance Committee will be by a majority vote of the Committee, subject to approval of Terrace Park Homeowners' Association, Phase I & II Board of Directors.

Section 3: Clubhouse Committee

Duties are to maintain the interior and exterior of the clubhouse and its contents.

Section 4: Grounds Committee

Duties are to maintain all grounds in the common areas, north fence, all sidewalks in common area and oversee mowing of grass of all common areas and parking lot east of clubhouse.

Section 5: Pool Committee

Duties are to maintain pool and pool areas, including deck, pool building, pool furniture, signs and fence surrounding pool.

Section 6: Social Committee

Duties are to oversee all social and functions for the Association. Use of the clubhouse for any function other than the Association, must be cleared by the social chairman for the availability of the clubhouse and then must be approved by the Board of Directors.

Section 7: Covenants Enforcement Committee (CEC)

The role of the committee is limited to determining whether to confirm or reject the fine or Suspension levied by the board.

1. The Covenants Enforcement Committee was established, by a vote of the homeowners, at the regular business meeting on December 20, 2012, in accordance with Florida Statute 720.305. The Statute was established to help alleviate backlog in the courts when homeowner associations are dealing with residents who *blatantly* disregard the Association's rules.
2. The CEC shall have three members
 - a. Chairman - Appointed by the Board of Directors
 - b. Two (2) Board Members - Appointed by the Chairman
 - c. Two or more Alternates - Appointed by the Chairman
3. The members of this committee may not be members of or related to a member of the Board of Directors.
4. The members of this committee will read Florida Statute 720.305 and follow the legal steps defined in the law to enforce the rules of the Association.

Section 8: Nominating Committee

1. Committee will consist of one (1) member appointed by the President. At least one member is to be a non-board member.
2. This committee shall be appointed in January each year.