

Prepared by and after recording return to:
H. Web Melton, III, Esquire
Bush Ross, P.A.
Post Office Box 3913
Tampa, FL 33601-3913

**NOTICE OF PRESERVATION OF THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
ISLAND WALK AND ISLAND WALK EAST HOMEOWNERS ASSOCIATION, INC.**

Pursuant to Chapter 712, *Florida Statutes*, the Marketable Record Title Act ("MRTA"), the undersigned records this Notice of Preservation of Covenants, Conditions and Restrictions ("Notice") to preserve and protect the declaration of covenants, conditions, and restrictions identified herein from extinguishment by operation of MRTA.

1. Name and Description of Homeowners Association. This Notice is filed by Island Walk and Island Walk East Homeowners Association, Inc., a Florida not for profit corporation (the "Association"), charged with the enforcement of the rights, obligations and duties set forth in the Declaration of Covenants, Conditions and Restrictions of Island Walk and Island Walk East Homeowners Association, Inc. recorded in Official Records Book 2684 at Page 0823 *et seq.* of the Public Records of Polk County, Florida, with a post office address of: 2108 E Edgewood Drive, Lakeland, FL 33803

2. Statement of Marketable Title Action. The required affidavit pursuant to Fla. Stat. §712.06(1)(b) of a member of the Board of Directors of the Association (the "Board") affirming that the Board did provide the required notice to the members of the Association as required under the provisions of MRTA and approved the preservation at a meeting on November 5, 2018 is attached hereto as **Exhibit A**.

3. Description of Affected Land A full and complete description of the lands affected by this Notice is attached hereto as **Exhibit B**.

4. Applicable Covenants and Restrictions Preserved, Including All Amendments. This Notice preserves the Declaration of Covenants, Conditions and Restrictions of Island Walk and Island Walk East Homeowners Association, Inc. recorded in Official Records Book 2684 at Page 0823 *et seq.* of the Public Records of Polk County, Florida, as amended, including but not limited to the Amendments recorded in Official Records Book 2704 at Page 2180, Official Records Book 2721 at Page 1538, Official Records Book 2827 at Page 0352, Official Records Book 2843 at Page 0430 and Official Records Book 3052 at Page 2121 all of the public records of Polk County, Florida.

5. Bylaws and Articles of Incorporation. A true and accurate copy of the Articles of Incorporation of Island Walk and Island Walk East Homeowners Association, Inc. is attached

hereto as Exhibit C. A true and accurate copy of the Bylaws of Island Walk and Island Walk East Homeowners Association, Inc. is attached hereto as Exhibit D.

This Notice of Preservation of the Declaration of Covenants, Conditions and Restrictions of Island Walk and Island Walk East Homeowners Association, Inc. is executed this 5th day of November 2018 by the undersigned.

Witnesseth:

Island Walk and Island Walk East Homeowners Association, Inc.

[Signature]
Print: Tracy A. Blascovich
[Signature]
Print: Sheila Greenman

By: [Signature]
Serene Blascovich
Its President

Attest: [Signature]
Ariel Lynn Ross
Its Secretary

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 5th day of November, 2018 by Serene Blascovich, President, and Ariel Lynn Ross, Secretary, of Island Walk and Island Walk East Homeowners Association, Inc., who ☒ are personally known to me or ☐ produced a _____ and _____, Drivers License as identification, who executed the foregoing instrument and acknowledge the execution thereof to be their free act and indeed as such officers for the uses and purposes therein mentioned, and that they have affixed thereto the seal of said corporation, and the said instrument is the act and deed of said corporation.

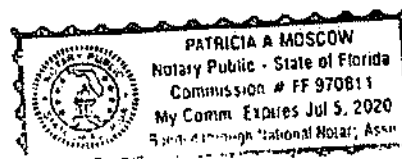
In Witness Whereof, I have hereunto set my hand and official seal this 5 day of November, 2018.

(SEAL)

[Signature]
NOTARY PUBLIC, State of Florida at Large
My Commission Expires: July 5, 2020

[Signature]
(Print, Type or Stamp Name)

My Commission Expires: July 5, 2020



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EXHIBIT A

AFFIDAVIT OF BOARD OF DIRECTORS

BEFORE ME the undersigned authority, personally appeared and the undersigned, who after being duly sworn, deposes and says:

That I am a member, as well as the President, of the Board of Directors (the "Board") for Island Walk and Island Walk East Homeowners Association, Inc. a Florida not for profit corporation (the "Association"), and that the Board did cause a statement of marketable title action in substantially the form required by §712.06(1)(b), *Florida Statutes*, to be mailed or hand delivered in accordance with §712.05(1), *Florida Statutes*, to the members of the Association in connection with that certain Notice of Preservation of Covenants, Conditions and Restrictions ("Notice") affecting the lands described in Exhibit B of said Notice, such lands being commonly known as Island Walk and Island Walk East.

I further attest that at a meeting of the Board of Directors held in accordance with the requirements of Chapter 712, *Florida Statutes*, that at least two-thirds of the members of the Board approved preserving and protecting the Declaration of Covenants, Conditions and Restrictions of Island Walk and Island Walk East Homeowners Association, Inc. recorded in Official Records Book 2684 at Page 0823 *et seq.* of the Public Records of Polk County, Florida, and all amendments thereto from extinguishment by operation of Chapter 712, *Florida Statutes*.

This affidavit is given in fulfillment of the requirements of §712.06(1)(b), *Florida Statutes*, and in furtherance of preserving and protecting the Declaration of Covenants, Conditions and Restrictions of Island Walk and Island Walk East Homeowners Association, Inc. recorded in Official Records Book 2684 at Page 0823 *et seq.* of the Public Records of Polk County, Florida, and all amendments thereto from extinguishment by operation of Chapter 712, *Florida Statutes*.

WITNESSES:

Kathy A. Moscov
(Print Name: KATHY A. MOSCOW)

Shelia Greenman
(Print Name: Shelia Greenman)

AFFIANT:

Serene Blascovich
Serene Blascovich, President

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 5th day of November, 2018, by Serene Blascovich, President of Island Walk and Island Walk East Homeowners Association, Inc. who ☒ is personally known to me or ☐ produced a Drivers License as Identification

(NOTARY SEAL)



Kathy A. Moscov
Notary Signature
PATRICIA A. MOSCOW
(Type, Stamp or Print Name)

NOTARY PUBLIC
State of Florida at Large
My commission expires: July 5, 2020

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**NOTICE OF MEETING OF THE BOARD OF DIRECTORS OF
ISLAND WALK AND ISLAND WALK EAST HOMEOWNERS ASSOCIATION, INC.**

The Board of Directors will meet at the time and place indicated below to consider the issue of preserving the Declaration of Covenants, Conditions and Restrictions of Island Walk and Island Walk East Homeowners Association, Inc., and all amendments thereto, in accordance with Chapter 712, *Florida Statutes*.

Meeting Date: November 5, 2018
Meeting Time: 6:30 P.M.
Meeting Location: Highland Church of Christ
5730 Lakeland Highland Road
Lakeland, Florida 33813

RESTRICTIONS AND RECORDING INFORMATION TO BE PRESERVED

Declaration of Covenants, Conditions and Restrictions of Island Walk and Island Walk East Homeowners Association, Inc. recorded in Official Records Book 2684 at Page 0823 *et seq.* of the Public Records of Polk County, Florida, as amended, including but not limited to the Amendments recorded in Official Records Book 2704 at Page 2180, Official Records Book 2721 at Page 1538, Official Records Book 2827 at Page 0352, Official Records Book 2843 at Page 0430 and Official Records Book 3052 at Page 2121 all of the public records of Polk County, Florida.

LEGAL DESCRIPTION OF ALL REAL PROPERTY AFFECTED BY THIS NOTICE

See Attached **Exhibit A.**

STATEMENT OF MARKETABLE TITLE ACTION

Island Walk and Island Walk East Homeowners Association, Inc. (the "Association") has taken action to ensure that the Declaration of Covenants, Conditions and Restrictions of Island Walk and Island Walk East Homeowners Association, Inc. recorded in Official Records Book 2684 at Page 0823 *et seq.* of the Public Records of Polk County, Florida, as may be amended from time to time, currently burdening the property of each and every member of the Association, retains its status with regard to the affected real property. To this end, the Association shall cause the notice required by chapter 712, Florida Statutes, to be recorded in the public records of Polk County, Florida. Copies of this notice and its attachments are available through the Association pursuant to the Association's governing documents regarding official records of the Association.

THIS NOTICE RELATES TO ACTION WHICH WILL BE TAKEN BY THE BOARD OF DIRECTORS. MEMBERS ARE NOT REQUIRED TO VOTE OR ATTEND THIS MEETING. HOWEVER, THIS AND ALL MEETINGS OF THE BOARD OF DIRECTORS ARE OPEN TO THE MEMBERSHIP.

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EXHIBIT B

Lots 49-64, Inclusive, Block "A"; Lots 94-107 Inclusive, Block "B"; Lots 133-146, Inclusive Block, "C" Island Walk, as Per Plat Thereof Recorded in Plat Book 87, Page 1, Public Records of Polk County, Florida; and

Lots 1-16, Inclusive, Block "A"; Lots 26 and 27 Inclusive, Block "B"; Lots 38-48, Inclusive Block, "C" Island Walk East East, as Per Plat Thereof Recorded in Plat Book 86, Page 49, Public Records of Polk County, Florida; and

Lots 108-133 Island Walk Addition; according to plat hereof recorded in Plat Book 88, Page 43, Public Records of Polk County, Florida.

Lots 17-25; and Lots 28-37, Island Walk East Addition; according to the Plat thereof recorded in Plat Book 89, Page 31, Public Records of Polk County, Florida.

Lot 65-93; Island Walk Phase Three; according to the Plat thereof recorded in Plat Book 93, Page 8 Public Records of Polk County, Florida.

Drainage Easement "F": Island Walk East Addition, according to Plat thereof as recorded in Plat Book 89, Page 31, Public records of Polk County, Florida.

Drainage Easements as shown on the Plat of Island Walk Phase Three, according to the Plat thereof as recorded in Plat Book 93, Page 8, Public Records of Polk County, Florida.

Drainage Easements "A" and "B", and 15' Drainage and Utility Wall Easements, Island Walk, as per Plat thereof as recorded in Plat Book 87, Page 1, Public records of Polk County, Florida.

Drainage Easements "C", "D" and "E", Median Easement and 15' Drainage and Utility Wall Easements, Island Walk East East, as per Plat thereof as recorded in Plat Book 86, Page 49, Public records of Polk County, Florida.

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State of Florida



Department of State

I certify that the attached is a true and correct copy of the Articles of Incorporation of ISLAND WALK AND ISLAND WALK EAST HOMEOWNERS ASSOCIATION, INC., a corporation organized under the Laws of the State of Florida, filed on November 9, 1988, as shown by the records of this office.

The document number of this corporation is N29218.

Given under my hand and the
Great Seal of the State of Florida,
at Tallahassee, the Capital, this the
10th day of November, 1988.



Wm Smith
Secretary of State

EXHIBIT

C

ARTICLES OF INCORPORATION
OF
ISLAND WALK AND ISLAND WALK EAST HOMEOWNERS ASSOCIATION, INC.

THE UNDERSIGNED SUBSCRIBERS TO THESE ARTICLES OF INCORPORATION (THE "ARTICLES"), EACH A NATURAL PERSON COMPETENT TO CONTRACT, AND A RESIDENT OF THE STATE OF FLORIDA, HAVE THIS DAY VOLUNTARILY ASSOCIATED THEMSELVES TOGETHER FOR THE PURPOSE OF FORMING A CORPORATION NOT FOR PROFIT UNDER THE FLORIDA NONPROFIT CORPORATION LAW, AND ADOPTS THE FOLLOWING ARTICLES OF INCORPORATION.

ARTICLE I

NAME

THE NAME OF THE CORPORATION IS ISLAND WALK AND ISLAND WALK EAST HOMEOWNERS ASSOCIATION, INC., SOMETIMES HERENAFTER REFERRED TO AS THE "ASSOCIATION".

ARTICLE II

PRINCIPAL OFFICE

THE PRINCIPAL OFFICE OF THE ASSOCIATION IS LOCATED AT 4110 SOUTH FLORIDA AVENUE, LAKELAND, FLORIDA.

ARTICLE III

PURPOSES AND POWERS

THE ASSOCIATION HAS BEEN FORMED AS A NONPROFIT CORPORATION TO PROVIDE FOR THE OWNERSHIP, MAINTENANCE, PRESERVATION AND ARCHITECTURAL CONTROL OF THE RESIDENTIAL LOTS AND CERTAIN COMMON AND DEDICATED PROPERTIES LOCATED IN A DEVELOPMENT KNOWN AS ISLAND WALK AND ISLAND WALK EAST (THE "PROPERTIES") SITUATED IN LAKELAND, FLORIDA, AS DESCRIBED IN THE MASTER DECLARATION OF COVENANTS AND CONDITIONS (THE "DECLARATION") TO BE FILED IN THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA SUBSEQUENT TO THE FILING OF THE ARTICLES, A COPY OF WHICH IS PRESENTLY FILED IN THE OFFICES OF SUN STATE DEVELOPMENT CORP. ("DEVELOPER" OR "DECLARANT") IN LAKELAND, FLORIDA, AND TO PERFORM OTHER SPECIFIC PURPOSES AND POWERS AS SET FORTH BELOW, AND TO BE MORE FULLY SET FORTH IN THE DECLARATION. THE ASSOCIATION WILL NOT PERMIT PECUNIARY GAIN OR PROFIT TO THE MEMBERS NOR DISTRIBUTION OF ITS INCOME TO ITS OFFICERS OR DIRECTORS.

PURPOSES: THE ASSOCIATION WILL EXIST FOR ALL OF THE FOLLOWING PURPOSES:

- (A) TO OWN, OPERATE AND MAINTAIN CERTAIN COMMON AND DEDICATED PROPERTIES WITHIN THE PROPERTIES (AS SET FORTH IN THE DECLARATION);
- (B) TO MAINTAIN THE LANDSCAPING AND OTHER IMPROVEMENTS ON THE BOULEVARDS, ENTRANCES, MEDIANS AND ALL OTHER DEDICATED AREAS WITHIN THE PROPERTIES (AS SET FORTH IN THE DECLARATION);
- (C) TO MAINTAIN STREET LIGHTS, ROADS, DIRECTIONAL SIGNS, SIGN LIGHTING AND UTILITIES WITHIN THE PROPERTIES, IF NECESSARY (AS SET FORTH IN THE DECLARATION); AND
- (D) TO TAKE SUCH ACTIONS AS THE ASSOCIATION IS AUTHORIZED PURSUANT TO ITS ARTICLES OF INCORPORATION AND BYLAWS TO TAKE TO MAINTAIN THE RESIDENTIAL QUALITY OF THE PROPERTIES.

POWERS: THE ASSOCIATION SHALL HAVE ALL OF THE COMMON LAW AND STATUTORY POWERS OF A FLORIDA CORPORATION NOT FOR PROFIT WHICH ARE CONSISTENT WITH THESE ARTICLES AND WITH THE DECLARATION AND ALL OF THE POWERS AND AUTHORITY REASONABLY NECESSARY OR APPROPRIATE TO THE OPERATION OF A RESIDENTIAL COMMUNITY INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING POWERS:

- (A) TO EXERCISE ALL THE POWERS AND PRIVILEGES AND TO PERFORM ALL THE DUTIES AND OBLIGATIONS OF THE ASSOCIATION AS SET FORTH IN THE DECLARATION, AS THE SAME MAY BE AMENDED FROM TIME TO TIME AS THEREIN PROVIDED, AND THE DECLARATION IS HEREBY INCORPORATED HEREBY BY REFERENCE AND MADE A PART HEREOF.

(B) TO FIX, LEVY, COLLECT AND ENFORCE PAYMENT BY AND LAWFUL MEANS, ALL CHARGES OR ASSESSMENTS AND ASSESSMENT LIES PURSUANT TO THE TERMS OF THE DECLARATION TO PAY ALL EXPENSES IN CONNECTION THEREWITH AND ALL OFFICE AND OTHER EXPENSES INCIDENT TO THE CONDUCT OF THE BUSINESS OF THE ASSOCIATION, INCLUDING ALL LICENSES, TAXES OR GOVERNMENTAL CHARGES LEVIED OR IMPOSED AGAINST THE PROPERTY OF THE ASSOCIATION;

(C) TO ENFORCE ANY AND ALL COVENANTS, CONDITIONS, RESTRICTIONS AND AGREEMENTS APPLICABLE TO THE DEVELOPMENT;

(D) TO PAY TAXES, IF ANY, ON THE COMMON AREAS AND DEDICATED AREAS AND ANY OTHER COMMON AND DEDICATED PROPERTIES OF THE ASSOCIATION (AS SET FORTH IN THE DECLARATION);

(E) TO ACQUIRE (BY GIFT, PURCHASE OR OTHERWISE) OWN, HOLD, IMPROVE, BUILD UPON, OPERATE, MAINTAIN, CONVEY, SELL, LEASE, TRANSFER, DEDICATE FOR PUBLIC USE OR OTHERWISE DISPOSE OF REAL OR PERSONAL PROPERTY IN CONNECTION WITH THE AFFAIRS OF THE ASSOCIATION;

(F) TO BORROW MONEY, AND TO MORTGAGE PLEDGE DEED IN TRUST, OR HYPOTHECATE ANY OR ALL OF ITS REAL OR PERSONAL PROPERTY AS SECURITY FOR MONEY BORROWED OR DEBTS INCURRED, PROVIDED THAT SUCH BORROWING SHALL HAVE THE ASSENT OF TWO-THIRDS (2/3) OF EACH CLASS OF THE MEMBERS (AS HEREINAFTER DEFINED) ENTITLED TO VOTE;

(G) TO DEDICATE, SELL OR TRANSFER ALL OR ANY PART OF THE COMMON AREAS AND THE DEDICATED AREAS AND ANY OTHER COMMON AREA OR ASSETS OWNED BY THE ASSOCIATION TO ANY PUBLIC AGENCY, AUTHORITY, OR UTILITY FOR SUCH PURPOSES AND SUBJECT TO SUCH CONDITIONS AS MAY BE AGREED TO BY THE MEMBERS. NO SUCH DEDICATION OR TRANSFER SHOWN BY TWO-THIRDS (2/3) OF EACH CLASS OF MEMBERS HAS BEEN RECORDED.

(H) TO PARTICIPATE, IN MERGERS AND CONSOLIDATIONS WITH OTHER NONPROFIT CORPORATIONS ORGANIZED FOR THE SAME PURPOSE OR ANNEX ADDITIONAL COMMON AREAS OR DEDICATED AREAS PROVIDED FURTHER THAT NO SUCH ASSENT SHALL BE REQUIRED AS A CONDITION TO ACCEPTING CONVEYANCE OF COMMON AREAS PURSUANT TO THE DECLARATION OR TO ACCEPTING CONVEYANCE OF DEDICATED AREAS PURSUANT TO THE DECLARATION;

(I) SUBJECT ALWAYS TO THE DECLARATION, TO HAVE AND TO EXERCISE ANY AND ALL POWERS, RIGHTS AND PRIVILEGES WHICH A CORPORATION ORGANIZED UNDER THE FLORIDA NONPROFIT CORPORATION LAW

ARTICLE IV

MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF A FEE OR UNPAID FEE INTEREST IN ANY LOT WHICH IS SUBJECT BY COVENANTS OF RECORD TO ASSESSMENT BY THE ASSOCIATION, INCLUDING CONTRACT SELLERS, SHALL BE A MEMBER OF THE ASSOCIATION. THE FOREGOING IS NOT INTENDED TO INCLUDE PERSONS OR ENTITIES WHO HOLD AN INTEREST MERELY AS SECURITY FOR THE PERFORMANCE OF AN OBLIGATION. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM OWNERSHIP OF ANY LOT WHICH IS SUBJECT TO ASSESSMENT BY THE ASSOCIATION.

ARTICLE V

VOTING RIGHTS

THE ASSOCIATION SHALL HAVE TWO (2) CLASSES OF VOTING MEMBERSHIP:

CLASS A - CLASS A MEMBERS SHALL BE ALL OWNERS, WITH THE EXCEPTION OF THE DEVELOPER, AND SHALL BE ENTITLED TO ONE VOTE FOR EACH LOT OWNED. WHEN MORE THAN ONE PERSON HOLDS AN INTEREST IN ANY LOT, ALL SUCH PERSONS SHALL BE MEMBERS. THE VOTE FOR SUCH LOT SHALL BE EXERCISED AS THEY DETERMINE, BUT IN NO EVENT SHALL MORE THAN ONE VOTE BE CAST WITH RESPECT TO ANY LOT.

CLASS B - THE CLASS B MEMBERS SHALL BE THE DEVELOPER (AS DEFINED IN THE

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DECLARATION) AND SHALL BE ENTITLED TO THREE (3) VOTES FOR EACH LOT OWNED. THE CLASS B MEMBERSHIP SHALL CEASE AND BE CONVERTED TO CLASS A MEMBERSHIP ON THE HAPPENING OF EITHER OF THE FOLLOWING EVENTS, WHICHEVER OCCURS EARLIER:

(A) WHEN THE TOTAL VOTES OUTSTANDING IN THE CLASS A MEMBERSHIP EQUAL THE TOTAL VOTES OUTSTANDING IN THE CLASS B MEMBERSHIP; OR

(B) ON DECEMBER 31, 1999.

ARTICLE VI

QUORUM

THE MEMBERS HOLDING A MAJORITY OF THE VOTES ALLOCATED UNDER ARTICLE V OF THESE ARTICLES, REPRESENTED IN PERSON OR BY PROXY, SHALL CONSTITUTE A QUORUM AT A MEETING OF MEMBERS. IF LESS THAN SUCH MAJORITY OF VOTES ARE REPRESENTED AT A MEETING, A MAJORITY OF THE VOTES SO REPRESENTED MAY ADJOURN THE MEETING FROM TIME TO TIME WITHOUT FURTHER NOTICE. AT SUCH ADJOURNED MEETINGS AT WHICH A QUORUM SHALL BE PRESENT OR REPRESENTED, ANY BUSINESS MAY BE TRANSACTED WHICH MIGHT HAVE BEEN TRANSACTED AT THE MEETING AS ORIGINALLY NOTIFIED. THE MEMBERS PRESENT AT A DULY CONSTITUTED MEETING MAY CONTINUE TO TRANSACT BUSINESS UNTIL ADJOURNMENT, NOTWITHSTANDING THE WITHDRAWAL OF ENOUGH MEMBERS TO LEAVE LESS THAN A QUORUM.

ARTICLE VII

BOARD OF DIRECTORS

THE AFFAIRS OF THE ASSOCIATION SHALL BE MANAGED BY A BOARD OF DIRECTORS WHO NEED NOT BE MEMBERS OF THE ASSOCIATION. THE NUMBER OF DIRECTORS MAY BE CHANGED BY AMENDMENT OF THE BYLAWS OF THE ASSOCIATION, BUT SHALL NEVER BE LESS THAN THREE (3) DIRECTORS OR MORE THAN NINE (9). THE NUMBER OF DIRECTORS SHALL ALWAYS BE AN ODD NUMBER. THE NAMES AND RESIDENCE ADDRESSES OF THE PERSONS WHO ARE TO ACT IN THE CAPACITY OF DIRECTORS UNTIL THE SELECTION OF THEIR SUCCESSORS ARE:

NAME	ADDRESS
LARRY WALTERS PRESIDENT	4110 SO. FL. AVE. LAKELAND, FL.
R. A. TODD VICE PRESIDENT	4110 SO. FL. AVE. LAKELAND, FL.
JEAN WILLIAMS SECRETARY-TREASURER	4110 SO. FL. AVE. LAKELAND, FL.

THE DIRECTORS MAY, BY BYLAW, FIX THE TERM OF OFFICE FOR ALL DIRECTORS. HOWEVER, UNLESS CONTRARY PROVISIONS ARE MADE BY BYLAW, EACH DIRECTOR'S TERM OF OFFICE SHALL BE FOR ONE (1) YEAR. BUT ALL DIRECTORS SHALL CONTINUE IN OFFICE UNTIL THEIR SUCCESSORS ARE DULY ELECTED AND INSTALLED. THERE SHALL BE HELD AT EACH ANNUAL MEETING OF THE ASSOCIATION AN ELECTION OF DIRECTORS. DIRECTORS MAY SERVE SUCCESSIVE ANNUAL TERMS WITHOUT LIMITATIONS.

ARTICLE VIII

OFFICERS

THE AFFAIRS OF THE ASSOCIATION SHALL BE ADMINISTERED BY A PRESIDENT, VICE PRESIDENT, AND A SECRETARY-TREASURER AND SUCH OTHER OFFICERS AS MAY BE DESIGNATED IN THE BYLAWS. THE OFFICERS SHALL BE ELECTED BY THE BOARD OF DIRECTORS AT ITS FIRST MEETING FOLLOWING THE ANNUAL MEETING OF THE MEMBERS OF THE ASSOCIATION AND SHALL SERVE AT THE PLACEME OF THE BOARD OF DIRECTORS. THE NAMES AND RESIDENCE ADDRESSES OF THE OFFICERS WHO SHALL SERVE THE FIRST ELECTION OF THE BOARD OF DIRECTORS ARE AS FOLLOWS:

PRESIDENT	LARRY WALTERS 4110 SO. FL. AVE. LAKELAND, FL.
VICE PRESIDENT	M. A. TODD 4110 SO. FL. AVE. LAKELAND, FL.
SECRETARY/TREASURER	JEAN WILLIAMS 4110 SO. FL. AVE. LAKELAND, FL. 33813

**ARTICLE IX
DISSOLUTION**

THE ASSOCIATION MAY BE DISSOLVED WITH THE CONSENT GIVEN IN WRITING AND SIGNED BY EITHER THE DEVELOPER OR BY TWO-THIRDS (2/3) OF THE CLAS A MEMBERSHIP. UPON DISSOLUTION OF THE ASSOCIATION, OTHER THAN INCIDENT TO A MERGER OR CONSOLIDATION, ITS ASSETS, BOTH REAL AND PERSONAL, SHALL BE DEDICATED TO AN APPROPRIATE PUBLIC AGENCY TO BE USED FOR PURPOSES SIMILAR TO THOSE FOR WHICH THIS ASSOCIATION WAS FORMED. IN THE EVENT THERE IS A REFUSAL TO ACCEPT SUCH DEDICATION, THEN SUCH ASSETS SHALL BE GRANTED, CONVEYED AND ASSIGNED TO ANY NONPROFIT CORPORATION, ASSOCIATION, TRUST OR OTHER ORGANIZATION WHICH IS DEVOTED TO PURPOSES SIMILAR TO THOSE OF THIS ASSOCIATION.

**ARTICLE X
INDEMNIFICATION**

THE ASSOCIATION SHALL, AND DOES HEREBY, INDEMNIFY ANY PERSONS ("INDEMNITEES") FOR ANY AND ALL LIABILITY ARISING FROM THEIR OFFICIAL CAPACITIES OR FROM ANY ACTS COMMITTED OR FAILURE TO ACT BY THEM IN THEIR OFFICIAL CAPACITIES AS OFFICERS OR DIRECTORS OF THE ASSOCIATION, INCLUDING ACTS WHICH ARE ADJUDGED BY A COURT OF LAW TO HAVE CONSTITUTED NEGLIGENCE OR MISCONDUCT IN THE PERFORMANCE OF THEIR DUTY TO THE ASSOCIATION, AND RESULTING FROM JUDGMENTS, FINES, OR AMOUNTS PAID IN SETTLEMENT WHICH ARE INCURRED IN ANY ACTION, SUIT OR PROCEEDING, WHETHER CIVIL, CRIMINAL, ADMINISTRATIVE OR INVESTIGATIVE, AND WHETHER SUCH ACTION, SUIT OR PROCEEDING IS BROUGHT BY OR IN THE RIGHT OF THE ASSOCIATION OR OTHER PARTIES, AND WHETHER SUCH ACTION, SUIT, PROCEEDING IS COMMENCED DURING OR SUBSEQUENT TO THEIR TENURE AS OFFICERS OR DIRECTORS OF THE ASSOCIATION ("ACTIONS").

THE ASSOCIATION WILL REIMBURSE INDEMNITEES FOR ANY AND ALL ACTUAL AND REASONABLE EXPENSES, INCLUDING, WITHOUT LIMITATION, ATTORNEY'S FEES AND COURT COST IN TRIAL AND APPELLATE TRIBUNALS ("EXPENSES") AS INCURRED BY INDEMNITEES IN ANY ACTIONS NOTWITHSTANDING ANYTHING TO THE CONTRARY HEREIN. THE ASSOCIATION WILL NOT INDEMNIFY INDEMNITEES FOR ANY LIABILITY OR EXPENSES INCURRED FOR ACTIONS WHICH CONSTITUTE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT, AS SUCH TERMS ARE USED IN SECTION 607.01(4)(b) OF THE FLORIDA STATUTES. THE INDEMNIFICATION PROVIDED IN THIS ARTICLE SHALL BE IN ADDITION TO AND SHALL NOT LIMIT OR PREJUDICE ANY OTHER RIGHTS TO INDEMNIFY TO WHICH INDEMNITEES ARE ENTITLED INCLUDING, WITHOUT LIMITATION, THOSE RIGHTS CONFERRED BY THE FLORIDA STATUTES OF THE BYLAWS, ARTICLES OF INCORPORATION OR ANY AGREEMENT EXECUTED BY THE ASSOCIATION. THE INDEMNIFICATION PROVIDED FOR HEREIN SHALL BE SUBJECT TO THE PROVISIONS OF SECTION 607.01(4)(2) OF THE FLORIDA STATUTES.

**ARTICLE XI
BYLAWS**

THE FIRST BYLAWS OF THE ASSOCIATION SHALL BE ADOPTED BY THE BOARD OF

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DIRECTORS AND MAY BE ALTERED, AMENDED, OR RESCINDED BY A VOTE OF A MAJORITY OF A QUORUM OF MEMBERS PRESENT IN PERSON OR BY PROXY.

ARTICLE XII

DURATION

THE ASSOCIATION SHALL HAVE PERPETUAL EXISTENCE.

ARTICLE XIII

AMENDMENTS

THE ARTICLES MAY BE AMENDED BY RESOLUTION ADOPTED BY THE DEVELOPER AND A SEVENTY-FIVE PERCENT (75%) VOTE OF THE CLASS A MEMBERS AT A MEETING CALLED FOR THE PURPOSE OF CONSIDERING THE AMENDMENT OF THESE ARTICLES, OR BY RESOLUTION UNANIMOUSLY ADOPTED BY THE BOARD OF DIRECTORS; PROVIDED, HOWEVER, THAT NO AMENDMENT SHALL BE EFFECTIVE TO IMPAIR OR DILUTE ANY RIGHT OR OBLIGATIONS OF MEMBERS THAT ARE GOVERNED BY THE DECLARATION (AS, FOR EXAMPLE, MEMBERSHIP AND VOTING RIGHTS) WHICH ARE PART OF THE PROPERTY INTERESTS CREATED THEREBY.

ARTICLE XIV

SUBSCRIBERS

THE NAMES AND RESIDENCES OF THE SUBSCRIBING INCORPORATORS OF THESE ARTICLES OF INCORPORATION ARE:

NAME	ADDRESS
LARRY WALTERS	4110 SO. FL. AVE.
PRESIDENT	LAKELAND, FL.
M. A. TODD	4110 SO. FL. AVE.
VICE PRESIDENT	LAKELAND, FL.
JEAN WILLIAMS	4110 SO. FL. AVE.
SECRETARY-TREASURER	LAKELAND, FL.

FILED
OCT 16 1980
CLERK OF DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ARTICLE XV

REGISTERED OFFICE-REGISTERED AGENT

THE REGISTERED OFFICE OF THE ASSOCIATION IS SUITE "A", 4110 SOUTH FLORIDA AVENUE, LAKELAND, FLORIDA 33813. THE REGISTERED AGENT IS D. K. STEPHENS, A RESIDENT OF THE STATE OF FLORIDA WHOSE BUSINESS ADDRESS IS IDENTICAL WITH THAT OF THE REGISTERED OFFICE.

IN WITNESS WHEREOF, FOR THE PURPOSE OF FORMING THIS ASSOCIATION UNDER THE LAWS OF THE STATE OF FLORIDA, WE, THE UNDERSIGNED, CONSTITUTING THE SUBSCRIBING INCORPORATORS OF THIS ASSOCIATION, HAVE EXECUTED THESE ARTICLES OF INCORPORATION THIS 19TH DAY OF OCTOBER, 1980.

SUBSCRIBERS

[Signature]
[Signature]
[Signature]

I HEREBY ACCEPT DESIGNATION HEREUNDER AS REGISTERED AGENT.

[Signature]
D. K. STEPHENS

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STATE OF FLORIDA
COUNTY OF POLK

I HEREBY CERTIFY THAT ON THIS DAY, BEFORE ME, AN OFFICER DULY AUTHORIZED IN THE STATE AND COUNTY AFORESAID TO TAKE ACKNOWLEDGMENTS, PERSONALLY APPEARED LARRY WALTERS, M. A. TODD, AND JEAN WILLIAMS TO ME KNOWN TO BE THE PERSONS DESCRIBED IN THESE ARTICLES OF INCORPORATION AND THEY ACKNOWLEDGED BEFORE ME THAT THEY EXECUTED THE SAME AS SUBSCRIBER.

WITNESS MY HAND AND OFFICIAL SEAL IN THE COUNTY AND STATE LAST AFORESAID
THIS 19TH DAY OF OCTOBER, 1988.

MY COMMISSION EXPIRES:

8/24/89

Linda S. Hyatt

FILED
OCT 19 1988
CLERK OF STATE

BYLAWS
OF
ISLAND WALK AND ISLAND WALK EAST HOMEOWNERS ASSOCIATION, INC.

ARTICLE I

NAME

THIS CORPORATION SHALL BE KNOWN AS ISLAND WALK AND ISLAND WALK EAST HOMEOWNERS ASSOCIATION INC., A FLORIDA CORPORATION NOT FOR PROFIT (HEREINAFTER CALLED THE "ASSOCIATION") AS SET FORTH IN ARTICLES OF INCORPORATION FILED WITH THE SECRETARY OF STATE (HEREINAFTER CALLED THE "ARTICLES")

ARTICLE II

OFFICES

THE PRINCIPAL OFFICE OF THE ASSOCIATION SHALL BE IN THE CITY OF LAKELAND, COUNTY OF POLK AND STATE OF FLORIDA. THE ASSOCIATION MAY ALSO HAVE OFFICES AT SUCH OTHER PLACES BOTH WITHIN AND WITHOUT THE STATE OF FLORIDA AS THE BOARD OF DIRECTORS MAY FROM TIME TO TIME DETERMINE OR THE BUSINESS OF THE ASSOCIATION MAY REQUIRE.

ARTICLE III

DEFINITIONS

SECTION 1. "ASSOCIATION" SHALL MEAN AND REFER TO ISLAND WALK AND ISLAND WALK EAST HOMEOWNERS ASSOCIATION, INC., ITS SUCCESSORS AND ASSIGNS.

SECTION 2. "PROPERTIES" SHALL MEAN AND REFER TO THAT CERTAIN REAL PROPERTY DESCRIBED IN THE MASTER DECLARATION OF COVENANTS AND CONDITIONS AND SUCH ADDITIONS THERETO AS MAY HEREAFTER BE BROUGHT WITHIN THE JURISDICTION OF THE ASSOCIATION.

SECTION 3. "COMMON AREA" SHALL MEAN ALL REAL PROPERTY (INCLUDING THE IMPROVEMENTS THEREON) OWNED BY THE ASSOCIATION FOR THE COMMON USE AND ENJOYMENT OF THE OWNERS.

SECTION 4. "LOT" SHALL MEAN AND REFER TO ANY PLOT OF LAND SHOWN UPON ANY RECORDED SUBDIVISION MAP OF THE PROPERTIES WITH THE EXCEPTION OF THE COMMON AREAS AND DEDICATED AREAS WITHIN THE DEVELOPMENT.

SECTION 5. "OWNER" SHALL MEAN AND REFER TO THE RECORD OWNER, WHETHER ONE OR MORE PERSONS OR ENTITIES, OF THE FEE SIMPLE TITLE TO ANY LOT WHICH IS A PART OF THE PROPERTIES, INCLUDING CONTRACT SELLERS, BUT EXCLUDING THOSE HAVING SUCH INTEREST MERELY AS SECURITY FOR THE PERFORMANCE OF ANY OBLIGATION.

SECTION 6. "DECLARANT" OR "DEVELOPER" SHALL MEAN AND REFER TO SUN STATE DEVELOPMENT CORP., JOHN R. BUDD AND PHYLLIS BUDD, HIS WIFE, AND MARC L. BONEY, THEIR SUCCESSORS AND ASSIGNS IF SUCH SUCCESSORS OR ASSIGNS SHOULD ACQUIRE MORE THAN A MAJORITY OF THE REMAINING UNDEVELOPED LOTS OWNED BY THE DECLARANT FOR THE PURPOSE OF DEVELOPMENT.

SECTION 7. "DECLARATION" SHALL MEAN AND REFER TO THE MASTER DECLARATION OF COVENANTS AND CONDITIONS APPLICABLE TO THE PROPERTIES RECORDED IN THE OFFICIAL RECORD BOOKS OF POLK COUNTY, FLORIDA.

SECTION 8. "MEMBER" SHALL MEAN AND REFER TO THOSE PERSONS ENTITLED TO MEMBERSHIP AS PROVIDED IN ARTICLE IV OF THE ARTICLES OF INCORPORATION.

ARTICLE IV

MEETINGS OF MEMBERS

SECTION 1. ANNUAL MEETINGS: THE FIRST ANNUAL MEETING OF THE MEMBERS SHALL BE HELD WITHIN ONE YEAR FROM THE DATE OF INCORPORATION OF THE ASSOCIATION, AND EACH SUBSEQUENT REGULAR ANNUAL MEETING OF THE MEMBERS SHALL BE HELD ON THE SAME DAY OF THE SAME MONTH OF EACH YEAR THEREAFTER, AT THE HOUR OF 7:00 P.M. IF THE DAY FOR THE ANNUAL MEETING OF THE MEMBERS IS A LEGAL HOLIDAY, THE MEETING WILL BE HELD AT THE SAME HOUR ON THE FIRST DAY FOLLOWING WHICH IS NOT A LEGAL HOLIDAY.

SECTION 2. SPECIAL MEETINGS: SPECIAL MEETINGS OF THE MEMBERS MAY BE CALLED AT ANY TIME BY THE PRESIDENT OR BY THE BOARD OF DIRECTORS, OR UPON WRITTEN REQUEST OF THE



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MEMBERS WHO ARE ENTITLED TO VOTE ONE-FOURTH (1/4) OF ALL THE VOTES OF THE CLASS A MEMBERSHIP.

SECTION 3. NOTICE OF MEETINGS: WRITTEN NOTICE OF EACH MEETING OF THE MEMBERS SHALL BE GIVEN BY, OR AT THE DIRECTION OF, THE SECRETARY OR PERSON AUTHORIZED TO CALL THE MEETING, BY MAILING A COPY OF SUCH NOTICE, POSTAGE PREPAID, AT LEAST FIFTEEN (15) DAYS BEFORE SUCH MEETING TO EACH MEMBER ENTITLED TO VOTE THEREAT, ADDRESSED TO THE MEMBER'S ADDRESS LAST APPEARING ON THE BOOKS OF THE ASSOCIATION, OR SUPPLIED BY SUCH MEMBER TO THE ASSOCIATION FOR THE PURPOSE OF NOTICE. SUCH NOTICE SHALL SPECIFY THE PLACE, DAY AND HOUR OF THE MEETING. AND, IN THE CASE OF A SPECIAL MEETING, THE PURPOSE OF THE MEETING.

SECTION 4. QUORUM: THE PRESENCE AT THE MEETING OF MEMBERS ENTITLED TO CAST, OR OF PROXIES ENTITLED TO CAST, ONE TENTH (1/10) OF THE VOTES OF EACH CLASS OF MEMBERSHIP SHALL CONSTITUTE A QUORUM FOR ANY ACTION EXCEPT AS OTHERWISE PROVIDED IN THE ARTICLES OF INCORPORATION, THE DECLARATION, OR THESE BYLAWS. IF, HOWEVER, SUCH QUORUM SHALL NOT BE PRESENT OR REPRESENTED AT ANY MEETING, THE MEMBERS ENTITLED TO VOTE THEREAT SHALL HAVE POWER TO ADJOURN THE MEETING FROM TIME TO TIME WITHOUT NOTICE OTHER THAN ANNOUNCEMENT AT THE MEETING UNTIL A QUORUM AS AFORESAID SHALL BE PRESENT OR BE REPRESENTED.

SECTION 5. PROXIES: AT ALL MEETINGS OF MEMBERS, EACH MEMBER MAY VOTE IN PERSON OR BY PROXY. ALL PROXIES SHALL BE IN WRITING AND FILED WITH THE SECRETARY. EVERY PROXY SHALL BE REVOCABLE AND SHALL AUTOMATICALLY CEASE UPON CONVEYANCE BY THE MEMBER OF HIS LOT.

ARTICLE V

BOARD OF DIRECTORS

SECTION 1. MEMBERS: THE AFFAIRS OF THIS ASSOCIATION SHALL BE MANAGED BY A BOARD OF DIRECTORS, WHO NEED NOT BE MEMBERS OF THE ASSOCIATION. THE NUMBER OF DIRECTORS SHALL ALWAYS BE AN ODD NUMBER NO LESS THAN THREE (3) OR MORE THAN NINE (9).

SECTION 2. TERM OF OFFICE: AT THE FIRST MEETING THE MEMBERS SHALL ELECT THREE (3) DIRECTORS FOR A TERM OF ONE YEAR.

SECTION 3. REMOVAL: ANY DIRECTOR MAY BE REMOVED FROM THE BOARD, WITH OR WITHOUT CAUSE, BY A MAJORITY VOTE OF THE MEMBERS OF THE ASSOCIATION. ON THE EVENT OF DEATH, RESIGNATION OR REMOVAL OF A DIRECTOR, HIS SUCCESSOR SHALL BE SELECTED BY THE REMAINING MEMBERS OF THE BOARD AND SHALL SERVE FOR THE UNEXPIRED TERM OF HIS PREDECESSOR.

SECTION 4. COMPENSATION: NO DIRECTOR SHALL RECEIVE COMPENSATION FOR ANY SERVICE HE MAY RENDER TO THE ASSOCIATION. HOWEVER, ANY DIRECTOR MAY BE REIMBURSED FOR HIS ACTUAL EXPENSES INCURRED IN THE PERFORMANCE OF HIS DUTIES.

SECTION 5. ACTION TAKEN WITHOUT A MEETING: THE DIRECTORS SHALL HAVE THE RIGHT TO TAKE ANY ACTION IN THE ABSENCE OF A MEETING WHICH THEY COULD TAKE AT A MEETING BY OBTAINING THE WRITTEN APPROVAL OF ALL THE DIRECTORS. ANY ACTION SO APPROVED SHALL HAVE THE SAME EFFECT AS THOUGH TAKEN AT A MEETING OF THE DIRECTORS.

ARTICLE VI

POWERS AND DUTIES OF THE BOARD OF DIRECTORS

SECTION 1. POWERS: THE BOARD OF DIRECTORS SHALL HAVE POWER TO:

- (A) ADOPT AND PUBLISH RULES AND REGULATIONS GOVERNING THE USE OF THE COMMON AREAS AND DEDICATED AREAS, AND THE PERSONAL CONDUCT OF THE MEMBERS AND THEIR GUESTS THEREON, AND TO ESTABLISH PENALTIES FOR THE INFRACTION THEREOF;
- (B) SUSPEND THE VOTING RIGHTS AND RIGHT TO USE THE RECREATIONAL FACILITIES OF A MEMBER DURING ANY PERIOD IN WHICH SUCH MEMBER SHALL BE IN DEFAULT IN THE PAYMENT FOR MORE THAN THIRTY (30) DAYS OF ANY ASSESSMENT LEVIED BY THE ASSOCIATION. SUCH RIGHTS MAY

ALSO BE SUSPENDED AFTER NOTICE AND HEARING, FOR AS PERIOD NOT TO EXCEED SIXTY (60) DAYS FOR INFRACTION OF PUBLISHED RULES AND REGULATIONS:

(C) EXERCISE FOR THE ASSOCIATION ALL POWERS, DUTIES AND AUTHORITY VESTED IN OR DELEGATED TO THIS ASSOCIATION AND NOT RESERVED TO THE MEMBERSHIP BY OTHER PROVISIONS OF THESE BYLAWS THE ARTICLES OF INCORPORATION, OR THE DECLARATION;

(D) DECLARE THE OFFICE OF A MEMBER OF THE BOARD OF DIRECTORS TO BE VACANT IN THE EVENT SUCH MEMBER SHALL BE ABSENT FROM THREE (3) CONSECUTIVE REGULAR MEETINGS OF THE BOARD OF DIRECTORS; AND

(E) ENTER INTO MANAGEMENT AGREEMENTS OR EMPLOY A MANAGER, AN INDEPENDENT CONTRACTOR, OR SUCH OTHER EMPLOYEES AS THEY MAY DEEM NECESSARY, AND TO PRESCRIBE THEIR DUTIES.

SECTION 2. DUTIES: IT SHALL BE THE DUTY OF THE BOARD OF DIRECTORS TO:

(A) CAUSE TO BE KEPT A COMPLETE RECORD OF ALL OF ITS ACTS AND CORPORATE AFFAIRS AND TO PRESENT A STATEMENT THEREOF TO THE MEMBERS AT THE ANNUAL MEETING OF THE MEMBERS OR AT ANY SPECIAL MEETING WHEN SUCH STATEMENT IS REQUESTED IN WRITING BY ONE-FOURTH (1/4) OF THE CLASS A MEMBERS WHO ARE ENTITLED TO VOTE;

(B) SUPERVISE ALL OFFICERS, AGENTS AND EMPLOYEES OF THIS ASSOCIATION, AND TO SEE THAT THEIR DUTIES ARE PROPERLY PERFORMED;

(C) AS MORE FULLY PROVIDED IN THE DECLARATION

(1) FIX THE AMOUNT OF THE ANNUAL ASSESSMENT AGAINST EACH LOT AT LEAST THIRTY (30) DAYS IN ADVANCE OF EACH ANNUAL ASSESSMENT PERIOD;

(2) SEND WRITTEN NOTICE OF EACH ASSESSMENT TO EVERY OWNER SUBJECT THERE TO AT LEAST THIRTY (30) DAYS IN ADVANCE OF EACH ANNUAL ASSESSMENT PERIOD, AND;

(3) FORECLOSE THE LIEN AGAINST ANY PROPERTY FOR WHICH ASSESSMENTS ARE NOT PAID WITHIN THIRTY (30) DAYS AFTER DUE DATE OR TO BRING AN ACTION AT LAW AGAINST THE OWNER PERSONALLY OBLIGATED TO PAY THE SAME.

(D) ISSUE OR TO CAUSE AN APPROPRIATE OFFICER TO ISSUE UPON DEMAND BY ANY PERSON A CERTIFICATE SETTING FORTH WHETHER OR NOT ANY ASSESSMENT HAS BEEN PAID. A REASONABLE CHARGE MAY BE MADE BY THE BOARD FOR THE ISSUANCE OF THESE CERTIFICATES. IF A CERTIFICATE STATES AN ASSESSMENT HAS BEEN PAID, SUCH CERTIFICATE SHALL BE CONCLUSIVE EVIDENCE OF SUCH PAYMENT;

(E) PROCURE, PAY FOR AND MAINTAIN ADEQUATE LIABILITY AND HAZARD INSURANCE ON REAL AND PERSONAL PROPERTY OWNED BY THE ASSOCIATION;

(F) CAUSE ALL OFFICERS OR EMPLOYEES HAVING FISCAL RESPONSIBILITIES TO BE BONDED AS IT MAY DEEM APPROPRIATE;

(G) CAUSE THE COMMON AREAS AND DEDICATED AREAS TO BE MAINTAINED.

ARTICLE VII

OFFICERS

SECTION 1. EMPLOYMENT OF OFFICERS: THE OFFICERS OF THIS ASSOCIATION SHALL BE A PRESIDENT VICE PRESIDENT AND A SECRETARY/TREASURER WHO SHALL AT ALL TIMES BE MEMBERS OF THE BOARD OF DIRECTORS, AND SUCH OTHER OFFICERS AS THE BOARD MAY FROM TIME TO TIME BY RESOLUTION CREATE.

SECTION 2. ELECTION OF OFFICERS: THE ELECTION OF OFFICERS SHALL TAKE PLACE AT THE FIRST MEETING OF THE BOARD OF DIRECTORS FOLLOWING EACH ANNUAL MEETING OF THE MEMBERS.

SECTION 3. TERM: THE OFFICERS OF THIS ASSOCIATION SHALL BE ELECTED ANNUALLY BY THE BOARD AND EACH SHALL HOLD OFFICE FOR ONE (1) YEAR UNLESS HE SHALL SOONER RESIGN OR SHALL BE REMOVED, OR OTHERWISE DISQUALIFIED TO SERVE.

SECTION 4. SPECIAL APPOINTMENTS: THE BOARD MAY ELECT SUCH OTHER OFFICERS AS THE AFFAIRS OF THE ASSOCIATION MAY REQUIRE, EACH OF WHOM SHALL HOLD OFFICE FOR SUCH

PERIOD, HAVE SUCH AUTHORITY AND PERFORM SUCH DUTIES AS THE BOARD MAY, FROM TIME TO TIME, DETERMINE.

SECTION 5. RESIGNATION AND REMOVAL: ANY OFFICER MAY BE REMOVED FROM OFFICE WITH OR WITHOUT CAUSE BY THE BOARD. ANY OFFICER MAY RESIGN AT ANY TIME GIVING WRITTEN NOTICE TO THE BOARD, THE PRESIDENT OR THE SECRETARY. SUCH RESIGNATION SHALL TAKE EFFECT ON THE DATE OF RECEIPT OF SUCH NOTICE OR AT ANY LATER TIME SPECIFIED THEREIN, AND UNLESS OTHERWISE SPECIFIED THEREIN, THE ACCEPTANCE OF SUCH RESIGNATION SHALL NOT BE NECESSARY TO MAKE IT EFFECTIVE.

SECTION 6. VACANCIES: A VACANCY IN ANY OFFICE MAY BE FILLED BY APPOINTMENT BY THE BOARD OF DIRECTORS. THE OFFICER APPOINTED TO SUCH VACANCY SHALL SERVE FOR THE REMAINDER OF THE TERM OF THE OFFICER HE REPLACES.

SECTION 7. MULTIPLE OFFICERS: THE OFFICES OF SECRETARY AND TREASURER MAY BE HELD BY THE SAME PERSON. NO PERSON SHALL SIMULTANEOUSLY HOLD MORE THAN ONE OF THE OTHER OFFICE EXCEPT IN THE CASE OF SPECIAL OFFICES CREATED PURSUANT TO SECTION 4 OF THIS ARTICLE.

SECTION 8. DUTIES: THE DUTIES OF THE OFFICERS ARE AS FOLLOWS:

PRESIDENT

(A) THE PRESIDENT SHALL PRESIDE AT ALL MEETINGS OF THE BOARD OF DIRECTORS; SHALL SEE THAT ORDERS AND RESOLUTIONS OF THE BOARD ARE CARRIED OUT; SHALL SIGN ALL LEASES, MORTGAGES, DEEDS AND OTHER WRITTEN INSTRUMENTS AND SHALL CO-SIGN ALL CHECKS AND PROMISSORY NOTES.

VICE PRESIDENT

(B) THE VICE PRESIDENT SHALL ACT IN THE PLACE AND STEAD OF THE PRESIDENT IN THE EVENT OF HIS ABSENCE, UNABILITY OR REFUSAL TO ACT, AND SHALL EXERCISE AND DISCHARGE SUCH OTHER DUTIES AS MAY BE REQUIRED OF HIM BY THE BOARD OF DIRECTORS.

SECRETARY/TREASURER

(C) THE SECRETARY-TREASURER SHALL RECORD THE VOTES AND KEEP THE MINUTES OF ALL MEETINGS AND PROCEEDINGS OF THE BOARD OF DIRECTORS AND OF THE MEMBERS; KEEP THE CORPORATE SEAL OF THE ASSOCIATION AND AFFIX IT ON ALL PAPERS REQUIRING SAID SEAL; SERVE NOTICE OF MEETINGS OF THE BOARD OF DIRECTORS AND OF THE MEMBERS; KEEP APPROPRIATE CURRENT RECORDS SHOWING THE MEMBERS OF THE ASSOCIATION TOGETHER WITH THEIR ADDRESSES, RECEIVE AND DEPOSIT IN APPROPRIATE BANK ACCOUNTS ALL MONIES OF THE ASSOCIATION AND SHALL DISBURSE SUCH FUNDS AS DIRECTED BY RESOLUTION OF THE BOARD OF DIRECTORS; SHALL SIGN ALL CHECKS AND PROMISSORY NOTES OF THE ASSOCIATION; KEEP PROPER BOOKS OF ACCOUNT; CAUSE AN ANNUAL AUDIT OF THE ASSOCIATION BOOKS TO BE MADE BY A PUBLIC ACCOUNTANT AT THE COMPLETION OF EACH FISCAL YEAR; AND SHALL PREPARE AN ANNUAL BUDGET AND A STATEMENT OF INCOME AND EXPENDITURES TO BE PRESENTED TO THE MEMBERSHIP AT ITS REGULAR ANNUAL MEETING, AND DELIVER A COPY OF EACH TO THE MEMBERS.

ARTICLE VII

COMMITTEES

SECTION 1. CREATION AND FUNCTION OF COMMITTEES: THE BOARD OF DIRECTORS MAY, BY RESOLUTION PASSED BY A MAJORITY OF THE WHOLE BOARD, DESIGNATE COMMITTEES, EACH TO CONSIST OF TWO (2) OR MORE OF THE DIRECTORS OF THE ASSOCIATION. COMMITTEES SHALL HAVE SUCH FUNCTIONS AND MAY EXERCISE THE POWERS OF THE BOARD OF DIRECTORS AS CAN BE LAWFULLY DELEGATED AND TO THE EXTENT PROVIDED IN THE RESOLUTION OR RESOLUTIONS CREATING SUCH COMMITTEE OR COMMITTEES.

SECTION 2. MEETINGS OF COMMITTEES: REGULAR MEETINGS OF COMMITTEES MAY BE HELD WITHOUT NOTICE AT SUCH TIME AND AT SUCH PLACE AS SHALL FROM TIME TO TIME BE DETERMINED BY SUCH COMMITTEE, AND SPECIAL MEETINGS OF THE COMMITTEES MAY BE CALLED BY ANY MEMBER THEREOF UPON TWO (2) DAYS NOTICE TO EACH OF THE OTHER MEMBERS OF SUCH COMMITTEE, OR ON SUCH SHORTER NOTICE AS MAY BE AGREED TO IN WRITING BY EACH OF THE OTHER

MEMBERS OF SUCH COMMITTEE, GIVEN EITHER PERSONALLY OR IN THE MANNER PROVIDED IN SECTION 3 OR ARTICLE IV OF THESE BY LAWS (PERTAINING TO NOTICE FOR DIRECTORS' MEETINGS).

SECTION 3. VACANCIES ON COMMITTEES: VACANCIES ON THE COMMITTEES SHALL NOT FILLED BY THE BOARD OF DIRECTORS THEN IN OFFICE AT ANY REGULAR OR SPECIAL MEETING.

SECTION 4. QUORUM OF COMMITTEES: AT ALL MEETINGS OF THE COMMITTEES, A MAJORITY OF THE COMMITTEE'S MEMBERS THEN IN OFFICE SHALL CONSTITUTE A QUORUM FOR THE TRANSACTIONS OF BUSINESS.

SECTION 5. MANNER OF ACTING OF COMMITTEES: THE ACTS OF A MAJORITY OF THE MEMBERS OF THE COMMITTEES, PRESENT AT ANY MEETING AT WHICH THERE IS A QUORUM, SHALL BE THE ACT OF SUCH COMMITTEE.

SECTION 6. MINUTES OF COMMITTEES: COMMITTEES SHALL KEEP REGULAR MINUTES OF THEIR PROCEEDINGS AND REPORT THE SAME TO THE BOARD OF DIRECTORS WHEN REQUIRED.

ARTICLE IX

BOOKS AND RECORDS

THE BOOKS, RECORDS AND PAPERS OF THE ASSOCIATION SHALL AT ALL TIMES, DURING REASONABLE BUSINESS HOURS, BE SUBJECT TO INSPECTION BY ANY MEMBER. THE DECLARATION, THE ARTICLES OF INCORPORATION, AND THE BYLAWS OF THE ASSOCIATION SHALL BE AVAILABLE FOR INSPECTION BY ANY MEMBER AT THE PRINCIPAL OFFICE OF THE ASSOCIATION, WHERE COPIES MAY BE PURCHASED AT REASONABLE COST.

ARTICLE X

FISCAL YEAR

THE FISCAL YEAR OF THE ASSOCIATION SHALL BEGIN ON JANUARY 1.

ARTICLE XI

RULES OF ORDER

ROBERT'S RULES OF ORDER SHALL BE THE PARLIAMENTARY AUTHORITY FOR ALL MATTERS OF PROCEDURE NOT SPECIFICALLY COVERED BY THESE BY LAWS.

ARTICLE XII

AMENDMENTS

SECTION 1. THESE BYLAWS MAY BE AMENDED, AT A REGULAR OR SPECIAL MEETING OF THE MEMBERS, BY A VOTE OF A MAJORITY OF A QUORUM OF MEMBERS PRESENT IN PERSON OR BY PROXY, EXCEPT THAT THE FEDERAL HOUSING ADMINISTRATION OR THE VETERANS ADMINISTRATION SHALL HAVE THE RIGHT TO VETO AMENDMENTS WHILE THERE IS CLASS B MEMBERSHIP.

SECTION 2. IN THE CASE OF ANY CONFLICT BETWEEN THE ARTICLES OF INCORPORATION AND THESE BYLAWS, THE ARTICLES SHALL CONTROL; AND IN THE CASE OF ANY CONFLICT BETWEEN THE DECLARATION AND THESE BYLAWS, THE DECLARATION SHALL CONTROL.

ARTICLE XIII

ASSESSMENTS

AS MORE FULLY PROVIDED IN THE DECLARATION, EACH MEMBER IS OBLIGATED TO PAY TO THE ASSOCIATION ANNUAL AND SPECIAL ASSESSMENTS WHICH ARE SECURED BY A CONTINUING LIEN UPON THE PROPERTY AGAINST WHICH THE ASSESSMENT IS MADE. ANY ASSESSMENTS WHICH ARE NOT PAID WITHIN THIRTY (30) DAYS AFTER THE DUE DATE, THE ASSESSMENT SHALL BEAR INTEREST FROM THE DATE OF DELINQUENCY AT THE RATE OF TWELVE PERCENT (12%) PER ANNUM. THE ASSOCIATION MAY BRING AN ACTION OF LAW AGAINST THE OWNER PERSONALLY OBLIGATED TO PAY THE SAME OR FORECLOSE THE LIEN AGAINST THE PROPERTY, AND INTEREST AND COST AND ALL ATTORNEY'S FEES OF ANY SUCH ACTION SHALL BE ADDED TO THE AMOUNT OF SUCH ASSESSMENT. NO OWNER MAY WAIVE OR OTHERWISE ESCAPE LIABILITY FOR THE ASSESSMENTS PROVIDED FOR HEREIN BY NONUSE OF THE COMMON AREA OR ABANDONMENT OF HIS LOT.

ARTICLE XIV

CORPORATE SEAL

THE ASSOCIATION SHALL HAVE A SEAL IN CONFORMANCE WITH ITS

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CIRCUMFERENCE THE WORDS: ISLAND WALK AND ISLAND WALK EAST HOMEOWNERS ASSOCIATION,
INC., A CORPORATION NOT FOR PROFIT.

IN WITNESS WHEREOF, WE, BEING ALL OF THE DIRECTORS OF ISLAND WALK AND ISLAND
WALK EAST HOMEOWNERS ASSOCIATION, INC., HAVE HEREUNTO SET OUR HANDS THIS 19TH DAY OF
OCTOBER, 1988.

Heidi Glaser
Lin North Highland

Larry Walters
LARRY WALTERS
Ed. A. Todd
ED. A. TODD
Jean Williams
JEAN WILLIAMS