

**By-Laws  
of  
Camino Lakes Homeowners Association, Inc.**

**ARTICLE ONE**

**Organization**

The name of this corporation shall be CAMINO LAKES HOMEOWNERS ASSOCIATION, INC.

The organization shall have a seal which shall be in the following form:

The organization may at its pleasure, by a vote of the membership body change its name.

**ARTICLE TWO**

**Purposes**

The following are the purposes for which this organization has been organized:

The corporation does not contemplate pecuniary gain or profit direct or indirect to its members. The purposes for which it is formed are:

To promote the health, safety and welfare of the residents within the subdivision known as CAMINO LAKES, UNITS 1 AND 2, which subdivision is platted in plat Book 32, pages 37, 38 and 39 of the public records of Palm Beach County, Florida.

- a. Maintain lands, trees, keep the lake pollution free, and to assess the costs involved to the applicable lot owners or to use the funds accrued from the membership dues for such purposes.
- b. Fix assessments (or charges) to be levied against the properties.
- c. Enforce any and all covenants, restrictions and agreements applicable to the properties, including rights of the Declarant under the Declaration of Restrictions of CAMINO LAKES UNITS 1 AND 2, from time to time of Declarant's assignment to this corporation.
- d. Insofar as permitted by law to do any other thing, that, in the opinion of the Board of Directors will promote the common benefit and enjoyment of the residents of the properties.

## **ARTICLE THREE**

### **Membership**

Membership in this organization shall be open and mandatory upon every person or entity who is a record owner of a fee or undivided fee interest in any lot which is subject by covenants of record to assessments by the Association; provided that any such person or entity who holds such interest merely as a security for the performance of an obligation shall not be a member. Membership shall be effective upon the filing of a warranty deed among the public records of Palm Beach County, Florida.

Voting rights and eligibility of officers and directors—

Each lot, or the owners of which are members of this Association, shall be entitled to one (1) vote for each lot, subject to the proviso that the owner or owners have paid in full all dues and assessments due to the Corporation on account of said lot. If the member has not paid the dues or assessments due for said lot, then there shall be no votes on account of such lot and the owner or owners are not eligible to be an officer or director of the Corporation. When more than one person holds an interest in any lot, the vote for such lot shall be cast by that lot owner designated in a certificate filed with the Association and signed by all persons owning an interest in said lot. In the event said certificate is not on file with the Association, no vote shall be cast for said lot. In the event of ownership of any lot by a corporation, a certificate shall be filed with the Association signed by the president and attested to by the secretary of the corporation, designating a person to vote on behalf of the corporation.

## **ARTICLE FOUR**

### **Meetings**

The annual membership meeting of this organization shall be held on the first Monday of December of each and every year except if such day be a legal holiday, then and in that event, the Board of Directors shall fix the day, but it shall not be more than two weeks from the date fixed by these By-Laws. (Revised 1-25-99 to read “the third Monday in January.”)The Secretary shall cause to be mailed to every member in good standing at his address as it appears in the membership roll book of this organization, a notice telling the time and place of such annual meeting.

The annual meeting shall constitute the regular meeting of this organization, special meetings of the membership of this Association may be called at any time by the President and/or the Board of Directors.

The presence of not less than fifteen percent (15%) of the members of proxies shall constitute a quorum and shall be necessary to conduct the business of this organization; but a lesser number may adjourn the meeting for a period of not more than two (2) weeks from the date scheduled by these By-Laws and the Secretary shall cause a notice of this scheduled meeting to be sent to all those members who were not present at the meeting originally called. A quorum as hereinbefore set forth shall be required at any adjourned meeting.

Special meetings of this organization may be called by the President when he deems it for the best interest of the organization. Notices of such meetings shall be mailed to all members at their addresses as they appear in the membership roll book at least forty (40) days but not more than sixty (60) days before the scheduled date set for such special meeting. Such notice shall state the reasons that such meeting has been called, the business to be transacted at such meeting and by whom called.

At the request of a majority of members of the Board of directors or members of the organization, the President shall cause a special meeting to be called but such request must be made in writing at least 40 days before the requested scheduled date.

No other business but that specified in the notice may be transacted at such special meeting without the unanimous consent of all present at such meeting.

Provided however, the first annual meeting and the first election of Directors by members will not be held until record fee title to ninety percent (90%) of the lots subject to the jurisdiction of this Corporation have been conveyed by the Declarant or its success in title to bona fide third party purchasers of lots subject to the jurisdiction of this Corporation. In this regard, bona fide third party purchasers shall not be deemed to include any person, corporation or entity which has either legal or equitable interest in the lots subject to the jurisdiction of the Corporation at the time the Restrictive Covenants are recorded to which these By-Laws are attached.

## **ARTICLE FIVE**

### **Voting**

At all meetings, except for the election of officers and directors, all votes shall be viva voce, or by proxy, except that for election of officers ballots shall be provided and there shall not

appear any place on such ballot any mark or marking that might tend to indicate the person who cast such ballot.

Proxies may be made by any person entitled to vote and shall be valid only for the particular meeting designated therein and must be filed with the Secretary before the appointed time of the meeting.

At any regular or special meeting, if a majority so required, any question may be voted upon in the manner and style provided for election of officers and directors.

At all votes by ballot the chairman of such meeting shall immediately prior to the commencement of balloting, appoint a committee of three who shall act as “Inspectors of Election” and who shall at the conclusion of such balloting certify in writing to the Chairman the results and the certified copy shall be physically affixed in the minute book to the minutes of that meeting.

No Inspector of Election shall be a candidate for office or shall be personally interested in the question voted upon.

## **ARTICLE SIX**

### **Order of Business**

Order of business shall be as follows:

- a. Roll call
- b. Reading of the minutes of the preceding meeting
- c. Reports of committees
- d. Reports of officers
- e. Old and unfinished business
- f. New business
- g. Good and welfare
- h. Adjournments

## **ARTICLE SEVEN**

### **Board of Directors**

The business of this organization shall be managed by a Board of Directors consisting of not less than three (3) and not more than nine (9) members. (Revised 1-25-99 to read “not less than three (3) members but can include an open end.”) After the first election of members at a

general meeting, at least a majority of the directors elected shall be permanent residents of the property governed by the Corporation.

The Directors to be chosen for the ensuing year shall be chosen at the annual meeting of this organization and after the election of the Directors, the Directors shall hold an election for the purpose of electing the officers of the Association which shall consist of a President, Vice President, Secretary and Treasurer, and they shall serve for a term of one (1) year.

The Board of Directors shall have the control and management of the affairs and business of this organization. Such Board of Directors shall only act in the name of the organization when it shall be regularly convened by its Chairman after due notice to all Directors of such meetings.

A majority of the members of the Board of Directors shall constitute a quorum and the 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 (3) days prior to the day named for such meeting.

Special meetings of the Board of Directors may be called by the President and must be called by the Secretary at the written request of one-third (1/3) of the Directors. Not less than three (3) days notice of the meeting shall be given personally or by mail, telephone or telegraph, which notice shall state the time, place and purpose of the meeting.

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.

Each Director shall have one vote and such voting may not be done by proxy.

The Board of Directors may make such rules and regulations covering its meetings as it may in its discretion determine necessary.

Vacancies in the said Board of Directors shall be filled by a vote of the majority of the remaining members of the Board of Directors for the balance of the year.

The President of the organization by virtue of his office shall be Chairman of the Board of Directors. The Board of Directors shall select from one of their number a Secretary. The ex-officio President by virtue of his past experience shall be a member of the Board of Directors.

A Director may be removed when sufficient cause exists for such removal. The Board of Directors may entertain charges against any Director. A Director may be represented by counsel upon any removal hearing. The Board of Directors shall adopt such rules as it may in its discretion consider necessary for the best interests of the organization, for this hearing.

Provided however, that until the first annual meeting is held pursuant to Article Four, that the following persons shall constitute the Board of Directors:

Emanuel Zimmer

David Melman

Kenneth S. Rappaport

The foregoing Directors shall serve until the first meeting as described above; provided however, that if any one of them resigns or is unable to continue in office, then the remaining two Directors will elect the successor of the retiring or resigning Director who shall then continue in office until the first annual meeting.

## ARTICLE EIGHT

### Officers

The Officers of the organization shall be as follows:

President	David Melman
Vice President	Emanuel Zimmer
Secretary	Emmuel Zimmer
Treasurer	Kenneth S. Rappaport

The Officers shall all be residents of Camino Lakes Units 1 and 2, subsequent to the initial selection of officers.

**The President** shall preside at all membership meetings. He shall by virtue of his office be Chairman of the Board of Directors.

He shall present at each annual meeting of the organization an annual report of the work of the organization.

He shall appoint all committees, temporary or permanent.

He shall appoint, as a paid employee of the Association, an executive officer whose duties and responsibilities shall be to do all clerical work in connection with Camino Lakes Homeowners Association, Inc. and to act as custodian for all books, reports and records and to do all clerical work in connection with all books, reports and certificates as required by law are properly kept or filed.

He shall be one of two officers who may sign the checks or drafts of the organization; all checks and drafts of the organization are to bear a minimum of two (2) signatures.

- a. President and Secretary/Treasurer

b. Vice President and Secretary/Treasurer

(Revised 1-25-99 to read “checks and drafts do not need 2 (two) signatures, only 1 (one) authorized signature should be required.”)

He shall have such powers as may be reasonably construed as belonging to the Chief Executive of any organization.

**The Vice President** shall in the event of the absence or inability of the President to exercise his office become acting President of the organization with all the rights, privileges and powers as if he had been the duly elected President.

**The Secretary** shall be responsible to effect the maintenance and keeping of the minutes and records of the organization in appropriate books, which records are to be physically kept in the Association office.

It shall be his responsibility to effect the giving and serving of all notices to members of this organization.

It shall be his responsibility to see that all records and seal of this organization are in proper custody and security.

He may be one of the officers required to sign the checks and drafts of this organization.

He shall submit to the President and additionally to the Board of Directors any communications or notices or petitions which shall be addressed to him either verbally or written as Secretary of the organization.

He shall be responsible by written notation or initialing of all correspondence emanating from the organization and shall other-wise exercise all duties incident to the office of the Secretary except that no directives or communications, verbal or written, are to issue from the Secretary without the concurrence of the President.

He shall attend to all correspondence of the organization and shall exercise all duties incident to the office of Secretary.

**The Treasurer** shall be responsible for effecting the care and custody of all monies belonging to the organization and shall be solely responsible for such monies or securities of the organization. He shall cause to be deposited in a regular business bank or trust company a sum not exceeding \$500.00 and the balance of the funds of the organization shall be deposited in a savings bank except that the Board of Directors may cause such funds to be invested in such investments as shall be legal for a savings bank in the State of Florida.

He must be one of the officers who shall sign checks or drafts of the organization. No special fund may be set aside that shall make it unnecessary for the Treasurer to sign the checks issued upon it.

He shall render at stated periods as the Board of Directors shall determine, a written account of the finances of the organization and such report shall be physically affixed to the minutes of the Board of Directors of such meeting.

He shall exercise all duties incident to the office of Treasurer.

Officers shall by virtue of their office be members of the Board of Directors.

No officer shall for reason of his office be entitled to receive any salary or compensation, but nothing herein shall be construed to prevent an officer or director from receiving any compensation from the organization for duties other than as a director or officer.

## **ARTICLE NINE**

### **Salaries**

The President shall hire all employees which he in his discretion may determine to be necessary in the conduct of the business of the organization. The Board of Directors shall fix the reasonable compensation for such employees.

## **ARTICLE TEN**

### **Committees**

All committees of this organization shall be appointed by the President or the Board of Directors and their term of office shall be at the discretion of the President and the Board of Directors. There shall be a permanent committee known as the Architectural Approval Board and it shall consist of a minimum of three (3) and a maximum of five (5) members. It shall be perpetual in existence and it shall be the duty of the Board of Directors to insure that it is in existence as long as the Corporation exists. (Revised 1-25-99 to read "the Architectural Committee should consist of 3 (three) people.")

## **ARTICLE ELEVEN**

### **Dues and Assessments**

The beginning dues of this organization shall be \$36.00 per lot per annum, payable on the first day of September of each and every year. All dues and/or assessments not paid with sixty

(60) days after due date shall bear a penalty of 50 percent of the total bill and each month beyond sixty (60) days shall bear interest at the highest rate allowed by law.

Each owner of every lot and parcel hereby agrees that the sum assessed annually may be increased in any of the following methods:

1. The increase does not exceed 115 percent of the previous year's then a majority of the Board of Directors of the CAMINO LAKES HOMEOWNERS ASSOCIATION, INC. may adopt such assessment, such assessment shall be binding upon each lot or parcel covered by these restrictions.
2. In the event the assessment is to exceed 115 percent of the previous year's assessment, then it may be increased in either of the following manners:
  - a. By a vote of 75 percent of the members of CAMINO LAKES HOMEOWNERS ASSOCIATION, INC., or
  - b. A vote of 60 percent of the members of the CAMINO LAKES HOMEOWNERS ASSOCIATION, INC., and a two-thirds majority vote of the Board of Directors of CAMINO LAKES HOMEOWNERS ASSOCIATION, INC.,
3. Assessment may be lowered at any time by a majority vote of the Board of Directors of CAMINO LAKES HOMEOWNERS ASSOCIATION, INC.

The Association shall have a lien on each Lot in CAMINO LAKES UNITS 1 and 2 for any dues and/or assessments made by the Association for the purpose of permitting the Association to perform the several services and obligations conferred upon it under this Article Eleven. Said lien shall also secure reasonable attorney's fees incurred by the Association incident to the collection of such unpaid dues or assessments or enforcement of such lien. Said lien shall be effective from and after the time of recording in the public records of Palm Beach County, Florida, of a claim of lien stating the description of the lot, the name of the record lot owner, the amount due and date when due and the lien shall continue in effect until all sums secured by the lien shall have been fully paid. Such liens shall bear interest at the rate of ten percent (10%) per annum from date of recording until paid. Except for interest, such claims of lien shall include only the unpaid dues or assessments which are due and payable to the Association when the claim of lien is recorded, together with all costs incurred or sustained by the lien claimant in enforcing and perfecting such lien, including a reasonable attorneys' fee. Upon full payment, the lot owner shall be entitled to a recordable satisfaction of lien. All such

liens shall be subordinate to the lien of an institutional mortgage or other lien recorded prior to the time of recording of the claim of lien and in the event the holder of a prior institutional mortgage shall accept and record a deed in lieu of foreclosure or obtain a certificate of title as a result of foreclosure, the recording of said deed in lieu of foreclosure, or certificate of title shall operate to release a subordinate claim of lien, although the obligation of payment may thereafter be enforced personally against the lot owner owning the property at the time the assessment was levied. Such lien may be foreclosed by suit brought in the name of the Association in like manner as a foreclosure of a mortgage on real property. In any such foreclosure, the lot owner shall be required to pay a reasonable rental for the lot, and the Association shall be entitled to the appointment of a receiver without bond or notice to collect the same. Suit to recover a money judgment for unpaid assessments may be maintained at the option of the lien holder without waiving the lien securing the same.

## **ARTICLE TWELVE**

### **Amendments**

These By-Laws may be altered, amended, appealed or added to in the following manner:

- a. Prior to the time of the first annual meeting, by a majority vote of the Board of Directors.
- b. After the time of the first annual meeting, by a majority vote of the voting members.

The foregoing were adopted as the By-Laws of CAMINO LAKES HOMEOWNERS ASSOCIATION, INC., by the Board of Directors on April 19, 1977.

David A. Melman  
President

Emanuel Zimmer  
Secretary