

Instrument prepared by:
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AMENDMENT TO

The By-Laws of Futura Yacht Club Homeowners' Association, Inc.

WHEREAS, the Bylaws of the Futura Yacht Club Homeowners' Association, Inc. were duly recorded in Official Records Book 1086 at Page 2287 of the Public Records of Monroe County, Florida; and

Whereas, at a duly adjourned and conducted Annual Meeting of the membership of the Association held on January 14, 2012, the amendments to the By-Laws as set out in Exhibit "A" attached hereto and incorporated herein were approved by a vote of the membership in excess of the required number of votes by the pertinent provisions of said By-Laws.

NOW, THEREFORE, the undersigned hereby certifies that the amendments to the By-Laws as set out in Exhibit "A" attached hereto and incorporated herein are a true copy of the amendments as approved by the requisite percentage of the membership of the Association.

Futura Yacht Club Homeowner's Association, Inc.

WITNESS my signature hereto this 21st day of June, 2013.

Caitlin Anderson
Witness

BY: [Signature]
Robert Brockhaus Office: Pres.

WITNESS my signature hereto this 10 day of June, 2013.

Penny Stuprocki
Witness

By: [Signature]
Marianne Clark Office: Sec.

STATE OF Colorado

COUNTY OF Chaffee

The foregoing instrument was acknowledged before me this 21st day of June, 2013 by Robert Brockhaus the President of Futura Yacht Club Homeowner's Association, Inc. a Florida not-for-profit corporation, on behalf of the corporation. He/she is personally known to me or has produced Missouri Driver License as identification and who did take an oath.

Lynette E. Neesen
Notary Public Signature

"I am a notary public of the State of CO and my commission expires on 1/4/2014 (date)"

Lynette E. Neesen
Print notary name:



STATE OF Michigan

COUNTY OF Kent

The foregoing instrument was acknowledged before me this 10th day of June, 2013 by Marianne Clark the Vice Secretary of Futura Yacht Club Homeowner's Association, Inc., Inc. a Florida not-for-profit corporation, on behalf of the corporation. He/she is personally known to me or has produced A Michigan Drivers License as identification and who did take an oath.

Penny Stupnicki
Notary Public Signature

"I am a notary public of the State of MI and my commission expires on 4/19/16 (date)"

Penny Stupnicki
Print notary name:

PENNY STUPNICKI, NOTARY PUBLIC
KENT COUNTY, STATE OF MICHIGAN
MY COMMISSION EXPIRES ON 04-19-2016
ACTING IN THE COUNTY OF KENT

Exhibit "A"

Amendments to Futura Yacht Club Homeowner's Association, Inc. Bylaws

4(f) Effect of Nonpayment of Assessments and Remedies of the Association:

~~Any~~ With the exception of fines and occupancy impact fees, any assessment not paid within twenty (20) fifteen (15) days after the due date shall bear interest from the due date at the current allowable interest rate. The ASSOCIATION may bring an action at law against the OWNER personally obligated to pay the same, of foreclose the lien against the property. No OWNER may waive or otherwise escape liability for the assessments provided for herein by non-use of the COMMON AREA or abandonment of his UNIT.

4.1 Number of Directors. The Association shall be governed by a Board of Directors consisting of ~~nine (9)~~ thirteen (13) Directors. The Directors of the Association shall have a fiduciary relationship to the Members.

4.2.1 Condominium Unit Owner Representatives. ~~Four (4)~~ Five (5) Directors shall be elected at the Condominium Association Annual Meeting by the Condominium Unit Owners (Phase II) in accordance with the procedures set forth in the Condominium Association Articles of Incorporation and By-laws for the Election of Directors of the Condominium Association. Each such Director shall be the owner of a Condominium in Phase II of the project. The ~~Four~~ five (5) Directors elected by the Condominium Unit Owners shall be installed at the next Annual Meeting of Members.

4.2.2 Townhouse Unit Owners Representatives. ~~Four Directors shall be elected by the Townhouse Unit Owners in accordance with the procedures set forth in paragraph 4.16.1 below. Each such Director shall be the owner of a Townhouse in Phase I of the project. The Four Directors elected by the Townhouse Unit Owners shall be installed at the next Annual Meeting of Members.~~ Five (5) Directors shall be elected at the Townhouse Association Annual Meeting by the Townhouse Unit Owners (Phase I) in accordance with the procedures set forth in the Townhouse Association Articles of Incorporation and By-laws for the Election of Directors of the Townhouse Association. Each such Director shall be the owner of a Townhouse in Phase I of the project. The five (5) Directors elected by the Townhouse Unit Owners shall be installed at the next Annual Meeting of Members.

4.2.3 ~~Marina Condominium Association Representative.~~ The President of the Futura Yacht Club Marina Condominium Association shall serve as a member of the Board of Directors. Marina Condominium Association Representatives. Three (3) Directors shall be elected at the Marina Association Annual

Meeting by the Marina Unit Owners in accordance with the procedures set forth in the Marina Association Articles of Incorporation and By-laws for the Election of Directors of the Marina Association. Each such Director shall be the owner of a Marina unit. The three (3) Directors elected by the Marina Unit Owners shall be installed at the next Annual Meeting of Members.

~~4.16.1 Townhouse Committee. There shall be established a Townhouse Owners' Committee of the Association which shall be constituted and have the powers as follows:~~

~~1. The Townhouse Owners' Committee shall be comprised of the 34 Townhouse Unit Owners in Phase I of the project.~~

~~2. Any actions taken by the Association that affect the rights of owner of Townhouse units in Phase I of the project shall not take effect until approved by a majority of the voting interests of Townhouse Unit Owners.~~

~~3. The Committee is empowered and authorized to take the following actions on behalf of the Townhouse Association:~~

~~A. Adopt reasonable rules and regulations for the use of the common areas contained in Phase I of the project.~~

~~B. Hold at least one Annual Meeting of the Committee of which all members are given written notice no less than 30 days in advance.~~

~~C. Elect four Directors from among its members to serve as Directors for the Association. The Directors shall select from among themselves a chairman to preside over meetings of the Committee.~~

~~4. The election of Directors shall take place at the Annual Meeting of the Committee by a plurality of the voting interests of Townhouse Unit Owners. Each member shall be entitled to cast votes for each of as many nominees as there are vacancies to be filled. There shall be no cumulative voting. At least 60 days prior to the scheduled election of Directors, the Chairman of the Townhouse Owner's Committee shall mail or deliver to each Townhouse Unit Owner entitled to vote, a notice of the date of the Townhouse Owner's Annual Meeting at which the election is to take place. Any Townhouse Unit Owner desiring to be a candidate shall give written notice of his/her candidacy to the Chairman of the Townhouse Owner's Committee not less than 40 days before the scheduled election. Not less than 30 days before the election the Chairman of the Committee shall mail or deliver to each Townhouse Unit Owner entitled to vote, a ballot listing all candidates. A Unit Owner may vote by mailing the ballot to the Chairman of the Committee in sufficient time to be received prior to the scheduled election or the Unit Owner may cast his ballot in person at the scheduled meeting. The Chairman of the Committee shall appoint 3 members of the Townhouse Owner's Committee who are not candidates to open the mail-in ballots and tabulate the total number of votes cast for each candidate. The four candidates receiving the highest number of votes shall serve as Directors for the ensuing year.~~

2.4 "Club" shall mean and refer to the private club which will was originally intended to occupy and operate any and all recreational areas developed in the property within the project. The "Club" no longer exists.

4.4 Regular Meetings: Meetings of the Board may be held according to a prearranged schedule at such time and place in Dade County or Monroe County, Florida, and 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 telegram by electronic communication, at least ten (10) days prior to the day named for such meeting.

4.5 Special Meetings: Special meetings of the Board may be called by the President and must be called by the secretary at the written request of at least three (3) Directors. Not less than two (2) days notice of a special meeting shall be given to each Director, personally or by telephone or telegram by electronic communication, which notice shall state the time, date, place and purpose of the meeting. Business conducted at special meetings shall be limited to matters stated in the notice of the meeting.

9.1 Method. Except as otherwise required, notices to Directors and Members shall be in writing and delivered personally, or mailed to their addresses appearing on the records of the Association, or by use of electronic communications to owners who have consented to receive communications electronically. When notice is sent Notice by mail it shall be deemed to be given at the time when same shall be deposited properly addressed with sufficient first class postage in the U.S. Mails. Notice to Directors may also be given by telegram, telephone, or in person, or by electronic communications.

10.5 Budget. The Treasurer shall prepare or cause to be submitted to the Board, not later than November 1 of each year, a proposed budget for the next year. The proposed budget shall be detailed and shall show the amounts budgeted for income and expense by accounts. The Board of Directors shall, not later than November 30 of each year, adopt an Annual Budget for the next Fiscal Year. A copy of the proposed budget and a notice stating the time, date and place of the meeting at which the budget will be considered shall be mailed to, delivered to by electronic communications, or served on each Director and each Member not less than fourteen (14) days prior to that meeting.

11.2 Procedure. Upon any amendment or amendments to these By-Laws being proposed, the appropriate notices and copies of the text of the proposed amendments shall be mailed to, or by electronic communications delivered to, all Directors with notice of a meeting at which the amendments will be voted on.

12.1 Fines. Pursuant to ~~Section 617.10(3)~~, Florida Statutes, the Board of Directors may levy reasonable fines against members whose Unit owners commit violations of the rules or regulations, or condone such violation by their family members, guests or lessees. The fines shall be in an amount deemed necessary by the Board to deter future violations, but in no event shall any fine exceed \$500 such amounts as allowed by Florida Statutes and law.