

**CERTIFICATE OF AMENDMENT TO**  
**BY-LAWS**  
**OF**  
**SUTTERS LANDING**  
**HOMEOWNERS ASSOCIATION, INC.**

The undersigned, being the Secretary of Sutters Landing Homeowners Association, hereby certifies that the following amendment was properly adopted in compliance with requirements of the By-laws and the same were approved as amended at a regular meeting of the members, by a vote of a majority of a quorum of members present in person or by proxy.

Article VII, Section 1(a) entitled "Powers and Duties of the Board of Directors" is hereby amended to read as follows:

**ARTICLE VII**  
**POWERS AND DUTIES OF THE BOARD OF DIRECTORS**

Section 1. Powers. The Board of Directors shall have the power to:

(a) adopt and publish rules and regulations governing the use of the Common Area and facilities, and the care and maintenance of the lots owned by the members, and the personal conduct of members and their guests thereon, and to establish penalties for the infraction thereof;

*(The remainder of Section 1 is unchanged)*

Article XV, entitled "Obligations of Owners" is hereby added to read as follows:

**ARTICLE XV**  
**OBLIGATIONS OF OWNERS**

1. Violations, Notice, Actions.

In the case of a violation (other than the nonpayment of an assessment) by a member of any of the provisions of the Declaration, the Articles, these Bylaws, or any lawfully adopted rules and regulations, the Association by direction of its Board of Directors may transmit to the member by certified mail, return receipt requested, a notice of the violation. if the violation shall continue for a period of 14 days from the date of the notice, the Association shall have the right to treat the violation as an intentional and material breach

of the provision cited in the notice. It then, at its option, may take the following actions:

- A. File an action to recover for its damages on behalf of the association or on behalf of other members.
- B. File an action for injunctive relief requiring the offending member to take or desist from taking certain actions.
- C. File an action for both damages and injunctive relief.

The foregoing action may be taken in addition to the Association's right to impose fines under Article XVI of these Bylaws.

2. Attorneys' Fees. In an action brought pursuant to the provisions of Section 1, the prevailing party is entitled to recover reasonable attorneys' fees.

Article XVI, entitled "Enforcement" is hereby added to read as follows:

### **ARTICLE XVI ENFORCEMENT**

1. The Association may suspend for a period of sixty (60) days the rights of a member or member's tenants, guests, or invitees, or both to use common areas and facilities any may levy a fine of \$50.00 per violation against any member or any member's tenants, guests, or invitees for a violation of any provision of the Declaration of Covenants, Conditions and Restrictions, By-laws or rules and regulations of the Association.

2. A fine or suspension may be imposed after a reasonable notice of not less than fourteen (14) days to the person sought to be fined or suspended and an opportunity for a hearing before a committee of three members appointed by the board who are not officers, directors, or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed.

3. The notice shall include:

- A. a statement of the date, time and place of the hearing;
- B. a statement of the provisions of the Declaration, these By-laws and lawfully adopted rules and regulations which have allegedly been violated; and
- C. a short and plain statement of the matters asserted by the Association. The party against whom the fine may be levied shall have an opportunity to respond, to present evidence, and to provide written and oral argument on all issues involved and shall have an opportunity at the hearing to review, challenge, and respond to any material considered by the Association. Upon the levying of any fine, the Board may collect such fine like assessments in one or more installments. Each day of violation shall be a separate violation. The affected Unit Owner, whether the offending party or not, shall always be given notice of the hearing.

4. If after the approval and imposition of a fine, a member fails to correct the violation as regulated within the time specified, he or she may be assessed a continuing fine, not to exceed fifty dollars (\$50.00) for each twenty-four (24) hour period the violation remains uncorrected or unabated.

5. The Association may not suspend the voting rights of a member.

Dated this \_\_\_\_ day of \_\_\_\_\_, 1996.

Signed, sealed, and delivered  
in our presence as witnesses:

SUTTERS LANDING HOMEOWNERS  
ASSOCIATION, INC.

By: \_\_\_\_\_  
BETH CICILIONI, its Secretary

\_\_\_\_\_  
Signature of Witness #1

Printed name of witness signing above:

(corporate seal)

\_\_\_\_\_  
Signature of Witness #2

printed name of witness signing above:

STATE OF FLORIDA  
COUNTY OF ALACHUA

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_,  
1996 by BETH CICILIONI as Secretary of SUTTERS LANDING HOMEOWNERS ASSOCIATION, INC., a  
Florida corporation on behalf of the corporation. He/she is personally known to me or has produced  
\_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public

Commission Number \_\_\_\_\_

(Name of Notary typed, printed or stamped: \_\_\_\_\_)

(AFFIX NOTARY SEAL - RUBBER STAMP)

THIS INSTRUMENT PREPARED BY  
HERBERT M. WEBB, ESQUIRE  
4400 NORTHWEST 23RD AVENUE, SUITE "E"  
GAINESVILLE, FLORIDA 32606