

AMENDMENT NO. 1 TO

BY-LAWS OF

DEERCREEK COUNTRY CLUB

OWNERS ASSOCIATION, INC.

A Not-for-Profit Corporation Under  
the Laws of the State of Florida

**1. Subparagraph A of Article IV, BOARD OF DIRECTORS: SELECTION; TERM OF OFFICE, shall be amended as follows:**

A. Number. The affairs of this Association shall be managed by a Board who need not be members of the Association. The initial Board appointed by the Declarant shall be three (3) persons. At the first election at which owners rather than the Declarant elect the Directors, the number of Directors to be elected shall be nine (9). Upon termination of the B membership, the number may be amended ~~increased~~ to the number approved by the majority of votes of the Association.

**2. A new Article of the Bylaws shall be added as follows:**

ARTICLE XIV  
DISCIPLINE

1. Enforcement.

The Board of Directors shall have the power to impose reasonable fines, not to exceed any maximum amount provided by the Florida Statutes, which shall constitute an automatic and continuing lien upon the Lot of the violating Owner, to suspend an Owner's right to use the Common Property or right to vote, and to preclude contractors, subcontractors, agents and other invitees of an Owner or occupant from the community for violation of any duty imposed under the Declaration or these By-Laws; provided, however, nothing herein shall authorize the Association or the Board of Directors to limit an Owner's or occupant's ingress and egress to or from its Lot. The Board of Directors may adopt a schedule of fines. In the event that any occupant of a Lot violates the Declaration or these By-Laws and a fine is imposed, the fine shall first be assessed against the occupant residing therein; provided, however, if the fine is not paid by the occupant within the time period set by the Board of Directors, the Owner shall pay the fine upon notice from the Association. Fines may be assessed on each day being deemed a separate violation. The failure of the Board of Directors to enforce any provision of the Declaration or By-Laws shall not be deemed a waiver of the right of the Board of Directors to do so thereafter.

2. Notice.

Prior to imposition of any fine or sanction hereunder, the Board of Directors or its delegate shall serve the accused with written notice describing (a) the nature of the alleged violation, (b) the proposed sanction to be imposed, (c) a period of not less than fourteen (14) days within which the alleged violator may present a written request to the Board of Directors for a hearing affording the accused a reasonable opportunity to be heard; and (d) a statement that the proposed sanction shall be imposed as contained in the notice unless a challenge has been requested within fourteen (14) days of the notice.

3. Hearing.

If a hearing is requested within the allotted fourteen (14) day period, the hearing shall be before a committee of at least three (3) members appointed by the Board of Directors who shall be Owners, but who shall not be officers, directors or employees of the Association, or members of the Architectural Review Board, or the spouse, parent, child, brother or sister of an officer, director or employee or member of the Architectural Review Board, or as otherwise provided by Florida Statute. The Association's property management agent shall provide a complete set of data for each participating member of this committee at least 72 hours prior to such meeting. Prior to the effectiveness of any sanction hereunder, proof of proper notice shall be placed in the minutes of the meeting. Such proof shall be deemed adequate if a copy of the notice, together with a statement of the date and manner of delivery, is entered by the officer, director, or agent who delivered such notice. The notice requirement shall be deemed satisfied if the accused appears at the meeting. Any Owner who plans to be represented by an attorney must so notify the property management agent in writing no less than six (6) working days prior to the scheduled committee meeting. The committee, by majority vote, may reschedule a scheduled or in-progress hearing if they require advice from the Association's counsel. The minutes of the meeting shall contain a written statement of the results of the hearing and the sanction, if any, imposed. The Board of Directors may, but shall not be obligated to, suspend any proposed sanction if the violation is cured within the fourteen (14) day period. Any suspension shall not constitute a waiver of the right to sanction future violations of the same or other provisions of any person.

4. Additional Enforcement Rights.

Notwithstanding anything to the contrary herein contained, the Association may elect to enforce any provisions of the Declaration or these By-Laws by self-help (specifically including, but not limited to, the towing of vehicles that are in violation of parking rules and regulations) or by suit at law or in equity to enjoin any violation or to recover monetary damages or both without the necessity of compliance with the procedure set forth above. In any such action, to the maximum extent permissible, the Owner or occupant responsible for the violation of which abatement is sought shall pay all costs, including reasonable attorneys fees actually incurred.

The foregoing were adopted as Amendments to the By-Laws of DEERCREEK COUNTRY CLUB OWNERS ASSOCIATION, INC., a not-for-profit corporation under the laws of the State of Florida, at the meeting of the Board of Directors on the 25 day of October, 1999.

DEERCREEK COUNTRY CLUB OWNERS  
ASSOCIATION, INC.

By: [Signature]  
President

Attest: [Signature]  
Secretary

(Corporate Seal)

CORPORATE RESOLUTION

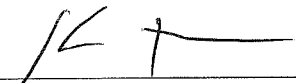
The undersigned hereby certify that they are the President and Secretary, respectively, of DEERCREEK COUNTRY CLUB OWNERS ASSOCIATION, INC., a Florida not-for-profit corporation, hereinafter called "Association"; that the following is a true copy of resolution duly adopted by the Board of Directors of this corporation at a meeting duly held on the 25 day of October, 1999, at which a quorum was present and voting throughout, and that such resolution has not been rescinded or modified and is now in full force and effect:

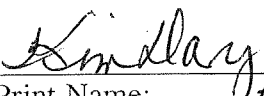
RESOLVED that the Board of Directors has approved the Amendment No. 1 to By-Laws attached hereto as Exhibit A, and hereby authorize the President and Secretary of the Association to execute same on behalf of Association;

FURTHER RESOLVED that the Board of Directors has determined that the bylaw amendments referred to above are not materially adverse to the rights of the Owners.

IN WITNESS WHEREOF, we have hereunto subscribed our names and affixed the seal of this corporation, this 25 day of October, 1999.

DEERCREEK COUNTRY CLUB OWNERS  
ASSOCIATION, INC., a Florida  
not-for-profit corporation

  
\_\_\_\_\_  
Print Name: Keith E. Bass

  
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Print Name: Kim Dary