

**BY-LAWS OF
EL DORADO ESTATES ASSOCIATION, INC.**

ARTICLE I. NAME AND OBJECT

EL DORADO ESTATES ASSOCIATION, INC., is organized for the general purpose of advancing the civic and cultural interests of the EL DORADO ESTATES IN PLANTATION, Subdivision of Plantation, Florida, and is a nonprofit corporation under the laws of the State of Florida with its principal place of business in Broward County, Florida.

ARTICLE II. ASSOCIATION PROPERTY

Title to all Association property shall be held in the name of the Association and any conveyance of property shall be made in the name of the Association by the President and attested by the Secretary, or in the absence of these officers, by those delegated to perform their duties as elsewhere in these By-Laws provided.

ARTICLE III. CORPORATE SEAL

The corporate seal shall be engraved with the following: EL DORADO ESTATES ASSOCIATION, INC., 1965, Florida.

ARTICLE IV. MEMBERSHIP

The qualifications and types of membership shall be as follows:

1. **MEMBERS:** Members shall be limited to owners of improved fee title to real estate in EL DORADO ESTATES IN PLANTATION, presently consisting of three platted subdivisions in Plantation, Florida. Memberships shall be transferred only through the Association with the consent of the Board of Directors. When any member ceases to be the owner of fee title to real estate within the said EL DORADO ESTATES IN PLANTATION Subdivisions, the membership of such member shall thereupon terminate.
2. Voting rights in the Association shall be vested only in the members. Each member shall be entitled to one (1) vote for each improved homesite owned by the said member within the EL DORADO ESTATES IN PLANTATION Subdivisions.
3. The immediate family of a member residing in the household of such member shall be entitled to the privileges enjoyed by the member, but shall not be entitled to the right to vote.
4. Only persons of good moral character and who possess such additional qualifications as shall be prescribed by the Board of Directors of the Association shall be qualified for membership.
5. Membership in the Association shall be granted upon approval of a written application with the Board of Directors subject to the terms set forth in these By-Laws. The written application as approved by the Board of Directors shall be filed with the Secretary and shall give complete information regarding the applicant's qualifications and shall be in accordance with a form from time to time prescribed by the Board of Directors. The Board of Directors, at its discretion, may appoint a membership committee to make such investigation or review of the application as may be desired and directed by the Board of Directors. A non-refundable, one-time payment, membership fee at an amount to be set from time to time by the Board of Directors shall be submitted with each application for approval. No approval will be considered unless such fee is paid.¹

¹ *As amended April 30, 1985, and again on April 28, 1992.*

6. **All privileges of membership shall cease upon the termination of such membership. Termination of membership shall not release the right of lien of the Association for assessments or maintenance fees or other charges set forth hereinafter against the property of the person whose membership is terminated. The membership privileges in and to the Association's property shall be suspended by action of the Board of Directors when such member fails to pay the charges and maintenance fees as shall from time to time be prescribed by the Board of Directors or because of the member's, or one of his or her family member's, violations of these By-Laws, or any of the rules and regulations of the Association.**
7. **Membership obligations continue after death, until a successor is approved by the Board of Directors. In the event of the death of a member, whereby title to the member's property in EL DORADO ESTATES IN PLANTATION passes to a surviving spouse who has not previously been classified as a member, then such surviving spouse shall automatically be declared a member of the Association. In the event of the death of a member where title to the property passes to someone other than the surviving spouse, then those who shall inherit the property by Will or by operation of law shall thereupon file application for membership which shall be considered as all other applications.**
8. **A member shall have no vested right, title, interest or privilege to the assets of this Association.**

ARTICLE V. BOARD OF DIRECTORS

The Board of Directors shall consist of five (5) members and each shall be elected from the membership to serve for two (2) year terms. Three shall commence their terms as of May 1975, and the remaining two shall commence their terms as of May 1976. By this procedure, the Board will not be totally reelected each year. When vacancies shall occur, their successor shall be appointed by a majority of the Board of Directors present at a meeting called for such purpose, and further providing that a quorum is present as provided by the By-Laws, and each successor shall serve the unexpired term.

ARTICLE VI. QUORUM OF THE BOARD OF DIRECTORS

The Board of Directors shall have the power to act on behalf of the Association and to bind the Association in all matters, except as limited by these By-Laws and the Charter of the Association. Four (4) members of the Board of Directors shall constitute a quorum for the transaction of business. A majority vote of the directors present shall be sufficient for all purposes. To constitute a quorum, a director may be consulted by telephone.

ARTICLE VII. POWERS OF THE BOARD OF DIRECTORS

1. The control of the physical properties and facilities of the Association, either presently owned or later acquired, is vested in the Board of Directors. The Board of Directors shall be responsible for improvement of facilities of this Association. It may acquire or receive title to real property in the name of the Association after approval by the membership and may provide for its control and maintenance. Likewise, it may enter into agreements covering the use, enjoyment, and improvement of the real property, not to exceed the sum of Five Thousand and no/100 (\$5,000.00) Dollars as to any one expenditure without the prior approval of the membership at a meeting called for such purpose as set forth in the By-Laws.
2. The Board of Directors shall have the right to levy assessments in the amount of \$85.00 per month for each single family dwelling in EL DORADO ESTATES IN PLANTATION, for the purpose of providing and maintaining the clubhouse, entranceway to the subdivision, and the grounds in connection therewith, consisting of Tracts A, B, and C as shown upon the Plat of EL DORADO ESTATES, Section One, the security guards for the subdivision, and for other purposes as provided in these By-Laws. The assessment shall become due and payable as of the first day of each month and is payable at the office of the Association, at One El Dorado Parkway, Plantation, Florida

33317. Such Board is hereby authorized, but not required, to increase monthly assessments by an amount not to exceed ten (10%) percent of the prior year's monthly assessment and, in no case, more often than once within each calendar year.²

² *As amended April 24, 1979.*

- 3. If a member fails to pay the assessment, or any other charge authorized under these By-Laws, within twenty (20) days after the same become due, then such member shall be deemed to be delinquent and in default, thereafter, a delinquent interest of eighteen (18%) percent shall accrue and become payable. No privileges of membership shall be enjoyed by such delinquent member until the full delinquency has been paid.³**
- 4. The Association may bring such legal recourse against a delinquent member as is necessary to make appropriate collection plus eighteen (18%) percent interest from the date of delinquency.³ EL DORADO ESTATES ASSOCIATION, INC., shall have a lien on the real property of its members located in EL DORADO ESTATES IN PLANTATION Subdivisions for unpaid assessments and maintenance charges, and collection expenses and costs. In the event that a member's account remains delinquent for a period in excess of ninety (90) days, then the Association may record a lien against the delinquent member's property. Such lien shall be recorded in the Public Records of Broward County, Florida. An attorney's fee in the amount of Twenty-five and no/100 (\$25.00) Dollars for the recording of such lien, together with all sums advanced and paid by the Association in the filing of such liens shall be payable by the delinquent member and such sums shall be secured by the lien. The Association may take such action as it deems necessary to collect assessments by personal action or by enforcing and foreclosing said lien and may settle and compromise same if deemed in its best interest. The lien securing unpaid assessments and maintenance charges may be foreclosed in the same manner as a mortgage may be foreclosed. The Association shall be entitled to bid at any sale held pursuant to a suit to foreclose an assessment lien or maintenance charge, and to apply as a cash credit against this bid, all sums due, as provided herein, covered by the lien enforced. Reasonable attorney's fees incurred by the Association in the enforcement and/or foreclosure of said lien, together with all sums advanced and paid by the Association for taxes and payments on account of superior mortgages, liens or encumbrances which may be required to be advanced by the Association in order to preserve and protect its lien, shall be payable by the delinquent member and secured by such lien. The regular members who are record owners of said lot shall be personally liable for the payment of said assessment, maintenance charges and collection expenses and costs, and such liability shall not be terminated or suspended because of the fact that such member has leased his, her or its real property to a non-member.**
- 5. In addition to the aforesaid, the Board of Directors shall specifically have the right to require the members to maintain their properties in the subdivisions and to keep their lawns and shrubbery trimmed neat, to remove all objectionable debris or material as may be located thereon. After notice by the Board of Directors to correct deficient maintenance on the property, and such a delinquency remains uncured for fifteen (15) days, then the Board of Directors shall have the right to hire maintenance people to perform such maintenance work as shall be prescribed by the Board of Directors and for this purpose, the members grant unto the Board of Directors, its agents, employees and all others designated by the Board of Directors, the right to enter upon the premises of the members for the purposes of completing such maintenance work, without liability or responsibility, criminal or civil or trespass or any other action. The cost of such work required by the Board of Directors to cure maintenance deficiencies shall be an assessment against the property of such deficient member and shall be collected as all other assessments.**
- 6. All assessments heretofore made, all delinquencies heretofore incurred and all levies heretofore created, under any former By-Laws, shall not be extinguished, nor terminated by the enactment of this By-Law. Any delinquencies, or lien rights, incurred or created heretofore under any former By-Law shall be saved, and shall continue to remain in full force, effect and subject to enforcement until fully paid**

³ *As amended April 20, 1982.*

and satisfied.

7. **The Board of Directors shall have the right to levy a special one-time assessment in an amount sufficient of Twenty-five and no/100 (\$25.00) Dollars for repair of damage caused by Hurricane Andrew, including but not limited to the removal of the Australian pines toppled in the hurricane. All rights and remedies available to the Association with regard to the monthly assessments set out in Paragraph 2 will be available with regard to this special assessment. The Board of Directors shall also have the authority to enter into any contracts necessary to accomplish the work referred to in this paragraph.⁴**
8. **The Board of Directors shall have the power and authority to enter into such contract or contracts as may be necessary in its judgment to remove the guardhouse from its present location and build a guardhouse at a location to be determined by the Board of Directors within Tracts A, B, and C of EL DORADO ESTATES IN PLANTATION, Section 1, to relandscape the entrance area to EL DORADO ESTATES IN PLANTATION, even though one or more of those contracts may exceed the sum of Five Thousand and no/\$100 (\$5,000.00) Dollars as to any one expenditure. Furthermore, the Board of Directors is hereby empowered and authorized to levy a one-time special assessment in the amount of Five Hundred and no/100 (\$500.00) Dollars for each single family dwelling in EL DORADO ESTATES IN PLANTATION, which at the option of each member, may be paid either in full as one lump sum by a date specified by the Board of Directors, or as three separate monthly One Hundred Eighty and no/100 (\$180.00) Dollar installments to commence on a date specified by the Board of Directors and to be paid over three consecutive months for the purpose of paying the contractual obligations and other expenses related to removing and rebuilding the guardhouse, and landscaping the entrance grounds. All rights and remedies available to the Association pursuant to this Article VI shall be available for the collection of this special assessment.⁵**

ARTICLE VIII. OFFICERS

The officers of EL DORADO ESTATES ASSOCIATION, INC. shall be a President, a Vice President, a Secretary, and a Treasurer. The Board of Directors may create additional Vice Presidents or Assistants to the Secretary or Treasurer as may be deemed appropriate. Only members of the Association in good standing shall be eligible to hold office. Officers shall hold office for two (2) years, or until their successors are elected or appointed and have qualified. The Board of Directors shall select the officers from among its members. Any vacancy in the offices herein designated shall be filled by the Board of Directors. Such appointment shall be for the unexpired term.

The duties of the officers shall be as follows:

1. **PRESIDENT:** The duties of the President shall be to preside at all meetings of the members of the Board of Directors and do all things and perform all acts required by the Office of President of the Association. The President shall appoint the membership of all committees. He shall have the power to remove any member of any committee, subject to the confirmation of the Board of Directors. He shall be an ex officio member of all committees.
2. **VICE PRESIDENT:** The duty of the Vice President shall be to perform the duties of the President due to the absence, illness, or disability of the President.
3. **SECRETARY:** The duties of the Secretary shall be to keep the books of the Corporation, to make accurate minutes of all meetings of the membership and of the Board of

⁴ *As amended November 16, 1992.*

⁵ *As amended April 20, 1993.*

Directors, to keep a register of the names and addresses of all members of the Association and such facts as may be found desirable to record therein, and such officer shall perform all other duties as the Board of Directors may direct and in general to perform all duties usually incident to the office of Secretary of the Association.

4. **TREASURER:** The duties of the Treasurer shall be to collect all monies as such officer may be directed to collect from the members by the Board of Directors from time to time and receipt therefor and to deposit the same in such bank or banks as the Board of Directors may direct; to pay all bills and properly audit the same as the Board of Directors may direct; to make a report of all receipts and disbursements together with all properties and monies on hand to the Association at its annual meeting and to the Board of Directors when required by it and to perform all duties as the Board of Directors may direct and in general to perform all duties usually incident to the office of Treasurer of the Association. All disbursements on behalf of the Association shall be by check unless otherwise ordered by the Board of Directors. All checks shall be signed by any two (2) officers authorized and designated by the Board of Directors.
5. **EXECUTIVE SECRETARY:** The Board of Directors may employ an Executive Secretary, designate and pay an appropriate salary, and define the duties and require the faithful performance of such full or part time paid employee.

ARTICLE IX. COMMITTEES

The Board of Directors shall have the power, or may delegate to the President the power, to appoint and fix the authority and duties of all Committees of the Association, except as has heretofore been specifically provided as a duty of the President. No committee of the Association may act in behalf of or bind the Association unless the committee action has the ratification of the Board of Directors.

ARTICLE X. MEETINGS AND ORDER OF BUSINESS

The date of the annual meeting shall be determined by the Board of Directors. Special meetings of the membership may be called by the Board or upon the written petition of no less than twenty (20) non-Board members, setting forth the specific purpose for calling such meeting. The Board of Directors shall normally meet once a month at a date previously determined by it. Special meetings of the Board of Directors may be called by the President, or any other two members of the Board, stating the special purpose for which the meeting is called. The order of business of all meetings of the Board of Directors or membership shall be prescribed by the said Board of Directors and procedures shall be in accordance with the Roberts Rules of Order. In the event of a dispute regarding procedure, the decision of the presiding officer shall govern.

ARTICLE XI. NOTICE

All notices provided for in these By-Laws shall be in writing and delivered or mailed to the address of the member as said address is shown on the records of the Association.

ARTICLE XII. LOSS OR DAMAGE OF PROPERTY

The Association shall not be liable nor responsible for the destruction or loss of, or damage to, the property of any member, or visitor, or any other person.

ARTICLE XIII. FISCAL YEAR

The fiscal year of the Association shall be established by the Board of Directors.

ARTICLE XIV. INTERPRETATION OF BY-LAWS

The Board of Directors shall have the full power and authority to interpret these By-Laws and its decisions on all questions shall be final, binding and conclusive, and not subject to review in any form.

ARTICLE XV. AMENDMENTS

These By-Laws may be repealed, altered, amended or added to by the affirmative vote of seventy-five (75%) percent of all votes cast by voting members present at any annual or special meeting of the members, provided that any proposed amendment, repeal, alteration, or additions to the said By-Laws shall have first been approved by the Board of Directors and shall have been submitted in writing to the members of the Association at least twenty (20) days prior to any such meeting.