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File 090103 #2

**AMENDED
AND
RESTATED
BYLAWS
OF
RIDAUGHT LANDING
THREE ASSOCIATION,
INC.
ADOPTED
JUNE 29, 2009**

***NOTICE TO CLOSING AGENTS: Section 12.3 requires specific verbiage
on all deeds or the grantor and grantee may be subject to fines.***

**AMENDED AND RESTATED
BYLAWS
OF
RIDAUGHT LANDING THREE ASSOCIATION, INC.**

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

These are the Amended and Restated Bylaws of **RIDAUGHT LANDING THREE ASSOCIATION, INC.** (hereinafter for convenience called "Association"), a corporation not for profit, incorporated under the laws of the State of Florida.

**ARTICLE I
ASSOCIATION**

Section 1.1 **Office.** The office of the Association shall be at such place as shall be selected by a majority of the Board of Directors from time to time.

Section 1.2 **Fiscal Year.** The fiscal year of the Association shall be the calendar year.

Section 1.3 **Seal.** The corporate seal of the Association shall consist of two concentric circles, between the edges of which shall be engraved the words: RIDAUGHT LANDING THREE ASSOCIATION, INC., Florida, Not for Profit, and across the center thereof the words: Corporate Seal, as shown by an imprint of such seal in the margin of these Bylaws. Said seal may be used by causing it or a facsimile thereof to be impressed, affixed, reproduced or otherwise.

Section 1.4 **Purpose.** The Association has been organized for the purpose of performing the functions outlined in the Declaration and specifically for the purpose of the continual maintenance and cleaning of the storm and/or surface water management systems required by the St. Johns River Water Management District or other governmental agencies pursuant to the permits issued and other applicable rules and regulations.

**ARTICLE II
DEFINITIONS**

Section 2.1 **Declaration:** "Declaration" means the *Declaration of Covenants, Conditions and Restrictions for Ridaught Landing Unit 3* recorded in Official Records Volume 1485, page 2113 of the Official Records of Clay County, Florida, as modified, supplemented, amended and restated from time to time.

Section 2.2 **Association:** “Association” means the Ridaught Landing Three Association, Inc., a Florida corporation, its successors and assigns.

Section 2.3 **Governing Documents:** “Governing Documents” means the Declaration; the Articles of Incorporation for the Association as modified, supplemented, amended and restated from time to time; and these bylaws as modified, supplemented, amended and restated from time to time, and any rules adopted by the Board from time to time.

Section 2.4 **Board:** “Board” or “Board of Directors” means the Board of Directors of the Association. “Director” means a person serving on the Board. The Board shall consist of 5 Directors; however by a vote of the Board, the number of Directors elected at the next annual meeting of the Members may be changed to not less than three (3) or not more than five (5) persons.

Section 2.5 **Community Association Manager:** “Community Association Manager” means a natural person providing community association management services to the Association. The Community Association Manager is an employee or officer of the community association management firm hired by the Association.

All definitions in the Declaration or Articles of Incorporation shall have the same meaning when used in these bylaws.

ARTICLE III **MEMBERSHIP**

The Members of the Association shall be those persons described in Article III, Section 2 of the Declaration. The Class B Membership has terminated, and there is only a Class A Membership.

ARTICLE IV **VOTING RIGHTS**

The Owner of each Lot (“Owner”) shall have one (1) vote on all matters. Where more than one person owns an interest in a Lot then the vote for the Lot shall be exercised as determined by all such persons; however, in no event may more than one (1) vote be cast for each Lot. If there is a dispute amongst the persons or entities which own a Lot regarding who is entitled to exercise the voting rights, or if more than one vote is received for a Lot, then the Board shall disregard the vote cast for the Lot, but if the vote for such Lot would affect the outcome of the matter being decided, then the Board shall determine the vote of the Lot by the first ballot received.

ARTICLE V

BOARD OF DIRECTORS

Section 5.1 **Quorum.** A majority of the Board of Directors shall constitute a quorum to transact business at any meeting of the Board, and the action of a majority present at a meeting at which a quorum is present shall constitute the action of the Board of Directors.

Section 5.2 **Vacancies.** Any vacancy occurring on the Board of Directors because of death, resignation or other termination of services of any Director, shall be filled by the Board of Directors. A Director appointed to fill a vacancy shall be appointed to fill the unexpired term of the new appointee's predecessor in office and until a successor shall have been elected and/or appointed and qualified. Any Director appointed to fill a vacancy must be an Owner and a full time resident at the Lot.

ARTICLE VI

ELECTION PROCEDURE

Section 6.1 **Election of Directors.** Candidates must be an Owner to be eligible to serve as a Director. The Directors must be owners and reside in the subdivision. Votes cast for persons nominated for election to the Board of Directors shall be by written ballot as hereinafter provided. No cumulative voting shall be permitted. The persons receiving the largest number of votes shall be elected.

Section 6.2 **Quorum for Elections.** An election of the Board of Directors shall not be valid unless at least twenty (20%) percent of the total eligible Members cast ballots in the election. The members of the Board of Directors shall be elected by plurality vote. The candidate for each position which receives the most votes shall be deemed elected.

Section 6.3 **Nominating Committee; Voting Procedure.**

(a) Elections of Directors shall take place at the annual meeting of Members. A nominating committee, appointed by the Board at least seventy five (75) days prior to the Annual Meeting (the "Nominating Committee") shall endeavor to solicit and nominate qualified candidates to serve as Directors. Members of the Board may be members of the Nominating Committee.

(b) The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall, in its discretion determine. Within forty five (45) days prior to the date of the annual meeting of Members, the Nominating Committee shall notify the Secretary of the names of the candidates nominated for election to the Board of Directors. Such nominations shall be made from among Members whose assessments are current and from Members who are not otherwise in violation of the Governing Documents.

(c) Self-nominations and nominations by petition may also be made by Members by a petition signed by the person desiring to serve as a Director and signed by at least three (3) other Members who are current with their assessment payments. Such nominations must be submitted to the Secretary of the Association at least 30 days prior to the annual meeting of the Members. Nominations by other means required by Chapter 720 Fla. Stat. shall also be allowed.

Section 6.4 **Ballots. (vote by proxy)**

(a) All elections to the Board of Directors shall be made on written ballots which shall (a) describe the vacancies to be filled and (b) set forth the names of those nominated by the Nominating Committee for such vacancies. Such ballots shall be prepared and mailed with a self addressed return envelope by the Secretary or individual designated by the Secretary, to the Members at least fourteen (14) days in advance of the date set forth therein for a return. Upon receipt of such ballots Members may, in respect to each vacancy, cast as many votes for the persons nominated by the Nominating Committee as they are entitled to exercise under the provisions of the Articles of Incorporation and these Bylaws.

(b) The completed ballots shall be returned to the Secretary at the principal office of the Association, or at such other address as designated upon each ballot.

(c) Upon receipt of each ballot the Secretary, or the individual designated by the Secretary, shall immediately place it in a safe or other locked place until the Annual Meeting. On such date, the ballots shall be turned over to a canvassing committee appointed by the Board of Directors.

Section 6.5 **Annual Meeting.** At the Annual Meeting, prior to announcing the vote, the President or presiding officer shall accept nominations to serve on the Board from Members who were not already included on the ballot. Any Member may nominate himself or herself at such time.

If there are no new nominations, then the President or presiding officer shall announce the results from the written ballots and the persons elected by the highest vote of all voting Members.

If, however, there are any new nominations then the President or presiding officer shall allow Members to alter their written ballot to vote for the newly nominated person(s) in lieu of their original choice. If new votes are cast, then the ballots shall be re-counted by the canvassing committee and the persons elected by the highest vote shall be announced.

Newly elected Directors shall assume office immediately upon adjournment of the Annual Meeting at which they are elected and shall serve until the sooner of, they resign,

are removed from office as allowed or required by the Governing Documents, or until their successors are elected.

If no quorum in person or by proxy is in attendance at the annual meeting, then the current Directors shall continue in office until they resign, are removed, or until an annual meeting of the Members wherein a quorum is achieved is held.

Section 6.6 **Removal of Director.** A Director may be removed, with or without cause, by the Members in the manner set forth in §720.303(10), Fla Stat. If a Director should no longer be an Owner or no longer reside in the subdivision, then the Director must resign their office. A Director may also be removed upon the affirmative vote of two-thirds of the Board in the event a Director fails to attend three (3) consecutive meetings of the Board or if a Director shall engage in behavior or activities that cast the Board or the Members in an unfavorable light. If a Director is removed, the Board of Directors shall replace such Director in accordance with the provisions of Section 5.2.

ARTICLE VII

POWERS AND DUTIES OF THE BOARD OF DIRECTORS

Section 7.1 **Powers.** The Board of Directors shall have the powers set forth in the Declaration, or in the Articles of Incorporation. The Board shall exercise for the Association all powers, duties and authority vested in or delegated to the Association other than those powers which are not explicitly reserved to the membership and require a vote of the Members.

Section 7.2 **Duties.** It shall be the duty of the Board of Directors:

7.2.1. To keep a complete record of all its acts and corporate affairs and to make reports thereon to the Members at the annual meeting of the Members.

7.2.2. To supervise all officers, agents and employees of the Association.

7.2.3 Make assessments to defray the common expenses, establish the means and methods of collecting such assessments, and establish the period of the installment payments of the annual assessments, send written notice of each assessment to every Member subject thereto, and to file and foreclose liens against any property for which assessments are not paid.

7.2.4 Contract with any person or entity for the performance of any duties and functions.

7.2.5. To prepare a roster of the Lots and assessments applicable thereto which shall be kept in the offices of the Association and shall be open to inspection by any Member thereof and to send written notice of each assessment to every Member subject thereto.

7.2.6. To issue, or cause an appropriate officer to issue upon demand by any person, a certificate setting forth whether all assessments against a Lot have been paid and if not, identifying the amount of any unpaid assessment and the period to which such unpaid assessment relates. Such certificate shall be conclusive evidence to the person to whom it is addressed of payment of any assessment therein stated to have been paid.

7.2.7. To obtain and maintain various policies of insurance for the protection of the Association covering such risks and with such deductible amounts as the Board of Directors shall determine.

7.2.8 The Board of Directors shall also have the right to appoint the Architectural ACC.

ARTICLE VIII

DIRECTORS MEETINGS

Section 8.1 **Time and Place.** Meetings of the Board of Directors may be held at any place specified by the Board of Directors within Clay County Florida. Regular meetings of the Board of Directors may be held at such time as shall from time to time be determined by the Board of Directors.

Section 8.2 **Special Meetings.** Special meetings of the Board of Directors shall be held (i) when called by an officer of the Association; (ii) upon request of any two (2) Directors; or (iii) upon request of twenty (20) percent of the Members by petition pursuant to §720.303(2)(d) Fla. Stat.

Section 8.3 **Notice.** Notices of all regular and special meetings of the Board of Directors shall be given either in accordance with these procedures, or as permitted by §720.303(2)(c) Fla. Stat.

8.3.1. Notices shall be given at least forty-eight (48) hours in advance of the meeting, except in case of emergency or for meetings where the Board of Directors intends to levy an assessment.

8.3.2 Notices for emergency meetings shall be given by such means and at such time as is practical in light of the circumstances.

8.3.3 Notices for meetings where the Board of Directors intends to levy an assessment, or amend any of the provisions of the Governing Documents pertaining to architectural restrictions, shall be given at least fourteen (14) days in advance of the meeting.

8.3.4 The notice shall specify the time, date, and location of the meeting, and if applicable a statement that assessments will be considered and the nature of the assessments.

8.3.5 Notices to Directors may be given by (i) U.S. mail, or (ii) by e-mail or other electronic means.

8.3.6 Members shall be given notice of all meetings of the Board of Directors, absent emergency, by (i) posting at the official notice board in the lobby of the offices of the Community Association or at such other location designated by the Board as the official notice board for the Association; (ii) posting in a conspicuous location within the community; (iii) publication on the official website for the Association; or (iv) by e-mail delivery to Members who have furnished an e-mail address to the Association. With respect to any meeting at which special assessments will be considered or at which amendments to rules regarding parcel use will be considered, the notice to the Members must be mailed, delivered, or electronically transmitted to the Members and posted conspicuously within the community or broadcast on closed-circuit cable television.

Section 8.4 **Adjourned Meetings.** If at any meeting of the Board of Directors there is less than a quorum present, the majority of those present may adjourn the meeting from time to time until a quorum is present. At any adjourned meeting any business that might have been transacted at the meeting as originally called, may be transacted without further notice.

Section 8.5 **Members' Right to Attend Meetings.** All meetings of the Board of Directors must be open to all Members except for (i) meetings between the Board of Directors and its attorney with respect to proposed or pending litigation where the contents of the discussion would otherwise be governed by the attorney-client privilege, and (ii) meetings of the Board of Directors held for the purpose of discussing personnel matters. Members may record, videotape, or electronically record meetings of the Board of Directors.

Section 8.6 **Members' Right to Address Board.** Members have the right to speak on any matter placed on the agenda, at all meetings of the Board of Directors open to the Members pursuant to Section 8.5. The chair of the meeting may (i) designate a specific time for Member's to speak, (ii) limit each Member to a designated time limit of at least three (3) minutes, and (iii) limit the opportunity to those Members who are listed on a designated sign-up sheet available at the meeting, or who have submitted a written request to speak prior to the meeting.

Section 8.7 **Right to Appear by Telephone.** Directors may attend any meeting of the Board by telephone, or electronic communication provided that a speakerphone or similar instrument is available at the physical location designated in the notice so that Members attending the meeting may listen to the meeting and exercise their right to speak. However, meetings between the Board of Directors and its attorney with respect to proposed or pending litigation where the contents of the discussion would otherwise be governed by the attorney-client privilege, and (ii) meetings of the Board of Directors held for the purpose of discussing personnel matters may be held by telephone

conference or electronic communication by means available to all Directors and no physical location is required.

Section 8.8 **Minutes.** Minutes of all meetings of the Board of Directors must be recorded and thereafter maintained in written form or in another form that can be converted into written form within a reasonable time. A vote or abstention from voting on each matter voted upon for each Director present at a Board meeting must be recorded in the minutes.

Section 8.9 **Voting.** Directors may not vote by proxy or by secret ballot at Board meetings, except that secret ballots may be used in the election of officers.

ARTICLE IX **OFFICERS**

Section 9.1 **Officers.** The officers shall be a President, a Vice President, a Secretary, and a Treasurer who shall be Directors. The Board may also appoint the Community Association Manager as an assistant secretary.

Section 9.2 **Majority Vote.** The officers shall be chosen by majority vote of the Directors.

Section 9.3 **Term.** All officers shall hold office during the pleasure of the Board of Directors.

Section 9.4 **President.** The President shall preside at all meetings of the Board of Directors, and shall see that orders and resolutions of the Board of Directors are carried out, and sign all notices, checks, leases, mortgages, deeds and all other written instruments as may be incidental to the orders and resolutions of the Board of Directors.

Section 9.5 **Vice President.** The Vice President shall perform all the duties of the President in the absence of the President.

Section 9.6 **Secretary & Assistant Sec.** The Secretary shall be "ex officio" the Secretary of the Board of Directors, and shall record the vote and keep the minutes of all proceedings in a book to be kept for such purpose. The Secretary shall keep the records of the Association. The Secretary shall record in a book kept for such purpose the names of all Members of the Association together with their addresses as registered by such Members.

Section 9.7 **Treasurer.** The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; provided, however, that a resolution of the Board of Directors shall not be necessary for disbursements made in the ordinary course of business conducted within the limits of a budget adopted by the Board. The Treasurer shall keep proper books of account and cause an annual audit of the Association's books

to be made at the completion of each fiscal year. The Treasurer shall prepare the annual budgets and an annual balance sheet statement and the budget and balance sheet statement shall be presented to the membership at its regular annual meeting.

ARTICLE X

COMMITTEES

Section 10.1 **Standing Committees.** Each standing committee shall consist of individuals appointed by the Board of Directors. The Board of Directors shall designate one of the individuals appointed as the chair of the committee, and may also designate one or more persons as vice-chairs. Chairs and vice-chairs will be full voting members of their respective committees. Individuals appointed to serve on a committee need not be Members of the Association, except as provided in Section 10.4. Each chair, vice-chair, and committee member will serve until they resign, are removed from office by the Board of Directors, or until their successors are appointed. The Board of Directors may also invest a committee chair with the authority to appoint and remove members of their committee.

Section 10.2 **Board Executive Committee.** The Board of Directors shall have the power to appoint an executive committee from among its membership and may delegate to any such executive committee any of its powers, duties and functions.

Section 10.3 **Architectural Control Committee.** The Board of Directors shall establish an Architectural Control Committee ("ACC") which at all times shall consist of at least three (3) committee members. The members of the ACC may include Directors and/or other Members as the Board determines. The ACC shall be responsible for exercising architectural review authority provided for in Article V, Section 7 of the Declaration or provided for elsewhere in any of the Governing Documents. In order to defray expenses of administering architectural review, the ACC may establish a schedule of charges which shall be paid by any applicant as a pre-condition for approval of any new improvement or modification of an existing improvement. The ACC may adopt and publish architectural standards identifying pre-approved paint colors, fence types and specifying other desired elements in order to assist Owners in compliance with architectural review. If the ACC elects to adopt such a guideline, then applications for improvements and modifications are still required; however, no Owner may be denied the right to utilize any of the available options at their home.

Section 10.4 **Covenant Hearing & Violation Committee.** The Board of Directors shall establish a Covenant Hearing & Violation Committee ("CHVC") which at all times shall consist of at least three (3) committee members. CHVC shall be responsible for imposing fines arising from violations of the Governing Documents (including where applicable the governing documents of affiliated associations) and for hearing challenges to fines as required under §720.305 Fla. Stat. Persons appointed to CHVC may not be officers, directors, or employees of the Association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. Fines shall be in

addition to and not in lieu of other remedies provided by law or in the Governing Documents.

10.4.1 CHVC Powers. When a Member, or a Member's tenants, guests, or invitees violates any of the provisions of the Governing Documents (each a "violator"), CHVC may (i) impose fines; or (ii) make recommendations to the Board of Directors that legal action be pursued against the violator. CHVC shall also (i) afford violators the opportunity for a hearing before a fine is imposed against a violator; (ii) make recommendations to the Board of Directors with respect to enforcement of the Governing Documents; (iii) establish and carry out procedures for the informal resolution of disputes between Members, or between the Association and Members; (iv) review the activities of the Community Association Manager or Association employees with regard to the enforcement of the Governing Documents and make periodic reports to the Board of Directors; (v) inform the ACC of its activities with respect to violations or alleged violations of architectural restrictions; and (vi) undertake such additional duties as assigned by the Board of Directors.

10.4.2 Fines. The Board of Directors have adopted written guidelines establishing procedures for when the Community Association Manager shall issue a warning letter or levy a fine on account of a violation of the Governing Documents. Said guidelines are attached to and made a part of these Bylaws. From time to time, the Board may revise the guidelines. Any changes to such guidelines shall be appended to these Bylaws. Such guidelines shall enumerate the applicable grace period to cure violations, the maximum daily fine for each particular violation, and otherwise provide guidance to the Community Association Manager in the desired procedures for enforcement of the Declaration. When a violation of the Governing Documents is reported to the Association or its Community Association Manager then the Community Association Manager shall issue a warning letter, levy a fine, or refer the matter to legal counsel in accordance with the guidelines. If an alleged violation arises not covered by the guidelines, then the Community Association Manager shall seek clarification from the Board of Directors.

Fines imposed for violations of the Governing Documents shall be levied and imposed in accordance with §720.305 Fla. Stat., and these Bylaws. Fines levied against a violator may not exceed \$100, but where the violation is continuing a fine may be levied up to \$100 for each day until the violation is cured up to a maximum of \$10,000.00 per violation. Fines for continuing violations shall be calculated from the date the violation first occurs until the violation is fully cured or until the fine reaches \$10,000.00 maximum. If a Member makes improvements, or alters their Lot without the approval of the ACC then the violation will not be cured until (i) the improvement or alteration has been approved by the ACC, or (ii) the Lot is fully restored to the condition existing before the Member made the improvements or alterations. Fines may be levied, but the provisions of **Section 10.4.3** must be followed before the fine is imposed. Fines will accrue interest at the highest lawful rate.

10.4.3 Notice and Hearings. Fourteen (14) days notice shall be given to the violator before a fine is imposed. Only one notice need be given for a continuing violation. The notice shall generally describe the violation and either the fine amount, or for continuing violations the per day amount of the fine. In addition, the notice shall either schedule a hearing before the CHVC or describe the procedures for scheduling a hearing before the CHVC. If a hearing is not scheduled in the notice, and is not demanded by the violator within 14 days of the notice, then without further notice the maximum fine may be imposed for the specified duration; however, if a hearing is scheduled (either in the notice or by timely request of the violator) then the fine may not be imposed until a decision is made by the CHVC.

At the hearing, the CHVC shall provide the violator a reasonable opportunity to explain the violation and related circumstances. If the enforcement action arises from a complaint from another Member, then the complainant shall also be given an opportunity to address the CHVC. The ACC shall be notified of any hearing on a violation of architectural guidelines and the opportunity to address the CHVC. The CHVC may proceed with the hearing in the absence of the violator. The CHVC may (i) continue the hearing until a later date; (ii) impose the fine in any amount up to the maximum; (iii) waive the fine; (iv) impose but suspend collection of the fine pending fulfillment of conditions established by the CHVC; or (v) take such other action to resolve the dispute as permitted by law and the Governing Documents. The CHVC may also make recommendations to the Board of Directors that legal proceedings be commenced against the violator. Fines may be imposed immediately upon approval of the CHVC.

10.4.5 Exceptions. The Board of Directors is empowered to levy fines, in such amount it deems appropriate of any Member who does not pay any assessment or other charge when due. The Board of Directors may delegate this authority to its employees, to any committee, or to its community association manager. Notwithstanding the other provisions of Section 10.4, no notice is required, there is no obligation to afford a hearing by the CHVC, nor is the approval of the CHVC required prior to imposition of such fines.

Section 10.5 **Quorum & Voting.** The lesser of (i) three committee members; or (ii) a majority of committee members shall constitute a quorum to transact business at any meeting of a committee. Where quorum is established by the presence of a majority of the committee members, then action of a majority present at a meeting at which a quorum is present shall constitute the action of the committee. However, where a quorum is established by the presence of only three committee members and less than a majority of the committee members, then action of the committee shall require the unanimous consent of all committee members present at the meeting. Members of any committee may not vote by proxy or by secret ballot.

Section 10.6 Member's Rights. Members shall have the same right to attend meetings, address the committee, or record the meeting as would be applicable to a meeting of the Board of Directors.

ARTICLE XI

MEETINGS OF MEMBERS

Section 11.1 Annual Meeting. Annual meetings of the Members shall be held during the first calendar quarter of each year (beginning the year in which said meeting date is more than twelve months following the initial meeting) at a place (within Clay County), at a time and date established by the Board of Directors.

Section 11.2 Special Meetings. Special meetings of Members may be called at any time by the President, the Vice President, or by any two (2) or more members of the Board of Directors.

Section 11.3 Notice. Notice of meetings of Members shall be given to the Members in accordance with the requirements of §720.306(5) Fla. Stat. If the business of any meeting shall involve an election given governed by Articles V and VI, notice of such meeting shall be given or sent as therein provided. If a meeting is for the purpose of seeking the approval of the Members for an annual assessment or a special assessment in excess of the maximum assessments allowed by the Declaration, then notices shall be sent at least 30 and no more than 60 days in advance to all Members as specified in Article 4.5 of the Declaration. Except where prohibited by law, notices by e-mail to Members is allowed. Notices may be sent to the address on file with the Association or to the address of record for mailing tax notices on file with Clay County Tax Collector.

Section 11.4 Quorum. The presence at the meetings of Members entitled to cast, or of proxies entitled to cast, twenty percent (20%) of the vote shall constitute a quorum for any actions governed by these Bylaws. Any provisions in the Declaration requiring a higher quorum have been superseded by Florida law.

ARTICLE XII

PROXIES

Section 12.1 Form of Vote. At all meetings of Members, each Member entitled to vote may vote in person or by proxy.

Section 12.2 Proxies. Except as set forth herein, proxies may not be used at meetings of the Members. Proxies must comply with the requirements of Section 720.306(8), Florida Statutes and other applicable Florida laws, as such requirements may exist from time to time. General proxies are not permitted except to establish a quorum at a meeting. Specific proxies that specifically identify the issue to be considered at the meeting and that directs how the proxy holder must vote on such issue may be used. Every proxy shall automatically cease if the person granting the proxy ceases to be a

Member. Any dispute about the validity of a proxy shall be determined by the Board of Directors whose decision shall be conclusive.

Section 12.3 Notice of Sales/Required Verbiage on Deeds. Notice of all sales of a Lot must be given to the Association together with a photocopy of the recorded deed of conveyance within 30 days of the closing of the sale. All deeds conveying a Lot or any interest in a Lot must specifically make reference to this Declaration including the book and page where this Declaration is recorded in the public records. If notice is not so given, or if the deed does not comply with these provisions, then the Association may impose a fine which shall be both a joint and several obligation of the seller(s) of the Lot and the purchaser(s) of the Lot. The fine will accrue on the 31st day next following closing and continue until the date that the notice is given and a conforming deed is furnished. Omissions in the required deed verbiage may be corrected by execution and recording of a corrective instrument, but such remedy shall not relieve the parties from any fines accruing prior to effecting the remedy.

ARTICLE XIII

MAINTENANCE OF BOOKS AND RECORDS

Copies of the official records of the Association will be maintained in accordance with the requirements of §720.303(4) Fla. Stat. and other applicable Florida laws, as such requirements may exist from time to time.

ARTICLE XIV

PARLIAMENTARY RULE

Roberts Rules of Order Newly Revised (10th Edition) shall govern the conduct of the Association proceedings when not in conflict with the Governing Documents.

ARTICLE XV

AMENDMENTS

These Bylaws may be amended by an affirmative majority vote of the Board of Directors present at a duly constituted Board Meeting. Prior to the meeting at which the amendment is proposed for adoption each director shall be furnished with a written or electronic document indicating the proposed changes to the Bylaws.

ARTICLE XVI

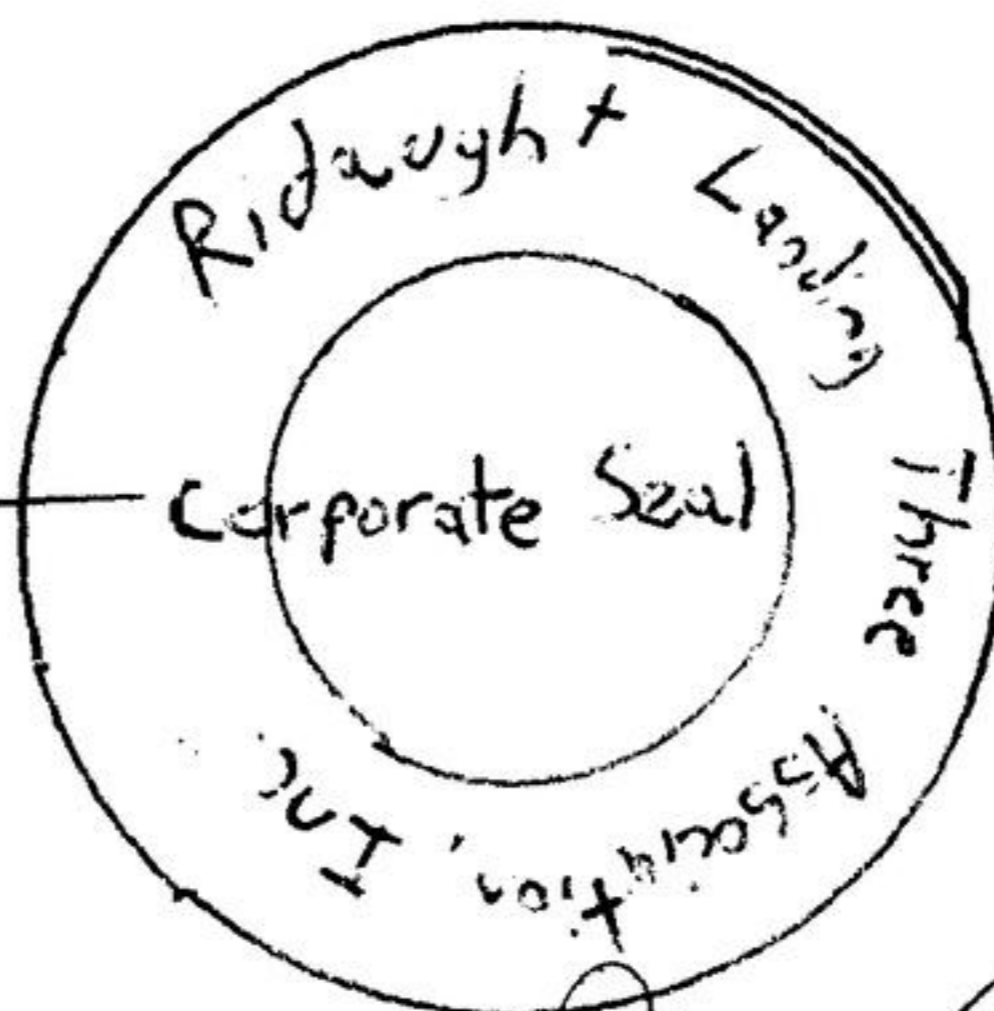
CONFLICTS

In the case of any conflict between the Articles of Incorporation and these Bylaws, the Articles of Incorporation shall control; and in the case of any conflict between the Declaration and these Bylaws, the Declaration shall control.

A dopted by the Board of Directors on June 29, 2009.

I certify that the foregoing bylaws were adopted by the Ridaught Landing Three Association, Inc. Board of Directors by unanimous consent of all Directors present at a meeting duly noticed in accordance with the governing documents and Florida law where a quorum was present.

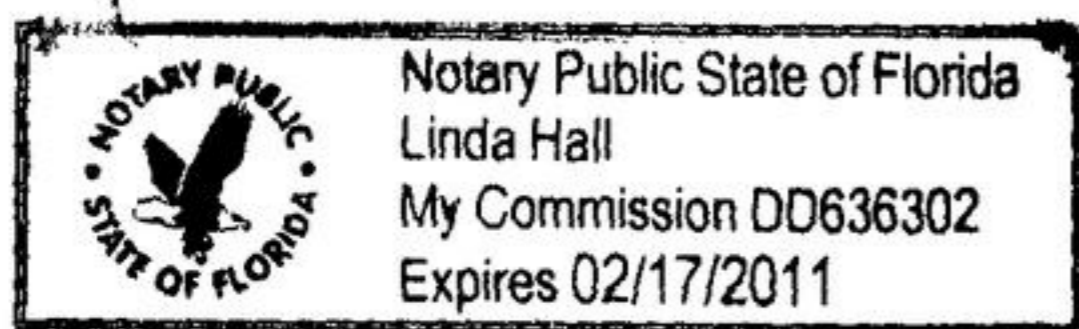
X Gail Simpson
Gail Simpson, Secretary



STATE OF FLORIDA
COUNTY OF CLAY

The foregoing instrument was acknowledged before me on June 29 2009 by Gail Simpson as Secretary for the Ridaught Landing Three Association, Inc. She is personally known to me.

Linda Hall
Notary Public, State of Florida at Large



SCHEDULE OF FINES FOR VIOLATIONS
OF
THE COVENANTS, CONDITIONS AND RESTRICTIONS
OF
RIDAUGHT LANDING THREE

CONDITIONS/RESTRICTIONS	FINE FOR VIOLATION
LAND USE AND BUILDING TYPE	MAXIMUM-\$100 PER DAY PER VIOLATION
STORM/SURFACE WATER MANAGEMENT STORMWATER DISCHARGE PERMIT #4-019-0047E— FAILURE TO COMPLY WITH TERMS OF PERMIT	AS IMPOSED BY ST JOHNS RIVER WATER & COSTS INCURRED BY ASSO. TO BRING IN COMPLIANCE
SIDEWALKS—MEET COUNTY STANDARDS	AS IMPOSED BY COUNTY
GARAGE- NOT PERMANENTLY ENCLOSED OR CONVERTED TO ANOTHER USE	MAXIMUM - \$100 PER DAY PER VIOLATION
GARAGE – MAINTAINED USEFUL CONDITION – KEPT CLOSED WHEN NOT IN USE	\$25 PER EACH NOTED INCIDENT
OUTBUILDINGS – MUST HAVE PRIOR ACC APPROVAL	MAXIMUM - \$100 PER DAY
APPROVAL OF STRUCTURE – INCLUDES WALL, SWIMMING POOL, ADDITIONS TO HOME, OUTBUILDINGS, WALKS, DRIVES, FENCES, BULKHEAD MUST ALL HAVE PRIOR ACC APPROVAL	MAXIMUM - \$100 PER DAY PER VIOLATION
DWELLING SIZE – MUST HAVE PRIOR ACC APPROVAL AND MEET RESTRICTIONS SPECIFIED	MAXIMUM - \$100 PER DAY PER VIOLATION
BUILDING LOCATION – MUST MEET SPECIFICATIONS	MAXIMUM - \$100 PER DAY PER VIOLATION
NUISANCE	CCSO TO BE NOTIFIED BY OBSERVING/AFFECTED HOMEOWNER FINES TO BE BASED ON CASE BY CASE BASIS
RECREATIONAL AND COMMERCIAL VEHICLES – INCLUDES BOATS, TRAILERS, COMMERCIAL VEHICLES, TRAVEL TRAILERS, AND MOTORIZED HOMES	MAXIMUM - \$100 PER DAY PER VIOLATION
TEMPORARY STRUCTURE	MAXIMUM - \$100 PER DAY PER VIOLATION
MAILBOXES	MUST MEET USPS GUIDELINES
FENCES- MUST MEET SPECIFICATIONS AND HAVE PRIOR ACC APPROVAL BEFORE INSTALLATION	MAXIMUM-\$100 PER DAY PER VIOLATION
SIGNS- NO SIGNS EXCEPT FOR SALE OR FOR RENT ARE TO BE DISPLAYED WITHOUT PRIOR APPROVAL OF ACC	UP TO \$25 PER INCIDENT
CLOTHESLINES- NOT PERMITTED ON EXTERIOR OF LOT	MAXIMUM - \$100 PER DAY UNTIL REMOVED
LIVESTOCK AND POULTRY – NOT AUTHORIZED – HOUSEHOLD PETS ARE NOT TO BE KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL USE – MUST NOT CREATE SAFETY, HEALTH OR NUISANCE	MAXIMUM – \$100 PER INCIDENT
EXTERIOR APPEARANCE AND MAINTENANCE	30 DAYS TO PROVIDE LETTER OF CORRECTIVE ACTION MAXIMUM - \$100 PER DAY PER INCIDENT

GARBAGE AND UNSANITARY CONDITIONS – RUBBISH, TRASH, GARBAGE OR OTHER WASTE TO BE KEPT IN CLOSED SANITARY CONTAINERS CONSTRUCTED OF METAL OR RIGID PLASTIC AND SHALL NOT BE VISIBLE FROM STREET EXCEPT ON PICK UP DAYS	UP TO MAXIMUM OF \$100 PER INCIDENT
LANDSCAPING – ALL DISTURBED AREAS MUST BE SEEDED OR COVERED WITH SOD OR MULCH AND MAINTAINED TO PRESENT A PLEASING APPEARANCE AND TO PREVENT THE GROWTH OF WEEDS	30 DAYS TO PROVIDE LETTER OF CORRECTIVE ACTION MAXIMUM - \$100 PER DAY PER INCIDENT
CONSERVATION EASEMENT	VIOLATION OF ST JOHNS RIVER WATER MANAGEMENT
AIR CONDITIONING UNITS – NO A/C UNITS MAY BE INSTALLED IN ANY WINDOW	MAXIMUM - \$100 PER DAY PER INCIDENT
ROADWAYS – ONLY ONE DRIVEWAY PER LOT, SAID DRIVEWAY SERVING THE GARAGE ON THE LOT, SHALL BE PERMITTED – MUST OBTAIN PRIOR ACC APPROVAL	MAXIMUM - \$100 PER DAY PER INCIDENT

*NOT ALL VIOLATIONS HAVE BEEN LISTED. ALL VIOLATIONS WILL BE HANDLED ON A CASE BY CASE BASIS BY THE COVENANT HEARING & VIOLATION COMMITTEE (CHVC).

*READ THE RIDAUGHT LANDING THREE COVENANTS AND RESTRICTIONS FOR ADDITIONAL CLARIFICATION. CONTACT THE PROPERTY MANAGEMENT COMPANY FOR A COPY OF THE GOVERNING DOCUMENTS. YOU SHOULD HAVE RECEIVED A COPY AT YOUR CLOSING. RENTERS ARE TO ADHERE TO THE COVENANTS AND RESTRICTIONS AND IT IS THE HOMEOWNERS RESPONSIBILITY TO ENSURE THAT THEY DO.

*A FINE MAY NOT BE IMPOSED WITHOUT NOTICE OF AT LEAST 14 DAYS TO THE PERSON SOUGHT TO BE FINED AND AN OPPORTUNITY FOR A HEARING BEFORE A COMMITTEE OF AT LEAST 3 MEMBERS APPOINTED BY THE BOARD OF DIRECTORS. IF THE COMMITTEE, BY MAJORITY VOTE, DOES NOT APPROVE A PROPOSED FINE, IT MAY NOT BE IMPOSED. IT IS THE HOMEOWNERS RESPONSIBILITY TO ATTEND THE SCHEDULED HEARING SET BY THE CHVC.

*CURRENT PROPERTY MANAGEMENT COMPANY HAS BEEN EMPOWERED BY THE RIDAUGHT LANDING THREE HOA BOARD OF DIRECTORS TO ENFORCE ALL REGULATIONS AND FINES.

*QUESTIONS CONCERNING THE SCHEDULE OF FINES OR THE GOVERNING DOCUMENTS ARE TO BE ADDRESSED TO THE PROPERTY MANAGEMENT COMPANY.