

Prepared by and return to:
Christopher N. Davies, Esq.
COHEN & GRIGSBY, P.C.
9110 Strada Place, Suite 6200
Naples, Florida 34108

CERTIFICATE OF AMENDMENT

THE UNDERSIGNED, being the duly and acting President of Port Au Villa, Inc., a Florida corporation not for profit, hereby certifies that at the duly called Annual Meeting of the members held on March 19, 2015, where a quorum was present, the resolution set forth below was approved by the vote indicated for the purpose of amending the Amended and Restated Bylaws of Port Au Villa, Inc., recorded at O.R. Book 2245, Page 0806, *et seq.*, Public Records of Collier County, Florida.

1. The following resolution was approved and adopted by the affirmative vote of at least two-thirds (2/3rds) of the voting interests present in person or by proxy.

RESOLVED: That the Amended and Restated Bylaws of Port Au Villa, Inc., be and are hereby amended and the amendment is adopted in the form attached hereto as Exhibit "A" and made a part hereof.

Date: July 15, 2015

Maureen Minahan

Witness

Printed Name: MAUREEN MINAHAN

PORT AU VILLA, INC.

a Florida corporation not for profit

By: Jack Minahan Pres.

Jack Minahan, President

Witness John J. Joy

Printed Name: John J. Joy

STATE OF FLORIDA

COUNTY OF COLLIER

) State of MASS
) ss County of Plymouth

The foregoing instrument was acknowledged before me this 15th day of July, 2015, by Jack Minahan, President of Port Au Villa, Inc., a Florida corporation not for profit, on behalf of the corporation. He is personally known to me or has produced J. Minahan as identification and did take an oath.

My Commission Expires:

5.29.2020

Jessica Guardia
Notary Public

Printed Name Jessica Guardia

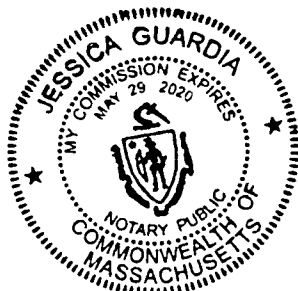


Exhibit "A"
AMENDMENTS TO THE
AMENDED AND RESTATED BYLAWS
OF
PORT AU VILLA, INC.

NOTE: New language is underlined; language being deleted is shown in ~~struck through~~ type.

1. Section 1.1 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to change the ZIP code as follows:

1.1 Principal Office. The principal office of the Association is at 2100 Gulf Shore Boulevard, Naples, Florida ~~33940~~ 34102.

2. Section 2 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to add a new Section 2.15 and create a definition of "Special Assessment" as follows:

2.15 "Special Assessment" means any assessment levied against unit owners other than the assessment required by a budget adopted annually as further defined in Section 7.6 of these Bylaws.

3. Section 2.15 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to change the paragraph numbering only as follows:

2.152.16 "Voting Interest" means the total number of possible votes of the membership. There are fifty-six (56) units. However, as described in Section 3.3 below, some members could have less than one vote per unit. Therefore, the maximum number of voting interests is fifty-six (56) or less depending upon whether a member owns more than one Membership Certificates as described in Section 3.3 below.

4. Section 4.3 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to provide for electronic mailing as follows:

4.3 Notice of Meetings; Waiver of Notice. Notice of all members' meetings must state the time, date, and place of the meeting, and include an agenda for the meeting. The notice must be mailed to each member at the address which appears on

the books of the Association, may be electronically transmitted to the e-address given to the Association by the member, or may be furnished by personal delivery. The members are responsible for informing the Association of any change of address. The notice of all members' meetings must be electronically transmitted, mailed or delivered at least fourteen (14) days before the meeting. If ownership of a unit is transferred after notice has been mailed, no separate notice to the new owner is required. Attendance at any meeting by a member constitutes waiver of notice by that member unless the member objects to the lack of notice at the beginning of the meeting. A person entitled to receive such notice may waive notice of any meeting at any time, but only by written waiver.

5. Section 4.4 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to provide for electronic mailing as follows:

4.4 Notice of Annual Meeting; Special Requirements. Notice of the annual meeting together with an agenda shall be posted in a conspicuous place on the cooperative property or association property for at least fourteen (14) continuous days prior to the annual meeting. The notice and agenda for the annual meeting shall also be sent electronically or sent by first class mail to each owner at least fourteen (14) days before the meeting, regardless of whether the second notice of election described in Section 5.3(B) below is required, and an affidavit of the officer or other person making such mailing or transmission shall be retained in the Association records as proof of mailing. Notice of the annual meeting may, alternatively, be delivered in person if a written waiver of mailing is obtained.

6. Section 4.5 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to clarify quorum requirements as follows:

4.5 Quorum. A quorum at members' meetings shall be attained by the presence, either in person or by proxy, of persons entitled to cast at least a majority of the votes of the entire membership. Once a quorum has been attained, the subsequent withdrawal of some members from a meeting does not negate the fact that a quorum was attained, and does not require that the meeting be adjourned.

7. Section 4 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to add a new Section 4.13 to recognize electronic transmission as follows:

4.13 Notice and other Communications by Electronic Transmission. Notice of member meetings, and other written communications, except meetings for the purpose of recalling Directors, may be given by electronic transmission such as fax and e-mail.

8. Section 5.1 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to create staggered terms as follows:

5.1 Number and Terms of Service. The number of Directors which constitute the whole Board of Directors shall be five (5). ~~Each Director shall be elected for a one (1) year term which ends at the annual election at which his successor is to be duly elected.~~ In order to provide for continuity of experience, a system of staggered terms will be established by the Association at the 2015 Annual Meeting where five (5) Directors will be elected of which three (3) will serve two (2) years and two (2) will serve one (1) year. Thereafter, two (2) Directors elected in even years and three (3) elected in odd years. Directors shall be elected for two (2) year terms. A Director's term ends at the annual election at which his successor is to be duly elected. Directors shall be elected by the members as described in Section 5.3 below, or in the case of a vacancy, between annual elections, as provided in Section 5.4 below.

9. Section 5.2 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to further provide for Director qualifications as follows:

5.2 Qualifications. Each Director must be a member or the spouse of a member. A person who has been suspended or removed by the Division of Florida Condominiums, Timeshares and Mobile Homes, or who is delinquent in the payment of any monetary obligation due to the Association, is not eligible to be a candidate for Board membership and may not be listed on the ballot. A person who has been convicted of any felony in this state or in a United States District Court or Territorial Court, or who has been convicted of any offense in another jurisdiction which would be considered a felony if committed in this State, is not eligible for Board membership unless such felon's civil rights have been restored for at least five (5) years as of the date such person seeks election to the Board. The validity of an action by the Board is not affected if it is later determined that a Board member is ineligible for Board membership due to having been convicted of a felony.

10. Section 5.3 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to recognize secret balloting as follows:

5.3 **Annual Elections and Certification.** On the day of each annual election the members shall elect by written secret ballot as many Directors as there are regular terms of Directors expiring, unless the balloting is dispensed with as provided by law. Within 90 days of being elected, a new Board member must either (i) submit a written certification that attests to specifically enumerated items or (ii) submit a certificate of having completed the educational curriculum as provided for by the DBPR. If a Board member fails to submit the certification, the Board member is suspended from the Board until the Board member complies, and the Board may temporarily fill the vacancy. The Board secretary shall retain a Board member's written certification or education certificate for inspection for the longer of: (i) 5 years after that Board member's election or (ii) for the duration of the Board member's uninterrupted tenure, whichever is longer. However, failure to retain the certification does not affect the validity of any Board action.

11. Section 5.6 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to provide when the Organization Meeting may be held as follows:

5.6 **Organizational Meeting.** The organizational meeting of a new Board of Directors shall be held immediately upon the adjournment of the annual meeting at the same location, unless a quorum cannot be obtained, in which case the organizational meeting shall be held as soon as practicable thereafter and no more than ten (10) days after the election of Directors.

12. Section 5.7 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to allow electronic notices as follows:

5.7 **Other Meetings.** Meetings of the Board may be held at such time and place in Collier County, Florida, as shall be determined from time to time by the President or a majority of the Directors. Notice of each meeting shall be given to each Director, personally or by mail, telephone ~~or telegraph~~, facsimile or electronically transmitted at least two (2) days prior to the day named for such meeting.

13. Section 5.8 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to recognize audio and video recording rights and closed meetings for legal advice as follows:

5.8 Notice to Owners. All members of the Board of Directors shall be open to attendance and participation by the members. A notice and agenda for each Board meeting shall be posted conspicuously on the cooperative property or association property for at least forty-eight (48) continuous hours in advance of each Board meeting, except in an emergency. Notice of any Board meeting at which a non-emergency special assessment or a rule restricting the use of units is to be considered for any reason shall be mailed to each owner at least fourteen (14) days before the meeting, and an affidavit of mailing shall be retained as proof of mailing. Notice of any Board meeting at which a budget will be adopted or amended shall be given as stated in Section 7.2 below. The right of owners to attend Board meetings includes the right to speak on designated agenda items, subject to reasonable rules of the Association governing the manner, duration and frequency of doing so. Any owner may record (audio or video) a Board meeting. Meetings between either the Board, or a committee, and Association legal counsel, regarding potential, proposed, threatened, impending or ongoing litigation, to the extent the meeting is held for the purpose of seeking or rendering legal advice regarding that litigation, are closed to members. Meetings to discuss personnel matters are closed to members.

14. Section 5.10 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to clarify voting by Directors as follows:

5.10 Quorum of Directors. A quorum at a Board meeting shall exist when at least a majority of all Directors are present in person at a duly called meeting. Directors may participate in any meeting of the Board, by a conference telephone call or similar communicative arrangement whereby all persons present can hear and speak to all other persons. Participation by such means shall be deemed equivalent to presence in person at a meeting. Directors may not vote or participate in Board meetings by proxy or by secret ballot, except that officers may be elected by secret ballot.

15. Section 5 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to add a new Section 5.16 on Emergency Powers as follows:

5.16 Emergency Powers.

(1) To the extent allowed by law and unless specifically prohibited by the Cooperative Owner's Agreement, the Articles, or Bylaws, and consistent with the provisions of Section 617.0830, Florida Statutes, the Board of Directors, in response to damage caused by an event for which a state of emergency is declared pursuant to Section 252.36, Florida Statutes, in the locale in which the Cooperative is located, may, but is not required to, exercise the following powers:

- (A) Conduct Board meetings and membership meetings with notice given as is practicable. Such notice may be given in any practical manner, including publication, radio, United States mail, the internet, public service announcements, and conspicuous posting on the Cooperative property or any other means the Board deems reasonable under the circumstances. Notice of Board decisions may be communicated as provided in this paragraph.
- (B) Cancel and reschedule any Association meeting.
- (C) Name as assistant officers persons who are not Directors, which assistant officers shall have the same authority as the executive officers to whom they are assistants during the state of emergency to accommodate the incapacity or unavailability of any officer of the Association.
- (D) Relocate the Association's principal office or designate alternative principal offices.
- (E) Enter into agreements with local counties and municipalities to assist counties and municipalities with debris removal.
- (F) Implement a disaster plan before or immediately following the event for which a state of emergency is declared which may include, but is not limited to, shutting down or off elevators; electricity; water, sewer, or security systems; or air conditioners.
- (G) Based upon advice of emergency management officials or upon the advice of licensed professionals retained by the Board, determine any portion of the Cooperative property unavailable for entry or occupancy by unit owners, family members, tenants, guests, agents, or invitees to protect the health, safety, or welfare of such persons.

- (H) Require the evacuation of the Cooperative property in the event of a mandatory evacuation order in the locale in which the Cooperative is located. Should any unit owner or other occupant of a Cooperative fail or refuse to evacuate the Cooperative property where the Board has required evacuation, the Association shall be immune from liability or injury to persons or property arising from such failure or refusal.
- (I) Based upon advice of emergency management officials or upon the advice of licensed professionals retained by the Board, determine whether the Cooperative property can be safely inhabited or occupied. However, such determination is not conclusive as to any determination of habitability pursuant to the Declaration.
- (J) Mitigate further damage, including taking action to contract for the removal of debris and to prevent or mitigate the spread of fungus, including, but not limited to, mold or mildew, by removing and disposing of wet drywall, insulation, carpet, cabinetry, or other fixtures on or within the Cooperative property, even if the unit owner is obligated by the declaration or law to insure or replace those fixtures and to remove personal property from a unit.
- (K) Contract, on behalf of any unit owner or owners, for items or services for which the owners are otherwise individually responsible for, but which are necessary to prevent further damage to the Cooperative property. In such event, the unit owner or owners on whose behalf the Board has contracted are responsible for reimbursing the Association for the actual costs of the items or services, and the Association may use its lien authority provided by Section 719.108, Florida Statutes, to enforce collection of the charges. Without limitation, such items or services may include the drying of units, the boarding of broken windows or doors, and the replacement of damaged air conditioners or air handlers to provide climate control in the units or other portions of the property.
- (L) Regardless of any provision to the contrary and even if such authority does not specifically appear in the Cooperative Owner's Agreement, Articles, or Bylaws of the Association, levy special assessments without a vote of the owners.
- (M) Without unit owners' approval, borrow money and pledge Association assets as collateral to fund emergency repairs and carry out the duties of the Association when operating funds are insufficient. This paragraph

does not limit the general authority of the Association to borrow money, subject to such restrictions as are contained in the Cooperative documents.

(2) The special powers authorized under subarticle (1) shall be limited to that time reasonably necessary to protect the health, safety, and welfare of the Association and the unit owners and the unit owners' family members, tenants, guests, agents, or invitees and shall be reasonably necessary to mitigate further damage and make emergency repairs.

16. **Section 7.1 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to clarify commingling of monies as follows:**

7.1 **Depository.** The Association shall maintain its funds in federal insured accounts in such financial institutions authorized to do business in the State of Florida as shall be designated from time to time by the Board. Withdrawal of monies from such accounts shall be only by such persons as are authorized by the Board. All funds collected by the Association shall be maintained separately in the Association's name. Reserve Funds and Operating Funds must not be comingled.

17. **Section 7.2 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to clarify procedural steps on budget adoptions as follows:**

7.2 **Budget.** The Board of Directors shall adopt a budget of common expenses for each fiscal year. A copy of the proposed budget and a notice stating the time, date and place of the meeting of the Board at which the budget will be adopted shall be mailed to or served on the owner of each unit not less than ~~thirty (30)~~ fourteen (14) days prior to that meeting and an affidavit of the Officers or other persons making such mailing shall be retained in the Association records as proof of mailing. The proposed budget ~~shall~~ must be detailed, and ~~shall~~ must show the amounts budgeted by income and expense classifications. The budget, besides operating expenses, may also include projects of a capital scope. Any proposed assessments for such betterments shall require the approval of a majority of the members who are present and voting, either in person or by proxy, at a properly called annual or special meeting of the membership. The members shall have the power and authority to amend such budget in the manner provided by Florida law.

18. Section 7.3 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to clarify use of reserves for emergencies as follows:

7.3 Statutory Reserves for Capital Expenditures and Deferred Maintenance.

In addition to annual operating expenses, the proposed budget must include reserve accounts for capital expenditures and deferred maintenance as required by law. These accounts shall include, but are not limited to, roof replacement, building painting, and pavement resurfacing. The amount to be reserved shall be computed by a formula based upon estimated life and replacement cost of each item. These reserves shall be funded unless the members subsequently determine by majority vote of those present in person or by proxy at a duly called meeting to fund no reserves. If a vote is taken, it may be taken only after the proposed budget has been mailed to the unit owners as required in Section 7.2 above. Reserves funded under this paragraph and all interest earned on such reserves, shall be used only for the purposes for which they were reserved, unless their use for other purposes is approved in advance by a majority of the voting interests present and voting at a members' meeting called for the purpose. Notwithstanding the foregoing, reserves may be used for emergency purposes, as defined Section 5.16 above, by decision of the Board of Directors and without a vote of the members.

19. Section 7.6 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to clarify use of surplus funds as follows:

7.6 Special Assessments. Special assessments may be imposed by the Board of Directors when necessary to meet unusual, unexpected, unbudgeted, or non-recurring expenses. Special assessments are due on the day specified in the resolution of the Board approving such assessments. The notice of any Board meeting at which a special assessment will be considered shall be given as provided in Section 5.8 above; and the notice to the owners that the assessment has been levied must contain a statement of the purpose(s) of the assessment. The funds collected must be spent for the stated purpose(s) or returned to the members as provided by law. However, upon completion of such specific purpose(s), any excess funds will be considered common surplus, operating or capital, and may, at the discretion of the Board, either be returned to the members or applied as a credit toward future assessments.

20. Section 7.8 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to recognize change in law on financial reporting requirements as follows:

7.8 Financial Reports. ~~In accordance with Section 719.104(4) of the Cooperative Act, not later than sixty (60) days after the close of each fiscal year, the Board shall distribute to all owners a complete financial report of actual receipts and expenditures for the previous twelve (12) months, or a complete set of financial statements for the preceding fiscal year prepared in accordance with generally accepted accounting procedures.~~ Not later than ninety (90) days after the close of each fiscal year, the Association shall cause to be distributed to the owners of each unit complete financial statements for the year, meeting the requirements of Section 719.104(4)(a), Florida Statutes, prepared by an independent certified public accountant. These requirements may be waived for a fiscal year by approval of at least a majority of the voting interests present in person or by proxy at a meeting called for the purpose and held prior to the end of the fiscal year. An Association may not waive the financial reporting requirements for more than three (3) consecutive years.

21. Section 7 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to add a new Section 7.11 to provide for Insurance Proceeds as follows:

7.11 Insurance Proceeds. In the event of partial loss to the Cooperative Property, the insurance proceeds payable by reason for such loss shall be paid to and held by the Directors as Trustees. They shall use such proceeds of insurance to make necessary and proper repairs arising out of such loss. If such insurance proceeds be insufficient to pay for such repairs, the owners shall share and pay the deficiency equally. The Directors shall levy a special assessment to cover such deficiency. If there be a surplus of insurance proceeds after such repairs are completed, it shall be paid equally to the owners.

22. Section 8.1 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to recognize changes in technologies as follows:

8.1 Common Expenses. Common Expenses include the expenses of operation, maintenance, repair, replacement of insurance of the Cooperative property and association property, the expenses of operating the Association, and any other expenses properly incurred by the Association for the Cooperative, including amounts budgeted for the purpose of funding reserve accounts. The cost of water and sewer

service to the units shall be a common expense. If the Board of Directors contracts for pest control within units or ~~basic cable television programming~~ telecommunication services in bulk for the entire Cooperative, the cost of such services shall be a common expense.

23. Section 8 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to add a new Section 8.12 to create lien rights as follows:

8.12 Lien for Charges. There is hereby created a common law and contractual lien to secure payment of any charge for any service which the Association provides for an individual member and which is not otherwise secured by the statutory lien for common expenses. By way of example, but not limitation a lien for charges exists to secure repayment to the Association when it must remove or reinstall member installed alterations or perform owner maintenance responsibilities, or address emergency situations on behalf of an owner, such as water extraction for a Unit. The lien for charges shall be of equal priority to a common expense lien and shall be foreclosed in the same manner. The lien shall also secure interest late charges, attorney's fees and costs.

24. Section 9.11 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to clarify parking requirements as follows:

9.11 Parking; Motor Vehicles. Port au Villa has fifty-six (56) numbered parking spaces, each of which has been assigned to the exclusive use of an apartment. Guest parking spaces are designated on the cooperative property adjoining Gulf Shore Boulevard. No motor vehicle shall be parked anywhere on the cooperative property other than paved areas intended for use as parking spaces. No vehicles shall be parked in such manner as to impede or prevent access to any other parking space. Vehicles must be parked between the lines. The Board of Directors will be responsible to inaugurate the parking policy at their discretion when occupancy exceeds 75% (42 units). Owner's cars may not be kept or parked on the premises during an absence of more than thirty (30) days. Any member who plans to leave his car on the premises while away for over ten (10) days must leave a key with a resident and authorize the key holder to move the vehicle in case of need. Vehicles may not be cleaned on the property with any substance other than plain water. No inoperable vehicle shall remain within the property for more than twenty-four (24) hours and no repairs of vehicles (such as mechanical repairs, draining of coolants, changing of oil or other

similar operations) shall be made within the property other than emergency repairs (such as changing of tires). Except for service vehicles temporarily present on business, no truck, panel van, commercial truck, bus, or other commercial vehicle may be parked or kept at the property. No motor home, recreational vehicle, pick-up truck, or motorcycle shall be parked or kept at the property.

25. Section 9 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to add a new Section 9.14 on electric vehicle charging as follows:

9.14 Electrical Vehicle Charging. Charging of electrical vehicles on cooperative property is prohibited unless prior written approval of the Board is obtained. As a condition of approval the owners must agree to purchase and install a separate electric meter for charging the vehicle at a common element socket, agree to pay any cost required to upgrade the electric facilities and lines if necessary, and agree to pay all properly metered electric costs associated with charging the owner's vehicle.

26. Section 10.2(C) of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to add a new paragraph (h) on sexual offenders and predators as follows:

(h) The person seeking approval is on the Florida Department of Law Enforcement Sexual Offenders and Predators list.

27. Section 10.4 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to modify lease restrictions as follows:

10.4 Term of Lease and Frequency of Leasing. No unit may be leased more often than three (3) times in any calendar year, with the minimum lease term being sixty (60) days. The first day of occupancy under the lease shall determine in which year the lease occurs. No lease may be for a period of more than ~~one (1) year~~ six (6) months, and no option for the lessee to extend or renew the lease for any additional period shall be permitted. ~~However, the Board may, in its discretion, approve the same lease from year to year.~~ No subleasing or assignment of lease rights by the lessee is allowed.

28. Section 10 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to add a new Section 10.11 to allow the Association to collect rent for unpaid assessments as follows:

10.11 Rent Assignment. In the event an owner is in default in the payment of assessments or other sums due and owing to the Association and the owner's unit is subleased, the Association shall have the right and authority to collect the rent to be paid by the tenant to the owner directly from the tenant. In the event such tenant fails to remit said rent directly to the Association within ten (10) days (but not later than the day next rental payment is due) from the day the Association notified such tenant in writing that the rents must be remitted directly to the Association, the Association shall have the right to terminate the sublease and evict the tenant. All sums received from the tenant shall be applied to the owner's account for the subleased unit according to the priority established in Section 719.108(3), Florida Statutes, until the owner's account is current.

29. Section 11.4 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to create new restrictions on renovations as follows:

11.4 Alteration of Units or Common Areas by Unit Owners. No owner shall make or permit the making of any material or substantial addition to his unit or the common areas, or in any manner change the exterior appearance of any portion of the Cooperative, without first obtaining the written approval of the Board of Directors, which approval may be denied if the Board of Directors determines that the proposed modifications or alterations would adversely affect, or in any manner be detrimental to, the Cooperative in part or in whole. The permit process where applicable will be enforced. Major renovations and those which result in significant noise and disturbance to the residents, which standard shall be determined solely in the Board's discretion, may be made between May 1 and October 31. Any glass or screen, curtain, blind, shutters, awning, or other modifications, additions or installations which may be installed where visible from outside the unit, are subject to regulation by the Board of Directors. No owner may alter the landscaping of the common areas in any way without prior Board approval.

30. Section 11 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to add a new Section 11.10 on hurricane shutters as follows:

11.10 Hurricane Shutters. The unit owner is responsible for maintaining, repairing, removing or replacing hurricane shutters. All shutters shall meet applicable codes. Installation of new or replacement shutters requires the approval of the Board of Directors. Insurance coverage for hurricane shutters is the responsibility of the unit owner.

31. Section 16 of the Amended and Restated Bylaws of Port Au Villa, Inc., shall be amended to add a new Section 16.5 on Official Records as follows:

16.5 Official Records. The Association shall maintain its Official Records as required by law. The records shall be open to inspection by members or their authorized representatives at all reasonable times upon written request. The right to inspect the records includes a right to make or obtain photocopies at the reasonable expense of the member seeking copies as allowed by Florida law.