

**BYLAWS**  
**OF**  
**OAK BLUFF OF DAYTONA HOMEOWNERS ASSOCIATION, INC.**  
(A Corporation Not for Profit under the Laws of the State of Florida)

**ARTICLE I. NAME AND BOUNDARIES**

- A. The name of the Association shall be Oak Bluff of Daytona Homeowners Association, Inc. (hereinafter referred to as the "Association").
- B. The Association shall encompass the ninety-eight (98) lots defined as Oak Bluff Subdivision as described on the plat recorded in Map Book 48, Page 148 of the Public Records of Volusia County, Florida.

**ARTICLE II. MEMBERSHIP**

- A. The membership of this Association shall be limited to the owners of the ninety-eight (98) Lots in Oak Bluff. Transfer of Lot ownership, either voluntarily or by operation of law, shall automatically terminate membership in the Association and the membership shall immediately become vested in the transferee.
- B. The Owner of each Lot shall be entitled to one vote. If an Owner owns more than one Lot they shall be entitled to one (1) vote for each lot owned.
- C. Dues will be determined by the Board of Directors. Dues shall be set at \$15 per month per lot for a yearly total of \$180.00. For lots which have not yet been cleared and the Association is maintaining the first 10 feet from the street, an additional lawn fee of \$10 per month per lot for a yearly total of \$120 will be charged. ~~For lots which are totally cleared, and the Association is maintaining the lot, an additional lawn fee of \$20 per month for a yearly total of \$240 will be charged.~~ At the discretion of the Board of Directors, annual dues paid in full during the month of January may be discounted.
- D. Membership shall not be denied on the basis of views or opinions contrary to the goals and purposes of the Association.
- E. In order to vote on matters concerning the Association, members must be up to date in payment of their dues and fees.

### ARTICLE III. BOARD OF DIRECTORS/OFFICERS

The voting members of the Association shall elect a ~~five (5)~~three (3) member Board of Directors who will then appoint officers of the Association. The officers of this Association shall hold offices for a term of one (1) year or until successors are elected. The term of office shall begin at the close of the Annual Meeting. The officers of the Association shall be President, Vice President, Secretary, and Treasurer.

A. The President shall call and preside at all meetings, shall act for and on behalf of the membership of the Association, shall appoint any special committees necessary for the operation of the Association business and shall act as official spokesperson for the Association.

~~B. The Vice President shall, in the absence of the President, assume all the duties of that office and shall be responsible for publicity and notifications of meetings of the Association.~~

~~C.~~B. The Secretary shall keep a permanent record of all formal meetings and all legal documents and legal transactions of the Association. The secretary shall transcribe the minutes of each meeting and shall maintain a file copy of same.

~~D.~~C. The Treasurer shall keep all financial receipts and a permanent record of all financial business of the Association. An up-to-date financial report shall be submitted at each meeting. The Treasurer shall be responsible for membership.

~~E.~~D. Any officer can be removed from office by a two-thirds majority vote of the dues paying membership or assigned proxies after a special meeting has been requested at least ten (10) working days in advance. Notice must be provided to all Association members for meetings involving the recall of officers.

### ARTICLE IV. COMMITTEES

A. The President shall have the power to appoint committees as necessary.

B. The President shall be an ex-officio member of all committees.

## ARTICLE V. MEETINGS

- A. An annual meeting of the Association shall be held at a time and place designated by the Board of Directors and as set forth in the notice of the meeting.
- B. Not less than 30 percent of the Voting Members or assigned proxies shall have the privilege of petitioning a special meeting at any time.
- C. A quorum shall constitute at least thirty (30%) percent of the Voting Membership or assigned proxies.
- D. At least seven (7) day notice shall be provided in advance of any Association meeting. Every effort will be made to notify all members of the Association of upcoming meetings either by phone, e-mail, meeting notices, bulletin boards, newsletters, or announcements at regularly scheduled meetings.
- E. All meetings shall be public and open to any interested persons.

## ARTICLE VI. NOMINATION, ELECTIONS, ANNUAL REPORTS AND INSTALLATION OF OFFICERS

- A. Nominations of Board Members shall be made from the floor at the annual meeting or from a slate presented by a nominating committee.
- B. Election of Board Members shall be held at the annual meeting.
- C. Upon installation of the officers whose term begin at the close of the Annual Meeting, all documents, records, and any materials pertaining to the duties of the office as designated in the bylaws which are in the possession of the outgoing officers shall be submitted to the newly elected counterpart within 2 days of the installation.
- D. Any vacancies occurring during the year of any Board Member shall be filled by appointment by the Association Board Members.
- E. Any Board Member may be removed from office for cause by a majority vote of the voting members.

## **ARTICLE VII. FISCAL RESPONSIBILITY**

- A. Expenditure of funds of the Association shall be made by check or credit card by signature of the Treasurer or another Board Member with signature authority.
- B. Financial records and funds of the Association should be audited at least once a year by a committee of at least two (2) Voting Members of the Association appointed by the President and prior to a new Treasurer taking office.
- C. The Board shall adopt a budget for the anticipated Operating Expenses for each forthcoming calendar year. A special meeting of the Board (Budget Meeting) for that purpose will be held during the year preceding to which the Budget applies. Within thirty (30) days after the adoption of the Budget, a copy thereof shall be furnished to each Member and each Owner shall be given notice of the Lot Dues applicable to their Lot(s). A copy of the Budget, if requested, shall be deemed furnished and the notice of the Lot dues shall be deemed given upon its delivery or upon its being mailed to the Owner shown on the records of the Association or the last known address as shown on records of the Association.
- D. The Association shall maintain accounting records based on the cash basis method of accounting according to generally accepted accounting practices, consistently applied. The records shall be open to inspection by the Members of the Association. The Association must prepare an annual financial report within 60 days after the close of the fiscal year.
- E. Lot dues shall be payable annually, semi-annually or quarterly. Due date for annual payment is January 31; semi-annual payments January 31 and July 31; and quarterly payments January 31, April 30, July 31 and October 31. A late fee of \$25 will be imposed to all accounts not paid in full by October 31 of each year.
- F. No Board shall be required to anticipate revenue from dues or expend funds to pay for Operating Expenses not budgeted or which shall exceed budgeted items, and no Board is required to engage in deficit spending. Should a deficiency result from there being greater Operating Expenses than monies from dues, then such deficits shall be carried into the next succeeding year's Budget as a deficiency or shall be the subject of a Special Assessment or an upward adjustment to the HOA dues.
- G. The depository of the Association shall be a bank or banks as shall be designated from time to time by the Board in which the monies of the Association shall be deposited. Withdrawal of monies from such account shall be only by check or credit card signed by such persons as are authorized by the Board.

## **ARTICLE VIII. AMENDMENT OF BYLAWS**

- A. Amendments to these bylaws may be proposed by either the Board of Directors or by thirty (30%) percent or more of the Membership of the Association. Such proposed amendments must be transmitted to the President of the Association who shall thereupon call a special meeting of the Members of the Association.
- B. Proposed amendments shall be sent to all members at least 10 working days in advance of the meeting where action is to be taken or shall be read at the presiding meeting.

**ARTICLE IX . GENERAL**

- A. The rules in the current edition of Robert's Rules of Order shall govern the Association, the Board of Directors. and all subcommittees in all cases to which they apply and do not conflict with the specific provisions of these Bylaws or any special rules that the Association may adopt.
- B. If any part of these Bylaws or the application thereof is hereafter held invalid or unenforceable, the remainder shall not be affected thereby, and only the affected portions are declared eliminated.
- C. No officer, representative, spokesperson or member shall have any financial liability of the Association.

**ARTICLE X. LIENS**

An Owner who fails to pay their HOA dues ~~or lawn fees~~ by the end of each calendar year will be subject to a lien being placed against their property once the total balance is equal to or greater than one thousand dollars (\$1,000.00). Property Owners shall be responsible to pay all legal fees (including, but not limited to, attorney and paralegal fees and court costs) incurred in connection with the collection of late Assessments whether or not an action at law to collect said Assessments and foreclose the Association's lien has been commenced.

DATE ADOPTED: November 21

SIGNATURE/TITLE .....

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