

# HOLIDAY ESTATES I & II

*Age 55 and Older Community*

## **Homeowners Corporation**

1445 Seagull Drive • Englewood, FL 34224

The Homeowners Corporation was incorporated November 9, 1998 as a Florida Not For Profit Corporation - Document # N98000006396

A Corporation Annual Report must be filed with the Florida Department of State each calendar year between January 1<sup>st</sup> and May 1<sup>st</sup>  
Annual Report Notices are mailed by the state to  
1445 Seagull Drive; Englewood, FL 34224

Holiday Estates *I&II* must be registered as a 55+ Community with the Florida Commission on Human Relations.  
Renewal notices are sent 30 days prior to renewal date  
(Holiday Estates I & II is listed under Sarasota County by the State)

### **PURPOSE**

The purpose of this corporation is to foster, promote and assist the general welfare and community interests or any other matter which may be of common interest or concern to the owners of property in Holiday Estates I & II.

### **MANAGEMENT OF CORPORATE AFFAIRS**

The powers of this corporation shall be exercised and its affairs conducted by a Board of Seven Directors.  
The officers of this corporation shall be a President, Vice-President, Secretary and Treasurer.

### **GOAL**

The Board shall enforce the Deed Restrictions which were officially amended and preserved by a majority vote of all homeowners; and which were legally recorded on December 15, 1999  
Book 1755; Pages 0441-0446; and which are effective and enforceable til December 14, 2029.

### **DIRECTIVE**

The Board shall follow the guidelines set forth by  
The U. S. Department of Housing and Urban Development (HUD) - 24 CFR Part 100  
Implementation of the Housing for Older Persons Act (HOP A) 1995; Final Rule  
A summary of verification of occupancy must be done every other year and filed in the Homeowners official records at 1445 Seagull Drive; Englewood, FL 34224

### **IMPORTANT DOCUMENTS**

Articles of Incorporation; Bylaws; and Deed Restrictions

BYLAWS  
OF  
HOLIDAY ESTATES I & II HOMEOWNERS CORPORATION  
A FLORIDA CORPORATION NOT FOR PROFIT  
FLORIDA

Article One  
Offices

Section One. Principal Office. The principal office of this corporation shall be located at 1445 Seagull Drive, in Englewood, Charlotte County, State of Florida.

Article Two  
Membership

Section One. Classes of Membership. The corporation shall have one class of members, and no more than one membership may be held by any one lot. The rights and privileges of all members shall be equal.

Section Two. Qualifications. The owner(s) of property in Holiday Mobile Estates, First Addition, per Plat thereof recorded in Plat Book 9, Pages 5A and Holiday Mobile Estates, Second Addition, per Plat thereof recorded in Plat Book 11, Pages 6A, 6B and 6C, both of the Public Records of Charlotte County, Florida and that pay dues as provided below and that agree to be bound by the Articles of Incorporation of this corporation, the Deed Restrictions, and these bylaws is eligible for membership.

Section Three. Admission to Membership. The directors shall prescribe the form and manner in which application may be made for membership.

Section Four. Property Rights. No member shall have any right, title or interest in any of the property or assets, including any earnings or investment income of this corporation, nor shall any of the corporation's property or assets be distributed to any member on its dissolution or winding up.

Section Five. Liability of Members. No member of this corporation shall be personally liable for any of its debts, liabilities, or obligations, nor shall any member be subject to any assessment from outside this corporation.

Section Six. Transfer, Termination and Reinstatement. Membership in this corporation is nontransferable. Membership shall terminate on the resignation or death of a member, or on a member's failure to pay the dues required in these bylaws.

Article Three  
Record of Membership

Section One. Record of Membership. The corporation shall prepare and maintain a correct and complete membership list giving the names and addresses of members entitled to vote.

Article Four  
Membership Fees and Dues

Section One. Initiation Fee and Annual Dues. The board of directors shall determine the amount of initiation fee, if any, and the amount of annual dues.

Section Two. Annual Registration and Application. The board of directors shall hand deliver or mail an annual Registration and Application form to all owners in January of each year.

Section Three. Payment of Fees and Dues. Dues shall be payable in advance on the 1st day of February in each fiscal year (Jan. 1 thru Dec. 31).

Section Four. Default and Termination of Membership. When any member is in default in the payment of fees or dues, that person's membership shall be terminated.

Article Five  
Meetings of Members

Section One. Annual Meeting of Members. An annual meeting of members shall be held at 10:30 am on the second Monday in March in each year, beginning with the year 2007 at the Holiday Estates Association Community Center or any other place designated by resolution of the board of directors. Appropriate for consideration at the annual meetings shall be the election of directors, and any other corporate business.

Section Two. Meetings of Members. Regular membership meetings shall be held at 10:30 am on the second Monday in January and February of each year. Special meetings of members may be called by the president, the board of directors, or not less than 1/20th of the members qualified to vote.

Section Three. Place of Meeting. The board of directors may designate any place as the place of meeting.

Section Four. Notice of Meetings. Notice of meetings will be printed in the Holiday Estates I & II newsletter stating the day, date, hour, place and purpose of the meeting.

Section Five. Quorum. Members holding 51 percent of the total votes which may be cast at any meeting shall constitute a quorum.

Section Six. Absentee Ballot. Any member unable to attend the Annual Meeting may vote for directors by procuring an official absentee ballot prepared by the Nominating Committee. It is the responsibility of the member to make timely request for the ballot and return it to the Committee prior to the meeting.

Section Seven. Voting Rights. Voters must be members in good standing according to these bylaws. Only one (1) vote per lot will be permitted.

#### Article Six Directors

Section One. Number. The authorized number of directors of this corporation shall be seven (7).

Section Two. Qualifications of Directors. Directors must be members in good standing and reside in Holiday Estates I & II for at least three months a calendar year.

Section Three. Term of Office. The term of office of each director shall be two (2) years or if appointed, for the unexpired term of his or her predecessor in office and until a successor is in place beginning with the year 2007.

Section Four. Powers. The powers of this corporation shall be exercised, its properties controlled and its affairs conducted by the board of directors.

Section Five. Replacement of Directors. Whenever a vacancy exists on the board of directors, whether by death, resignation, or otherwise, the vacancy shall be filled by appointment of a new director within 30 days by a majority vote of the remaining directors.

Section Six. Compensation. No member of the board of directors shall receive compensation from the corporation.

Section Seven. Meetings of the Board of Directors.

Annual Board Meeting: This meeting shall be held as soon as convenient after the members annual meeting.

Regular Board Meetings: These meetings shall be held at such times as determined by the board of directors.

Special Board Meetings: The president may, as the president deems necessary, and the secretary shall, if so requested by 3 members of the board of directors, call a special meeting of the board.

Place: Meetings shall be held at any place(s) designated by resolution of the board of directors; or in the absence of designation, at the principal office of the corporation

Quorum: A majority of the board of directors four (4) shall constitute a quorum for the transaction of business at any meeting of the board.

Parliamentary Procedures. The most recent edition of Robert's Rules of Order shall be followed.

Section Eight. Action Without Meeting. Action may be taken without a meeting, provided all members of the board consent in writing to the action and the written consents are filed with the minutes of the proceedings of the board.

Section Nine. Liability of Directors. The directors of this corporation shall not be personally liable for its debts, liabilities, or other obligations.

#### Article Seven Officers

Section One. Designation of Officers. The officers of this corporation shall be a president, a vice-president, a treasurer, and a secretary.

Section Two. Election and Term of Office. The officers of this corporation shall be elected annually by the board of directors at their annual meeting. Each officer shall hold office until a successor has been duly elected.

Section Three. Removal. Any officer elected or appointed by the board of directors may be removed from office by the board of directors whenever in its judgment the interests of the corporation would be best served.

Section Four. Vacancies. A vacancy in any office, whether due to death, resignation, removal, or otherwise, may be filled by the board of directors for the unexpired portion of the term.

Section Five. PRESIDENT. The president shall be the chief executive officer and shall exercise general supervision and control over all activities. The president shall preside at all meetings of members and of directors.

Section Six. VICE-PRESIDENT. In the absence of the president or in the event of the president's inability or refusal to act, the vice-president shall perform the duties of the president.

Section Seven. TREASURER. The treasurer shall have charge and custody of, and be responsible for, all funds and securities, The treasurer shall receive and give receipts for moneys due and payable to the corporation from any source and deposit all moneys in the name of the corporation in banks, trust companies, or other depositories selected by the board of directors. The treasurer shall prepare and maintain correct and complete books and records of account. If required to do so by the board of directors, the treasurer shall give a bond for the faithful discharge of the treasurer's duties in a sum and with surety or sureties deemed appropriate by the board of directors.

Section Eight. SECRETARY. The secretary shall keep the minutes of meetings of members and board of directors; see that all notices are duly given; and be the custodian of the corporate records and the seal of the corporation. The secretary shall keep a yearly membership list containing the names and addresses of all members and directors.

#### Article Eight Committees

Section One. Committees. Any committee may be established by majority vote of the board of directors. Members of the committees shall be members of the corporation, and shall be appointed by the president. Any member of the committee may be removed by the president if deemed to be in the best interest of the corporation. Committees shall be abolished by the president when their goal is accomplished.

Section Two. Nominating Committee. Nominations shall be opened in January and closed in February. The nominating Committee shall prepare an official Absentee Ballot within three (3) days of the closing to be available to any member in good standing who makes a timely request. The slate of nominees will be printed in the Holiday Estates I & II Newsletter prior to the Annual Meeting of Members.

#### Article Nine Contracts, Contributions and Holdings

Section One. Contracts. The board of directors may by resolution enter into any contract or execute and deliver any instrument in the name of and on behalf of the corporation.

Section Two. Contributions. The board of directors may accept on behalf of the corporation any contribution, gift or bequest.

Section Three. The Board of directors may hold funds or property in the name of the corporation; and collect and receive the income from these funds or property.

Article Ten  
Amendments

Section One. Power of Members to Amend Bylaws. The bylaws of this corporation may be amended, repealed, or added to; or new bylaws may be adopted by the vote, in person, of a majority of a quorum at a meeting duly called for the purpose of amending the bylaws.

*Jacquelyn C. Fleming* 3/13/06 y

Original bylaws duly adopted January 20, 1999; amended bylaws duly adopted January 27, 1999; January 6, 2003; and March 13, 2006.