

The Arbors

The Arbors Village Association, Inc.
c/o Advantage Property Management, LLC
1111 SE Federal Hwy., Suite 100
Stuart, FL 34994
Phone: 772-334-8900 * Fax: 772-288-0175
advantagepm@bellsouth.net

May 2, 2014

Re: Arbors Village Association - Amendment Changes

Dear Homeowners:

Enclosed please find a copy of the recorded **Certificate of Amendment to the Third Amended and Restated Bylaws of the Arbors Village Association, Inc.**

Please file this with your original Arbors documents.

Thank you.

Sincerely,

Tiffany M. Perry

Tiffany M. Perry, LCAM
For the Board of Directors

TP/af
Enclosure

INSTR # 2448721
OR BK 2711 PG 775
(5 Pgs)
RECORDED 04/07/2014 02:12:11 PM
CAROLYN TIMMANN
MARTIN COUNTY CLERK

**CERTIFICATE OF AMENDMENT
TO THE
THIRD AMENDED AND RESTATED BYLAWS OF
THE ARBORS VILLAGE ASSOCIATION, INC.
(f/k/a FOREST GLADE VILLAGE ASSOCIATION, INC.)**

A Corporation Not-For-Profit Under
the Laws of the State of Florida

The Bylaws of The Arbors Village Association, Inc. (f/k/a Forest Glade Village Association, Inc.) has been recorded in the public records of Martin County, Florida at Official Records Book 1083, Page 2205, et. seq. and Amended at OR Book 1267, Page 1709, et. seq., Amended and Restated at OR Book 1465, Page 949, et. seq., Amended and Restated at OR Book 1661, Page 2208, et. seq., and Amended and Restated at OR Book 2435, Page 1606. The Arbors Village Association, Inc. (f/k/a Forest Glade Village Association, Inc.), by its duly authorized officers, hereby certifies that the Amendment to these Bylaws was approved by the membership at their Members Meeting on March 6, 2014.

1. Article III is amended to read as follows:

**ARTICLE III
BOARD OF DIRECTORS: NUMBER, POWERS, MEETINGS**

Section 21. (a) Additional Enforcement Rights. Notwithstanding anything to the contrary herein contained, the Association, acting through the Board of Directors, may elect to enforce any provision of this Declaration, these By-Laws, or the rules and regulations of the Association by self-help (specifically including, but not limited to, the towing of vehicles that are in violation of parking rules and regulations) or by suit at law or in equity to enjoin any violation or to recover monetary damages or both without the necessity of compliance with the procedure set forth above. The Owner or occupant responsible for the violation for which abatement is sought or fine is levied or legal counsel consulted shall pay all the Association's costs, including reasonable attorney's fees incurred unless there is a negotiated settlement or a final judgment after litigation in favor of the Owner or occupant. The Board shall also have the power and authority to collect delinquent assessments, interest, late fees, administrative costs, attorney's fees and court costs and to seek money damages, and/or to file liens against the Lot of a homeowner who is delinquent in payment her/his assessments and to foreclose such liens, pursuant to the Boards' Collection Policy and the Florida Statutes, as amended from time to time.

(b) Litigation Policy.

1) Before any litigation (except for unit owner collection/foreclosure litigation) may be commenced by the Association, a meeting shall be held between at least a majority of the total members of the Board (who may be present either in person or electronically) and the Association's Litigation Advisory Committee ("LAC"). The LAC shall be a committee appointed by the Board of Directors, and shall consist of at least three (3) association members who are neither Board Members nor residents of their households. The LAC will be a specifically appointed committee which is subject to and covered by the Board's attorney-client privilege rights. The purpose of that meeting will be for the Board to present to the LAC the facts and history of the alleged non-compliance and to task the LAC to investigate the alleged non-compliance and the merits of a potential lawsuit.

2) After the meeting required by Paragraph 1 is completed, the LAC shall review all pertinent documentary evidence (i.e. emails, correspondence, reports, pictures, videotapes, etc.) that relate to the matter at hand. Additionally it may, if appropriate, visit the site of the alleged violation(s) and take photographs of same. The LAC shall further identify and compile a list of potential witnesses to the alleged violation.

After reviewing the available evidence as set forth above, the LAC shall review the Association's Governing Documents to determine whether it can identify a provision of same that is applicable to the alleged non-compliance.

The LAC shall then use the data compiled above to create a dated, chronological timeline/report of the events, to be provided to the Board and/or the Association's legal experts regarding the alleged non-compliance. The LAC shall turn this report over to the Board along with its conclusion as to whether to pursue enforcement litigation regarding the alleged non-compliance. This report and conclusion is confidential work-product of the Board and the LAC and shall not be placed in the records of the Association until such time as the Board determines to waive the privilege or any resulting litigation is finally resolved.

3) After receipt of the report and conclusion of the LAC, if the Board wishes to pursue the possibility of litigation regarding the alleged non-compliance, then a meeting shall be held between the Association's general counsel and at least a majority of the total members of the Board (who may be present either in person or electronically). The purpose of that meeting will be to review the facts and history of the alleged non-compliance, including but not limited to, the report and conclusion of the LAC and to provide all Board Members with the opportunity to present perspective on whether litigation should be commenced. At the Board's discretion, the Chairman of the LAC may also attend this initial meeting in order to communicate with the Board and counsel regarding the basis for the LAC's conclusion.

4) After the meeting required by Paragraph 3 is completed, general counsel shall review all material and then hold a second conference with the Board at which at least a majority of the total members of the Board must be present either in person or electronically. At this meeting counsel shall summarize the history of the case, the applicable governing document provisions and the strengths and weaknesses of the case.

5) Based upon the information received at the meetings held pursuant to Paragraph 4, the Board may vote to either not pursue litigation or to pursue litigation. If the Board votes to pursue litigation then it shall seek a second opinion from independent counsel.

6) At its sole discretion, if the Board votes to pursue litigation and therefore to seek a second opinion from independent counsel, the Board will seek such an opinion from a civil trial attorney. A meeting shall be held between the independent counsel and at least a majority of the total members of the Board (who may be present either in person or electronically). The purpose of that meeting will be to review the facts and history of the alleged non-compliance, including but not limited to, the report and conclusion of the LAC and to provide all Board Members with the opportunity to ask questions and present perspective on whether litigation should be commenced. Independent counsel shall also be authorized to communicate with general counsel, at his or her discretion.

7) After the meeting required by Paragraph 6 is completed, independent counsel shall review all material and then hold a second conference with the Board at which at least a majority of the total members of the Board must be present either in person or electronically. At this meeting counsel shall summarize the history of the case, the applicable governing document provisions and the strengths and weaknesses of the case.

8) Based upon the information received at the meetings held pursuant to Paragraphs 1-7, the Board may vote to pursue litigation or not to pursue litigation. If no less than four (4) Directors vote to pursue litigation, then litigation may be pursued. If less than four (4) directors vote to pursue litigation then it shall not be pursued.

9) Should enforcement litigation be commenced, then the Board shall have a status conference with the attorney(s) handling the case no less than once every ninety (90) days. Such conference may be conducted in person or electronically and shall be open to all Board Members except for a Board Member who (1) has a conflict of interest; or (2) has failed to adhere to the rules of confidentiality.

10) Any decision regarding settling the case or appealing an adverse decision in the case shall be made by Board vote which shall take place at a meeting with litigation counsel.

(The balance of Article III remains unchanged)

2. The foregoing amendment to the Third Amended and Restated Bylaws of The Arbors Village Association, Inc. (f/k/a Forest Glade Village Association, Inc.) was adopted by the membership at their Members Meeting on March 6, 2014.

3. The adoption of this amendment appears upon the minutes of said meeting and is unrevoked.

4. All provisions of the Third Amended and Restated Bylaws of The Arbors Village Association, Inc. (f/k/a Forest Glade Village Association, Inc.) are herein confirmed and shall remain in full force and effect, except as specifically amended herein.

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed in its name by its President, its Secretary and its corporate seal affixed this 25th day of March, 2014.

WITNESSES AS TO PRESIDENT:

The Arbors Village Association, Inc.
(f/k/a Forest Glade Village Association, Inc.)

Mandee Johns
Printed Name: Mandee Johns

By: Thomas E. Tully, President

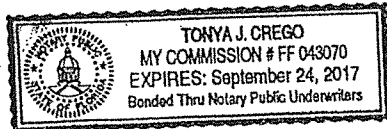
Michael Bonard
Printed Name: Michael Bonard

STATE OF FLORIDA
COUNTY OF Martin

The foregoing instrument was acknowledged before me on MARCH 25, 2014, by THOMAS E. TULLY, as President of The Arbors Village Association, Inc. (f/k/a Forest Glade Village Association, Inc.) [] who is personally known to me, or [] who has produced identification [Type of Identification: _____].

Notarial Seal

Tonya J. Crego
Notary Public



WITNESSES AS TO SECRETARY:

Mandee Johns
Printed Name: Mandee Johns

Michael Bonan
Printed Name: Michael Bonan

STATE OF FLORIDA
COUNTY OF Martin

The foregoing instrument was acknowledged before me on March 25, 2014,
by Yvonne M. Conklin as Secretary of The Arbors Village Association, Inc. (f/k/a
Forest Glade Village Association, Inc.) [who is personally known to me, or [who
has _____ produced identification [Type of identification:
_____].

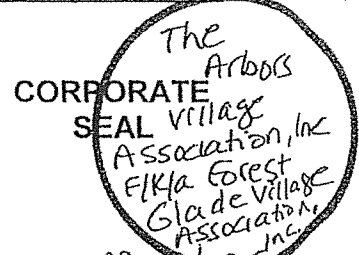
Notarial Seal

Record and Return to:

ROSS EARLE & BONAN, P.A.
Post Office Box 2401
Stuart, FL 34995

The Arbors Village Association, Inc.
(f/k/a Forest Glade Village
Association, Inc.)

By: Yvonne M. Conklin
Yvonne M. Conklin Secretary



Tonya J. Grego
Notary Public

