

**AMENDMENTS TO THE DECLARATION OF COVENANTS
AND RESTRICTIONS AND THE BY-LAWS FOR NORTH FORK**

The original Declaration of Covenants and Restrictions for North Fork is recorded in Official Records Book 6212 Page 1013 of the Public Records of Palm Beach County, Florida. The amendments described below, will be recorded as well.

**AMENDMENTS TO THE DECLARATION OF
COVENANTS AND RESTRICTIONS, EFF. 1/99***

New wording is in *italics*.

ARTICLE III of the Declaration of Covenants and Restrictions has been amended as follows:

MEMBERSHIP AND VOTING RIGHTS

4. Suspension of Membership Rights. No member shall have any vested right, interest or privilege in or to the assets, functions, affairs or franchises of the Association or any right, interest or privilege which may be transferable or which shall continue after his membership ceases or while he is not in good standing. A member shall be considered not in good standing during any period of time in which he is delinquent of any *general assessment for a period in excess of 90 days. Membership rights may further be suspended where a member is in violation of any provision of this Declaration, the Articles of Incorporation or the By-Laws to the extent the suspension of a member's rights is provided for therein.* While not in good standing the member shall not be entitled to vote or exercise any other right or privilege of a member of the Association.

ARTICLE IV of the Declaration of Covenants and Restrictions has been amended as follows:

ASSOCIATION PROPERTY AND COMMON PROPERTY

9. Continual Maintenance. In the event of a dissolution of the Association, the owners shall immediately thereupon hold title to the Common Property and Association Property as tenants in common, and shall collectively provide for the continued maintenance and upkeep thereof in a manner or under a procedure acceptable to the *Town of Jupiter*. In no event shall the *Town of Jupiter* be obligated to accept any dedication offered to it by the owners or the Association pursuant to this section, but the *Town of Jupiter* may accept such dedication, and any acceptance by the *Town of Jupiter* must be made by formal resolution of the then empowered *Town Council*.

ARTICLE VII of the Declaration of Covenants and Restrictions has been amended as follows:

COVENANTS FOR MAINTENANCE ASSESSMENTS: NORTHERN PALM
BEACH COUNTY WATER CONTROL DISTRICT (NPBCWCD)
UNIT OF DEVELOPMENT

8. Effect of Non-Payment of Assessments; Remedies of the Association. All notices of Assessments from the Association to the members shall designate when the Assessment is due and payable. If any Assessment is not paid *for a period of thirty days from* the date when due, it shall then become delinquent and shall bear interest at the maximum rate allowed by law from the date when due until paid. The Assessment, together with the interest thereon and the cost of collection thereof, including attorneys' fees, shall be a continuing lien against the Parcel against which the Assessment is made, and shall also be the continuing personal obligation of the Owner of such Parcel at the time of Assessment. Any successor in title shall be held to constructive notice of the records of the Association to determine the existence of any delinquency in the payment of Assessments. *As to any Assessment that remains delinquent for a period of thirty days,* the Association shall also *commence the process of* recording a Claim of Lien in the in the Public Records of the County, setting forth the amount of the unpaid Assessment, the rate of interest due thereon, and the costs of collection thereof. If any Assessment, or any installment thereof, shall not be paid within thirty (30) days following the *delinquency* date, the Association may declare the entire Assessment immediately due and payable. The Association may at any time thereafter bring an action to foreclose the lien against the Parcel assessed and/or a suit on the personal obligation of the Owner. There shall be added to the amount of the Assessment the cost of such action, including attorneys' fees, and in the event a judgment is obtained, such judgment shall include interest on the Assessment as above provided and attorneys' fees incurred by the Association, together with the costs of the action, which shall include appellate costs, if any. Regardless of the date of recordation of any Claim of Lien, the effective date thereof shall relate back, and it shall take priority, as of the date of recordation of this Declaration.

11. Exempt Property. The following property shall be permanently exempt from the payment of all Assessments by the Association:

- (a) All property dedicated to, or owned by, the Association.
- (b) All property dedicated to, or owned by, the water management, water control district or other party responsible for the maintenance of the Water Management System.
- (c) Any portion of the property dedicated to *the Town of Jupiter or to the County.*
- (d) Any portion of the property exempted from ad valorem taxation by the laws of the State of Florida.

(e) Notwithstanding any provisions herein, no land or improvements devoted to dwelling use shall be exempt from said assessments, charges or liens.

ARTICLE XIII of the Declaration of Covenants and Restrictions has been amended as follows:

INDEMNIFICATION OF DIRECTORS, OFFICER AND MEMBERS
OF THE ARCHITECTURAL REVIEW BOARD

Every Director and Officer of the Association, and member of the Architectural Review Board shall be indemnified by the Association against all expenses and liability, including attorneys' fees, incurred by or imposed upon him in connection with any proceeding to which he may be a party or in which he may become involved by reason of his having been a Director, Officer or member at the time such expenses are incurred, except in such cases where the Director, Officer or member is adjudged guilty *by a court of law duly recognized by the State of Florida* of willful misfeasance or malfeasance in the performance of his duties; provided, however, that in the event of any claim for reimbursement or indemnification hereunder based upon a settlement by the Director, Officer or member seeking such reimbursement or indemnification, the indemnification herein shall apply only if the Board of Directors approves such settlement and reimbursement as being in the best interest of the Association. The foregoing right of indemnification shall be in addition to and not exclusive of all other rights to which such Officer, Director or member may be entitled.

AMENDMENTS TO THE BY-LAWS, EFF. 1/99

ARTICLE II of the By-Laws has been amended as follows:

MEMBERS MEETINGS

F. A quorum of the members shall consist of those persons entitled to cast a majority of the votes of the entire membership. A member may join in the action of a meeting by signing the minutes thereof, and such signing shall constitute the presence of such member for the purpose of determining a quorum. The acts approved by a majority of the votes present at a meeting at which a quorum is present *in person or by proxy* shall constitute the acts of the members, except when approval by a greater number of members is required by the *Declaration of Covenants and Restrictions, the Articles of Incorporation or these By-Laws*.

G. If at any meeting of the membership, there shall be less than a quorum present *in person*

or by proxy, the President, and in the absence of the President, then the majority of those present, may adjourn the meeting from time to time until a quorum is present. Any business which might have been transacted at a meeting as originally called may be transacted at any adjourned meeting thereof. In case of the adjournment of a meeting, notice to the members of such adjournment shall be a determined by the President or in his absence by the majority of the members present.

I. Voting.

1. In any meeting of members, the Owners of each Parcel shall be entitled to cast one vote as the Owner of a Parcel unless the decision to be made is elsewhere required to be determined in another manner.

2. If a Parcel is owned by one person, his right to vote shall be established by the record title to his Parcel. If a Parcel is owned by more than one person, or is under lease, *the vote for such Parcel shall be exercised as the Owners among themselves determine, provided however, that in no event shall more than one vote be cast with respect to each Parcel.* If a Parcel is owned by other than a natural person or persons, the person entitled to cast the vote for the Parcel shall be the person designated by a certificate signed by a person duly authorized to sign such a certificate and filed with the Secretary of the Association. *In the case of a corporation, the certificate shall be signed by the President or Vice-President. In the case of a Trust, the certificate shall be signed by a Trustee possessing powers to sign such a certificate. In the case of a partnership, the certificate shall be signed by a general or managing partner.* Such certificates shall be valid until revoked or until superseded by a subsequent certificate or until a change in the ownership of the Parcel concerned. A certificate designating the person entitled to cast the vote of the Parcel may be revoked by any owner of a Parcel.

ARTICLE VI of the By-Laws has been amended as follows:

FISCAL MANAGEMENT

D. If a member shall be *delinquent* in the payment of an installment upon an assessment, the Board of Directors may accelerate the remaining installments of the assessment upon notice to the member and the unpaid balance of the assessment shall come due *thirty (30) days following the delinquency date.*

ARTICLE II(F) of the By-Laws has been amended as follows:

MEMBERS' MEETINGS

F. A quorum of the members shall consist of those persons entitled to cast *thirty percent (30%)* of the votes of the entire membership. A member may join in the action of a meeting by

signing the minutes thereof, and such signing shall constitute the presence of such member for the purpose of determining a quorum. The acts approved by a majority of the votes present at a meeting at which a quorum is present shall constitute the acts of the members, except when approval by a greater number of members is required by the Articles of Incorporation or these By-Laws.