

**BYLAWS
OF
FLAGLER POINT HOMEOWNERS ASSOCIATION, INC.
A Florida Not For Profit Corporation**

**ARTICLE I
IDENTIFICATION OF THE ASSOCIATION**

These are the Bylaws of **Flagler Point Homeowners Association, Inc.** (“Association”), a corporation not-for-profit incorporated under the laws of the State of Florida and organized for the purpose of operating and maintaining Property located in Duval County, Florida, known as Island View.

1.1 Principal Office. The principal office of the Association shall be located at 7400 Baymeadows Way, Suite 317, Jacksonville, FL 32256, or at such other place as may be subsequently designated by the Board of Directors. All books and records of the Association shall be kept at its principal office or in such other location within forty-five (45) miles of the Property (unless preserved electronically).

1.2 Fiscal Year. The fiscal year of the Association shall be the calendar year.

1.3 Seal. The seal of the Association, if any, shall bear the name of the corporation, the word “Florida,” the words “Corporation Not for Profit,” and the year of incorporation.

1.4 Definitions. Unless defined herein, capitalized terms herein shall have the meanings as set forth in the Declaration of Easements, Covenants, Conditions and Restrictions for Flagler Point (“Declaration”) as recorded and amended from time to time. To the extent that a term appears herein and has not been defined herein, in the Articles of Incorporation, or in the Declaration, those terms as defined in Chapter 720 of the Florida Statutes shall control.

**ARTICLE II
MEMBERS & VOTING**

2.1 Members. The Members of the Association shall be as set forth in the Declaration and Articles of Incorporation.

2.2 Annual Meeting. The annual Members’ meeting shall be held on the date and at the place each year as determined by the Board of Directors from time to time. The purpose of the annual meeting shall be to elect members of the Board of Directors and to transact any other business authorized to be transacted by the Members or as otherwise stated in the notice of the meeting sent to the Members in advance of the annual meeting. Annual meetings shall be held between eleven (11) and thirteen (13) months following the immediately preceding annual meeting on a date determined by the Board.

2.3 Special Meetings. Special Members’ Meetings shall be held at a location in Duval County, or at such other place within the State of Florida that is reasonably convenient for the

attending Members, whenever called by the President or Vice President of the Association or by a majority of the Board.

2.4 Notice. The Secretary or Association management shall provide written notice of Members' meetings stating the time, place, and agenda for the meeting. A copy of the notice shall be mailed, hand delivered, or electronically transmitted to each Member at least fourteen (14) days prior to the annual meeting and may also be posted in a conspicuous place on Association Property. Delivery, mailing, or electronic transmission shall be made to mailing address or electronic transmission address of the Member as it appears on the roster of Members. Members must provide an address in writing to the Association for the purpose of receiving official notices from the Association, and if they do not do so, any notice sent to the Property address of the Member shall be deemed properly sent. The Association may provide notice for any matter by electronic transmission in lieu of written notice if the Member consents in writing to receiving notice by electronic transmission and designates a facsimile number or e-mail address to the Association to be used for such purposes.

2.5 Waiver. Notice of specific meetings may be waived before or after the meeting. The attendance of any Member or by any person authorized to vote on behalf of any Member shall constitute a waiver of such Member's notice of meeting, except when the purpose for his or her attendance is to object to the transaction of business because the meeting was not lawfully called.

2.6 Member Participation in Meetings. Members shall have the right to participate in meetings of Members with reference to all designated agenda items. The Association may adopt reasonable rules governing the frequency, duration, and manner of Member participation. Any Member may tape record or video tape a meeting of Members subject to reasonable rules adopted by the Board.

2.7 Quorum. A quorum at Members' meetings shall be twenty percent (20%) of the total eligible Voting Interests.

2.8 Voting.

a) Number of Votes. In any meeting of Members, the Members shall be entitled to cast one Voting Interest for each Lot owned, subject to the Governing Documents. The vote of a Lot shall not be divisible.

b) Majority Vote. The acts approved by a majority of the eligible Voting Interests present in person or by proxy at a meeting at which a quorum is attained shall be binding upon all Members for all purposes except where otherwise provided by law or by the Governing Documents. Where approval of the Voting Interests is specifically required, reference in the Governing Documents to approval of a percentage of the Voting Interests shall refer to a percentage of the Voting Interests voting in person or by proxy at which a quorum is attained and not a percentage of the total (or entire) Voting Interests unless the provision specifically references the approval of a percentage of the total Voting Interests. Members shall only have the right to exercise their Voting Interests with respect to matters

for which they are expressly entitled to vote by the Governing Documents or applicable law.

c) Voting Member. The Voting Interest attributable to the Lot shall be established by the roster of Members maintained by the Association. If a Lot is owned by more than one person, the Association shall be permitted to accept the vote by one of the record owners, provided, however, that any duplicate votes cast for a Lot shall result in all votes being rejected. If a Lot is owned by a business organization or other non-natural person, the person entitled to cast the Voting Interest for the Lot shall be an officer, manager, director, or member of such entity as provided in any corporate filing provided to or ascertainable by the Association, or through written confirmation executed by an authorized representative and filed with the Secretary of the Association.

d) Electronic Voting. The Association may conduct elections and other membership votes through an Internet-based online voting system if a Member consents, in writing, to online voting and the requirements of the Homeowners' Association Act are satisfied.

2.9 Proxies. General and limited proxies may be used to vote for any matters unless expressly prohibited by law. A proxy may be made by any person entitled to vote, but shall only be effective for the specific meeting for which it was originally given and any lawfully adjourned meetings thereof. In no event shall any proxy be valid for a period longer than ninety (90) days after the date of the first meeting for which it was given. Every proxy shall be revocable at any time prior to the meeting for which it was given at the pleasure of the person executing it. A proxy must be in writing, signed by the person authorized to cast the Voting Interest for the Lot, and filed with the Secretary of the Association before the appointed time of the meeting.

2.10 Order of Business. If a quorum has been attained, the order of business at annual Members' Meetings, and to the extent applicable, other Members' meetings, shall be:

- a)** Call to order by the President;
- b)** Proof of notice of the meeting or waiver of notice;
- c)** Determination of Quorum;
- d)** Conduct election;
- e)** Reading of unapproved minutes (or waiver thereof);
- f)** Reports of Officers;
- g)** Reports of Committees;
- h)** Announcement of election results;
- i)** Unfinished business;
- j)** New business;
- k)** Adjournment.

The preceding order of business or parts thereof may be waived or modified at the direction of the Chairman or a majority of a quorum of the Board of Directors.

2.11 Adjournment. If any proposed meeting cannot be organized because a quorum cannot be attained, the Members who are present, either in person or by proxy, may adjourn the meeting from time to time until a quorum is attained. Except as otherwise provided above, proxies given for the adjourned meeting shall be valid for the subsequent meeting.

2.12 Minutes. The Association shall retain all minutes from Members' Meetings for at least seven (7) years, unless otherwise required by law. The minutes shall be kept in a book available for inspection by Owners or their authorized representatives or Board members at any reasonable time, subject to reasonable rules concerning the time, place, and manner of inspection that the Board may adopt from time to time. The Association may preserve meeting minutes electronically.

2.13 Action Without Meeting. Except as otherwise required by law, any action that may be taken at any annual or special meeting of Members may be taken without a meeting, prior notice, or a vote if one or more written consents setting forth the action to be taken is signed by enough Members (or persons authorized on their behalf) that would be necessary to authorize or take such action at a meeting of such Members at which a quorum of Members entitled to vote thereon were present and voted. Within ten (10) days after obtaining such authorization by written consent, notice must be given to Members who have not consented in writing. Such notice shall fairly summarize the material aspects of the authorized action. The Association may not be bound by any purported action by the Members if such action is prohibited by law.

ARTICLE III DIRECTORS

3.1 Number. The Association shall be governed by a Board of Directors which shall initially be comprised of not fewer than three (3) persons and not more than seven (7) persons, and must always be comprised of an odd number of persons. The number of Directors may be increased or decreased within the range provided herein upon the affirmative vote of a majority of a quorum of the Voting Interests at a special meeting of the Members; however, such increase or decrease shall not take effect until the next membership meeting at which an election is conducted.

3.2 Qualifications. Every Director must be a Member, an Officer of a corporate Lot Owner, a general partner of a Lot owned by a partnership, a managing member or manager of a Lot owned by a limited liability company, or trustee or a beneficiary of a Lot held in trust. A person who is delinquent in payment of any fee, fine, or other monetary obligation due to the Association is not eligible to become a Director, and an Officer or Director who is delinquent in the payment of any monetary obligation due to the Association for over ninety (90) days shall be deemed to have abandoned his or her position. A convicted felon whose civil rights have not been restored for at least five (5) years as of the date of the election is not eligible to serve as a Director. Any person who has been suspended or removed from serving as a Director by the Division of Florida Condominiums, Timeshares and Mobile Homes is not eligible to serve as a Director.

3.3 Election of Directors. Election of Directors by Members shall be in accordance with this Section. The Board of Directors shall be elected by written ballot. Not fewer than sixty (60) days before a scheduled election, the Association shall mail or deliver a first notice of the date

of election to each Member entitled to vote. Any Member who desires to be a candidate for the Board of Directors must give written notice to the Association not fewer than forty (40) days before a scheduled election. Nominations from the floor at the annual meeting are prohibited. The Association shall thereafter mail or deliver a second notice of the election to all Members entitled to vote, together with a written notice, agenda, and a ballot which shall list all eligible candidates in alphabetical order by surname, at least fourteen (14) days before the scheduled election. Elections shall be decided by a plurality of ballots cast. There shall be no quorum requirement for an election to be valid; however, at least twenty percent (20%) of the eligible voters must cast a ballot in order to have a valid election for the Board of Directors. Ballots may be submitted by mail in advance of the meeting at which the election is scheduled to occur and may also be personally cast at the election until last call for ballots. Ballots may be cast in a manner to preserve anonymity using a two-envelope system in which the ballot is placed in an inner, blank envelope and the blank envelope containing the ballot is placed in an outer envelope bearing the Lot address and signature of the Member or person who has the authority to cast the Voting Interest attributable to the Lot. There shall be no cumulative voting, and no Member shall permit any other person to vote his or her ballot (i.e., proxies are not permitted for elections of Directors). Any improperly cast ballots will be deemed invalid.

a) Candidate Information Sheet. Upon request of a candidate, the Association shall include an information sheet, no larger than 8 ½ inches by 11 inches, one-sided, which must be furnished by the candidate not fewer than forty (40) days before the election to be included with the mailing of the ballot. The costs associated with the copying, mailing, and delivery shall be borne by the Association.

b) Assistance for Disability. Any Member who needs assistance in casting a ballot for reasons related to a blindness, an inability to read or write, or other disability may obtain assistance in casting his or her ballot.

c) Election Not Required. An election and balloting are not required unless more candidates timely file notices of intent to run than vacancies exist on the Board. If an election is not required per this Section, the eligible candidates shall take office upon the adjournment of the meeting at which the election was scheduled to be conducted regardless of whether a quorum was attained.

3.4 Terms of Office. Directors elected by the Members shall serve one-year terms beginning at the adjournment of the annual meeting at which they were elected and ending upon the adjournment of the annual meeting at which their successors are elected.

3.5 Vacancies & Recall. Vacancies on the Board of Directors and recall (removal) of Directors shall be governed by the following provisions.

a) Recall of Directors. Any Director elected by the Members or appointed by the Board may be removed without cause by the vote or agreement, in writing, of a majority of the total Voting Interests of the Association in accordance with the Homeowners' Association Act. A Director may not be recalled at a Members meeting. If less than a majority of the Directors are recalled, the Board shall fill the vacancies created by the recall

by appointment, if the recall is certified by the Board. If at least a majority of the Board is recalled, then the Members voting in favor of the recall shall vote for replacement Directors in the same written instrument.

b) Vacancies. Vacancies on the Board other than those resulting from recall, and other than those created with respect to Director positions subject to appointment by Developer, may be filled by appointment by the remaining Directors or the sole Director, as the case may be. The conveyance of all Lots owned by a Director who owned one or more Lots at the time he or she was elected or appointed shall constitute the resignation of such Director.

c) Inability to Attain a Quorum. If at any time there is an insufficient number of Directors to constitute a quorum, any Member may apply to the Circuit Court with jurisdiction for the appointment of a receiver to manage the affairs of the Association. At least thirty (30) days prior to applying to the Circuit Court, the Member shall mail to the Association and post in a conspicuous place on the Association Property (if there is any such property) a notice describing the intended action and giving the Association an opportunity to fill a sufficient number of vacancies to constitute a quorum in accordance with the Governing Documents. If the Association fails to fill a sufficient number of vacancies to constitute a quorum, the Member may proceed with the petition to appoint a receiver. If a receiver is appointed, the Association shall be responsible for the salary of the receiver, along with court costs and attorney fees. The receiver shall have all powers and duties of the Board of Directors and shall serve until the Association fills a sufficient number of vacancies on the Board to constitute a quorum.

3.6 Board Meetings.

a) Organizational Meeting. Within ten (10) days of their election or appointment, the Board of Directors shall hold an organizational meeting at such place and time as shall be fixed by the Board. The purpose of the organizational meeting is to appoint Officers, provided, however, that additional business of the Board may be conducted pursuant the established agenda.

b) Right to Attend, Speak, and Record. Meetings of the Board at which a quorum of the Directors is present are open to all Members, except as otherwise provided herein. A Member may tape record or videotape the meetings, subject to reasonable Rules and Regulations adopted by the Association. The right to attend includes the right to speak at such meetings for up to three minutes regarding designated agenda items.

c) Notice. Notice of all Board meetings must be posted in a conspicuous place in the community at least forty-eight (48) continuous hours before the meeting except in an emergency. Written notice of any meeting at which nonemergency Special Assessments, or at which amendment to rules regarding Lot use, will be considered must be mailed, delivered, or electronically transmitted to the Members and posted conspicuously on Association Property at least fourteen (14) days before the meeting. Evidence of compliance with this 14-day notice requirement must be made by an affidavit executed by

the person providing the notice and filed with the Official Records of the Association. The Board shall adopt a rule designating a specific location in the community where all notices of Board meetings are to be posted. In the alternative, if notice is not posted in a conspicuous place in the community, notice of each Board meeting must be mailed or delivered to each Member at least seven (7) days before the meeting, except in an emergency. Notwithstanding, the Association may provide notice for any matter by electronic transmission in lieu of written notice if the Member consents in writing to receiving notice by electronic transmission and designates a facsimile number or e-mail address to the Association to be used for such purposes.

d) Waiver of Notice. Any Director may waive notice of a meeting before or after the meeting and that waiver shall be deemed equivalent to the receipt of notice by that Director. Attendance by any Director at a meeting shall constitute a waiver of notice of that meeting, except when his or her attendance is for the express purpose of objecting at the beginning of the meeting to the transaction of business because that meeting was not lawfully called.

e) Member Petition. If twenty percent (20%) of the Voting Interests petition the Board to address an item of business, the Board at its next regular meeting or at a special meeting of the Board, but not later than sixty (60) days after the receipt of the petition, shall place the item on the agenda for the next Board meeting.

f) Committee Meetings. Notice in the manner required for meetings of the Board shall be required for meetings of a committee that has the authority to make a final decision regarding the expenditure of Association funds or has the authority to approve or disapprove architectural decisions with respect to a specific parcel of residential property owned by a Member. Meetings of committees with such authority shall also be open to Members. Notice of meetings of a committee that does not have such specific authority is not required and such meetings are not required to be open to Members unless such committee otherwise constitutes a quorum of the Board, in which case the usual requirements for notice and Member participation apply.

g) Closed Meetings. Notwithstanding the foregoing, the requirement that Board meetings and certain committee meetings be open to Members does not apply to:

(i) meetings between the Board or a committee and the Association's attorney concerning proposed or pending litigation, if the contents of the discussion would otherwise be governed by the attorney-client privilege; or

(ii) Board meetings held for the purpose of discussing personnel matters.

h) Quorum. The presence of Directors holding a majority of the total positions on the Board of Directors shall constitute a quorum at meetings of the Board of Directors. The acts approved by a majority of those present at a meeting at which a quorum is attained shall constitute the acts of the Board of Directors, except when approval by a greater

number of Directors is specifically required by the Governing Documents or applicable law.

i) Adjourned Meetings. If any proposed meeting of the Board of Directors is attended by less than a quorum of Directors, the majority of those present may adjourn the meeting from time to time until a quorum is attained; provided, however, that the notice requirements contained in these Bylaws are fulfilled. At a following meeting, any business that may have been transacted at the previously-adjourned meeting as initially called may be transacted.

j) Presiding Officer. The presiding Officer at meetings of the Board of Directors shall be the President, unless he or she designates another person to preside over the meeting, who need not be a Director or Officer.

k) Order of Business. If a quorum has been attained, the order of business at Directors' meetings, unless waived in whole or part by the presiding Officer or modified by the Board by motion, shall be:

- (i)** Proof of notice of meeting;
- (ii)** Determination of Quorum;
- (iii)** Reading and disposal of any unapproved minutes;
- (iv)** Reports of Officers and committees;
- (v)** Unfinished business;
- (vi)** New Business;
- (vii)** Adjournment.

l) Minutes of Meetings. The minutes of all meetings of the Board of Directors shall be kept in a book available for inspection by Members or their authorized representatives and Directors. The Association shall retain meeting minutes for at least seven years. Minutes may be preserved electronically provided they are capable of being produced in written form within a reasonable time. The Association shall make the meeting minutes available for inspection within ten business days of receipt of a written request submitted by an Owner by certified mail, return receipt requested.

3.7 Compensation. Directors shall not be compensated for their services to the Association in their capacities as Directors.

3.8 Emergency Powers. In the event of any "emergency" as defined by Sections 617.0303 and 720.316, Florida Statutes (as such statutes may be amended from time to time), the Board of Directors may exercise the emergency powers described in Sections 617.0303 and 720.316, Florida Statutes, as amended from time to time.

ARTICLE IV OFFICERS

4.1 Executive Officers. The executive Officers of the Association shall be a President, Vice President, a Treasurer, and a Secretary, all of whom shall be elected by the Board of Directors. A person may hold more than one office, except that the President may not also be the Vice President or Secretary. The Board of Directors may from time to time elect such other Officers and designate their powers and duties as the Board shall deem necessary or appropriate to manage the affairs of the Association.

4.2 President. The President shall be the Chief Executive Officer of the Association and shall have all the powers and duties customarily vested in the office of President of a corporation not-for-profit, along with such other duties as prescribed by the Board of Directors.

4.3 Vice President. The Vice President shall exercise the powers and perform the duties of the President in the absence or disability of the President. The Vice President shall also perform such other duties customarily vested in the office of Vice President of a corporation not-for-profit, along with such other duties as prescribed by the Board of Directors.

4.4 Secretary. The Secretary shall keep the minutes of all proceedings of the Directors and the Members. The Secretary shall also perform such other duties as customarily vested in the office of Secretary, including but not limited to providing notices to the Members and the Directors and affixing the seal of the Association on instruments that require it. The Secretary shall also keep the records of the Association, except those maintained by the Treasurer, and shall perform all such duties as prescribed by the Board of Directors.

4.5 Treasurer. The Treasurer shall have custody of all property of the Association, including funds, securities (if applicable), and evidences of indebtedness. The Treasurer shall maintain all accounting records of the Association in accordance with good accounting practices, which shall be made available to the Board of Directors periodically and upon request. The Treasurer shall also perform such duties as prescribed by the Board of Directors.

4.6 Compensation. Officers shall not receive compensation for their services in their capacities as Officers.

4.7 Resignation and Removal. Any Officer or Director may resign at any time by delivering a written resignation to the President or Secretary, which shall take effect upon receipt, unless a later date is specified in the resignation. Acceptance of a resignation is not required for it to be effective. Officers may be removed at any meeting by a vote of the majority of all Directors present at which a quorum is attained.

ARTICLE V ANNUAL BUDGET & ASSESSMENTS

5.1 Notice of Budget Meeting. The Board shall adopt a budget of the Association's anticipated expenses annually. Any meeting at which a proposed annual budget of the Association will be considered by the Board or Members shall be open to all Members.

5.2 Proposed Budget – Contents. The proposed annual budget of estimated revenues and expenses must be detailed and must set out separately all fees or charges paid for by the Association. The Association shall provide each Member with a copy of the annual budget or a written notice that a copy of the budget is available upon request at no charge.

5.3 Reserves. In addition to annual operating expenses, the Association may, in its discretion, establish and maintain such reserves as it deems reasonable or necessary for capital expenditures and deferred maintenance for which the Association is responsible, which if established shall be collected as part of the Annual Assessment. The amount and manner of collection of reserves shall be as determined by the Board of Directors, in its sole discretion. However, for any reserves that are established by the affirmative approval of a majority of the total Voting Interests of the Association, such reserve funds and any interest accruing thereon shall remain in the reserve account or accounts and shall be used only for authorized reserve expenditures unless their use for other purposes is approved in advance by majority vote of the Voting Interests at which a quorum is present.

5.4 Assessments. Assessments shall be levied and collected in a manner as provided in the Declaration, and as supplemented in this Article. Assessments against Owners for their share of budget items shall be made for the applicable fiscal year annually. Such Assessments shall be payable on the dates and in the manner established by the Board. If the Board does not adopt an annual budget for any fiscal year, the amount of the Annual Assessment shall be presumed to have been made in the amount of the last prior Annual Assessment based on the most recently adopted budget, and each installment on such Assessment shall be due upon each installment payment date until changed by the Board. In the event that the Annual Assessment is deemed to be insufficient by the Board of Directors, the budget and Assessments may be amended at any time by the Board subject to the notice and meeting requirements of this Article. If the Board of Directors amends the budget and Assessments in a given year, payment of Assessments subsequent to the amendment shall be made according to the amended budget.

5.5 Other Assessments. The Association may levy Special Assessments, Emergency Assessments, and Lot Assessments as provided in the Declaration. The Board shall provide fourteen (14) days' written notice to the Member or Members against whom such Assessment is made prior to the Board meeting at which the Assessment will be considered which shall state the estimated amount and nature of the Assessment.

ARTICLE VI RECORDS

6.1 Official Records. The Association shall keep all Official Records as required by the Homeowners' Association Act. Such Official Records shall be made available to an Owner within ten (10) business days after receipt of a written request by the Board or its designee, unless otherwise agreed. Requests to inspect Official Records must be in writing and must be sent by certified mail, return receipt requested, to the address designated by the Association for receiving notices. Such records must either be made available within forty-five (45) miles of the Property or made available electronically if the requesting party has the means to access the records electronically.

6.2 Accounting Records. Accounting records for the Association shall be maintained according to generally accepted accounting practices for Associations and must be maintained for at least seven (7) years. The accounting records must include, but are not limited to:

- a) Accurate, itemized, and detailed records of all receipts and expenditures;
- b) A current account and a monthly, bimonthly, or quarterly statement of the account for each Lot designating the name of the Lot Owner, the due date and amount of each Assessment, the amount paid on the account, and the balance due;
- c) All audits, reviews, accounting statements, and financial reports of the Association;
- d) All contracts for work to be performed. Bids for work to be performed are also considered Official Records and must be maintained by the Association for the time prescribed by law.

6.3 Closed Records. While most of the Official Records of the Association are open for inspection to all Members of the Association, the following records are not accessible:

- a) Any record protected by the lawyer-client privilege as described in Section 90.502, Fla. Stat., and any record protected by the work-product privilege, including a record prepared by an Association attorney or prepared at the attorney's express direction, which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the Association, and which was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings, or which was prepared in anticipation of such litigation or proceedings until the conclusion of the litigation or proceedings.
- b) Information obtained by an Association in connection with the approval of the lease, sale, or other transfer of a Lot.
- c) Personnel records of Association or management company employees, including, but not limited to, disciplinary, payroll, health, and insurance records. For purposes of this subparagraph, the term "personnel records" does not include written employment agreements with an Association employee or management company, or budgetary or financial records that indicate the compensation paid to an Association employee.
- d) Medical records of Members.
- e) Social security numbers, driver's license numbers, credit card numbers, e-mail addresses, telephone numbers, facsimile numbers, emergency contact information, addresses of a Member other than as provided to fulfill the Association's notice requirements, and other personal identifying information of any person, excluding the person's name, Lot designation, mailing address, property address, and any address, e-mail address, or facsimile number provided to the Association to fulfill the Association's notice

requirements. Notwithstanding the restrictions in this subparagraph, an Association may print and distribute to Members a Directory containing the name, parcel address, and telephone number of each Member. However, a Member may exclude his or her telephone number from the Directory by so requesting in writing to the Association. The Association is not liable for the inadvertent disclosure of information that is protected under this subparagraph if the information is included in an official record of the Association and is voluntarily provided by an owner and not requested by the Association.

f) Electronic security measures that are used by the Association to safeguard data, including passwords.

g) The software and operating system used by the Association which allow the manipulation of data, even if the owner owns a copy of the same software used by the Association. The data is part of the Official Records of the Association.

6.4 Financial Reporting. Within ninety (90) days after the end of the fiscal year, the Association shall prepare and complete, or contract with a third party for the preparation and completion of, a financial report for the preceding fiscal year. Within twenty-one (21) days after the final financial report is completed by the Association or received from the third party, but not later than one hundred twenty (120) days after the end of the fiscal year, the Association shall provide each Member with a copy of the annual financial report or a written notice that a copy of the financial report is available upon request at no charge to the Member. The level of financial reporting required shall be based on the Association's total annual revenues as provided by the Homeowners' Association Act.

ARTICLE VII AMENDMENTS & OTHER PROVISIONS

7.1 Amendments. These Bylaws may be amended in the same manner that the Declaration may be amended, supplemented and modified.

7.2 Severability. If any provision of these Bylaws shall for any reason be held invalid, illegal, or unenforceable, such provision shall not affect the validity or enforceability of any other provision of these Bylaws. Any such provision shall be construed in the broadest manner possible to effectuate the intended purpose of the provision while avoiding the invalid, illegal, or unenforceable portion thereof to the narrowest extent possible to effectuate the intended purpose. In any such event, the remaining provisions of these Bylaws shall remain valid and enforceable.

THESE BYLAWS of Flagler Point Homeowners Association, Inc. were adopted this 29th day of February, 2024.

Flagler Point Homeowners Association, Inc.



Tameika Mixson, President