

**ROTONDA WEST ASSOCIATION, INC.**

**BOARD RESOLUTION AMENDING POLICIES AND PROCEDURES MANUAL  
REGARDING COMPLIANCE COMMITTEE**

WHEREAS, Rotonda West Association, Inc. (“Association”) is the corporation charged with the operation, maintenance, management of Rotonda West (the “Community”); and

WHEREAS, the Board of Directors (the “Board”) is entity responsible for the operation of the Association; and

WHEREAS, Section 720.305(2), Florida Statutes provides that the Association may levy reasonable fines against any Member or any Member’s tenant, guest, or invitee for the failure of the Owner of the Lot/Tract or its occupant, licensee or invitee to comply with any provision of the Restrictions, the Association Bylaws, or reasonable rules of the Association; and

WHEREAS, Section 34(a) of the Amended Restatement of Restrictions for Rotonda West (the “Restrictions”) provides:

Fines: The Association may levy fines against a Lot/Tract Owner, or the Lot/Tract Owner’s tenants, guests, or invitees, or both, who commit violations of Chapter 720, Florida Statutes and/or the provisions of the Governing Documents, as they may be amended from time to time. Fines shall be in amounts deemed necessary by the Board to deter future violations, but in no event shall any fine for a single violation exceed the maximum amount allowed by law. A fine may be levied on the basis of each day of continuing violation, with a single notice and opportunity for hearing, except that no such fine shall exceed \$5,000.00 in the aggregate. Any fine of one thousand dollars (\$1,000) or greater not paid within thirty (30) days shall become a lien on the Lot/Tract of the Lot/Tract Owner who owes the fine. Said lien may be foreclosed in the same manner as a lien for assessments as provided for in these Restrictions. The fine shall also be a personal obligation of the person fined; and

WHEREAS, Article II, Section 5(H) of the Amended and Restated By-Laws of Rotonda West Association, Inc. (the “Bylaws”) authorizes the Board to make reasonable rules and regulations for the operation of the Association; and

WHEREAS, in exercising this rulemaking authority, the Board has previously adopted a Policy & Procedures Manual (the “Manual”) to assure the orderly operation of the Association; and

WHEREAS, Section 12.04 of the Manual (the “2015 Compliance Committee Policy”), most recently amended on June 1, 2015, sets forth the policy relative to the Compliance Committee, which provides, in part, the following:

The Compliance Committee provides an opportunity for residents and/or property owners to appeal and/or object to the proposed levying of fines and/or other sanctions prior to levy by the Board of Directors for violations of the said Chapter

720, the provisions of the Governing Documents, the Deed Restrictions, and/or the Residential Modifications Guidelines, all as properly adopted by the Board of Directors; and

WHEREAS, the 2015 Compliance Committee Policy also sets forth the procedure for levying and imposing fines, as authorized by Section 720.305(2), Florida Statutes and Section 34(a) of the Restrictions; and

WHEREAS, the Board is desirous of amending the 2015 Compliance Committee Policy so as to bring the procedure in line with amendments to Section 720.305(2), Florida Statutes enacted after the most recent amendment to the 2015 Compliance Committee Policy.

NOW, THEREFORE, it is hereby resolved as follows:

1. The above recitations are true and correct and are hereby incorporated into this Resolution.
2. The document attached hereto, titled "Chapter 12 – Section 12.04," shall replace the 2015 Compliance Committee Policy in its entirety.
3. Except as set forth in this Resolution, the Manual shall remain in full force and effect.

This Resolution was adopted by the Board of Directors on the 17<sup>th</sup> day of June 2020 and is effective upon adoption.

There are seven (7) total Board members. The number of Board members who voted in favor of this Resolution is 7. The number of Board members who voted against this Resolution is 0. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

ROTONDA WEST ASSOCIATION, INC.

By: Patricia W. Aho  
Patricia Aho, President

Date: June 11, 2020  
(CORPORATE SEAL)