

KIMBERLEY HILLS NEIGHBORHOOD ASSOCIATION, INC.

BY-LAWS

DR1404PC1079

ARTICLE I

NAME AND LOCATION

Section 1. Name. The name of the corporation is Kimberley Hills Neighborhood Association, Inc., hereinafter referred to as "the Association."

Section 2. Location. The principal office of the Association shall be located at the residence of the current President, but meetings of members and officers may be held at convenient places within the subdivision.

ARTICLE II

PURPOSE AND POLICIES

Section 1. Purpose. The purposes of the Association includes the following:

- (a) to preserve and enhance the Kimberley Hills neighborhood as a desirable residential community;
- (b) to form necessary committees to ensure that the Kimberley Hills restrictive covenants are preserved (Attachment 1);
- (c) to uphold and protect the value of homes and natural beauty of the neighborhood;
- (d) to promote sound planning and zoning and to oppose detrimental zoning or zoning changes within and surrounding the neighborhood;
- (e) to provide a forum for the home owners and residents, to establish opinion and to make these opinions known to the general public and to the City, County or State Officials on topics of concern;
- (f) to enter into contracts with governmental agencies, developers, or contractors to build or maintain roads, for lot mowing or clearing, or other desired projects ratified by a quorum of eligible voting members; and,
- (g) to do all things necessary to accomplish the objects enumerated above.

Section 2. No persons or organization shall use the name of the Association or represent the Association in any capacity or for any reason without the specific authorization and ratification by a quorum of eligible voting members except ministerial duties.

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ARTICLE III

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MEMBERSHIP AND DUES

Section 1. Membership. Each of the owners of the 41 Lots in Kimberley Hills Subdivision is eligible and encouraged to join the Association and become a voting member.

Section 2. Voting. A member may cast one vote per lot.

Section 3. Dues. The fiscal year of the association is from October 1 to September 30 of each year. Annual dues shall be fixed by a majority of members present at the annual meeting and shall not exceed One Hundred Dollars (\$100.00) per Lot, payable by December 1st. Persons may be admitted to membership at any time during the year; however, there shall be no prorating or refunding of dues or special assessments. Eighty percent of all annual dues collected will be deposited into a road maintenance fund of the Association. These monies can only be spent for maintenance of the road unless a 2/3 majority of the membership approves the expenditure of the funds for other purposes. Such funds shall be invested to gain maximum returns. A majority of the membership must approve the investment or withdrawal of these monies.

Section 4. Special Dues. When either a group or the entire membership of the Association is desirous of utilizing the Association as a vehicle to accomplish specific goals within the provisions of the general purposes and policies of the Association, then special dues may be paid and accounted for separately from the annual dues to accomplish such purposes.

ARTICLE IV

OFFICERS

Section 1. Officers. The officers of the Association shall be a President, Vice President, a Secretary, and a Treasurer. Each officer is elected for a term of two years. The duties of the officers shall be:

- (a) The President shall preside at all meetings of the Association at which he or she is present; shall perform such other duties as may be prescribed in the By-Laws or assigned by the Association; and shall coordinate the work of the committees of the Association in order that its purposes may be realized;
- (b) The Vice President shall act as aide to the President; shall perform the duties of the President in the absence of that officer; and shall perform such other duties as may be prescribed in the By-Laws or assigned by the Association;
- (c) The Secretary shall record the minutes of all meetings of the Association and shall provide copies of minutes of committee meetings; shall preserve and maintain the Association's permanent records and shall perform such other duties as may be assigned by the President; and,

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- (d) The Treasurer shall have custody of all of the funds of the Association; shall deposit the funds in a bank or other financial institution approved by the membership. Funds are to be deposited in the name of the Association. All disbursements shall be made by check of the Association, signed by the Treasurer and the President or Vice President. The Treasurer shall keep a full accurate account of receipts and expenditures; shall present a financial statement at every meeting of the Association, and shall make a full report at the annual meeting. The Treasurer's books must be examined by three (3) members appointed by the President, who, if satisfied that the Treasurer's annual report is correct, shall sign a statement of that fact at the end of the report.

Section 2. Election of Officers.

- (a) The regular annual meeting of the Association shall be held during the first quarter of each fiscal year.
- (b) The election of officers shall be by ballot at the annual meeting. Ballots will be mailed to eligible voting members at least two (2) weeks before the annual meeting.
- (c) There shall be a Nominating Committee composed of three (3) members of the Association. The Nominating Committee shall be appointed by the President to serve until the next year's Nominating Committee is appointed.
- (d) The nominee receiving the largest number of votes shall be declared the winner.
- (e) Vacancies shall be filled by the President with the approval of a quorum of eligible voting members, until the next annual meeting.

ARTICLE V

COMMITTEES

Section 1. There shall be two kinds of committees formed from the general membership; they are as follows:

- (a) Standing Committees which are created to perform a continuing function, and,
- (b) Special Committees which are created for a special purpose and then become inactive when the Association determines that the purpose has been accomplished.

ARTICLE VI

MEMBERSHIP MEETINGS

Section 1. Membership meetings may be held quarterly. Written notice shall be given to all members at least two weeks in advance.

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- (a) Special meetings may be called by the President or by two-thirds of the members present at any quarterly meeting. Written notice shall be given to all members at least two weeks in advance.
- (b) A quorum at any meeting shall be 25% of the eligible voting members as recorded by the Secretary.

ARTICLE VII

PARLIAMENTARY AUTHORITY

The rules contained in Roberts Rules of Order, Newly Revised, shall govern the Association in all cases to which they are applicable, and in which these are not inconsistent with these By-Laws or the Charter.

ARTICLE VIII

AMENDMENT OF BY-LAWS

These By-Laws may be amended at any regular meeting of the membership or at a special meeting of the membership called for that purpose, provided that notification has been given at the previous regular meeting or in writing at least two weeks in advance.

Adopted 3 Nov 85 Eanix Poole

I hereby certify Eanix Poole, personally known to me to be the President person who executed the foregoing instrument, appeared before me this date and swore he originally executed this instrument and provided a sample of his signature for comparison. Sworn to and subscribed before me this 2nd day of October, 1989.

S. J. [Signature]
NOTARY PUBLIC, State of Florida



REVISIONS TO
KIMBERLEY HILLS NEIGHBORHOOD ASSOCIATION, INC.

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BY-LAWS

ARTICLE II

PURPOSE AND POLICIES

Section 1. Purpose.

- (b) to form necessary committees to ensure that the Kimberley Hills restrictive covenants are preserved (Attachment 1);

ARTICLE III

MEMBERSHIP AND DUES

Section 1. Membership. Each of the owners of the 41 Lots in Kimberley Hills Subdivision is eligible and invited encouraged to join the Association and become a voting member. ~~by-executing-and-recording-a-Declaration-of-Covenants~~ (?)

Section 3. Dues. ~~The fiscal year of the association is from October 1 to September 30 of each year.~~ Annual dues shall be fixed by the Board a majority of members present at the annual meeting and shall not exceed One Hundred Dollars (\$100.00) per Lot, payable by ~~October~~ December 1st. Persons may be admitted to membership at any time during the year; however, there shall be no prorating or refunding of dues or special assessments. Eighty percent of all annual dues collected will be deposited into a road maintenance fund of the Association. These monies can only be spent for maintenance of the road unless a 2/3 majority of the membership approves the expenditure of the funds for other purposes. Such funds shall be invested to gain maximum returns. A majority of the membership must approve the investment or withdrawal of these monies.

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RESTRICTIVE COVENANTS

FOR

KIMBERLEY HILLS

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1. Said property shall be solely and only for residential purposes and no business, trade, or manufacture shall be carried on upon any part of same, nor shall any commercial use be permitted on any part thereof.
2. No building shall be erected, placed or altered on any residential lot in the subdivision until the building plans, specifications and plot plans showing the location of such building have been approved, in writing, as to conformity and harmony of external design with existing structures in the subdivision and as to location of the building with respect to topography and finished ground elevation by an architectural review committee of the Kimberley Hills Neighborhood Association, Inc. In the event said committee shall not within thirty (30) days after such specifications and plot plans have been submitted to it approve or reject such plans and specifications or plot plans, then such approval will not be required and this covenant will be deemed to have been fully complied with.
3. The restrictive covenants herein imposed are to remain in force and effect for a period of twenty-five (25) years from date hereof.
4. The invalidation of any restriction herein by judgment of any court shall not affect any of the other restrictions.
5. Each dwelling house shall have at least 1400 square feet of heated area, and only one dwelling house will be allowed on each parcel.
6. Each lot must be used for residential purposes only.
7. No swine or chickens can be raised or kept on the premises.
8. Horses or cows are permitted but must be fenced in.
9. No building of any kind shall be located upon any lot nearer than seventy-five feet from the front lot line as shown on said plat, nor twenty-five feet from the side lot lines and back lot lines.
10. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done which may be or become any annoyance or nuisance to the neighborhood.
11. No trailer or mobile home, tent, shack, garage, barn or other out-building shall be constructed as a temporary or permanent residence on any lot, nor shall such buildings with the exception of approved out-buildings, be allowed on said lots. Any barns or workshops that are approved must be located on rear of property.

Dated this 5th day of November, 1971.