

BY-LAWS
OF
HORIZON PUD HOMEOWNER'S ASSOCIATION, INC.

Article One
Organization

1. The name of this organization shall be **Horizon PUD Homeowner's Association, Inc.** (a corporation not-for-profit)

2. The organization shall have a seal which shall be in the following form **Horizon PUD HOA, Inc.**

3. The organization may at its pleasure by a two-thirds (2/3) positive vote of the membership body change its name.

Article Two
Purposes

The following are the purposes for which the organization has been organized.

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residential lots and Common Area, and to promote the health, safety and welfare of the residents within the HORIZON PUD and any additions thereto as may hereafter be brought within the jurisdiction of this Association.

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes which it is formed are to provide for maintenance, preservation and architectural control of the residential lots and Common Area, and to promote the health, safety and welfare of the residents within the HORIZON PUD HOMEOWNERS ASSOCIATION, INC. and any additions thereto as may hereafter be brought within the jurisdiction of this Association. In furtherance of their purposes, the Association shall:

- a) Have the duty to operate, maintain and manage the surface water or stormwater management system(s) in a manner consistent with the St. Johns River Water Management District Permit No. [REDACTED] RP requirements and applicable District rules, and shall assist in the enforcement of the restrictions and covenants contained herein;

- b) Have the power to levy and collect adequate assessments against the members of the Association for costs of maintenance and operation of the surface water or stormwater management system;
- c) Have the duty to levy and collect adequate assessments against members of the Association for the costs of maintenance and operation of the surface water or stormwater management system;
- d) Have the power to exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Declaration of Covenants and Restrictions, (hereinafter called the "Declaration"), applicable to HORIZON PUD HOMEOWNERS ASSOCIATION, INC. and which will be recorded in the Official Public Records of Volusia County, Florida, and as the same may be amended from time to time as herein provided, said Declaration being incorporated herein as if set forth at length;
- e) Have the power to fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Declaration; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association. The assessments shall also be used for the maintenance and repair of the surface water or stormwater management systems including, but not limited to, work within retention areas, drainage structures and drainage easements;
- f) Have the power to acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;
- g) Have the power borrow money, mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;
- h) Have the power to dedicate, sell or transfer all or any part of the Common Area to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members;

- i) Have the power to participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional residential property and Common Area; and
- j) Have the power to have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Florida by law may nor or hereafter have or exercise.

Article Three
Membership

Membership in this organization shall be open to all who own lots in Horizon PUD.

Article Four
Meetings

The annual membership meeting of this organization shall be held on the 1st day of February each and every year except if such day be a legal holiday then and in that event the Board of Directors shall fix the day but it shall not be more than two weeks from the date fixed by these By-Laws. The secretary shall cause to be mailed to every member in good standing at her address as it appears in the membership roll book of this organization a notice telling the time and place of such annual meeting.

Regular meetings of this organization shall be held as called by two (2) of the Directors or by two-thirds (2/3) vote of the voting membership. In no event, however, shall the Association meet less than one (1) time per year for the annual meeting as sequenced above.

The presence of not less than two-thirds (2/3) members shall constitute a quorum and shall be necessary to conduct the business of this organization; but a lesser number may adjourn the meeting for a period of not more than two (2) weeks from the date scheduled by these By-Laws and the secretary shall cause a notice of this scheduled meeting to be sent to all those members who were not present at the meeting originally called. A quorum as herein before set forth shall be required at any adjourned meeting.

Special meetings of this organization may be called by the president when he deems it for the best interest of the organization. Notices of such meeting shall be mailed to all members at their addresses as they appear in the membership roll book at least but not more than fourteen (14) days before the scheduled date set for such special meeting. Such notice shall state the reasons that such meeting and by whom called.

At the request of two (2) members of the Board of Directors or two-thirds (2/3) of the voting membership of the organization the president shall cause a special meeting to be held but such request must be made in writing at least fifteen (15) days before the requested scheduled date.

No other business but that specified in the notice may be transacted at such special meeting without the unanimous consent of all present at such meeting.

Article Five Voting

At all meetings, except for the election of officers and directors all votes shall be viva voce, except that for election of officers ballots shall be provided and there shall not appear any place on such ballot any mark or marking that might tend to indicate the person who cast such ballot.

At any regular or special meeting if a majority so requires any question may be voted upon in the manner and style provided for election of officers and directors.

At all votes by ballot the chairman of such meeting shall immediately prior to the commencement of balloting appoint a committee of three who shall act as "Inspectors of Election" and who shall at the conclusion of such balloting certify in writing to the chairman the results and the certified copy shall be physically affixed in the minute book to the minutes of that meeting.

No inspector of election shall be a candidate for office or shall be personally interested in the question voted upon.

Article Six
Order of Business

- 1 - Roll Call.
- 2 - Reading of the minutes of the preceding meeting.
- 3 - Reports of Committees.
- 4 - Reports of Officers.
- 5 - Old and Unfinished Business.
- 6 - New Business.
- 7 - Good and Welfare.
- 8 - Adjournments.

Article Seven
Board of Directors

The business of this organization shall be managed by a Board of Directors consisting of four (4) members together with the officers of this organization. At least one of the directors elected shall be a resident of the State of Florida and a citizen of the United States.

The directors to be chosen for the ensuing year shall be chosen at the annual meeting of this organization in the same manner and style as the officers of this organization and they shall serve for a term of one (1) year, two (2) years and three (3) years respectively.

The Board of Directors shall have the control and management of the affairs and business of this organization. Such Board of Directors shall only act in the name of the organization when it shall be regularly convened by its chairman after due notice to all the directors of such meeting.

Three (3) of the members of the Board of Directors shall constitute a quorum and the meetings of the Board of Directors shall be held regularly on a quarterly basis.

Each director shall have one vote and such voting may not be done by proxy.

The Board of Directors may make such rules and regulations covering its meetings as it may in its discretion determine necessary.

Vacancies in the said Board of Directors shall be filled by a vote of the majority of the remaining members of the Board of Directors for the balance of the year.

The president of the organization by virtue of his office shall be chairman of the Board of Directors. The Board of Directors shall select from one of their members a secretary.

A director may be removed when sufficient cause exists for such removal. The Board of Directors may entertain charges against any director. A director may be represented by counsel upon any removal hearing. The Board of Directors shall adopt such rules as it may in its discretion consider necessary for the best interests of the organization, for this hearing.

Article Eight
Officers

The officers of the organization shall be as follows:

President	David R. Robinson
Vice President	Robert Fitzsimmons
Secretary	Dale Alderman
Treasurer	Robert Fitzsimmons

The president shall preside at all membership meetings.

He shall by virtue of his office be chairman of the Board of Directors.

He shall present at each annual meeting of the organization an annual report of the work of the organization.

He shall appoint all committees, temporary or permanent.

He shall see all books, reports and certificates as required by law are properly kept or filed.

He shall be one of the officers who may sign the checks or drafts of the organization.

He shall have such powers as may be reasonably construed as belonging to the chief executive of any organization.

The vice president shall in the event of the absence or inability of the president to exercise his office become acting president of the organization with all the rights, privileges and powers as if he had been the duly elected president.

The secretary shall keep the minutes and records of the organization in appropriate books.

It shall be his duty to file any certificate required by any statute, federal or state.

He shall give and serve all notices to members of this organization.

He shall be the official custodian of the records and seal of this organization.

He shall present to the membership at any meetings any communication addressed to him as secretary of the organization.

He shall submit to the Board of Directors any communications which shall be addressed to him as secretary of the organization.

He shall attend to all correspondence of the organization and shall exercise all duties incident to the office of secretary.

The treasurer shall have the care and custody of all monies belonging to the organization and shall be solely responsible for such monies or securities of the organization. He shall cause to be deposited in regular business bank or trust company a sum not exceeding Seven Hundred Fifty and 00/100 (\$750.00) Dollars and the balance of the funds of the organization shall be deposited in a savings bank except that the Board of Directors may cause such funds to be invested in such investments as shall be legal for a savings bank in the State of Florida.

He must be one of the officers who shall sign checks or drafts of the organization. No special fund may be set aside that shall make it unnecessary for the treasurer to sign the checks issued upon it.

He shall render at stated periods as the Board of Directors shall determine a written account of the finances of the organization and such report shall be physically affixed to the minutes of the Board of Directors of such meeting.

He shall exercise all duties incident to the office of treasurer.

Officers shall by virtue of their office be members of the Board of Directors.

No officer shall for reason of his office be entitled to receive any salary or compensation, but nothing herein shall be construed to prevent an officer or director for receiving any compensation from the organization for duties other than as a director or officer.

Article Nine
Salaries

The Board of Directors shall hire and fix the compensation of any and all employees or entities which they in their discretion may determine to be necessary in the conduct of the business of the organization.

Article Ten
Committees

All committees of this organization shall be appointed by the President and their term of office shall be for a period of six (6) months or less if sooner terminated by the action of the majority of the Board or voting membership.

There shall be no permanent committees.

Article Eleven
Assessments or Dues

The initial assessments or dues of this organization, subject to annual adjustment by the Association's Board of Directors, shall be One Hundred (\$100.00) Dollars per annum per lot and shall be payable no later than January 10 of each year. Assessments or dues paid late may be subject to a late fee as determined by a majority vote of the Board of Directors. Unless otherwise determine by the Board of Directors, the obligation for assessments or dues for a lot shall commence on the first day of the month following conveyance of the lot by Developer to any third-party individual owner. Lots within Developer's ownership shall not be subject to assessments or dues until conveyed by Developer to a third-party individual owner.

In the event the amount of common expenses incurred by during the Developer's period of exemption exceed the assessments collected from third-party individual lot owners, Developer shall contribute to the association a sum not greater than the total assessment or dues that would have been collected from third-party individual owners had the lots owned by Developer been in third-party individual ownership. In no event, however, shall Developer be obligated to contribute funds to the Association for capital improvements or expenses that are not common expenses.

Article Twelve
Amendments

These By-Laws may be altered, amended, repealed or added to by an affirmative vote of not less than two thirds (2/3) of the voting membership.

HORIZON PUD HOMEOWNER'S ASSOCIATION,
INC., a Florida Not-for-Profit
corporation

By: David R. Robinson
David R. Robinson, President

Attest:
By: Dale Alderman
Dale Alderman, Secretary
Date: 8/12/97

Virginia L. Golden
VIRGINIA L. GOLDEN
My Comm Exp. 5/28/2002
No. CC 746231
 Personally Known () Other t.o.