

CERTIFICATE OF AMENDMENT

THE UNDERSIGNED, being the duly and acting President of Isle Verde Neighborhood Association, Inc., a Florida corporation not for profit, hereby certifies that at a meeting of the members held on November 3, 1997, where a quorum was present, after due notice, the resolution set forth below was duly approved by the affirmative vote of Members holding two-thirds (2/3) of the votes in the Association for the purpose of amending the By-Laws of Isle Verde Neighborhood Association, Inc. attached to the Declaration of Restrictive Covenants, Conditions, Restrictions and Easements for Isle Verde as originally recorded in Book 1808 at Pages 70 *et seq.*, of the Official Records of Collier County, Florida.

2247974 OR: 2363 PG: 2483

RECORDED in OFFICIAL RECORDS of COLLIER COUNTY, FL
11/17/97 at 10:41AM DWIGHT S. BROCK, CLERK
REC FEE 15.00

Recd:
SWALM & MURRELL
2375 TAMiami TR N #308
NAPLES FL 34103

(for use by Clerk of Court)

RESOLVED: That the By-Laws of Isle Verde Neighborhood Association, Inc. be and are hereby amended and the amendments are adopted in the form attached hereto, and made a part hereof.

Date: 1-6-97

ISLEVERDEN EIGHBORHOOD ASSOCIATION, INC.

(1) Marion R. Wade
Witness

Print Name: MARION R. WADE

(2) Debbie Dinkens
Witness

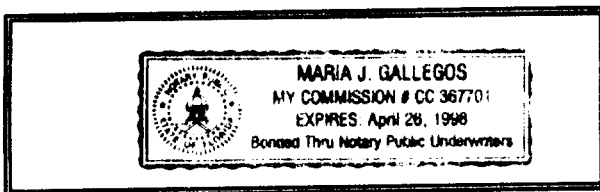
Print Name: Debbie Dinkens

By: Victor Macdonald
Victor Macdonald, President
7012 Verde Way
Naples, FL 34108

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF COLLIER

The foregoing instrument was acknowledged before me this 6th day of Nov, 1997, by Victor Macdonald, President of the aforementioned Corporation, on behalf of the Corporation. He/she is personally known to me or has produced _____ as identification.



Print, Type, or Stamp Commissioned Name of Notary Public (Affix Notarial Seal)

M. J. Gallegos
Signature of Notary Public

This instrument prepared by Robert C. Samouce, Esq., Swalm & Murrell, P.A., 2375 Tamiami Trail North, Suite 308, Naples, FL 34103

AMENDMENTS TO THE BY-LAWS OF ISLE VERDE NEIGHBORHOOD ASSOCIATION, INC.

The By-Laws of Isle Verde Neighborhood Association, Inc., shall be amended as shown below:

Note: New language is underlined; language being deleted is shown in ~~struck through~~ type.

1. Article IX. of the By-Laws shall be amended as follows:

IX. AMENDMENT TO BY-LAWS.

A. Amendments to these By-Laws may be proposed by the Board, acting upon vote of a majority of the Directors, or by Members owning a majority of the Homesites subject to the Declaration whether meeting as Members or by instrument in writing signed by them.

B. Upon any amendment or amendments to these By-Laws being proposed by the Board or Members, such proposed amendment or amendments shall be transmitted to the President of the Association, or acting Chief Executive Officer in the absence of the President, who shall thereupon call a special meeting of the Members for a date not sooner than fourteen (14) thirty (30) days or later than sixty (60) days from receipt by such officer of the proposed amendment or amendments, and it shall be the duty of the Secretary to give each member written or printed notice of such meeting in the same form and in the same manner as notice of the call of a special meeting of the Members is required as herein set forth; provided, that proposed amendments to the By-Laws may be considered and voted upon at annual meetings of the Members.

C. In order for such amendment or amendments to become effective, the same must be approved by an affirmative vote of Members holding two-thirds (2/3rds) of the voting interest who are present and voting, in person or by proxy, at votes in a duly called meeting of the members of votes in the Association. Thereupon, such amendment or amendments to these By-Laws shall be transcribed, certified by the President and Secretary of the Association, and a copy thereof shall be recorded in the Public Records of Collier County, Florida, within thirty (30) days from the date on which any amendment or amendments have been affirmatively approved by the Members and shall become effective upon recording.

D. At any meeting held to consider such amendment or amendments to these By-Laws, the written vote of a Member shall be recognized if such Member is not present at such meeting in person or by proxy, provided such written vote is delivered to the Secretary at or prior to such meeting.

* * *

2. Article X., Section C. of the By-Laws shall be amended as follows:

C. Enforcement of Rules and Regulations. All violations of Rules and Regulations or of any provisions of the Declaration, Articles and/or By-Laws shall be reported immediately to a member of the

Board of Directors, an Association officer and/or the management agent. Disagreements concerning violations, including, without limitation, disagreements regarding the proper interpretation and effect of Rules and Regulations or other provisions of the Declaration shall be presented to and determined by the Board of Directors of the Association, whose interpretation and/or whose remedial action shall be dispositive. In the event that any person, firm or entity subject to the Rules and Regulations, or other provisions of the Declaration, fails to abide by them, as they are interpreted by the Board of Directors, they shall be liable to be fined and/or suspended by the Association for each such failure to comply or other violation as provided below. Such fine shall be collected by the Association and shall be an asset of the Association. If the Board of Directors of the Association deems it necessary, it may seek all available remedies and may bring action at law or in equity to enforce the Rules and Regulations, or other provisions of the Declaration including the provision herein for fines. In the event any such action is instituted, and reduced to judgment in favor of the Association, the Association shall in addition be entitled to recover its costs and attorneys' fees (at the trial level and at all levels of appeal).

The Board of Directors may levy fines and/or suspensions against members, or members' tenants or guests or both who commit violations of Chapter 617, Florida Statutes, the provisions of the governing documents, or the rules and regulations, or who condone such violations by their family members, guests or lessees. Fines shall be in amounts deemed necessary by the Board to deter future violations, but in no event shall any fine exceed the maximum amount allowed by law. Suspensions of the use of common areas and facilities may be imposed for a reasonable period of time to deter future violations. In addition, the association may suspend the voting rights of a member for the non-payment of regular annual assessments that are delinquent in excess of ninety (90) days. The procedure for imposing fines and/or suspensions shall be as follows.

1. Notice. The party against whom the fine and/or suspension is sought to levied or imposed shall be afforded an opportunity for hearing after reasonable notice of not less than fourteen (14) days, and the notice shall include:

- a statement of the date, time and place of the hearing;
- a specific designation of the provisions of Chapter 617, Florida Statutes, the governing documents or the rules which are alleged to have been violated;
- a short and plain statement of the specific facts giving rise to the alleged violation(s); and
- the possible amounts of any proposed fine and/or possible use rights of common areas or facilities to be suspended.

2. Hearing. At the hearing the party against whom the fine and/or suspension may be levied shall have a reasonable opportunity to respond, to present evidence, and to provide written and oral argument on all issues involved, and to review, challenge, and respond to any evidence or testimony presented by the Association. The hearing shall be conducted before a panel of three (3) residential unit owners appointed by the Board, none of whom may then be serving as Directors or officers or who are employees of the Association, or the spouse, parent, child, brother or sister of an officer, director or employee. If the committee, by majority vote, does not agree with the proposed fine and/or suspension, it may not be levied or imposed. If the committee agrees with the proposed fine and/or suspensions, the Board of Directors shall levy same.