

INSTR # 2011181672
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RICHARD M WEISS, CLERK OF COURT
POLK COUNTY
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**SECOND AMENDMENT TO THE BYLAWS
OF COUNTRY TRAILS PROPERTY OWNERS'
ASSOCIATION, INC.,
A NOT FOR PROFIT FLORIDA
CORPORATION**

After recording, return to:
Robert J. Stanz, Esq.
ROBERT J. STANZ, P.A.
5121 S. Lakeland Dr., Suite 4
Lakeland, Florida 33813
888-4-STANZLAW

SECOND AMENDMENT TO THE BYLAWS
OF COUNTRY TRAILS PROPERTY OWNERS' ASSOCIATION, INC.,
A NOT FOR PROFIT FLORIDA CORPORATION

Pursuant to the governing documents of COUNTRY TRAILS PROPERTY OWNERS' ASSOCIATION, INC., herein called the Association, a corporation not-for-profit organized and existing under Chapter 617, Florida Statutes, for the purpose of administering the Property, as defined in and in accordance with the terms and conditions of those certain governing documents, including the Restrictive Covenants and Conditions recorded in O.R. Book 2923, page 0140, of the public records of Polk County, Florida, and the BYLAWS OF COUNTRY TRAILS PROPERTY OWNERS' ASSOCIATION, INC., recorded in O.R. Book 8281, page 2091, of the public records of Polk County, Florida, as amended in O.R. Book 8281, page 2115 (collectively referred to as the "Bylaws"), and the ARTICLES OF INCORPORATION OF COUNTRY TRAILS PROPERTY OWNERS' ASSOCIATION, INC. dated January 23, 1987, the Board of Directors of the Association hereby amends the Bylaws, this 21st day of October, 2011, as follows:

I. ARTICLE XIV is hereby deleted in its entirety and replaced with the following:

ARTICLE XIV

MEMBERSHIP AND CAPITAL IMPROVEMENT FEES

A. Membership Fee: Effective as of the date of this Amendment to the Bylaws, all lots sold, granted or conveyed after November 1, 2011, shall be subject to a "Membership Fee" of \$250.00 which shall be due and payable to the Association within thirty (30) days from any Member acquiring ownership to a Lot. This shall provision shall only apply to entities, e.g., corporations,

limited liability companies, banks, mortgage companies, lenders and non-resident owners, who do not reside in the community. The Membership Fee shall be waived for: (a) transfers between spouses; (b) transfers where ownership (title) transfers under will or probate; or (c) where imposition of the Membership Fee is prohibited by applicable law. The Association or designated community association manager shall collect the Membership Fee by sending notice to the new Owner. The Membership Fee shall have the effect of an Individual Assessment as defined in the governing documents which becomes due and payable as of the date of the recording of the deed, certificate of title or other transfer instrument, in the public records.

B. Capital Improvement Fee: Effective as of the date of this Amendment to the Bylaws, all sales, conveyances and transfers of ownership of any Lots shall be subject to a Capital Improvement Fee of One Percent (1%) of the Gross Sale Price or \$1,000.00, whichever is greater, payable to the Association. The fee shall be paid within seven (7) days of the transfer of title (deeds, mortgage foreclosures, deed-in-lieu of foreclosure and short-sales). This provision shall only apply to entities, e.g., corporations, limited liability companies, banks, mortgage companies, lenders and non-resident owners, who do not reside in the community. The Capital Improvement Fee shall be waived for: (a) conveyances between spouses, (b) transfers where ownership (title) transfers under will or probate, (c) where imposition of the Capital Improvement Fee is prohibited by applicable law. The Association or designated community association manager shall collect the Capital Improvement Fee by sending notice to the new Owner. The Capital Improvement Fee shall have the effect of an Individual Assessment as defined in the governing documents which becomes due and payable as of the date of the

recording of the deed, certificate of title or other conveyance, in the public records.

C. Compliance: Closing Agents shall collect the Capital Improvement Fee during the conduct of any real estate closing involving a Lot. "Gross Sale Price" shall mean the full purchase price, or in the event of a foreclosure, the amount of the foreclosed mortgage or final judgment in favor of the lender, whichever is greater. The Association or designated community association manager shall collect the Capital Improvement Fee in all other transfers of title. The Capital Improvement Fee shall have the effect of an Individual Assessment as defined in the Declaration which becomes due and payable as of the date of the recording of the deed, certificate of title or other transfer instrument, in the public records. Lot Owners, Realtors, Lenders and Closing Agents shall comply with Chapter 720.401 and disclose the Capital Improvement Fee and Membership Fee to all potential purchasers or buyers.

ADOPTED BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS AT THE OCTOBER 2011 MEETING OF THE BOARD HELD ON OCTOBER 21st, 2011 AT 8:00 PM. THE FOLLOWING BOARD MEMBERS APPROVED THIS SECOND AMENDMENT TO THE BYLAWS:

1 Jesse Bahannon
Name: Jesse Bahannon

Alan Fox
Name: Alan Fox

Daniel S. Cannon
Name: DANIEL S. CANNON

Maxine Ali
Name: Maxine Ali

Name: _____

Name: _____


Acknowledged by:

Daniel S. Cannon
Name: DANIEL S. CANNON
As Its: President

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 2/5th day of October, 2011, by DANIEL S. CANNON, the President of the Country Trails Property Owners' Association, a Florida non-profit corporation, on behalf of the corporation, who is ☒ personally known to me or ☐ produced _____ as identification, and who did not take an oath.

NOTARY STAMP


Notary Public

Name: ROBERT J. STANZ

