



THIS INSTRUMENT PREPARED BY:
PLEASE RECORD AND RETURN TO:
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CERTIFICATE REGARDING AMENDMENTS TO BYLAWS FOR
K. HOVNANIAN'S FOUR SEASONS AT DELRAY BEACH
HOMEOWNERS ASSOCIATION, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION

The undersigned, President of K. Hovnanian's Four Seasons at Delray Beach Homeowners Association, Inc., a Florida corporation not-for-profit ("Association"), executes and files this Certificate Regarding the Bylaws of the Association, a copy of which is attached as Exhibit "C" to the Declaration of Covenants and Restrictions for Tivoli Isles recorded in Official Records Book 21048, Page 416, Public Records of Palm Beach County, Florida and amended in Official Records Book 23813, Page 1682, Public Records of Palm Beach County, Florida, and does hereby certify that the Amendments to the Bylaws as set forth on Exhibit "A" attached hereto and made a part hereof were approved in compliance with Article XII of the of the Bylaws.

This Certificate executed by the undersigned as of the 20th day of September, 2013.

Witnesses:

K. HOVNANIAN'S FOUR SEASONS AT
DELRAY BEACH HOMEOWNERS
ASSOCIATION, INC., a Florida not-for-
profit corporation

[Signature]
Print Name: STEPHEN B. LILKER

[Signature]
Print Name: G. Steven Braun

By: [Signature]
Derek Fenech, President

STATE OF Florida

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 20th day of Sept, 2013, by Derek Fenech, as President of K. Hovnanian's Four Seasons at Delray Beach, Inc., a Florida not-for-profit corporation, on behalf of said corporation. Said person is personally known to me or has produced N/A as identification.

NOTARY SEAL

[Signature]
Print Name: G. Steven Braun



REVISED EXHIBIT "C"

EXHIBIT "C"

BY-LAWS OF
K. HOVNANIAN'S FOUR SEASONS AT DELRAY BEACH HOMEOWNERS ASSOCIATION,
INC.,
A FLORIDA CORPORATION NOT-FOR-PROFIT

ARTICLE I.
DEFINITIONS

1. All terms used herein which are defined in the Declaration of Covenants and Restrictions for K. Hovnanian's Four Seasons at Delray Beach (the "Declaration") shall be used herein with the same meaning as defined in said Declaration.
2. "Association" shall mean and refer to K. HOVNANIAN'S FOUR SEASONS AT DELRAY BEACH HOMEOWNERS ASSOCIATION, INC., a Florida corporation not-for-profit.
3. "Board" or "Board of Directors" shall mean and refer to the Board of Directors of the Association.
4. "Developer" shall mean and refer to AG/HOV DELRAY, L.L.C., a Delaware limited liability company, and its successors or assigns, if any such successor or assign acquires the undeveloped portion of the Property from the Developer for the purpose of development and is designated in writing, as such, by the Developer.
5. "K. Hovnanian's Four Seasons at Delray Beach" or "Property" or "Properties" shall mean and refer to all properties which may, from time to time, be subject to the covenants and restrictions contained within the Declaration.
6. "Lot" shall mean and refer to any lot or other parcel shown upon the recorded plat of Tivoli Isles in the Public Records of Palm Beach County, Florida, on which a residential structure could be constructed, whether or not one has been constructed. The term "Lot" shall also mean and refer to any Lot designated as such by the Developer within any Supplement to the Declaration executed and recorded among the Public Records of Palm Beach County, Florida.
7. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot, but excluding those having such interest merely as security for the performance of an obligation.
8. "Member" shall mean and refer to those persons entitled to Membership as provided for in the Articles of Incorporation and the Declaration and "Membership" shall mean all of the Members.

ARTICLE II.
LOCATION OF PRINCIPAL OFFICE

The principal office of the Association shall be located at 14650 Jetty Lane Delray Beach, FL 33446-3601 ~~Quantum Boulevard, Delray Beach, Florida, 33426~~ or such other place from time to time as the Board of Directors may deem advisable.

ARTICLE III.
VOTING RIGHTS AND ASSESSMENTS

1. Membership: Every person or entity who is a record ~~fee-simple~~ owner of a Lot, including the Developer at all times as long as it owns any property subject to the Declaration shall be a Member of the Association, provided that any such person or entity who holds such interest only as a security for the performance of an obligation shall not be a Member. Membership shall be appurtenant to, and may not be separated from, ownership of any Lot which is subject to assessment.
2. Suspension of Voting Rights and Common Area Use: Assessments and other amounts due the Association, including but not limited to fines aggregating at least \$100, and installments thereon not paid when due shall bear interest from the date when due until paid at the rate set forth in the Declaration and if regular annual assessments are delinquent in excess of ninety (90) days the Association ~~may shall~~ suspend the voting privileges during any period of such non-payment. Upon payment in full of such ~~past due~~ assessments and installments, voting privileges shall be automatically restored. Non-compliance with the Declaration, ~~including nonpayment of amounts due as set forth above~~, and with the Rules and Regulations promulgated and adopted by the Board of Directors regarding the use of the Property subject to the Declaration and the conduct of Members, their families, guests, invitees, and tenants ~~may shall~~ result in suspension of use of the Common Areas in the same manner fines may be levied as hereinafter set forth.
3. Quorum: The presence at any meeting of the Membership of at least thirty percent (30%) of the Membership shall constitute a quorum, whether their presence is in person, by proxy, or by written absentee ballot, to transact business at any meeting of the Membership, and the action of the majority present at a meeting wherein a quorum is present shall constitute the action of the Membership, unless otherwise provided in these By-Laws, the Articles of Incorporation, or the Declaration.

ARTICLE IV.
BOARD OF DIRECTORS

1. Election: ~~The Directors of the Association shall be elected at each Annual Meeting of the Membership in the manner specified in the Articles of Incorporation.~~
2. Nominations: ~~Not less than 75 days prior to the date set for the Annual Meeting, the Board shall solicit nominations for members of the Board of Directors from the Owners. Any Owner may nominate any eligible individual including herself. All nominations will be submitted to the Secretary no later than 40 days before the date set for the Annual Meeting. Any individual who has been nominated by someone else must accept the nomination by submitting such acceptance to the Secretary no later than seven days after the nomination was to be submitted to the Secretary.~~

~~The Developer shall, within forty-five (45) days of the date set for the Annual Meeting of the Membership, notify the Secretary and the Nominating Committee of the names of the Directors the Developer is appointing to the Board of Directors. Within forty (40) days of such Annual Meeting date, the Nominating Committee shall notify the Secretary of the names of the candidates nominated for election to the Board of Directors. The Nominating Committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine. Additional Unless required by Florida law additional nominations from the floor at the Annual Meeting shall NOT be accepted. Candidates for election must be Members in good standing or members of the household of a Member in good standing who resides in the community. All elections to the Board of Directors shall be made on written ballots which shall set forth the names of those nominated for each vacancy by the Nominating Committee and the names of those~~

person appointed to the Board of Directors by the Developer. The Secretary shall prepare and mail or hand deliver ballots to the Members, along with a notice of the Annual Meeting at least fourteen (14)-ten, but not more than thirty (30) days, in advance of the date set for the Annual Meeting.

3. Voting: - Voting by secret ballot is permitted. Members who are not in attendance at a meeting of the members for the election of directors, may vote by absentee ballot by placing the ballot in an inner envelope with no identifying markings and mailed or delivered to the association in an outer envelope bearing identifying information reflecting the name of the member, the lot or parcel for which the vote is being cast, and the signature of the lot or parcel owner casting that ballot. If the eligibility of the member to vote is confirmed and no other ballot has been submitted for that lot or parcel, at the Annual Meeting the inner envelope shall be removed from the outer envelope bearing the identification information, placed with the ballots which were personally cast, and opened when the ballots are counted. If more than one ballot is submitted for a lot or parcel, the ballots for that lot or parcel shall be disqualified. Any vote by ballot received after the closing of the balloting may not be considered. Upon receipt of such ballots, the Members may, in respect to each one vote for each lot owned, for each vacancy, cast as many votes for the persons nominated as they are entitled to exercise under the provisions of the Articles of Incorporation and these By-Laws. Voting shall be in person or by written absentee ballot, or by proxy appointed by an instrument in writing subscribed by the Member designated to vote. The completed ballots shall be returned to the Secretary at the address of the Association, or at such other address as may be designated upon each ballot. Upon receipt of each ballot, the Secretary shall immediately place it in a secure place until the date of the Annual Meeting of the Membership. At the Annual Meeting the President shall appoint three (3) Inspectors of Election, none of whom are candidates, relatives of a candidate or members of the household of a candidate. After the votes are cast, the ballots, including those cast in absentee proxy, shall be turned over to the Inspectors of Election committee which shall consist of three (3) Members appointed by the Board of Directors or to be counted by the Secretary if the Board has not appointed an election committee.
4. Commencement of Term: The Members of the Board of Directors elected or appointed in accordance with the procedures set forth in this Article shall be deemed elected or appointed as of the date of the Annual Meeting of the Membership.
5. Quorum: A majority of the Board of Directors in office shall constitute a quorum to transact business at any meeting of the Board, and the action of the majority present at a meeting at which a quorum is present shall constitute the action of the Board of Directors, unless otherwise provided in these By-Laws, the Articles of Incorporation or the Declaration.
6. Removal: Any Director may be removed from office at any time with or without cause by a majority vote of the Association's Membership, except that the Directors elected or designated by the Developer may be removed only by the Developer.
7. Organizational Meeting: The first meeting of a newly elected Board of Directors, for the purpose of organization and election of officers, shall be held immediately after the Annual Meeting of the Membership, provided a majority of the Members of the Board of Directors elected are present. Any action taken at such meeting shall be by affirmative vote of a majority of the entire Board of Directors. If a majority of the Members of the Board of Directors elected shall not be present at that time, or if the Directors shall fail to elect officers, the meeting of the Board of Directors to elect officers shall then be held within ten (10) thirty (30) days after the Annual Meeting of the Membership upon proper notice in writing to the Members and each Member of the Board of Directors elected, stating the time, place, and object of such meeting.

8. Regular Meetings: Regular meetings of the Board of Directors may be held at any place or places on such days and at such hours as the Board of Directors may, by resolution, designate. Notice shall be required to be given of any regular meeting of the Board of Directors as set forth below.
9. Special Meetings: Special meetings of the Board of Directors may be called at any time by the President or by any two (2) Members of the Board. Notice of each special meeting of the Board of Directors, stating the time, place and purpose or purposes thereof, shall be given by or on behalf of the Secretary, the President, or the Vice-President, or by or on behalf of any two (2) Members of the Board to all Members and each Member of the Board as set forth below.
10. Notice of Meetings: ~~Chapter 720, Florida Statutes 720.303(2)~~ sets forth the minimum requirements for notice of meetings for the Board of Directors of the Association and shall be complied with in all respects. Except for Board Meetings pertaining to litigation or emergencies, as more specifically set forth in Chapter 720, Florida Statutes F.S. 720.303(2), notice of all Board Meetings must be posted in a conspicuous place in the community at least forty eight (48) hours in advance of the meeting; ~~or if not so posted, must be mailed or delivered to each Member at least seven (7) days before the meeting~~; and further, since the Association has more than one hundred (100) Members, the Board of Directors may determine a reasonable alternative including publication of the notice, or the broadcasting of the notice or the electronic transmission of the notice, all as set forth in the requirements of Chapter 720, Florida Statutes F.S. 720.303(2). In the event of an emergency, a special meeting of the Board may be held at any place and time without notice by unanimous waiver of notice by all Directors, also, in an emergency, the Board of Directors may act by unanimous written consent in lieu of a meeting. Board Meetings levying an assessment or Committee Meetings when a final decision will be made regarding the expenditure of Association funds and meetings approving or disapproving architectural decisions must comply with the requirements of Chapter 720, Florida Statutes F.S. 720.303(2).
11. Minutes: As more specifically set forth in Chapter 720, Florida Statutes Section 720.303(3) and (5), minutes of all meetings of the Board of Directors shall be kept in a businesslike manner and shall be available for inspection by Members at all reasonable times. The Association shall retain the minutes of the meetings for a period of not less than seven (7) years. Minutes shall reflect actions and votes taken and matters discussed and need not contain the content of discussion.

ARTICLE V.
POWERS AND DUTIES OF THE BOARD OF DIRECTORS

1. The Board of Directors shall be responsible for the affairs of the Association and shall have all of the powers and duties necessary for the administration of the Association's affairs and, as provided by law, may do all acts and things as are noted by the Declaration, by the Articles of Incorporation and/or by these By-Laws except those which are directed to be done and exercised exclusively by the Members. In addition to the duties imposed by these By-Laws or by any resolution of the Association that may hereafter be adopted, the Board of Directors shall have the power to and shall be responsible for the following, by way of explanation, but not limitation:
 - A. Prepare and adopt an annual budget in which there shall be established the contribution of each Member to the common expenses;
 - B. Establish, levy and assess, and collect the assessments necessary to operate the Association and to carry on its activities, and to create such reserves for extraordinary expenditures as may be deemed appropriate by the Board of Directors;

- C. Provide for the operation, care, upkeep and maintenance of all areas which are the maintenance responsibility of the Association;
- D. Call meetings of the Members;
- E. Appoint and remove at pleasure all officers, agents and employees of the Association, prescribe their duties, fix their compensation and require of them such security or fidelity bond as it may deem expedient. Nothing contained within these By-Laws shall be construed to prohibit the employment of any Member, Officer, or Director of the Association in any capacity whatsoever;
- F. Designate, hire, and dismiss the personnel necessary for the operation of the Association and, where appropriate, provide for the compensation of such personnel and for the purchase of equipment, supplies and material to be used by such personnel in the performance of their duties;
- G. Collect the assessments, deposit the proceeds thereof in a bank depository which it shall approve, and use the proceeds to administer the Association;
- H. Open bank accounts on behalf of the Association and designate the signatories required;
- I. Enforce by legal means (including, but not limited to, the imposition of fines) the provisions of the Declaration, these By-Laws, and the rules and regulations adopted by it, and bring any proceedings which may be instituted on behalf of the Association;
- J. Obtain and carry insurance against casualties and liabilities, as well as directors' and officers' liability insurance and fidelity bond coverage, all as provided in the Declaration, and pay the premium cost thereof;
- K. Adopt and publish rules and regulations governing the use of the Common Area and the personal conduct of the Members, their families, and their guests thereon, and the supervision of such use. No rule or regulation shall be effective until at least 14 days notice has been given to all the members;
- L. Authorize and cause the Association to enter into contracts for the day to day operation of the Association and the discharge of its responsibilities and obligations;

M. Borrow money.

~~M.N.~~ Exercise for the Association all powers, duties and authority vested in or delegated to the Association, except those reserved to Members in the Declaration or in the Articles of Incorporation of the Association.

2. It shall be the duty of the Board of Directors:

- A. To cause to be kept a complete record of all of its acts and corporate affairs.
- B. To supervise all ~~Officers~~ officers, agents and employees of ~~this the~~ Association and see that their duties are properly performed.
- C. With reference to assessments of the Association:

- (1) To fix the amount of the assessment against each Member for each assessment period at least thirty (30) days in advance of such date or period;
- (2) To prepare a roster of the Members and assessments applicable thereto which shall be kept in the office of the Association and which shall be open to inspection by any Member;
- (3) To send written notice of each assessment to every Member subject thereto not later than fifteen (15) days after fixing the date of commencement thereof; and
- (4) To issue or cause an appropriate officer to issue, upon demand by any person, a certificate setting forth whether any assessment has been paid. Such certificate shall be prima facie evidence of any assessment therein stated to have been paid.

D. With reference to fines levied by the Board, the Board shall not impose a fine (a late charge shall not constitute a fine) unless and until the following procedure is followed:

- (1) Written demand to cease and desist from an alleged violation shall be served upon the alleged violator specifying:
 - (a) the alleged violation;
 - (b) the action required to abate the violation; and
 - (c) a time period, not less than ten (10) days, during which the violation may be abated without further sanction, if such violation is a continuing one, or a statement that any further violation of the same rule may result in the imposition of a fine, if the violation is not continuing. The Board or its designee may demand immediate abatement in such circumstances which, in the Board's determination, pose a danger to safety or property.
- (2) If the violation continues past the period allowed in the demand for abatement without penalty, or if the same rule is subsequently violated, the Board may, upon notice, impose a fine. The notice shall state:
 - (a) the alleged violation;
 - (b) that the alleged violator may, within fourteen (14) days from the date of the notice, request a hearing regarding the fine;
 - (c) that any statements, evidence and witnesses may be produced by the alleged violator at the hearing; and
 - (d) that all rights to have the fine reconsidered shall be waived if a hearing is not requested within fourteen (14) days of the date of the notice.
- (3) If a hearing is requested, it shall be held before the ~~Fining~~Fining Appeals Committee, and the Member shall be given a reasonable opportunity to be heard. The minutes of the meeting shall contain a written statement of the results of the hearing. The ~~Fining~~Fining Appeals Committee shall be at least three (3) Members appointed by the Board who are not ~~Officers~~officers, Directors or employees of the Association or the spouse, parent, child, brother or sister of an ~~Officer~~officer, Director or employee. If the

Committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed. Levying fines pursuant to this subsection shall not apply because of the failure of a Member to pay assessments or other charges when due.

- (4) In the event the Board shall impose a fine against the Member, the amount of the fine shall be determined based upon the nature of the violation and shall be imposed on a non-discriminatory basis and shall not exceed One Hundred and no/100 (\$100.00) Dollars per violation. A fine may be levied on the basis of each day of a continuing violation, but not to exceed One Thousand and no/100 (\$1,000.00) Dollars as set forth in Chapter 720, Florida Statutes F.S. 720.305. Fines shall be paid no later than thirty (30) days after notice of the imposition or assessment thereof, and shall be collected pursuant to provisions of Article V of the Declaration, however, shall not become a lien against a Lot. The imposition of fines pursuant hereto shall not be construed to be an exclusive right or remedy; and the right to impose such fines shall exist in addition to all other rights and remedies to which the Association may otherwise legally be entitled.

ARTICLE VI. OFFICERS

1. The officers of the Association shall consist of a President, a Vice-President, a Secretary and a Treasurer, each of whom shall be elected by the Board of Directors at the annual meeting of the Board of Directors, which shall be held immediately following the Annual Meeting of the Membership. Such other officers and agents as may be deemed necessary may be elected or appointed by the Board of Directors from time to time. Any two or more offices may be held by the same person; provided, however, that ~~neither the person serving in the offices-office of President and Vice-President, nor the offices of President and Secretary shall be held by the same person~~ may not serve in any other office. Any officer may be removed at any time by the affirmative vote of a majority of the Board of Directors at any duly called regular or special meeting of the Board. Each officer shall hold office until his successor shall have been duly elected and qualified.
2. The President shall be the chief executive officer of the Association. The President shall preside at all meetings of the Members of the Association and of the Board of Directors. He shall have the general powers and duties of supervision and management of the Association which usually pertain to his office, and shall perform all such duties as are properly required of him by the Board of Directors. The Board of Directors shall elect one Vice-President, who shall generally assist the President and who shall have such other powers and perform such other duties as usually pertain to such office or as are properly required of him by the Board of Directors. In the absence or disability of the President, the Vice-President shall perform the duties and exercise the powers of the President.
3. The Secretary shall issue notices of meetings of the Membership of the Association and the Directors in accordance with law and these By-Laws. The Secretary shall keep the minutes of the meetings of the Membership and of the Board of Directors. The Secretary shall keep the records of the Association. The Secretary shall record in the book kept for that purpose all of the names of the Members of the Association, together with their addresses as registered by such Member. If the Board of Directors elects or appoints one or more assistant secretaries, such assistant secretaries shall, in the absence or disability of the Secretary, perform the duties of the Secretary in such order as shall be determined by the Board of Directors.
4. The Treasurer shall have the care and custody of all of the funds and securities of the Association. The Treasurer shall enter on the books of the Association, to be kept by the Treasurer for that

purpose, full and accurate accounts of all funds received by the Treasurer and paid by the Treasurer on account of the Association. The Treasurer shall sign such instruments as require his signature and shall perform all such duties as usually pertain to such office or as are properly required of the Treasurer by the Board of Directors. The Treasurer shall cause an annual ~~internal~~ independent audit of the Association's books and records to be made at the close of each fiscal year and shall prepare annual balance sheet and income statements. In the event the Association enters into a management agreement, the duties and functions of the Treasurer may be delegated to the managing agent to the extent such delegation is determined to be appropriate by the Board of Directors.

5. Vacancies in any office arising from any cause may be filled by the Board of Directors at any regular or special meeting of the Board of Directors.
6. No officer of the Association shall receive compensation for serving as an officer of the Association, but each officer of the Association may receive reimbursement for out-of-pocket expenses incurred by the officer in the performance of his or her duties on behalf of the Association.

ARTICLE VII. MEETINGS OF MEMBERS

1. Annual Meetings: Subject to the provisions contained within Article VII of the Articles of Incorporation, each Annual Meeting of the Membership shall be held on the third Tuesday of the month of December in each year at such time and place as shall be determined by the Board of Directors, except that the Board of Directors shall have the right to change the date of the Annual Meeting. The purpose of the Annual Meeting of Members shall be to hear reports of the Officers, elect members of the Board of Directors, and to conduct any other business authorized to be transacted by the Members.
2. Special Meetings: Special meetings of the Members for any purpose may be called at any time by the Board of Directors. In addition, a special meeting of the Members shall be called upon the written request of the Members who have the right to vote one-third (1/3) of the votes of the Membership, except that a special meeting of the Members to recall or remove a Member of the Board of Directors shall be called either as directed by resolution of the Board of Directors or upon the written request of the Members who have the right to vote one-fourth (1/4) of all of the votes of the entire Membership.
3. Notice of Meetings: Notice may be given to the Member either personally, or by sending a copy of the notice through the mail, postage thereon fully paid, to his address appearing on the records of the Association. Each Member shall register his address with the Secretary, and notice of meetings shall be mailed or hand delivered to him at such address. Notice of any meeting, regular or special, shall be mailed or personally delivered at least fourteen (14) days but not more than thirty (30) days in advance of the meeting and shall set forth the general nature of the business to be transacted. Proof of notice of a meeting shall be given by affidavit of the person giving the notice. The notice shall state the time and place of such meeting and the purpose for which the meeting is called. Notice may also be provided by posting or broadcasting as set forth in Chapter 720, Florida Statutes, F.S. 729.306(5).
4. Waiver of Notice: Waiver of notice of a meeting of the Members shall be deemed the equivalent of proper notice. Any Member may, in writing, waive notice of any meeting of the Members, either before or after such meeting. Attendance at a meeting by a Member, whether in person or by proxy, or by written absentee ballot, shall be deemed a waiver by such Member of notice of the

time, date and place thereof, unless such Member specifically objects to lack of proper notice at the time the meeting is called to order.

5. Quorum: The presence of at least thirty percent (30%) of the Members at any meeting of the Membership shall constitute a quorum for any action governed by these By-Laws. If a quorum is present, the vote of a majority of the Members who are present or represented at the meeting and entitled to vote on the subject matter, shall be the act of the Membership. However, if the subject matter is one which by express provision of the Articles of Incorporation or the Declaration requires a vote other than such majority vote, then such express provision shall govern and control the required vote on the decision of such subject matter. ~~Absentee-Written~~ absentee ballots received by the Secretary by the time of the meeting and Members present in person or by a duly authorized proxy shall be utilized in determining a quorum.
6. Adjournment: If at any meeting of the Membership there shall be less than a quorum present, the majority of those present may adjourn the meeting from time to time until a quorum is present. Any business which might have been transacted at a meeting when originally called may be transacted at any adjournment thereof. In the case of the adjournment of a meeting, no notice to the Members of such adjournment shall be required other than announcement at the meeting of the time and place of the adjourned meeting.
7. Proxies: Voting rights of Members shall be as stated in the Articles of Incorporation. Such votes may be cast in person, by proxy or by written absentee ballot. To be valid, a proxy must be dated, must state the date, time and place of the meeting for which it was given, and must be signed by the authorized person who executed the proxy. A proxy is effective only for the specific meeting for which it was originally given, as a meeting may lawfully be adjourned and reconvened from time to time, and automatically expires ninety (90) days after the date of the meeting for which it was originally given. A proxy is revocable at any time at the pleasure of the person who executes it. If the proxy form expressly so provides, any proxy holder may appoint, in writing, a substitute to act in his or her place. A proxy must be filed with the Secretary before the appointed time of the meeting or at the particular meeting in order to be effective. Any proxy may be revoked prior to the time a vote is cast pursuant to such proxy.
8. Order of Business: The order of business at all annual meetings shall be as follows:
 - A. ~~Election~~ Appointment of Chairman of Meeting ~~Inspectors of Election~~;
 - B. Roll Call;
 - C. Proof of Notice of Meeting;
 - D. Adoption of Minutes of Previous Meeting;
 - E. Election of Directors;
 - E-F. Reports of Officers;
 - F-G. Reports of Committees;
 - G. ~~Election of Directors~~;
 - H. Unfinished Business;

I. New Business; and

J. Adjournment.

The order of business at all special meetings shall be as determined by the President of the Association.

1. Rules of Order: Except as may be otherwise provided herein, Roberts Rules of Order (latest edition) shall govern the conduct of all meetings of the Members of the Association when not in conflict with the Declaration, the Articles of Incorporation, these By-Laws, or the Statutes of the State of Florida.
2. Minutes of Meetings: Minutes of all meetings shall be kept in a businesslike manner and shall be available for inspection by the Members at all reasonable times in accordance with the provisions of Chapter 720, Florida Statutes ~~F.S. 720.303(3) and (5)~~. The Association shall retain the minutes of the meetings for a period of not less than seven (7) years.

ARTICLE VIII. COMMITTEES

1. ~~1.~~ The Standing committees of the Association shall be:

~~The Nominating Committee~~ The Finance Committee

a.

b. The Maintenance Committee

c. The Architectural Review Board (the "ARB")

d. The Landscaping Committee

e. The Events Planning Committee (the "EPC")

f. The Tennis Committee

g. ~~The Fining Appeals~~ Committee

Each committee, other than the ARB ~~and the Appeals Committee~~, shall consist of a chairperson and two (2) or more Members. ~~In addition, and shall include a Member of the Board of Directors may be named as a nonvoting advisory member.~~ The committees ~~(except the ARB)~~ shall be appointed by the Board of Directors within thirty (30) days after each annual meeting of the Board of Directors, to serve until succeeding committee members have been appointed or until removed as set forth in the following sentence. ~~The Board of Directors has the right to remove any committee member at its discretion.~~ The Board of Directors may appoint such other committees as it deems advisable. Any committee report shall be presented to the Board prior to that report being edited or amended by any other subcommittee or group. Notwithstanding the foregoing, the ~~Fining Appeals~~ Committee requirements set forth in Article V, Section 2.D (3) hereof shall be complied with.

2. ~~The Nominating Committee shall have the duties and functions described in these By-Laws.~~ The Finance Committee shall advise the Board of Directors on all matters pertaining to the finances of the Association including preparation of a draft budget for the Board's review, and shall perform such other functions as the Board in its discretion determines.

2. ~~_____~~

3. ~~3.~~—The Maintenance Committee shall advise the Board of Directors on all matters pertaining to the maintenance, repair or improvement of the Property, and shall perform or seek the performance of such other functions as the Board in its discretion determines.

4. ~~4.~~—The Architectural Review Board shall have the duties and functions described in the Declaration.

5. ~~The Landscaping Committee shall advise the Board of Directors on all matters pertaining to the maintenance, repair or improvement of the community's landscaping and as advisers to the ARB in regard to changes proposed by Owners and shall perform or seek the performance of such other functions as the Board in its discretion determines.~~

6. ~~The Tennis Committee shall advise the Board of Directors on all matters pertaining to the maintenance, repair or improvement of the tennis facility and the tennis program, and shall perform or seek the performance of such other functions as the Board in its discretion determines.~~

7. ~~5.~~—The ~~Fining Appeals~~ Committee shall have the duties and functions described in Article V, Section 2.D. hereof.

ARTICLE IX. BOOKS AND RECORDS

The books and records of the Association shall, during reasonable business hours, be available as set forth in ~~Chapter 720, Florida Statutes F.S. 720.303(5)~~ at the office of the Association for the inspection of any Member of the Association upon at least seven (7) days' prior written request given by such Member to the Association.

**ARTICLE X.
CORPORATE SEAL**

The Association shall have a seal in circular form having within its circumference the words: "K. HOVNANIAN'S FOUR SEASONS AT DELRAY BEACH HOMEOWNERS ASSOCIATION, INC.", a Florida corporation not-for-profit.

**ARTICLE XI.
FISCAL MATTERS**

1. Fiscal Year: The fiscal year of the Association shall begin on the first day of January and shall end on the last day of December, provided, that the Board of Directors shall be authorized to change the fiscal year at such time and from time to time as the Board of Directors shall deem it advisable.
2. Depositories: The funds of the Association shall be deposited in one or more savings and loan associations or banks in the State of Florida, under resolutions duly approved by the Board of Directors, and shall be withdrawn only over the signature(s) of the officer(s) authorized to withdraw funds by such resolutions. Such resolution shall require at least the signatures of the President or Vice President and Treasurer or Secretary except for ordinary budgeted expenses which must require one of those signatures together with an officer of the Association's management firm.
3. Reports: The Board of Directors shall present, at each annual meeting, a full and clear statement of the business and condition of the Association.

**ARTICLE XII.
AMENDMENTS; CONFLICT**

1. Subject to the provisions contained within paragraph 2 hereof, these By-Laws may be amended at any regular or special meeting of the Members, by the affirmative vote of a majority of the Membership present in person or by proxy, or by written absentee ballot, at a meeting at which a quorum is present. The notice of such meeting shall expressly state that such amendment will be considered at the meeting.
2. Notwithstanding anything to the contrary contained herein, ~~prior to transition to owner control, the Developer may amend or modify these By-Laws without the consent of Members; provided the Developer owns at least one (1) lot. In addition, no amendment to these By-Laws shall be made or shall be effective without the written consent of the Developer noted upon such amendment, for so long as the Developer is the owner of any Lot.~~
3. A copy of these By-Laws and of any subsequent amendment thereof shall be recorded among the Public Records of Palm Beach County, Florida.
4. In the event of any conflict between the Articles of Incorporation and these By-Laws, the Articles of Incorporation shall govern and control. In case of any conflict between the Declaration and these By-Laws, the Declaration shall govern and control.

CONSENT OF DEVELOPER

AG/HOV DELRAY, LLC, a Delaware limited liability company, the successor developer of the Amended Declaration of Covenants and Restrictions for K. Hovnanian's Four Seasons at Delray Beach (formerly Tivoli Isles) does hereby consent to the Amendments as set forth on Exhibit "A" attached hereto and made a part hereof.

Witnesses:

Print Name: Erik Macle

Print Name: G. Steven Brannock

STATE OF Florida

COUNTY OF Palm Beach

AG/HOV DELRAY, LLC, a Delaware limited liability company

By: [Signature]

Print Name: Derek Fenech

Title: Area President

The foregoing instrument was acknowledged before me this 28TH day of Sept., 2013, by Derek Fenech, as Area Pres. of AG/HOV DELRAY, LLC, a Delaware limited liability company, on behalf of said company. Said person is personally known to me or has produced n/a as identification.

NOTARY SEAL

Print Name: G. Steven Brannock



STATE OF FLORIDA • PALM BEACH COUNTY

I hereby certify that the foregoing is a true copy of the record in my office with corrections, if any as required by law.

THIS 28 DAY OF Sept., 2013
SHARON R. BOCK
CLERK & COMPTROLLER

By [Signature]
DEPUTY CLERK