

**Resolutions for Discussion and Adoption at the Meeting of the  
Board of Directors of the Bay Isles Association, Inc. on March 23, 2009**

RESOLVED THAT, the Declaration of Maintenance, Covenants and Restrictions on The Commons for Bay Isles, as previously amended, is further amended by adding a new Paragraph 18.A. thereto to read as follows:

"18.A. VIOLATION OF DECLARATION, THE RULES AND REGULATIONS OF THE ASSOCIATION, ANY LAWS, STATUTES OR ORDINANCES AND/OR ANY GOVERNMENTAL PERMITS OR APPROVALS BY MEMBERS, INDEMNIFICATION OF THE ASSOCIATION BY MEMBERS FOR VIOLATIONS BY MEMBERS AND LEVY OF FINES BY ASSOCIATION AGAINST MEMBERS FOR VIOLATIONS. No member shall violate any of the terms, provisions, conditions, covenants, restrictions, easements or limitations of this Declaration, the Rules and Regulations of the Association, any laws, statutes or ordinances and/or any governmental permits or approvals and each member shall indemnify and agrees to indemnify the Association against all actions, proceedings, damages, fines, fees, levies, penalties, assessments, sanctions, judgements, costs, expenses and reasonable attorney's fees, including appellate attorneys fees, that the Association shall suffer or incur as a direct or indirect result of such member's violation of the terms, provisions, conditions, covenants, restrictions, easements or limitations of this Declaration, the Rules and Regulations of the Association, any laws, statutes or ordinances and/or any governmental permits or approvals.

The Association shall have the right to levy fines against the members for any such violations to the extent authorized by and pursuant to the procedures set forth in the Florida Statutes, as amended from time to time, and/or in the Articles and/or Bylaws of the Association."

RESOLVED FURTHER THAT, the Articles of Incorporation of the Association, as previously amended, are further amended as follows:

A. A new Article III.M. is added to the Articles to read as follows:

"M. To impose and levy fines against any member and/or a member's tenants, guests or invitees or both for violations of the terms, provisions, conditions, covenants, restrictions, easements or limitations of the Declaration of Maintenance, Covenants and Restrictions on The Commons for Bay Isles, the Rules and Regulations of the Association, any laws, statutes or ordinances and/or any governmental permits or approvals as authorized by and in accordance with and subject to, the terms, provisions, procedures and limitations of the Florida Statutes, as they may be subsequently amended, provided that such fines may be levied on the basis

of each day of a continuing violation and provided further that no such fine shall exceed Twenty Five Thousand Dollars (\$25,000.00) in the aggregate."

B. A new Article XIV.A. is added to the Articles to read as follows:

"ARTICLE XIV.A.

INDEMNIFICATION OF ASSOCIATION BY MEMBERS FOR MEMBERS' VIOLATIONS OF THE DECLARATION, THE RULES AND REGULATIONS OF THE ASSOCIATION, THE LAW AND/OR A GOVERNMENTAL PERMIT OR APPROVAL

Each member shall indemnify and agrees to indemnify the Association against all actions, proceedings, damages, fines, fees, levies, penalties, assessments, sanctions, judgements, costs, expenses and reasonable attorney's fees, including appellate attorney's fees, that the Association shall suffer or incur as a direct or indirect result of such member's violation of the terms, provisions, conditions, covenants, restrictions, easements or limitations of the Declaration of Maintenance, Covenants and Restrictions on The Commons for Bay Isles, such member's violation of the Rules and Regulations of the Association, such member's violations of any laws, statutes or ordinances, including, by way of example and not of limitation, unlawful trimming of mangroves, and/or such member's violations of any governmental permit or approval."

RESOLVED FURTHER THAT, the Bylaws of the Association are amended as follows:

A new Article VII.1.(h) is added to the Bylaws to read as follows:

"(h) To levy and assess fines against members for violations of the Declaration of Maintenance, Covenants and Restrictions on The Commons for Bay Isles, the Rules and Regulations of the Association, any laws, statutes or ordinances and/or any governmental permit or approval to the extent authorized by and pursuant to the procedures set forth in the Florida Statutes, as amended from time to time, in the Declaration and/or in the Articles of Incorporation of the Association."