

# BY-LAWS OF ASSOCIATION OF POINCIANA VILLAGES, INC.

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### BY-LAWS OF ASSOCIATION OF POINCIANA VILLAGES, INC.

**1. Definitions.** All initially capitalized terms not defined herein shall have the meanings assigned to such terms in that certain Poinciana Subdivision Declaration recorded or to be recorded in the Public Records of Polk County and Osceola County (the "Declaration").

**2. Membership.** The membership of the APV shall be comprised of all Owners every Village Association formed in accordance with the provisions of the Declaration.

**3. Number of Directors.** The number of Directors shall be equal to the number of Village Associations duly formed in accordance with the provisions in the Declaration.

**4. Voting Rights.** Each Village Association shall be entitled to one (1) vote at each meeting of the APV Board upon matters which may come before the APV Board through its duly elected or appointed Director.

**5. Powers.** The business and affairs of the APV shall be managed by the APV Board. The APV Board shall keep full and fair accounts of all its transactions.

**6. Tenure.** Each Director shall serve from the date of his election or appointment until such time as a successor may be duly elected or appointed and qualified in accordance with the regulations and by-laws of the applicable Village Association.

**7. Vacancies.** Any vacancy occurring on the APV Board shall be reported to the respective Village Association and such Association shall elect or appoint a new Director to fill such vacancy in accordance with the by-laws or regulations of the Village Association.

**8. Meetings.** Regular meetings of the APV Board shall be held in Poinciana Subdivision at such locations as may be designated from time to time by the APV Board but not less than once every four (4) months. All regular meetings of the APV Board shall be called by the President, or, if he or she is absent or is unable or refuses to act, by any Vice-President or by any two directors.

**9. Special Meetings.** Special meetings of the APV Board shall be called by the President or by a majority of the APV Board.

**10. Notice of Meetings.** Notice of all Board Meetings shall be deemed sufficient upon the posting of such notice on the APV Bulletin Board located at 401 Walnut Street, Poinciana, Florida five business days prior to the meeting.  
Amended 8/10/2004

**11. Quorum.** At all meetings of the Board of Directors, a majority of the entire Board of Directors shall constitute a quorum for the transaction of business. A vote of a majority of such quorum at a duly constituted meeting shall be sufficient to elect and pass any measure. In the absence of a quorum, the Directors present by majority vote and without notice may adjourn the meeting from time to time until a quorum shall attend.

**12. Compensation.** Directors as such shall not receive any compensation for their services. A Director who serves the APV in any other capacity, however, may receive compensation therefor; however, directors may be reimbursed for expenses incurred in connection with their duties as a director.

**13. Committees.** The APV Board may by resolution provide for an Executive Committee and/or for such other standing or special committees as it deems desirable, and discontinue the same at pleasure. Each such committee shall have such powers and perform such duties, not inconsistent with law, as may be assigned to it by the APV Board.

**14. Design Control Board.** The Design Control Board shall be created and operated pursuant to the Design Review Criteria adopted by the APV Board from time to time.

**15. Officers.**

**15.1 President.** The APV Board shall in each year elect a President of the APV Board from among its Directors. The President shall preside at all meetings of the APV Board and shall exercise such additional powers and duties as are from time to time assigned to him by the APV Board.

**15.2 Secretary.** The APV Board shall each year elect a Secretary who shall keep the minutes of the meeting of the APV Board and/or shall be responsible to verify that the minutes are kept in books provided for the purpose; the Secretary shall see that all notices are duly given in accordance with the provisions of these By-Laws or as may be required by law; the Secretary shall be custodian of the records of the Association; the Secretary shall see that the corporate seal of the Association is affixed to all documents and execution of which, on behalf of the Association, under its seal, is duly authorized, and when so affixed may attest the same; and in general, the Secretary shall perform all duties incident to the office of Secretary of the corporation.

**15.3 Treasurer.** The APV Board shall each year elect a Treasurer who shall have charge of and shall be responsible for all funds, receipts and disbursements of the Association, and shall deposit, or caused to be deposited, in the name of the Association, all monies or other valuable effects in such banks, or other depositories as shall, from time to time, be selected by the APV Board; the Treasurer shall render to the APV Board whenever requested, an account of the financial condition of the Association, and, in general, the Treasurer shall perform all the duties incident to the office of a Treasurer of a corporation.

**15.4 Manager.** The APV Board may upon resolution elect one person (who need not be a member of the Association) to serve as the Manager of the APV. The Manager of the Association shall provide a liaison between this Association and the Village Associations in the conduct and operation of its affairs. Such Manager shall also be generally in charge of the supervision of the business of the Association; the Manager may sign and execute bond, contracts or other instruments, except in cases in which the signing and execution thereof shall have been expressly delegated to some other officer or agent of the APV; and, in general, the Manager shall perform all duties incident to the office of Manager with regard to the APV and any such other duties as may, from time to time, be assigned to the Manager by the APV Board.

**15.5 Additional Executive Officers.** The APV Board may elect one or more Vice-Presidents or one or more assistant secretaries or Assistant treasurers, any one of whom need not be a member of the association. Such officers shall have such duties as may from time to time be assigned to them by the APV Board.

**15.6 Compensation.** None of the officers of the APV (other than the Manager) shall be compensated by the APV for services rendered in the capacity of such office. Such officers may be reimbursed for expenses incurred incidental to their performance of the duties of said office. The Manager may receive such compensation as may be determined from time to time by the APV Board.

**16. Finance.**

**16.1 Checks, Drafts, Etc.** All checks, drafts and orders for the payment of money, notes and other evidences of indebtedness, issued in the name of the APV, shall unless otherwise provided by resolution of the APV Board, be signed by any two (2) of the following: President, Manager or other designated Director.

**16.2 Annual Reports.** There shall be prepared annually by the Manager and/or Treasurer an unaudited correct statement of affairs of the Association, including a balance sheet and a financial statement of operations for the preceding calendar year, which shall be submitted at the annual meeting of the Directors and shall be filed within 28 days thereafter at the principal office of the APV in this State. Audited financial reports shall be submitted no later than the second quarter.

**16.3 Fiscal Year.** The fiscal year of the Association shall be a twelve calendar month period ending on the 31st day of December unless otherwise provided by the APV Board.

**16.4 Amendments.** These by-Laws may be altered, amended, or repealed and new by-Laws may be adopted by the APV Board at any regular meeting or special meeting called for that purpose.

**EXHIBIT D**

**AMENDED AND RESTATED BY-LAWS**

**POINCIANA SUBDIVISION DECLARATION REMOVAL OF LANDS FROM THE POINCIANA SUBDIVISION DECLARATION & BY-LAWS OF THE APV APPROVED BY THE APV BOARD OF DIRECTORS 6/10/03**

**SEE RESOLUTION #5-03 REMOVING LANDS** located in a portion of Poinciana Village 7, Neighborhood 1 East and all of Village 7, Neighborhood 1 West

**POINCIANA SUBDIVISION DECLARATION REMOVAL OF LANDS FROM THE POINCIANA SUBDIVISION DECLARATION & BY-LAWS OF THE APV APPROVED BY THE APV BOARD OF DIRECTORS 4/13/04**

**SEE RESOLUTION #7-04 REMOVING LANDS** located in Poinciana Village 7, Neighborhood 1 East from the operation and purview of the Poinciana Subdivision Declaration.

**POINCIANA SUBDIVISION DECLARATION BY-LAWS**

**NOTICE OF MEETING AMENDMENT**

**APPROVED BY BOARD OF DIRECTORS 8/10/0410.** Notice of Meeting. Notice of all Board meetings shall be deemed sufficient upon the posting of such notice on the APV bulletin board located at 401 Walnut Street, Poinciana, Florida five business days prior to the meeting.

**POINCIANA SUBDIVISION DECLARATION REMOVAL OF LANDS FROM THE POINCIANA SUBDIVISION DECLARATION & BY-LAWS OF THE APV APPROVED BY THE APV BOARD OF DIRECTORS 10/12/04**

**SEE RESOLUTION #9-04 REMOVING 2 ACRES** located in Poinciana Village 7, Neighborhood 1 West from the operation and purview of the Poinciana Subdivision Declaration.

**POINCIANA SUBDIVISION DECLARATION REMOVAL OF LANDS FROM THE POINCIANA SUBDIVISION DECLARATION & BY-LAWS OF THE APV APPROVED BY THE APV BOARD OF DIRECTORS 6/14/05**

**SEE RESOLUTION #7-05 REMOVING LANDS** located in Poinciana Village 7, Neighborhood 1 West from the operation and purview of the Poinciana Subdivision Declaration.

**EXHIBIT E**

**DESCRIPTION OF EACH VILLAGE**

**VILLAGE ONE**

**Village One Association: Poinciana Village One Association, Inc.**

**Legal Description for Village Ten: See Exhibit E-1 attached hereto and made a part hereof**

**VILLAGE TWO**

**Village Two Association: Poinciana Village Two Association, Inc.**

**Legal Description for Village Two: See Exhibit E-2 attached hereto and made a part hereof**

**VILLAGE THREE**

**Village Three Association: Poinciana Village Three Association, Inc.**

**Legal Description for Village Three: See Exhibit E-3 attached hereto and made a part hereof**

**VILLAGE FOUR**

**Village Four Association: Poinciana Village Four Association, Inc.**

**Legal Description for Village Four: See Exhibit E-4 attached hereto and made a part hereof**

**VILLAGE FIVE**

**Village Five Association: Poinciana Village Five Association, Inc.**

**Legal Description for Village Five: See Exhibit E-5 attached hereto and made a part hereof**

**VILLAGE SIX**

**Village Six Association: Poinciana Village Six Association, Inc.**

**Legal Description for Village Six: See Exhibit E-6 attached hereto and made a part hereof**

**VILLAGE SEVEN**

**Village Seven Association: Poinciana Village Seven Association, Inc.**

**Legal Description for Village Seven: See Exhibit E-7 attached hereto and made a part hereof.**

**VILLAGE EIGHT**

**Village Eight Association: Poinciana Village Eight Association, Inc.**

**Legal Description for Village Eight: See Exhibit E-8 attached hereto and made a part hereof.**

**VILLAGE NINE: Also known as Broadmoor at Poinciana**

**Village Nine Association: Poinciana Village Nine Association, Inc.**

**Legal Description for Village Nine:**

All of the real property described in the Declaration of Use Restrictions for Broadmoor at Poinciana including all of Broadmoor, according to the plat thereof, recorded in Plat Book 3 at Page 263 through 267 of the Public Records of Osceola County, Florida.

**VILLAGE TEN: Also known as Solivita**

**Village Ten Association: Solivita Community Association, Inc.** Legal Description for Village Ten: All of the real property described in the Solivita Declaration recorded in Official Records Book \_\_\_\_ at Page \_\_\_\_ of the Public Records of Polk County, Florida.

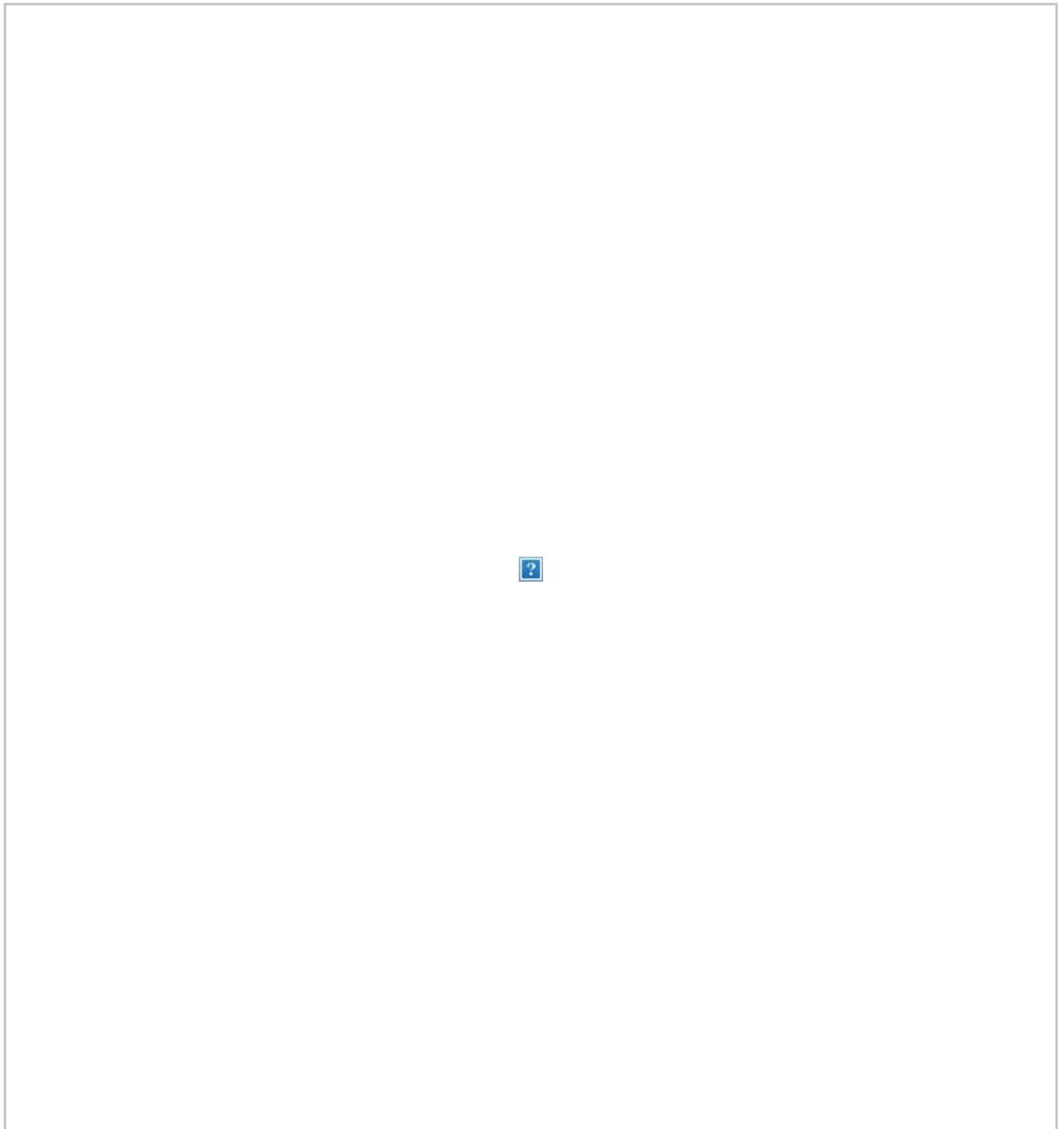
**EXHIBIT F**

**LEGAL DESCRIPTION OF LAND SUBJECT TO UTILITY AVAILABILITY FEE**

Lots 11 through 15, inclusive of Block 1275; Lots 10 through 18, inclusive of Block 1276; and all the property in Blocks 1277 through 1282; and all of the property in Blocks 1285, 1286, and 1291 through 1328; Lots 10 through 18 of Block 1329; Lots 12 through 19 of Block 1330; and all the property in Blocks 1337 through 1348; and Tracts E, F, G and H of POINCIANA NEIGHBORHOOD 3, VILLAGE 2, according to the plat thereof, as recorded in Plat Book 3 at Pages 109 through 119, of the Public Records of Osceola County, Florida.

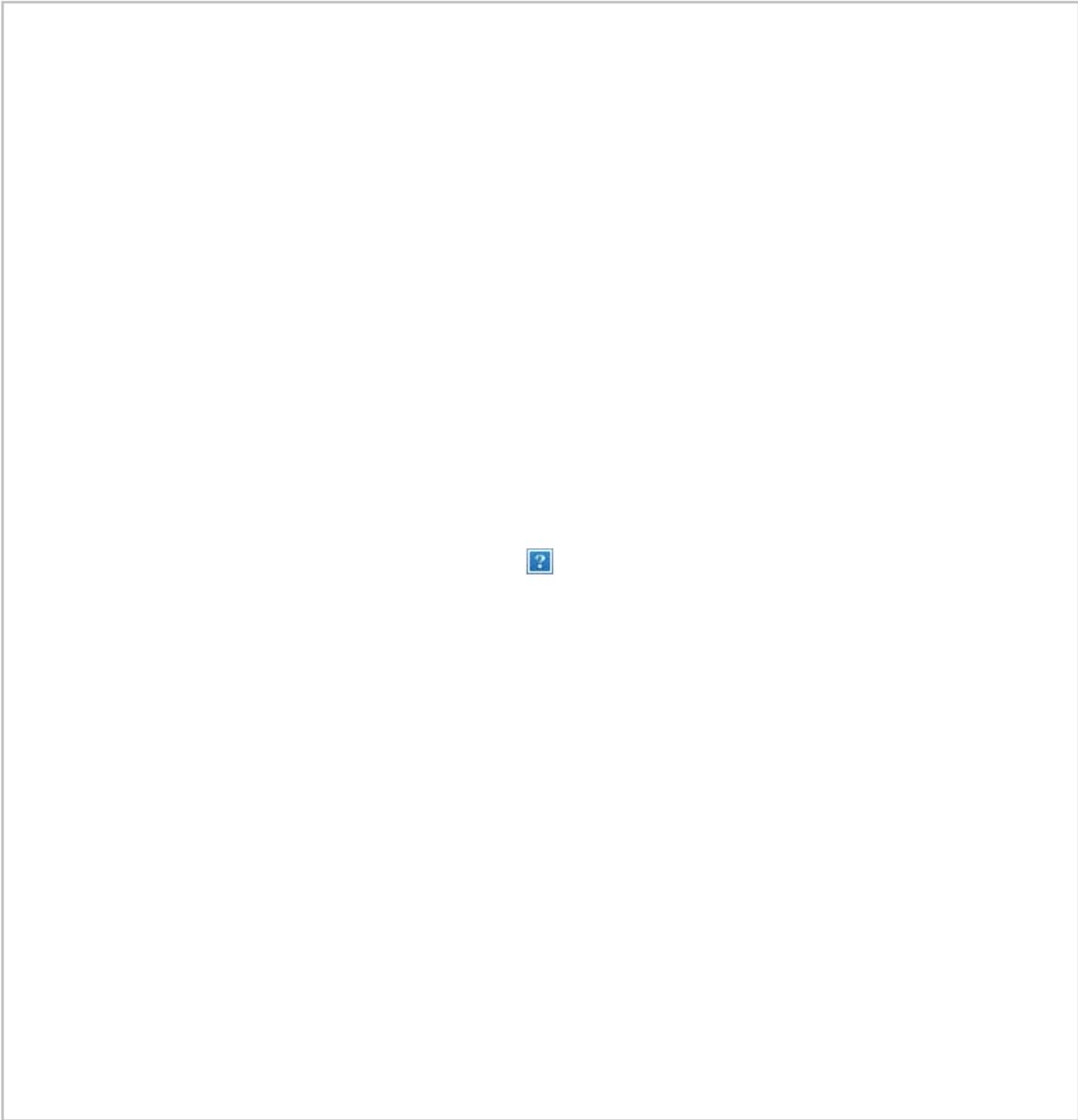
**EXHIBIT G**

**SKETCH OF TYPICAL FLAG LOT**



**EXHIBIT H  
SKETCH OF NON-TYPICAL FLAG LOT**

**NON-TYPICAL ARRANGEMENT FOR FLAG LOT NO. 17, 18, 19, 20**



Website updated 11/2013

  
INSTR # 2017073502  
BK 10121 Pgs 2028-2029 PG(s)2  
RECORDED 04/19/2017 09:17:50 AM  
STACY M. BUTTERFIELD,  
CLERK OF COURT POLK COUNTY  
RECORDING FEES \$18.50  
RECORDED BY shakcamp

  
CFN 2017036875  
Bk 5114 Pgs 143-144 (2 Pgs)  
DATE: 03/08/2017 01:38:18 PM  
ARMANDO RAMIREZ, CLERK OF COURT  
OSCEOLA COUNTY  
RECORDING FEES \$18.50

Prepared by and Return to:  
Charles L. Eldredge, Jr. Esq.  
Larsen & Associates, P.L.  
300 S. Orange Ave Ste 1575  
Orlando, FL 32810

### RESOLUTION NUMBER 2-17

WHEREAS, the Association of Poinciana Villages, Inc. (APV) is charged with the enforcement of the Poinciana Subdivision Declaration (Declaration) recorded in Book 1932 Page 2808 of the Official Records of Osceola County, Florida and in Book 4805 Page 410 of the Official Records of Polk County, Florida, as amended from time to time; and

WHEREAS, the Board of Directors of APV seeks to ensure the continued cleanliness of the properties subject to the Declaration; and

WHEREAS, APV wishes to clarify the restrictions. and

WHEREAS, Pursuant to Section 5 of the Declaration, the Board of Directors, by majority vote of the entire board, may amend the Declaration.

NOW, THEREFORE, it is hereby resolved by the Board of Directors of APV, as follows:

- 1) The forgoing recitals are true and incorporated herein.
- 2) Section 13.1 of the Poinciana Subdivision Declaration is amended as follows:

13.1 Garbage and Trash. No trash, garbage, construction debris or other waste material or refuse shall be placed or stored on any part of the property except in covered or sealed containers approved by the DCB. After construction is complete on a lot, all ~~all~~ such containers must be stored within each residence or concealed by means of a wall or enclosure approved by the DCB.

This Resolution was adopted by a vote by the Board of Directors of the Association of Poinciana Villages, Inc. on the 15th day of February, 2017.

<<Signatures on next page>>

Insertions are UNDERLINED. Deletions are ~~STRIKETHROUGH~~.

WITNESSES:

[Signature]  
 Signature  
 Print Name: Edonia M. Rodriguez

[Signature]  
 Signature  
 Print Name: Rosaide Morales

Association of Poinciana Villages, Inc.

[Signature]  
 Signature -President  
 Print Name: Dorothy McStay  
 Address: 2610 McDaniel Dr  
Kissimmee, FL 34758

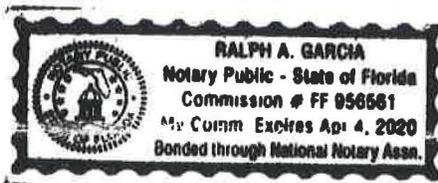
[Signature]  
 Signature- Secretary  
 Print Name: Linda-Ellen Cantreva  
 Address: 540 Bar Dr.  
Poinciana, FL 34759

STATE OF FLORIDA  
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of FEBRUARY, 2017 by DOROTHY MESTAY + LINDA-ELLEN CANTREVA, who (check one)  is personally known to me

has produced \_\_\_\_\_ as identification.

(SEAL)



[Signature]  
 Notary Public  
RALPH A. GARCIA  
 Printed Notary Name



STATE OF FLORIDA, COUNTY OF OSCEOLA - I HEREBY CERTIFY that the above and foregoing is a true copy of the original document recorded in the public records.  
 Armando Ramirez, Clerk of the Circuit Court  
 Dated 4/15/17 By [Signature] D.C.



INSTR # 2017073503  
 BK 10121 Pgs 2030-2031 PG(s)2  
 RECORDED 04/19/2017 09:17:50 AM  
 STACY M. BUTTERFIELD,  
 CLERK OF COURT POLK COUNTY  
 RECORDING FEES \$18.50  
 RECORDED BY shakecamp



CFN 2017036876  
 Bk 5114 Pgs 145-146 (2 Pgs)  
 DATE: 03/08/2017 01:38:18 PM  
 ARMANDO RAMIREZ, CLERK OF COURT  
 OSCEOLA COUNTY  
 RECORDING FEES \$18.50

Prepared by and Return to:  
 Charles L. Eldredge, Jr. Esq.  
 Larsen & Associates, P.L.  
 300 S. Orange Ave Ste 1575  
 Orlando, FL 32810

**RESOLUTION NUMBER 3-17**

WHEREAS, the Association of Poinciana Villages, Inc. (APV) is charged with the enforcement of the Poinciana Subdivision Declaration (Declaration) recorded in Book 1932 Page 2808 of the Official Records of Osceola County, Florida and in Book 4805 Page 410 of the Official Records of Polk County, Florida, as amended from time to time; and

WHEREAS, the Board of Directors of APV seeks to ensure the continued maintenance of the properties subject to the Poinciana Subdivision Declaration; and

WHEREAS, APV wishes to clarify the enforcement options available to it, and

WHEREAS, Pursuant to Section 5 of the Declaration, the Board of Directors, by majority vote of the entire board, may amend the Declaration.

NOW, THEREFORE, it is hereby resolved by the Board of Directors of APV, as follows:

1) The forgoing recitals are true and incorporated herein.

2) The first paragraph of Section 6.3 of the Poinciana Subdivision Declaration is amended as follows:

In particular, any construction, alteration, ~~or~~ other work done or failure to perform required maintenance or cleaning in violation of this Declaration, any rules and regulations, the Criteria or Guidelines is subject to enforcement action. Upon written request from the APV or Declarant, Owners shall, at their own cost and expense and within a reasonable time frame identified in the request, cure the violation or restore the Lot and/or home on such Lot to substantially the same condition as existed before the violation occurred. Should an Owner fail to cure the problem or otherwise restore the property as required, the APV, Declarant, or their designees shall have the right, but not the obligation to enter the Lot, remove the violation, and restore the Lot. All costs, together with the interest at the rate the maximum rate then allowed by Florida law, may be assessed against the Lot and collected in accordance with Section 9.4.2 of this Declaration.

This Resolution was adopted by a vote by the Board of Directors of the

Insertions are UNDERLINED. Deletions are ~~STRIKETHROUGH~~.

APV Resolution

Association of Poinciana Villages, Inc. on the 15th day of February, 2017.

**WITNESSES:**

Eldonia M. Padro  
 Signature  
 Print Name: Eldonia M. Padro

Rosaida Morales  
 Signature  
 Print Name: Rosaida Morales

**Association of Poinciana Villages, Inc.**

Dorothy McStay  
 Signature - President  
 Print Name: Dorothy McStay  
 Address: 2610 McDaniel Dr  
Kissimmee, FL 34758

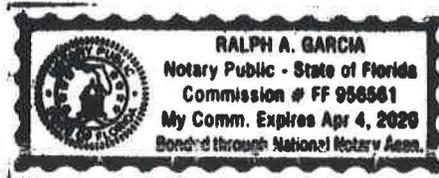
Linda-Ellen Cantreva  
 Signature - Secretary  
 Print Name: Linda-Ellen Cantreva  
 Address: 540 Bar Dr.  
Poinciana, FL 34759

STATE OF FLORIDA  
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 15th day of FEBRUARY, 2017 by DOROTHY MESTAY & LINDA-ELLEN CANTREVA, who (check one)  is personally known to me

has produced \_\_\_\_\_ as identification.

(SEAL)



Ralph A. Garcia  
 Notary Public  
RALPH A. GARCIA  
 Printed Notary Name



STATE OF FLORIDA, COUNTY OF OSCEOLA - I HEREBY CERTIFY that the above and foregoing is a true copy of the original document recorded in the public records.

Armando Ramirez, Clerk of the Circuit Court

Dated 4/15/17 By [Signature] D.C.