



April 2015

Having all our documents returned to us from our attorney, you now have the most current and up to date:

- 1. By Laws of Riverbend Acres Property Owners Association, Inc**
- 2. Deed Restrictions Riverbend Acres Property Owners Association, Inc**
- 3. Articles of Incorporation Riverbend Acres Property Owners Association, Inc**

Additional information

- 4. Volusia County guidelines for trash, recycling and yard waste**
- 5. Riverbend Acres Property Owners Association property owners**

NOTE: *In the future, if you plan to sell your home, you are required under Florida Statue 720.401(1)(a)9 to give the purchaser, prior to closing, a copy of the Riverbend Acres Property Owners Association. Inc. Deed Restriction, Articles of Incorporation and By Laws. Failure to do so would permit the buyers to void their contract to purchase.*

**UPDATED BY-LAWS
OF
RIVERBEND ACRES PROPERTY OWNERS ASSOCIATION, INC
(A Florida Non-Profit Corporation)**

ARTICLE I
NAME AND LOCATION

1.01 The name of this corporation is Riverbend Acres Property Owners Association, Inc., hereinafter referred to as the Association.

1.02 The initial principal office of the corporation shall be located at 295 Riverbend Road, Ormond Beach, FL 32174, which may be changed from time to time by resolution of the Board of Directors.

ARTICLE II
DECLARANT

2.01 These By-Laws are executed by the registered agent, John H. Olgren, (referred to herein as "Declarant") and recorded in the Public Records of Volusia County, Florida.

ARTICLE III
PURPOSE

3.01 The specific purposes for which this Association is formed are to provide for management, maintenance and preservation of the lots and common areas within the Riverbend Acres community, as defined in the Declarations of Covenants and Restrictions, and to promote the health, safety and welfare of the owners and residents within the Riverbend Acres community, and any additions thereto as may hereafter be brought within the jurisdiction of this Association, and to:

(a) Acquire (by gift, purchase or otherwise), own, hold improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real property in connection with the affairs of the Association.

(b) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Articles of Incorporation (the "Articles"), Declaration, and all supplementary or amended declarations, applicable to the Property and recorded in the Public Records of Volusia County, Florida and as the same may be amended from time to time.

(c) Fix, levy, collect, and enforce payment by any lawful means, of all charges or assessments pursuant to the terms of the Declaration.

(d) Pay all expenses incident to the conduct of the business of the Association.

(e) Have all powers authorized by law and to have and exercise all powers necessary or convenient to affect any or all purposes for which the corporation is organized.

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(A Florida Non-Profit Corporation)**

3.02 This Association is not organized for pecuniary gain or profit to the members thereof.

**ARTICLE IV
CORPORATE SEAL**

4.01 The corporate seal of the Association shall bear the name of the Association, the name Florida, the words "Corporation Not for Profit" and the year of incorporation.

**ARTICLE V
MEMBERSHIP**

5.01 The qualification of Members of the Association, the manner of their admission into membership and their termination from such membership shall be as set forth in Article 4 of the Articles.

5.02 Declarant shall be a Member of the Association so long as it holds title to any Lot or Dwelling Unit in the Property.

**ARTICLE VI
MEETINGS OF MEMBERS**

6.01 The Association shall have an annual meeting of its Members. The annual meeting shall be held on Tuesday of the second week of January and each subsequent regular annual meeting of the Members shall be held on the same day of the same month of each year thereafter, at a place in Volusia County designated by the Directors, at a time to be determined by the Directors. The date of the annual meeting of the Members may be changed by the vote of a majority of the Voting Members at any annual or special meeting of the Members.

6.02 Special meeting of the Members shall be held at any place within Volusia County, Florida, whenever called by the President or a majority of the Board of Directors. A special meeting must be called by the President upon receipt of a written request from twenty-five percent (25%) of the Members.

6.03 Meetings of the Members shall be open to all Members. Members have the right to speak for 3 minutes at any meeting with reference to all items opened for discussion or included on the agenda, provided that the member submits a written request to speak prior to the meeting. If a Member conducts himself in a manner detrimental to the carrying out of such meeting, then the Member may be expelled from the meeting by any reasonable means which may be necessary to accomplish such expulsion. Any person who is not able to provide sufficient proof that he is a Member may be excluded from the meeting unless said person was specifically invited to attend such meeting. The Association may adopt written reasonable rules governing the frequency, duration and other manner of member statements, which rules must be consistent with Section 720.306(6), Florida Statutes.

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6.04 A written notice of the meeting (whether the annual meeting or a special meeting of the Members) shall be mailed to each Member at his last known address as it appears on the books of the Association or alternatively shall be posted in a conspicuous place in the community. Such written notice of an annual meeting shall be mailed to each Member or posted in a conspicuous place in the community, not less than fourteen (14) days nor more than forty (40) days prior to the date of the annual meeting. Written notice of a special meeting of the Members shall be mailed or posted in a conspicuous place in the community not less than fourteen (14) days nor more than forty (40) days prior to the date of a special meeting. The written notice of a special meeting shall state the specific matter or matters to be voted on, and every written notice of a meeting, whether an annual meeting or special meeting, shall state the time and place of such meeting and shall be signed by an officer of the Association. Should a matter or matters to be voted on at a Members meeting require consideration by a Committee prior to said Members meeting, then the timing requirements for the written notice of the meeting shall be adjusted accordingly

6.05 The percentage of voting interests required to constitute a quorum at any annual or special meeting of the Members shall be thirty (30%) percent of the total voting interests. Decisions that require a vote of the Members shall be made by the concurrence of at least a majority of the voting interests present, in person or by proxy, at a meeting in which a quorum has been attained, unless a higher voting requirement is specified in the Articles, Declaration or otherwise provided in these By-Laws.

6.06 At the Annual Members Meeting; and as far as applicable and practical at other members meetings, the order of business shall be as follows:

- (a) Calling of the roll and certifying proxies
- (b) Proof of notice of the meeting
- (c) Reading and approval of minutes
- (d) Reports of officers and committees
- (e) Election of inspectors of election
- (f) Election by members or appointment by Declarant of Directors, where applicable
- (g) Unfinished business
- (h) New business

6.07 Correspondences and Minutes of all meetings of the Members shall be kept and made available for inspection by the Members, Voting Members, Directors and Institutional Mortgagees at reasonable times. The Association shall retain minutes for at least seven (7) years subsequent to the date of the meeting the minutes reflect. The Association may adopt reasonable written rules governing the frequency, time, location, notice, and manner of inspections, and may impose fees to cover the costs of providing copies of the official records, except a copy of the budget shall be provided to Members free of charge.

**UPDATED BY-LAWS
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ARTICLE VII
VOTING BY MEMBERS

7.01 Initially there shall be 56 properties in the Association. Additional properties may be added if additional parcels of the Property are platted; and the number of votes in the Association will increase correspondingly.

7.02 Members shall be all Owners. Members shall be entitled to one (1) vote for each Property Owned.

When a Member is entitled personally to exercise the vote for his/her Property, and more than one (1) person or entity is the Owner of the Property, the vote for such Property shall be exercised by that party designated on the records of the Secretary of the Association. In the absence of such designation, the Property Owner's vote shall be suspended if more than one (1) person or entity seeks to exercise it.

7.03 Association voting shall be conducted as follows:

(a) The presence at a meeting of Members and Voting Members entitled to cast thirty percent (30%) which shall constitute a quorum, except as otherwise provided in the Articles of Incorporation, Deed or these By-Laws. If, however, such Quorum shall not be present or represented at a duly called meeting, the Board may call a second meeting at which the quorum required for the first meeting shall be reduced to twenty percent (20%). The notice for the first meeting may include notice for the second meeting with the time and date for the second called meeting and shall be sufficient for any adjournment thereof.

(b) Voting Members shall be entitled to cast the votes attributable to their Lot or Dwelling Unit on all matters requiring action by the Members of the Association.

(c) At meetings of the membership, votes may be cast in person or by proxy. Proxies shall be valid only for the particular meeting designated thereon and must be filed with the secretary before the appointed time of the meeting. A member may withdraw his proxy at any time before it is voted. The 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 designated as the Voting Member in the records of the Association. If the proxy form expressly so provides, any proxy holder may appoint, in writing, a substitute to act in his or her place. Any proxy shall automatically expire 90 days after the date of the meeting for which it was originally given.

**UPDATED BY-LAWS
OF
RIVERBEND ACRES PROPERTY OWNERS ASSOCIATION, INC
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ARTICLE VIII
BOARD OF DIRECTORS ELECTIONS AND MEETINGS

8.01. The affairs and property of the Corporation shall be managed and governed by a Board of Directors composed of not less than three (3) nor more than (7) persons.

8.02 A Board Member may be removed by a majority vote of the Board of Directors or by written request from thirty (30) percent of the Property Owners.

8.03 The first meeting of a newly elected Board of Directors shall be held at such time and place as the Directors shall determine at the meeting at which they were elected. No further notice of the organizational meeting shall be necessary.

8.04 Regular meetings of the Board of Directors may be held at such time and place as shall be determined from time to time by a majority of Directors.

8.05 Notice of the time and place of regular and special meetings of the Board of Directors, or adjournments thereof, shall be given to each Director personally or by mail, telephone or email at least three (3) days prior to the day named for such meeting. Any Director may waive notice of a meeting before, during or after a meeting, and such waiver shall be deemed equivalent to the receipt of notice by such Director.

8.06 A quorum of the Board of Directors shall consist of the Directors entitled to cast a majority of the votes of the entire Board of Directors. Matters approved by a majority of the Directors present at a meeting at which a quorum is present shall constitute the official acts of the Board of Directors, except as otherwise provided in the Declaration, Articles or elsewhere herein. If at any meeting of the Board of Directors 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. At any meeting being held because of such an adjournment, any business which might have been transacted at the meeting as originally called may be transacted. In the case of a meeting, notice to the Directors of such adjournment shall, subject to the Declaration, be as determined by the Board of Directors.

8.07 The presiding officer at Board of Directors meetings shall be the President.

8.08 Minutes of all meetings of the Board of Directors shall be kept and made available for inspection by Members, Voting Members and Directors at reasonable times. The minutes shall be retained by the Association for at least seven (7) years subsequent to the date of the meeting the minutes reflect.

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8.09 Meetings of the Board of Directors shall be open to all Members, except for meetings between the Board and its attorney with respect to proposed or pending litigation where the contents of the discussion would otherwise be governed by attorney-client privilege. Notices of all board meetings shall be posted in a conspicuous place Riverbend Acres at least 48 hours in advance of a meeting, except in an emergency. Unless a Member serves as a Director or unless he has been specifically invited by the Directors to participate in a meeting of the Board of Directors, such Member shall not participate in the meeting, but shall only be entitled to act as an observer. However, on any matter placed on the agenda by petition of the voting interests, Members do have the right to speak for 3 minutes. If a member, not otherwise having the right to speak incident to a matter placed on the agenda by petition of the voting interests, or not otherwise invited by the Directors to participate in a meeting, attempts to become more than a mere observer at such meeting or conducts himself/herself in a manner detrimental to the carrying on of such meeting, then any Director may expel said Member from the meeting by any reasonable means which may be necessary to accomplish such expulsion. Any Director shall have the right to exclude from any meeting of the Board of Directors any person who is not able to provide sufficient proof that he is a Member, unless said person was specifically invited by the Directors to attend such meeting. The Association may adopt written reasonable rules expanding the right of members to speak and governing the frequency, duration and other manner of member statements, which rules must be consistent with Section 720.303(2)(b), and may include a sign-up sheet for members wishing to speak.

8.10 An Assessment may not be levied at a meeting of the Board of Directors unless the notice of the meeting includes a statement that assessments will be considered and the nature of the assessments. Written notice of the meeting at which special assessments will be considered, or at which amendments to rules regarding parcel use will be considered, or at which the agenda contains one or more items petitioned by twenty (20%) percent of the Members, must be sent to all Members not less than fourteen (14) days before the meeting.

ARTICLE IX
BOARD OF DIRECTORS POWERS AND DUTIES

9.01 The Board of Directors shall have the powers necessary for the proper administration of the affairs of the Association and it may do all acts and things which are not specifically reserved to be exercised and done by the Members in the Declaration, Articles of Incorporation or these By-Laws

9.02 In addition to the duties imposed by these By-Laws, the Declaration, or by resolution of the Association, the Board of Directors shall be responsible for the following:

(a) Upon receipt of the written request of twenty percent (20%) of the Members to address an item of business, the Board shall at its next regular board meeting or at a special meeting of the Board, but not later than 60 days after receipt of the petition, take the petitioned item up on an agenda; and to see that minutes of the meeting are kept.

**UPDATED BY-LAWS
OF
RIVERBEND ACRES PROPERTY OWNERS ASSOCIATION, INC
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(b) To establish, levy, assess, and collect the assessments or changes created or authorized by the Declaration and/or supplementary declaration.

(c) To adopt and then distribute to the property owners the Rules and Regulations governing the use of the property and the conduct of the Members, their families, guests and tenants as needed to protect the health, comfort, safety and welfare of the Members.

(d) To exercise for the Association, all powers, duties and authority vested in or delegated to this Association, except those reserved to the Members.

(e) To make and collect assessments authorized by the Declaration and to lease, maintain, repair and replace the common elements.

(f) To cause to be kept a complete record of all its acts and corporate affairs and to present a summary thereof to the Members at the annual meeting of the Members or at any special meeting.

(g) To maintain a Book of Rules and Regulations containing all Rules and Regulations adopted by the Board of Directors and committees of the Association from time to time.

(h) To maintain accounting records according to generally accepted accounting practices, which shall be available and open to inspection by Members or their mortgagees at reasonable hours or pursuant to reasonable rules promulgated by the Board of Directors regulating the frequency, time, location, notice and manner of inspections.

(i) To supervise all officers of the association and see that their duties are properly performed.

(j) To issue, upon the request of a Member, a certificate stating whether or not the assessments against the Member's Property have been paid, for which a reasonable charge may be made.

(k) To designate depositories for Association funds, designate those officers, agents and/or employees who have authority to withdraw funds from such accounts on behalf of the Association, and cause such persons to be bonded, as it may deem appropriate

(l) To hold a general meeting for Members for discussion of its proposed annual budget. Adoption of the annual budget shall be an affirmative vote of a majority of Directors.

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(m) By an affirmative vote of a majority of the Directors, to set an annual assessment at an amount sufficient to pay the expenses of the Association and to meet the obligations imposed by the Declaration and any supplementary declarations. Annual assessments may be due in quarterly installments at the discretion of the Board of Directors.

(n) To send written notice of each assessment to every Owner subject thereto at least thirty (30) days in advance of the due date of the annual assessment or first installment thereof. Quarterly notices will not be sent. Quarterly installments are due on the first day of January, April, July and October in the amount specified in the one notice.

(o) To accelerate the payment of any assessment for the balance of the Association's fiscal year and declare the entire balance immediately due and payable in full if any installment remains unpaid thirty (30) days after the installment due date.

(p) To take action it deems appropriate for the best interest of the Association with regard to assessments, which may include the filing of a lien against the property, the bringing of an action at law or equity against the Owner personally obligated to pay the same or to perfect, record and foreclose a lien against the property.

(q) To produce and maintain adequate insurance policies to protect the improvements to the common areas and personal property of the Association and its Directors, officers and committee members and employees and to protect its liability exposure.

(r) To appoint such committees as prescribed in the declaration or herein or as it otherwise deems appropriate.

(s) To exercise their powers and duties in good faith with a view to advancing the interest of the Association, and to this end, adopt appropriate guidelines for action on matters where a potential problem may exist.

(t) To enforce the governing documents of the Association as provided in Section 720.305 Florida Statutes (2007) as amended from time to time.

**ARTICLE X
OFFICERS**

10.01 The officers of this Association shall be President and Vice President, who shall at all times be Members of the Board of Directors, a Secretary, and a Treasurer, and such other officers as the Board may from time to time by resolution create.

10.02 The election of officers shall take place at the first meeting of the Board of Directors following each annual meeting of the Members.

**UPDATED BY-LAWS
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10.03 The officers of this Association shall be elected annually by the Board and each shall hold office for one (1) year, or until their successors are duly elected and qualified, unless the officer shall sooner resign, or shall be removed, or otherwise be disqualified to serve.

10.04 The Board may elect such other officers as the affairs of the Association may require, each of whom shall hold office for such period, have such authority, and perform such duties as the Board may, from time to time, determine.

10.05 Any officer may be removed from office with or without cause by the Board. Any officer may resign at any time by giving written notice to the Board, the President or the Secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

10.06 A vacancy in any office may be filled by appointment by the Board. The officers appointed to such vacancy shall serve for the remainder of the term of the officer being replaced.

10.07 Any person may hold two or more of the same offices except that the President shall not also be the Secretary or Treasurer.

10.08 The President shall be chief executive officer of the Association, who shall have all of the powers and duties which are usually vested in the office of the President of a property owners association, including, but not limited to, the power to appoint such committees at such times from among the Members as the President may, in the President's discretion, determine appropriate to assist in conducting the affairs of the Association. The President shall preside at all meetings of the Board of Directors.

10.09 In the absence or disability of the President, the Vice President shall exercise the powers and perform the duties of the President. The Vice President shall also generally assist the President and exercise such other powers and perform such other duties as shall be prescribed by the Board of Directors.

10.10 The Secretary shall cause to be kept the minutes of all meetings of the Board of Directors and the Members; shall have custody of the seal of the Association and shall affix the same to instruments requiring such seal when duly authorized and directed by the Board of Directors to do so; shall keep the records of the Association, except those of the Treasurer; and shall perform all duties incident to the office of the Secretary of the Association as may be required by the Board of Directors or the President.

10.11 The Treasurer shall have custody of all the property of the Association, including funds, securities and evidences of indebtedness; shall keep the assessment rolls and accounts of the Members; shall keep the books of the Association in accordance with good accounting practices; and shall perform all the duties incident to the office of a Treasurer.

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ARTICLE XI
ACCOUNTING RECORDS AND FISCAL MANAGEMENT

11.01 The Board of Directors shall appoint a Budget Committee to be responsible for establishing and maintaining the accounting policies and procedures of the Association.

ARTICLE XII
OBLIGATIONS OF OWNERS

12.01 All Owners are obligated to pay the periodic assessments imposed by the Association.

12.02 Every Owner and occupant of any Lot or Dwelling Unit, their family members, guests, or invitees shall comply with all lawful provisions of this Declaration, the Articles, the By-Laws, and the rules and regulations of the Association. Failure to comply shall be grounds for an action to recover sums due, for damages or injunctive relief, or for any other remedy available at law or in equity, maintainable by the Association or, in a proper case, by any aggrieved Lot or Dwelling Unit Owner or Owners. In addition, the Association may avail itself of any and all remedies provided in this Declaration or the By-Laws. The Owner shall be liable to the Association for all violations of the governing documents due to the acts or omissions of Owner, Owner's family members, guests or invitees.

12.03 Conduct of Members, their family members, guests, or invitees shall be governed by rules and regulations, which from time to time may be adopted by the Board and adopted by committees appointed by the Board.

12.04 Noise will be limited from 7:30am to 11pm. This is to include lawn maintenance, construction, music and loud parties.

12.05 Within the Riverbend Acres community the maximum speed limit is 25 mph for all residents and guests.

ARTICLE XIII
RULES AND REGULATIONS

13.01 The Board of directors may adopt Rules and Regulations for the operation and use of the Riverbend Acres community at any meeting of the Board of Directors. Copies of any Rules and Regulations promulgated, amended or rescinded shall be mailed to all Owners at their last known address as shown on the books and records of the Association and shall not take effect until forty-eight (48) hours after such mailing.

**UPDATED BY-LAWS
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ARTICLE XIV
COMMITTEES

14.01 The Board shall appoint the committees hereinafter named and such other committees as it deems appropriate to carry out its purposes. Committees shall consist of not less than three (3), nor more than five (5) members and shall serve at the pleasure of the Board unless otherwise specified in the Declaration or these By-Laws.

14.02 Budget Committee

The duties of this committee shall be as defined in these By-Laws and include establishing and maintaining the accounting policies and procedures of the Association, reviewing the financial condition of the Association at least semi-annually, reporting the financial condition to the Board, and recommending the annual budget to the Board.

14.03 Elections Committee

The duties of this committee shall include designing and duplicating ballots for each election, controlling the distribution of ballots, verifying; counting and tabulating all ballots and certifying the results to the meeting. The chairman may receive ballots starting 48 hours prior to election.

14.04 Enforcement Committee

The duties of this committee are set forth in Article XV of these By-Laws.

ARTICLE XV
ENFORCEMENT PROCEDURE

15.01 The Association shall have the right to levy fines against an Owner or its guests, relatives, or lessees, in the manner provided herein, and such fines shall be collectible as provided under Chapter 720.305 Florida Statutes.

15.02 Board of Directors (the "Appointing Board") shall have the power to create an Enforcement Committee to be comprised of three (3) members who are not officers or directors. The Enforcement Committee shall serve a term consistent with the term of its Appointing Board. Members of the Enforcement Committee may be replaced with or without cause by majority vote of the Board of Directors.

**UPDATED BY-LAWS
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15.03 A fine or suspension may not be imposed without providing notice of at least 14 days to the Member or other person sought to be fined or suspended, giving them an opportunity to rectify the alleged non-complying condition. Alleged non-complying Members shall be notified by certified mail, return receipt requested or by hand delivery, of the alleged non-complying condition.

15.04 Conduct of Enforcement Hearing:

(a) Alleged Non-complying Members shall be notified by certified mail, return receipt requested, or by hand delivery, of a hearing at least fourteen (14) days in advance of said hearing. No alleged Non-complying Member shall be given notice of hearing before the Enforcement Committee unless said Alleged Non-Complying Member has first been given reasonable opportunity to rectify the alleged Non-complying condition.

(b) The Chairperson of the Enforcement Committee may call hearings of the Enforcement Committee; hearings may also be called by written notice signed by any member of the Enforcement Committee.

(c) The Chairperson shall present each case before the entire Enforcement Committee, and the Alleged Non-complying Member shall be given reasonable opportunity to be heard after the Chairperson's presentation. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern said proceedings.

(d) At the conclusion of the hearing, the Enforcement Committee shall issue an order affording the proper relief, if any, consistent with the powers granted herein. The orders shall be by motion approved by at least two (2) members of the Enforcement Committee in order for the action to be official.

15.05 The Enforcement Committee shall have the power to:

(a) Adopt rules for the conduct of its hearings;

(b) Effectuate the provisions set forth in this provision;

(c) Issue orders consistent with this provision; and

(d) Order Non-complying Members, adjudged so pursuant to the provisions of this paragraph, to pay a fine not to exceed One Hundred Dollars (\$100.00) for each day the violation continues past the date set by the Enforcement Committee for compliance, and not to exceed One Thousand Dollars (\$1,000.00) in the aggregate.

**UPDATED BY-LAWS
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ARTICLE XVI
PARLIAMENTARY RULES

16.01 The then latest edition of Robert's Rules of Order shall govern the conduct of meetings of this Association; provided, however, if such Rules of Order are in conflict with the Articles, these By-Laws or the Declaration, then the Articles, By-Laws or Declaration, as the case may be, shall govern.

ARTICLE XVII
AMENDMENT OF THE BY-LAWS

17.01 These By-Laws may be amended by the affirmative vote of Voting Members representing not less than fifty one (51%) percent of the votes presented at an Annual Meeting or a special meeting of the Members and the affirmative approval of a majority of the Board of Directors at a regular or special meeting of the Board of Directors. A copy of the proposed amendment shall be sent to each Member or posted in a place within the community along with the notice of the special meeting of the Members or the Annual Meeting. An amendment may be approved at the same meeting of the Board of Directors and/or Members at which such amendment is proposed.

17.02 An amendment may be proposed by either the Board of Directors or by the Members, and after being proposed and approved by one of such bodies, it must be approved by the other as above set forth in order to become enacted as an amendment.

17.03 Amendments to these By-laws shall be made in accordance with the requirements of the law and amendments thereto in effect at the time of amendment.

17.04 No modification or amendment to these By-Laws shall be effective which would affect or impair the priority or validity of a mortgage held by any Institutional Mortgagee.

ARTICLE XVIII

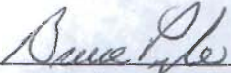
18.01 In the event of any conflict between the provisions of the Declaration, the Articles and the provisions of these By-Laws, the provisions of the Declaration and/or Articles shall prevail.

Mike Williams
Linda M. Kusiak
Rosa Jones
Kimberly L. Jones

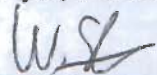
Bruce L. L.
W. Stoo
John H. O'Grew

**UPDATED BY-LAWS
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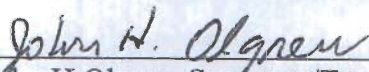
The foregoing By-Laws of Riverbend Property Owners Association, Inc. are hereby adopted by the Directors this 25th day of February, 2015.




Bruce Pyle, President



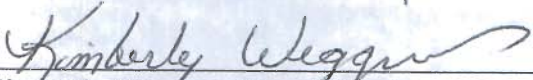
Wade Stoner Vice President



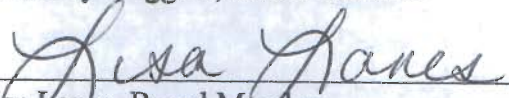
John H Olgren, Secretary/Treasurer



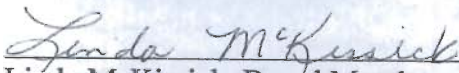
Ella Wellman, Board Member



Kimberly Wiggins, Board Member



Lisa Lanes, Board Member



Linda McKissick, Board Member

DEED RESTRICTIONS RIVERBEND ACRES SUBDIVISION

RESTRICTIONS

1. Only one family dwelling unit per lot shall be allowed. No additional structures are to be altered as to provide additional living area. No property may be subdivided. No business, commercial or manufacturing enterprise of any nature shall be operated on any of the properties. No offensive activity shall be carried on upon any property; nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood. Except for a reasonable period during actual construction of a residence, no trailer, tent, shack or other structure shall be erected or used upon any property, and in no event shall such structure be used as living quarters, whether temporary or permanent
2. Minimum house square footage shall be 1600 square feet of enclosed living area. Concrete block exteriors will not be allowed. Ranch style, rough stained wood, glass, brick, stucco, and native stone exteriors are encouraged. Construction of the house must be completed within one year of commencement. All detached buildings shall conform to the same styling, structural design, and exterior appearance of the main residence. No detached buildings shall project beyond the front of the main house. Setbacks shall be 50 feet minimum from any street and 20 feet minimum from any other lot line for all structures unless otherwise approved by Grantors. No buildings shall be erected on any property until the construction plans and site plan have been approved by Volusia County as to quality of materials.
3. All easements shall be perpetual in duration. Utility easements shall be defined as easements for installation, construction, reconstruction, maintenance, repair, operation and inspection of sewer, water, drainage, electric, gas, telephone, cable. Utility easements and drainage easements are hereby reserved over the rear ten feet of each and every lot for the purpose of allowing any and all necessary utilities and storm drainage channels. No structure, planting, or other material shall be placed or permitted to remain which may cause inaccessibility for maintenance of utilities within said easements. The landscaping and maintenance of the easement area adjacent to each parcel shall be maintained by the owner of the property.
4. No drilling, logging or mining operations shall be carried on or permitted upon any property, with the exception of drilling for water purposes.
5. One commercial sign maybe displayed when home improvements are being made and must be removed 1 week after completion of said work. One sign not to exceed five square feet may be used to advertise the property for sale or rent. Political signs maybe displayed on said property not more than 30 days prior to election and must be removed no later than 2 days after the election.

DEED RESTRICTIONS RIVERBEND ACRES SUBDIVISION

6. No barbed wire or hog wire fencing shall be allowed. Fencing along the front lot line and side property lines back to a point in alignment with the front of the home shall be of a decorative nature and subject to approval of the Board. No chain link fencing shall be allowed along this line.

7. a. All home, structures, fences, lawns, etc. shall be maintained in a neat and orderly manner at all times. Lawns must not exceed 6 Inches in height. After one notice of non-compliance, the owner must have lawn in compliance within 5 days or the Riverbend Acres Property Owners Board of Directors will have said yard brought into compliance and owner will be billed for the work that had to be completed.

b. Vehicles not in compliance of Florida State and Volusia County regulations will not be permitted and the proper code enforcement department will be notified. Refuse piles, debris, trash, scrap metal or other unsightly objects will not be permitted. All exterior trash and/or recycle receptacles ("Receptacles") shall be screened from view of the adjoining property owners and the roadway when not placed on the curb for pickup. Owners may not place Receptacles curbside for pick up earlier than twelve (12) hours prior to the scheduled pick up time. Owners must retrieve Receptacles no later than twelve (12) hours after the scheduled pick up time.

8. Mobile homes will not be allowed under any conditions. Travel trailers, campers or motor homes may not be used for permanent living purposes and must be stored in an attractive and inoffensive manner. Travel trailers, boats, boat trailers, campers, and motor homes may not be parked on the front portion of any property for more than 48 hours. In the event of an area community event friends and family of the home owner, staying at the resident may use an RV during the event. Not to exceed two weeks (14 days).

9. Water and sewer systems will be individually supplied and maintained by the property owner. They must be permitted by governing agency prior to installation.

10. a. Only domestic animals will be allowed. No restrictions will be placed on the number allowed unless and excessive number becomes a public or health nuisance.

b. Domestic animals are defined as dogs, cats and parrots only. Parrots are defined as birds that are kept as domestic pets inside the home. Ducks, chickens, and other fowl kept for their eggs or flesh are prohibited.

c. Property Owners must leash their dogs when the dog is off the Property Owner's property. Owners must clean up after their dogs. No farm animals, including without

DEED RESTRICTIONS RIVERBEND ACRES SUBDIVISION

limitation, fowl, reptiles or snakes of any nature will be permitted within the boundaries of River bend Acres Sub Division. Any violations of this section will be reported to County Code Enforcement.

11. a. Riverbend Acres Property Owners Association shall be to guarantee the continuing enforcement of these covenants. All owners of property in the subdivision shall be required to become members of such association. Each lot shall have one vote in all matters. The Board of Directors of the Association shall set the assessment prior to the Annual Meeting for the following year. Failure to pay such assessments as caused within thirty (30) days from the due date shall entitle the association to place a twenty (20) percent per month penalty.

b. Then in the event of a violation of these covenants and restrictions, the Property Owners Association, as the case may be, shall give notice in writing to the present owner in violation. If the violation is not corrected within fifteen (15) days, the Property Owner Association may correct the default, at its discretion in which case the property shall be subject to a lien for the amount expended in correcting such default. Such lien shall be perfected upon the filing in Volusia County Public Records of a claim of lien signed by the Property Owners Association or its attorney setting forth the description of the property, the amount of lien, and the nature of the violation.

12. The Property Owners Association reserves the right to amend these Restrictions at any time with 51 percent of the property owner's approval. A special meeting will be called and amendments will be voted on. A proxy vote ballot must be mailed to all property owners.

13. These covenants are to run with the land and shall be binding on all parties and all parties claiming under them for a period of thirty (30) years from the date hereof, after which said covenants shall automatically extended for successive periods of ten (10) years, unless an instrument signed by a majority of the then record owners of property has been recorded agreeing to change the covenants in whole or in part.

DEED RESTRICTIONS RIVERBEND ACRES SUBDIVISION

IN WITNESS WHEREOF, the undersigned has executed these Revived Declaration of Covenants and Deed Restrictions as of this 25th day of February, 2015.

Frank Ganz
Print Name: Frank Ganz
Witness

Rebecca Pyle
Print Name: Rebecca Pyle
Witness

RIVERBEND ACRES PROPERTY OWNERS
ASSOCIATIONS, INC.

By: Bruce Pyle
Name: Bruce Pyle
Title: President

Frank Ganz
Print Name: Frank Ganz
Witness

Rebecca Pyle
Print Name: Rebecca Pyle
Witness

RIVERBEND ACRES PROPERTY OWNERS
ASSOCIATIONS, INC.

By: John H. Ogren
Name: John H. Ogren
Title: Secretary/Treasurer

STATE OF FLORIDA

COUNTY OF VOLUSIA

I hereby certify that on this day, before me, a Notary Public duly authorized in the State and County named above to take acknowledgements, personally appeared John Ogren, and Bruce Pyle, to be known to me to be the persons described as subscribers in and who executed the foregoing Revived Declaration of Covenants and Deed Restrictions and acknowledged before me that they subscribed to said Articles of Incorporation.

WITNESS my hand and official seal in the County and State named above this 25th day of February, 2015.

Jody King
Notary Public, State of Florida at
Large
My Commission Expires:



**ARTICLES OF INCORPORATION OF
RIVERBEND PROPERTY OWNERS ASSOCIATION, INC.**
(A Florida Non-Profit Corporation)

ARTICLE 1
NAME

The name of the corporation shall be Riverbend Acres Property Owners Association, Inc. For convenience, the corporation shall be referred to in this instrument as "The Association."

ARTICLE 2
PURPOSE

2.1 The purpose for which the Association is organized is to provide an entity to carry out and accomplish the purposed described in these Articles of Incorporation ("Articles") and the Declaration of Covenants and Restrictions for Riverbend Acres Subdivision Unit 1, and Unit 3.

2.2 The Association shall make no distributions of income to its members, directors or officers, being conducted as a non-profit organization for the benefits of its members.

ARTICLE 3
POWERS

The Association shall have the following powers:

3.1 The Association shall have all of the common laws and statutory powers of a corporation not for profit not in conflict with the terms of these Articles.

3.2 The Association shall have the power to administer and enforce the provisions of the Declarations and all of the powers and duties reasonably necessary to carry out the responsibilities and duties conferred upon it by the Declarations, as it may be amend and supplemented from time to time, including but not limited to, the following:

**ARTICLES OF INCORPORATION OF
RIVERBEND PROPERTY OWNERS ASSOCIATION, INC.**
(A Florida Non-Profit Corporation)

a) To make and establish reasonable rules and regulations regarding the use of Association common property subject to its jurisdiction.

b) To make and collect assessments against members of the Association to defray the cost, expenses and losses of the Association.

c) To use the proceeds of assessments in the exercise of its powers and duties.

d) To maintain, repair, replace, operate and manage the Association property, including the right to reconstruct improvements after casualty and to make and construct additional improvements upon the Association property.

e) To purchase insurance upon the Association property and improvements and insurance for the protection of the Association and its members.

f) To enforce by legal means the provisions of the Declarations of Covenants Articles of Incorporation and Deed Restrictions and any supplemental Declarations, the Articles of Incorporation, the Bylaws of the Association which may be hereafter have been adopted and the rules and regulations governing the use of the Association property.

g) To contract for the management of the Association property and to delegate to such contractor all powers and duties of the Association except such as are specifically required by the Declaration of Covenants and Restrictions to have approval of the Board of Directors or the membership of the Association.

h) To contract for the management and operation of the portions of the Association property susceptible of separate management or operation, and to lease such portions.

i) To employ personnel and engage such professional assistance as may be necessary to perform the service required for the proper operation of the Association and its Properties.

**ARTICLES OF INCORPORATION OF
RIVERBEND PROPERTY OWNERS ASSOCIATION, INC.**
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j) To exercise, undertake and accomplish all of the rights, duties and obligations which may be granted to or imposed upon the Association pursuant to the Deed Restrictions and any Declarations supplementary thereto.

3.3 All funds of the Association, shall be held for the benefit of the members of the Association in accordance with the provisions of the Deed Restrictions, these Articles of Incorporation and the Bylaws.

ARTICLE 4
MEMBERS

4.1 Change of membership in the Association shall be established by recording in the Public Records of Volusia County, Florida, a deed or other instrument establishing a record title to a lot subject to assessment by the Association. The owner or owners designated by such instrument thus becomes a member of the Association, and the membership of the prior owner is terminated.

4.2 The interest of a member in the funds of the Association cannot be assigned, hypothecated or transferred in any manner. The funds and assets of the Association belong solely to the Association subject to the limitation that the same be expended, held or used for the benefit of the membership and for the purposes authorized herein, in the Deed and Restrictions, and in the Bylaws which may be hereafter adopted.

4.3 On all matter on which the membership shall be entitled to vote, there shall be one vote appurtenant to each single family residential property.

Votes may be exercised or cast by the owner or owners of each lot as may be provided in the Deed Restrictions and the Bylaws hereafter adopted by the Association.

ARTICLE 5
PRINCIPAL OFFICE

The principal office of the Association shall be located at 295 Riverbend Road, Ormond Beach, Florida, but the Association may maintain offices and transact business in such other

**ARTICLES OF INCORPORATION OF
RIVERBEND PROPERTY OWNERS ASSOCIATION, INC.**
(A Florida Non-Profit Corporation)

places within the State of Florida as may from, time to time be designated by the Board of Directors.

ARTICLE 6
DIRECTORS

6.1 The affairs of the Association will be managed by a Board consisting of not less than three (3) nor more than seven (7) directors. The number of members of the Board of directors shall be as provided from time to time by the Bylaws of the corporation, and in the absence of such determination, shall consist of three (3) directors.

6.2 Directors of the Association shall be elected at the annual meeting of the members in the manner determined by the Bylaws. Directors may be removed and vacancies on the Board of Directors shall be filled in the manner provided by the Bylaws. If more than one property owner, only one may serve as a board member at any given time.

6.3 The Board of Directors shall elect a President, Vice President, Secretary and Treasurer. The President shall be elected from among the membership of the Board of Directors. The same director may hold two offices, the duties of which are not incompatible provided, however, that the office of President and Vice President shall not be held by the same person, nor shall the office of President and Secretary nor President and Treasurer.

ARTICLE 7
OFFICERS

The affairs of the Association shall be administered by the officers elected by the Board of Directors. The officers shall be elected by the Board of Directors at its first meeting following the annual meeting of the members of the Association and shall serve at the pleasure of the Board of Directors.

**ARTICLES OF INCORPORATION OF
RIVERBEND PROPERTY OWNERS ASSOCIATION, INC.**
(A Florida Non-Profit Corporation)

ARTICLE 8
INDEMNIFICATION

Every director and officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon her/him in connection with any proceeding or any settlement of any proceeding to which she/he may be a party or in which she/he may become involved by reason of his being or having been a director or officer of the Association, whether or not she/he is a director or officer at the time such expenses are incurred, except when the director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of her/his duties; provided that in the event of a settlement the indemnification shall apply only when the Board of Directors approved such settlement or reimbursement as being for the best interest of the Association. The forgoing right of indemnification shall be in addition to and not exclusive of all other rights to which such director or officer may be entitled.

ARTICLE 9
BYLAWS

The ~~first~~ Bylaws of the Association shall be adopted by the Board of Directors and may be altered, amended or rescinded in the manner provided by the Bylaws.

ARTICLE 10
TERM

The term of the Association shall be perpetual.

ARTICLE 11
AMENDMENTS

Except as otherwise herein provided, amendments to the Articles of Incorporation shall be proposed and adopted in the following manner:

11.1 A Resolution for the adoption of a proposed amendment may be proposed by the Board of Directors of the Association acting upon a vote of a majority of the directors, or by

**ARTICLES OF INCORPORATION OF
RIVERBEND PROPERTY OWNERS ASSOCIATION, INC.**
(A Florida Non-Profit Corporation)

members of the Association to whose lots represent twenty five (25) percent of the total votes are appurtenant, whether meeting as members or a proxy vote signed by them.

11.2 Upon any amendment or amendments to these Articles of Incorporation being proposed by said Board of Directors or members, such proposed amendment or amendments shall be transmitted to the President of the Association or other officer of the Association in the of absence of the President, who shall thereupon call a special meeting of the members of the Association for a day no sooner than fourteen (14) days nor later than sixty (60) days from receipt by him of the proposed amendment or amendments. It shall be the duty of the secretary to given notice of such meeting, stating the time and place of the meeting and the proposed amendment or amendments. Such notice shall be, posted within Riverbend Acres or presented personally to each member, or mailed to each member, not less than ten (10) days nor more than thirty (30) days before the date set forth for such meeting. If mailed, such notice shall be deemed to be properly given when deposited in the United States mail, addressed to the member at his post office address as it appears on the records of the Association, the postage thereon prepaid. Any member may, by written waiver of notice signed by such member, waive such notice, and such waiver when filed in the records of the Association, whether before or after the holding of the meeting, shall be deemed equivalent to giving of such notice to such member. In order to become effective, the proposed amendment or amendments must be approved by the affirmative vote of a majority of the total votes appurtenant to all lots subject to Association assessments.

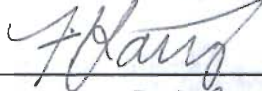
A copy of each amendment, after it has become effective shall be transcribed and certified in such form as may be necessary to register the same in the office of the Secretary of State of the State of Florida, and upon the registration of such amendment or amendments with the Secretary of State, a certified copy thereof shall be recorded in the Public Records of Volusia County, Florida.

11.3 At any meeting held to consider any amendment or amendments of these Articles of Incorporation, the written vote of any member of the Association shall be recognized, if such member is not in attendance at such meeting or represented by proxy, provided such written notice is delivered to the Secretary of the Association at or prior to such meeting.

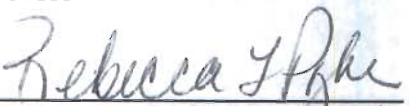
**ARTICLES OF INCORPORATION OF
RIVERBEND PROPERTY OWNERS ASSOCIATION, INC.**
(A Florida Non-Profit Corporation)

11.4 No amendment shall be made that is in conflict with the Deed Restrictions or any supplementary Declaration filed pursuant thereto. No amendment to these Articles of Incorporation which shall abridge, amend or later the rights of Riverbend Acres Property Owners Association, Inc. may be adopted or become effective without prior written consent of Riverbend Property Owners Association, Inc.

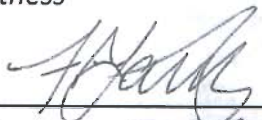
IN WITNESS WHEREOF, the undersigned has executed these Articles of Incorporation as of this 25th day of February, 2014~~5~~


Print Name: Frank Ganz

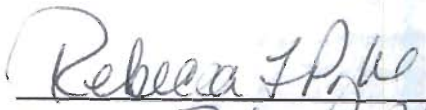
Witness


Print Name: Rebecca Pyle

Witness

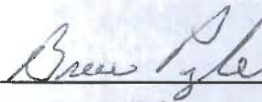

Print Name: Frank Ganz

Witness

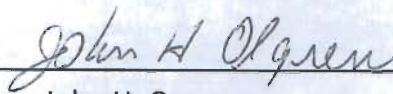

Print Name: Rebecca Pyle

Witness

RIVERBEND ACRES PROPERTY OWNERS
ASSOCIATIONS, INC.

By: 
Name: Bruce Pyle
Title: President

RIVERBEND ACRES PROPERTY OWNERS
ASSOCIATIONS, INC.

By: 
Name: John H. Ogren
Title: Secretary/Treasurer

**ARTICLES OF INCORPORATION OF
RIVERBEND PROPERTY OWNERS ASSOCIATION, INC.**
(A Florida Non-Profit Corporation)

STATE OF FLORIDA

COUNTY OF VOLUSIA

I hereby certify that on this day, before me, a Notary Public duly authorized in the State and County named above to take acknowledgements, personally appeared John Olgren, and Bruce Pyle, to be known to me to be the persons described as subscribers in and who executed the foregoing Articles of Incorporation, and they acknowledged before me that they subscribed to said Articles of Incorporation.

WITNESS my hand and official seal in the County and State named above this 25th day of February, 2015.

Jody King
Notary Public, State of Florida at
Large
My Commission Expires:

