

BYLAWS
OF
BRAYWICK OWNERS ASSOCIATION, INC.

ARTICLE I

DEFINITIONS

The definitions of all terms contained herein shall be the same as the definitions set forth in the Declaration or the Articles.

ARTICLE II

MEETINGS OF MEMBERS

Meetings shall be held of the members of the Association at such time and place as shall be determined by a majority of the Board. Written notice of each meeting of the members shall be given by or at the direction of the Board by mailing a copy of such notice, postage prepaid, at least ten (10) days prior to such meeting. Such notice shall be mailed to each member as of the date of such mailing at the address appearing on the records of the Association as of that date. Such notice shall specify the time, place, date and purpose of the meeting.

The presence at the meeting of members and proxies entitled to cast a majority of the votes of each class of membership shall constitute a quorum for any action except as otherwise provided by the Articles, the Declaration or these Bylaws. If, however, such quorum shall not be present or represented at any meeting, the members entitled to vote at such meeting shall have the power to adjourn the meeting, without notice other than announcement at the meeting, until a quorum is present or represented.

At all meetings of members, each member may vote in person or by proxy. All proxies shall be in writing and filed with the secretary of the Association prior to such meeting. Each proxy shall be revocable and shall automatically cease upon conveyance by a member of his Residential Lot.

ARTICLE III

BOARD OF DIRECTORS

While there is still a Class B membership, the number of directors shall be determined and appointed by the Declarant provided that there shall not be less than three (3) directors. Thereafter, there shall be three

(3) Board members until such time as the number of directors is changed by a majority vote of a quorum of the members entitled to vote at a meeting called for such purpose.

Each director shall serve for a term of twelve (12) months or until a successor director is elected by the members or appointed by the Declarant or the Board.

Any director may be removed from the Board, with or without cause, by a majority vote of the members of the Association or in the event a member of the Board is absent from three (3) consecutive meetings of the Board, by a majority vote of the members of the Board. In the event of the death, resignation or removal of a director, his successor shall be selected by the remaining members of the Board and shall serve for the unexpired term of his predecessor.

The directors shall have the right to take any action in the absence of a meeting which they could take at a meeting by obtaining the written approval of a majority of the directors. Any action so approved shall have the same effect as taken at a meeting of the directors.

ARTICLE IV

NOMINATION AND ELECTION OF DIRECTORS

The initial Board shall be appointed by the Declarant and shall serve until successor directors are elected or until removed from the Board by the Declarant, in the case of Board members appointed by the Declarant.

Upon termination of the Class B membership, the existing Board or a majority of the members shall have the right to call for a general election for the Board (hereinafter referred to as the "First General Election"). The First General Election shall be held at a place and time to be determined by the then existing Board but in no event shall such election be held more than sixty (60) days after receipt by the Board of written notice signed by a majority of the members calling for such election.

Nominations for election to the Board shall be made by the existing Board members and may also be made from the floor at a meeting called for electing the Board members. The Board shall make as many nominations as it deems necessary but not less than the number of vacancies which are required to be filled.

Election to the Board shall be by secret, written ballot. The persons receiving the most votes shall be elected. Cumulative voting is not permitted.

ARTICLE V

MEETINGS OF DIRECTORS

Meetings of the directors shall be held at such time, place and frequency as is determined by majority vote of the Board or as called by the President of the Association. A majority of the number of directors shall constitute a quorum for any matters required to be voted on by the Board. All matters to be decided by the Board shall be decided by a majority of a quorum of the Board at the meeting at which such matter is voted on.

ARTICLE VI

POWERS AND DUTIES OF THE BOARD

The Board shall have the power and duties as prescribed by the provisions of the Declaration, the Articles and these Bylaws and such other powers and duties as are necessary to conduct the business of the Association.

ARTICLE VII

OFFICERS AND THEIR DUTIES

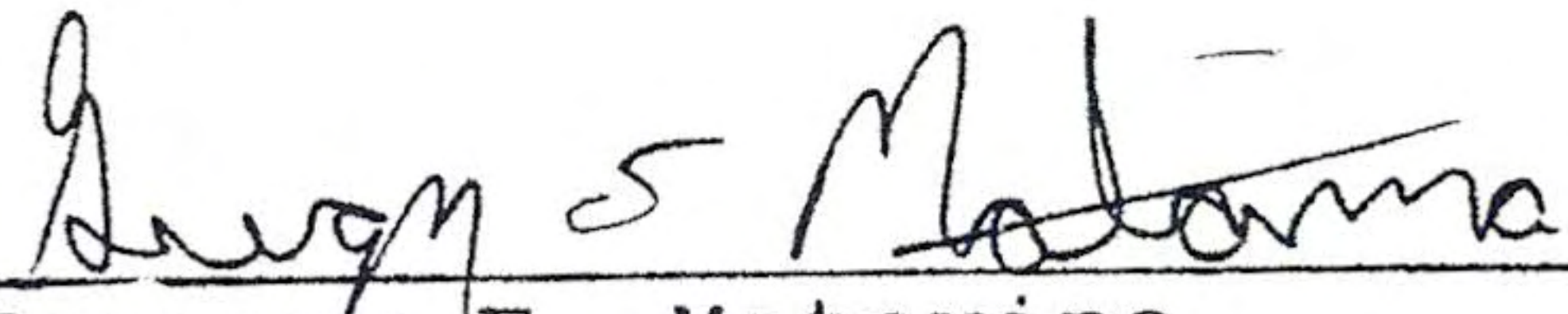
The officers of the Association shall be a president, vice president, treasurer, secretary and such other officers as the Board may from time to time designate. Officers shall be elected at such time and place as determined by a majority vote of a quorum of directors. Officers shall hold office until a successor officer is elected or until such officer resigns or is removed by a majority vote of a quorum of the Board.

ARTICLE VIII

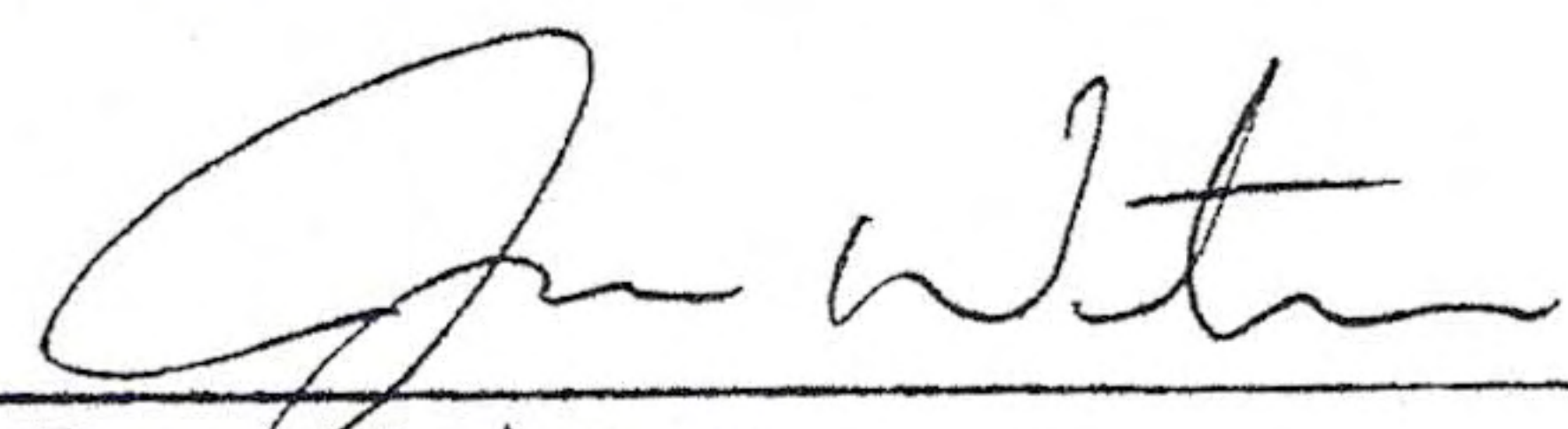
CONFLICT

In the event of any conflict between these Bylaws and the Articles, the Articles shall control and prevail and in the event of a conflict between these Bylaws and the Declaration, the Declaration shall control and prevail.

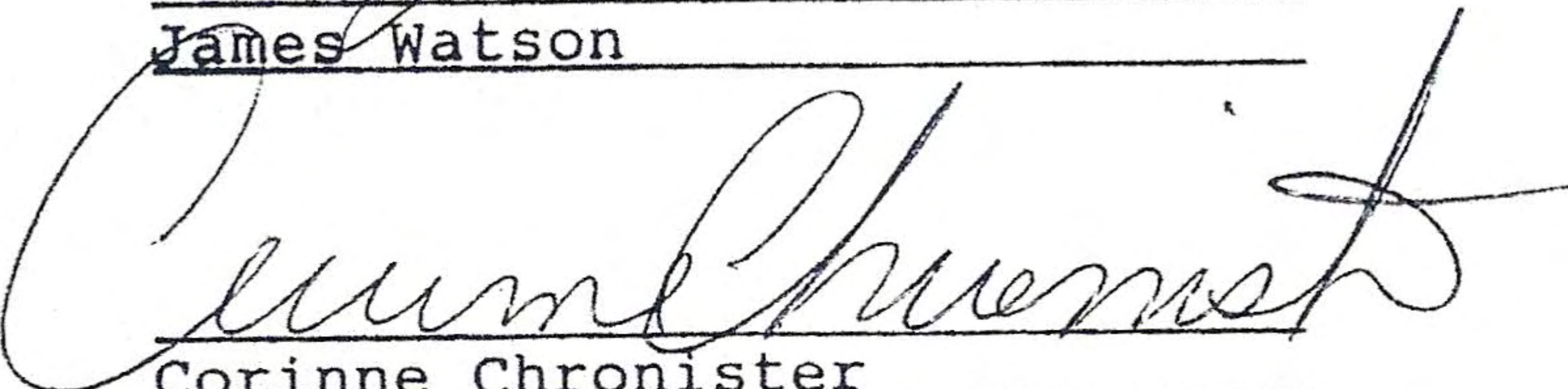
IN WITNESS WHEREOF, we, being all of the directors of the Association
have hereunto set our hands this 1st day of January,
1995.



Gregory E. Matovina



James Watson



Corinne Chronister

mailed 1/2/01

BRAYWICK OWNERS ASSOCIATION, INC.

COPY

Dear Braywick Resident:

RE: FINING IMPLEMENTATION FOR INFRACTIONS TO THE BYLAWS, ARCHITECTURAL REVIEW BOARD, BOARD GUIDELINES AND THE COMMUNITY COVENANTS AND RESTRICTIONS.

In response to the expressed wishes of many Residents within our community who want our Covenants and Restrictions fairly and systematically enforced, your Board of Directors has passed an enforcement program. The purpose of this letter is to advise all Residents of the procedures of the enforcement program, and to provide a sufficient notification period prior to the program's implementation on February 1, 2002.

Your Board of Directors has established in accordance with Florida Statute 617.305 a \$100 fine per day per infraction (not to exceed \$1000) for any violation of the "Declaration of Covenants, Conditions & Restrictions of Braywick". It is the responsibility of each Homeowner to read and understand the community Covenants & Restrictions. Any clarifications may be brought to one of your Board of Directors but each Homeowner or Resident (to include Lessees) will be held responsible for any violation that may occur.

This enforcement program will be a reactionary system. No phone complaints will be accepted. A signed, written complaint must be made by a Resident, our property management company or a member of the Covenants Enforcement Committee (CEC). This letter must first go to your Braywick CEC Chairperson. The CEC will send notice to the alleged violating party of the complaint. The party has seven (7) days to reply to the CEC Chairperson. If this issue remains unresolved after the seven (7) days the complaint is forwarded to our property management company for further handling. Complaints will be confidential and the name of the person filing the complaint will be kept anonymous.

*Jerry
McQueen
a
Don*

Below is an outline of the procedures the Board will implement on February 1, 2002:

1. Written complaint, will be turned over to our property management agent for resolution.
2. Upon receipt of a complaint, the property management agent will send written notice of the complaint to the alleged violating party notifying them of the following:
 - a. Type of violation.

COPY

- b. Date of violation and failure to comply or resolve the violation with local ARB.
 - c. Date of hearing by Committee if necessary.
 - d. Date fine is to be paid in the event of admission of infraction, or in the event of no show on hearing date.
3. Unresolved complaints will be turned over to a special Covenants Review Committee comprised of at least three (3) residents, not related and separate from your Board of Directors, or spouse, parent, child, brother, or sister of a Board member. **Each Resident (other than existing Board Members) will be called upon by your Board to conduct and/or chair an Arbitration meeting.** The selection of each resident will start alphabetically within our Community to serve at a hearing. We hope you feel it is your obligation as a member of this Community to help when called upon. This is our way of having unbiased persons serving on one of the infraction meetings so everyone feels a sense of fairness has been established.
4. During the hearing the subject Resident will have an opportunity to be heard on the issue of violation and may be represented by legal counsel. A majority of the three (3) member Covenants Review Committee must affirmatively vote to impose the fine. The Committee will give written notice to the subject Resident of its decision within seven (7) days of the hearing. The decision of the Covenants Review Committee is **FINAL** in every case. Fines imposed will be submitted to the Board of Directors who will turn it over to our property management agent for collection procedures.
5. The payment of any fines will be the responsibility of the Resident found in violation of any of our Covenants. The fine(s) will be placed upon the resident home and a lien filed against the home if not paid within 30 days from the imposed date of the Covenants Review Committee. If the fines are not paid within a year from the date the fine is imposed, your Association has the right to begin foreclosure proceedings against the property in order to collect the unpaid fines.

*This is illegal
see attached
statute and
note highlighted
area*

Any questions regarding this enforcement program and its implementation as outlined should be directed to your resident Board of Directors.

Sincerely,

Your Board of Directors

720.305 Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights.--

- (2) If the governing documents so provide, an association may suspend, for a reasonable period of time, the rights of a member or a member's tenants, guests, or invitees, or both, to use common areas and facilities and may levy reasonable fines, not to exceed \$100 per violation, against any member or any tenant, guest, or invitee. A fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, except that no such fine shall exceed \$1,000 in the aggregate unless otherwise provided in the governing documents. A fine shall not become a lien against a parcel. In any action to recover a fine, the prevailing party is entitled to collect its reasonable attorney's fees and costs from the nonprevailing party as determined by the court.
- (a) A fine or suspension may not be imposed without notice of at least 14 days to the person sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed.
 - (b) The requirements of this subsection do not apply to the imposition of suspensions or fines upon any member because of the failure of the member to pay assessments or other charges when due if such action is authorized by the governing documents.
 - (c) Suspension of common-area-use rights shall not impair the right of an owner or tenant of a parcel to have vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park.
- (3) If the governing documents so provide, an association may suspend the voting rights of a member for the nonpayment of regular annual assessments that are delinquent in excess of 90 days.

History.--s. 37, ch. 92-49; s. 55, ch. 95-274; s. 2, ch. 97-311; s. 51, ch. 2000-258; s. 20, ch. 2004-345; s. 17, ch. 2004-353; s. 12, ch. 2007-173; s. 8, ch. 2008-202.

Note.--Former s. 617.305.

June 2, 2004

Dear Homeowner,

Two issues were voted on and passed by the membership at the 2003 Braywick annual meetings. The first item was a vote to change our quorum requirements from fifty percent of our members to establish a quorum, to twenty five percent. This makes it easier to have a membership meeting to elect board members and conduct the business of the association.

The second item that was passed has more of an impact on our daily activities. This change prohibits the long-term parking of vehicles on the street and restricts the parking of boats, trailers, and other vehicles on any portion of your lot. It also prohibits the blocking of community sidewalks.

The actual change to the parking section of the Covenants and Restrictions for Braywick (Article XI.8) is listed below:

"No vehicle shall be parked on any Residential Lot or street on the Property unless such vehicle is operable on the highways of the State of Florida and has a current license tag. No repair work shall be performed on any vehicle except minor repairs which are completed within a two (2) hour duration. There shall be no parking of vehicles in the street except for temporary guest use not to exceed 24 continuous hours. No boats, recreational vehicle, commercial vans, trucks, or trailers shall be parked in the driveway or any other portion of the residential lot. All other vehicles must be parked in such a manner as not block the community sidewalk."

Please include this information with your copy of the Association documents. If you do not have the Covenants and Restrictions for Braywick please contact our office.

These changes will be enforced by the Association, effective immediately.

Your cooperation would be greatly appreciated.

Sincerely,

Jan Herren
Community Association Manager

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Braywick Village Owner's Association

This is a brief outline, not official Document

FINING IMPLEMENTATION

For infractions to the Bylaws, ARC restrictions, "board guidelines", and the CCRs. Each homeowner or resident (including lessees) will be held responsible for any violations that may occur.

\$100 fine per day per infraction not to exceed \$1000 for any violation of the CCRs.

No phone complaints accepted.

Only a signed written complaint must be made by a resident, management company or member of the CEC (Covenant Enforcement Committee).

The letter must first go to the CEC chair.

The CEC will send notice to the alleged violating party of the complaint.

Party has seven (7) days to reply to the CEC Chair.

If unresolved after 7 days, the complaint is forwarded to the management company for further handling.

Written complaint turned over to the management company for resolution.

Property manger will send written notice of complaint to the alleged violating party notifying them of the following:

- Type of violation

- Date of violation and failure to comply or resolve the violation with local ARB

- Date of hearing by committee if necessary

- Date fine is to be paid in the event of admission to infraction, or in the event of no show on hearing date

PRIOR TO IMPOSING A FINE:

A hearing must be held to afford alleged violator an opportunity to be heard.

Must give alleged violator fourteen (14) days notice.

Hearing must be held before a committee of at least three (3) members appointed by BOD

- Members must not be on the BOD or employees of the association

- Members must not be related to a officer, director or employee of the association.

- Members must be chosen alphabetically (according to Braywick's rule)

A majority of the committee must affirmatively vote to impose fine

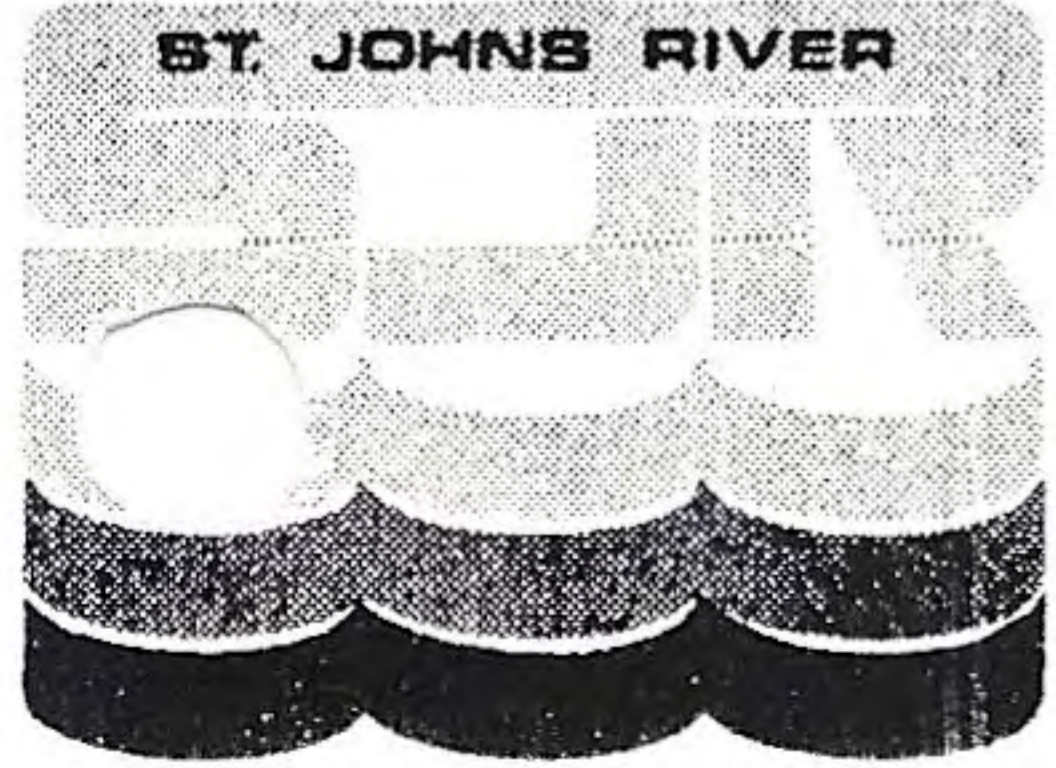
720.305 Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights.--

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Note.--Former s. 617.305.

Statute
720
2008



**WATER
MANAGEMENT
DISTRICT**

POST OFFICE BOX 1429

PALATKA, FLORIDA 32178-1429

TELEPHONE 904-329-4500 SUNCOM 904-860-4500
TDD 904-329-4450 TDD SUNCOM 860-4450

FAX (Executive) 329-4125 (Legal) 329-4485 (Permitting) 329-4315 (Administration/Finance) 329-4508

SERVICE CENTERS

618 E. South Street
Orlando, Florida 32801
407-897-4300
TDD 407-897-5960

7775 Baymeadows Way
Suite 102
Jacksonville, Florida 32256
904-730-6270
TDD 904-448-7900

PERMITTING:
305 East Drive
Melbourne, Florida 32904
407-984-4940
TDD 407-722-5368

OPERATIONS:
2133 N. Wickham Road
Melbourne, Florida 32935-8109
407-752-3100
TDD 407-752-3102

CERTIFIED #P 182 699 861

July 9, 1997

BRAYWICK OWNERS ASSOC., INC.
C/O PROPERTY MANAGEMENT SYSTEMS, INC.
POST OFFICE BOX 1987
YULEE, FL 32041-1987

SUBJECT: Permit Number 40-031-0425WJ

The surface water management system serving BRAYWICK SUBDIVISION has been constructed and is functioning in conformance with the requirements of the St. Johns River Water Management District.

The BRAYWICK OWNERS ASSOC., INC. is now authorized to operate the system and is responsible for its routine maintenance. Enclosed you will find an operation permit, plan, maintenance guidelines, and pamphlets entitled "A Homeowners Guide to Stormwater Management".

The permit, plan, and maintenance guidelines provide information to assist you in assuring the system is properly maintained and will continue to function as designed. Please review this material carefully to assure that your association meets all of the requirements contained in your permit and keep it with other important documents.

The pamphlets contain general information about the system that will be useful to the homeowners in your development. Please provide a copy to each household.

Your participation is vital to the protection of our rivers, streams, lakes, and wetlands. If you have any questions, please call your local District Field Office, the staff will be happy to respond.

Sincerely,

Gloria R. Lewis
Gloria R. Lewis, Director
Division of Permit Data Services

cc: District Permit File
Dave Miracle, Compliance Manager
BRAYWICK JOINT VENTURE
POST OFFICE BOX 60
ORTEGA STATION
JACKSONVILLE, FL 32244

William M. Segal, CHAIRMAN
MAITLAND

Dan Roach, VICE CHAIRMAN
FERNANDINA BEACH

James T. Swann, TREASURER
COCOA

Otis Mason, SECRETARY
ST. AUGUSTINE

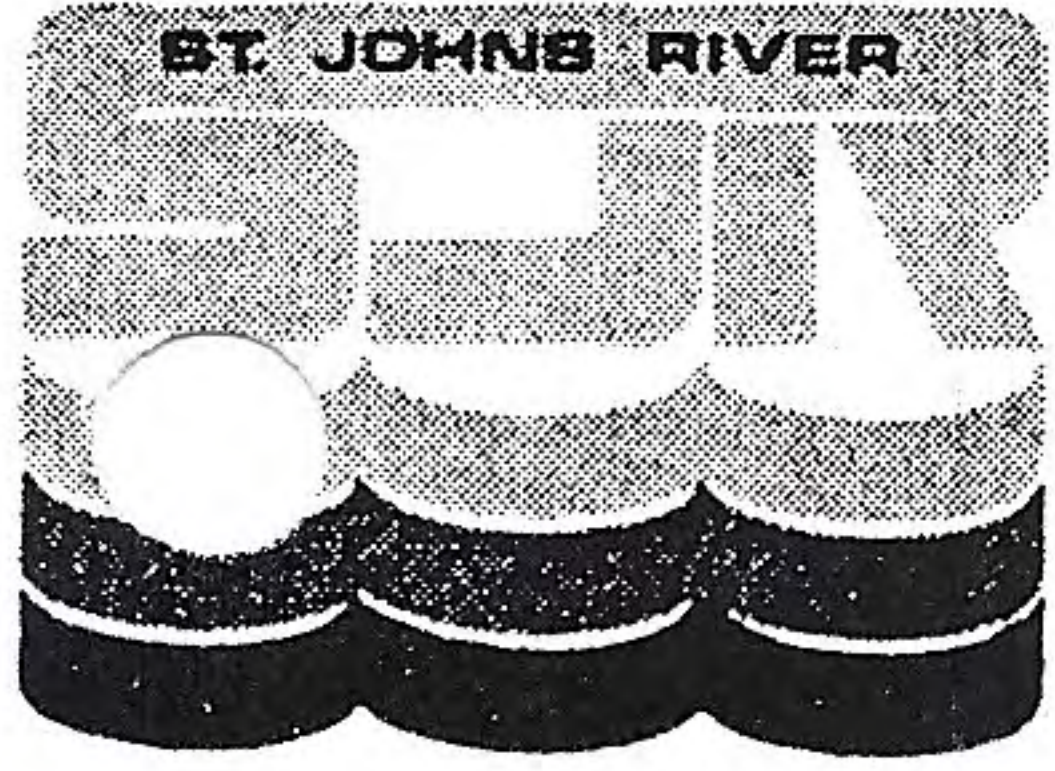
Kathy Chinoy
JACKSONVILLE

Griffin A. Greene
VERO BEACH

James H. Williams
OCALA

Patricia T. Harden
SANFORD

Reid Hughes
DAYTONA BEACH



**WATER
MANAGEMENT
DISTRICT**

Henry Dean, Executive Director
John R. Wehle, Assistant Executive Director

POST OFFICE BOX 1429

PALATKA, FLORIDA 32178-1429

TELEPHONE 904-329-4500 SUNCOM 904-860-4500
TDD 904-329-4450 TDD SUNCOM 860-4450
FAX (Executive) 329-4125 (Legal) 329-4485 (Permitting) 329-4315 (Administration/Finance) 329-4508

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SERVICE CENTERS

PERMITTING:
305 East Drive
Melbourne, Florida 32904
407-984-4940
TDD 407-722-5368

OPERATIONS:
2133 N. Wickham Road
Melbourne, Florida 32935-8109
407-752-3100
TDD 407-752-3102

PERMIT NO.: 40-031-0425WJ

ORIGINAL PERMIT ISSUED: MAY 26, 1994

OPERATION PHASE ISSUED: JULY 8, 1997

A PERMIT AUTHORIZING:

THIS AUTHORIZES THE OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SERVING BRAYWICK SUBDIVISION, A RESIDENTIAL DEVELOPMENT CONSISTING OF 18.76 ACRES WHICH WAS PERMITTED AND CONSTRUCTED IN ACCORDANCE WITH PERMIT NUMBER 40-031-0425W.

LOCATION:

SECTION 14, TOWNSHIP 03 SOUTH, RANGE 27 EAST; DUVAL COUNTY

ISSUED TO:

BRAYWICK OWNERS ASSOCIATION, INC.
C/O PROPERTY MANAGEMENT SYSTEMS, INC.
POST OFFICE BOX 1987
YULEE, FL 32041-1987

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This Permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes:

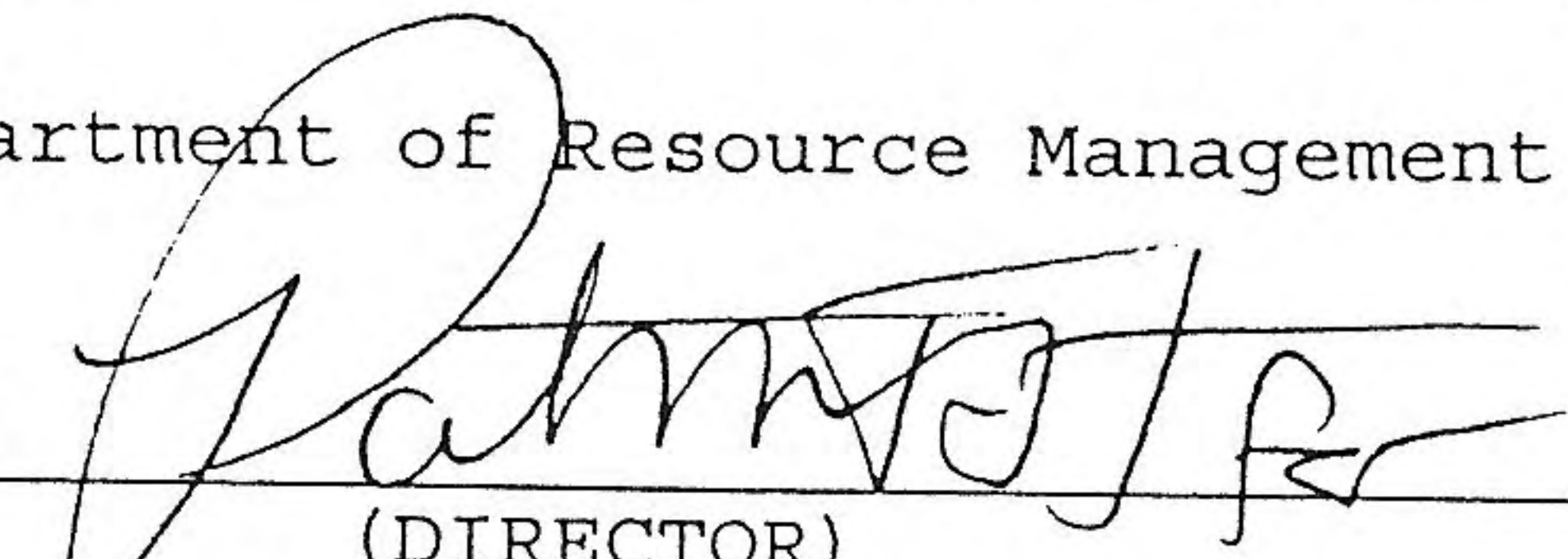
PERMIT IS CONDITIONED UPON:

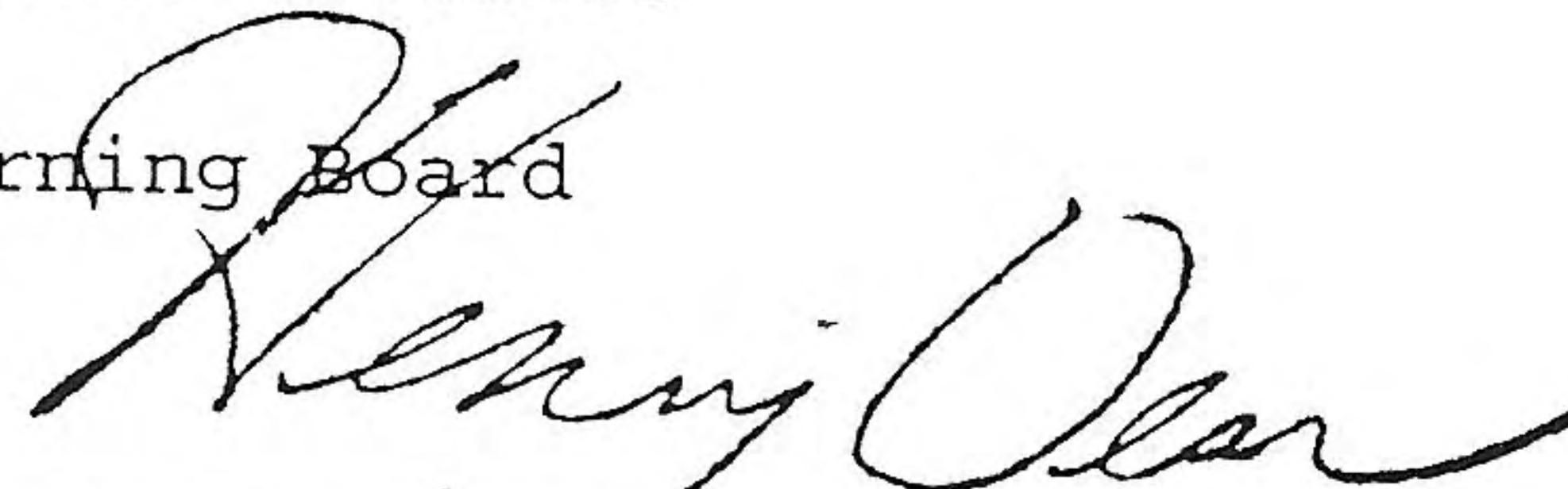
See conditions on attached "Exhibit A", dated May 26, 1994

AUTHORIZED BY: St. Johns River Water Management District

Department of Resource Management

Governing Board

By: 
(DIRECTOR)
JEFF ELLEDGE

By: 
(ASSISTANT SECRETARY)
HENRY DEAN

William M. Segal, CHAIRMAN
MAITLAND

Dan Roach, VICE CHAIRMAN
FERNANDINA BEACH

James T. Swann, TREASURER
COCOA

Otis Mason, SECRETARY
ST. AUGUSTINE

Kathy Chinoy
JACKSONVILLE

Griffin A. Greene
VERO BEACH

James H. Williams
OCALA

Patricia T. Harden
SANFORD

Reid Hughes
DAYTONA BEACH

"EXHIBIT A"

CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 40-031-0425WJ

BRAYWICK OWNERS ASSOCIATION, INC.

ORIGINAL PERMIT ISSUED MAY 26, 1994

OPERATION PHASE ISSUED JULY 8, 1997

1. This permit authorizes the operation of the surface water management system as permitted and constructed. It does not authorize modifications to the existing system or the addition of stormwater discharge from areas outside the permitted project boundaries.
2. The permittee must maintain a copy of this permit complete with all conditions, attachments, and exhibits. The complete permit must be available for review upon request by District representatives.
3. All operation and maintenance shall be as set forth in the plans, specifications, and performance criteria contained in this permit.
4. District authorized staff, upon proper identification, must be granted permission to inspect the system to insure conformity with the permit.
5. To the extent permitted by Florida law, the permittee must hold and save the District harmless from any and all liability arising from property damage or personal injury as a result of the permitted activities.
6. The operation and maintenance entity shall submit inspection reports to the District two years after the operation phase permit becomes effective and every two years thereafter on District form EN-46. The inspection form must be signed and sealed by an appropriate registered professional.

OPERATION & MAINTENANCE GUIDELINES

Wet Detention

Wet detention systems are permanently wet ponds which are designed to store and slowly release a defined quantity of stormwater runoff through an outlet structure. The outlet structure will include a drawdown orifice or notched weir. The wet detention system consists of a permanent pool (below the drawdown orifice) and a treatment volume (above the drawdown orifice and below the overflow weir). The drawdown orifice is sized to slowly draw down the treatment volume after a storm event. Sometimes aquatic plants are planted on a gently sloped shelf around the perimeter of the pond (littoral shelf).

How Wet Detention works:

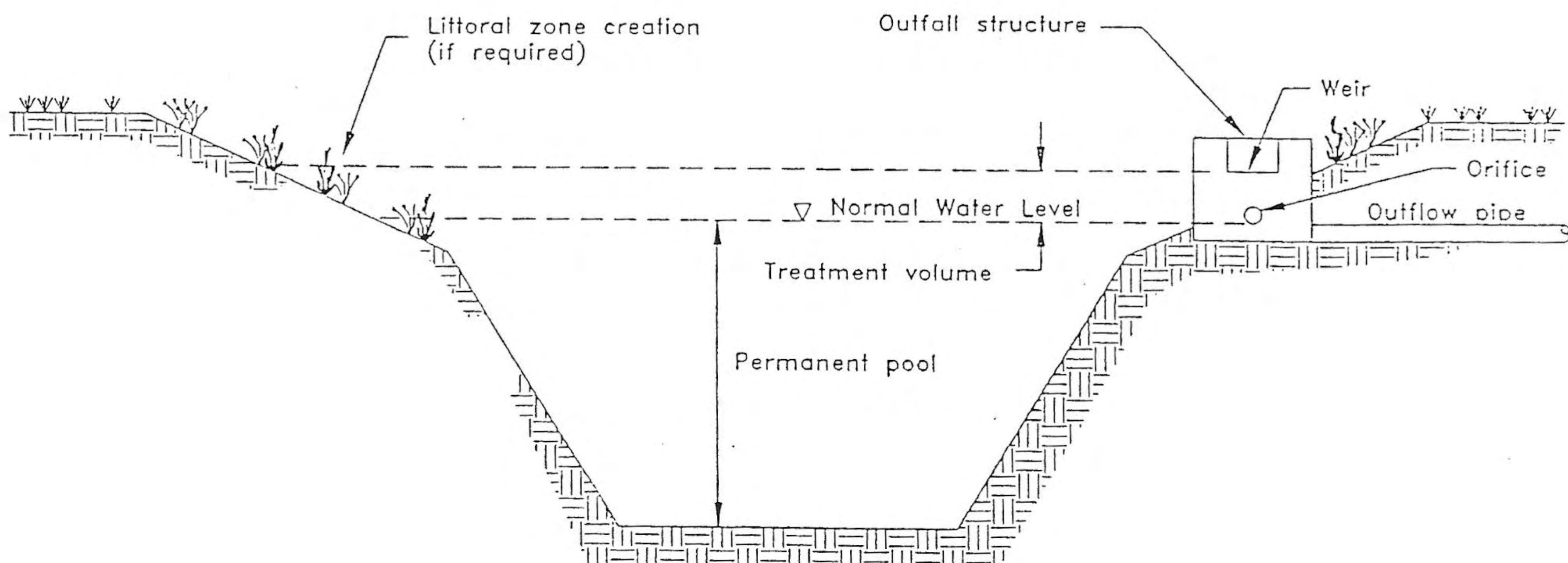
When it rains the water which first begins to run off an area is called the "first flush" of runoff. The idea is to capture the "first flush" of runoff in the pond and to treat it by holding it in the pond and allowing settling, absorption and other natural processes. When it rains, the runoff is directed to the pond and the pond water level rises. This water then slowly drains through a hole in the structure (orifice) until the water level in the pond is back to normal and the pond is ready for the next storm event. The permanent pool, the part of the pond below the hole in the structure that is always wet, is sized to hold the stormwater in the pond long enough for it to be treated. For larger storms, the excess water is discharged from the pond over the weir.

Wet Detention Pond Maintenance:

As the owner or operator of the wet detention stormwater management system you are required by conditions of your Operation permit to maintain your stormwater management system so it functions as intended and permitted. Performing the following maintenance is necessary to keep your system functioning as an effective water pollution control device. You can refer to the diagram of a typical wet detention system to help guide you in your maintenance activities.

1. Inspect and perform required maintenance on all pipes, and inlet and outlet structures to ensure that they are not obstructed or damaged. Inspect the overflow weir to ensure that it is not obstructed.
2. Check the drawdown orifice or notch to ensure that it is not plugged.
3. Inspect the pond side slopes for erosion and repair eroded areas.
4. Inspect for and remove garbage, debris and nuisance plant species in the pond.

5. Inspect for and remove sediment and/or plant material that may have filled the pond and reduced the volume available for stormwater or its ability to allow water to flow through it.
6. If applicable, inspect and replant the littoral zone if the percent of vegetated cover falls below the permitted percentage.
7. Check your permit for specific requirements and any monitoring reports required to be submitted to the District.
8. If you have any questions about the operation of the wet detention system or any reporting function, please feel free to contact the local District compliance manager nearest you. The address and phone number are found in your packet.



Wet Detention (N.T.S.)