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Shareholder  
Board Certified Specialist, Condominium and  
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Becker & Poliakoff  
111 N. Orange Avenue  
Suite 1400  
Orlando, FL 32801

July 15, 2022

**Via E-mail to: Lourdes.W@odinflorida.com**

Lake Villas Q and R Homeowners Association, Inc.  
Attn: Lourdes Walker, Manager

**Re: Recorded Certificate of Fourth Amendment to Declaration of Covenants and Restrictions Buenaventura Lakes Subdivision, Unit 1, Tract Q and Tract R Homes and Certificate of Fifth Amendment to By-Laws of Lake Villas Q and R Homeowners Association, Inc. ("Amendments")**

Dear Members of the Board:

Attached you will find the **Certificate of Fourth Amendment to Declaration of Covenants and Restrictions Buenaventura Lakes Subdivision, Unit 1, Tract Q and Tract R Homes**, which was recorded on July 1, 2022, at Official Records Book 6243 at Pages 2434, in the Public Records of Osceola County, Florida and the **Certificate of Fifth Amendment to By-Laws of Lake Villas Q and R Homeowners Association, Inc.** which was recorded on July 1, 2022, at Official Records Book 6243 at Pages 2558, in the Public Records of Osceola County, Florida. Please be advised that our office has retained a copy of these documents for our records.

Additionally, the Board may want to provide notice of the recording of the Amendments to the membership either by forwarding a complete copy of the recorded documents to all Members, or by notification to the Membership of where the Amendments are recorded (the official book and page number) so that they may obtain a copy of the recorded Amendments. However, doing so is not required by the governing documents or Florida Statutes.

As always, should you have any questions or concerns regarding this matter or any other legal matter, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth A. Lanham-Patrie".

Elizabeth A. Lanham-Patrie  
ELP/klc  
Enclosures

This instrument prepared by and should be returned to:

Elizabeth A. Lanham-Patrie, Esquire  
 Becker and Poliakoff, P.A.  
 111 North Orange Ave.  
 Suite 1400  
 Orlando, Florida 32801  
 407-8750955

**CERTIFICATE OF FOURTH AMENDMENT TO  
 DECLARATION OF COVENANTS AND RESTRICTIONS  
 BUENAVENTURA LAKES SUBDIVISION, UNIT 1, TRACT Q  
 AND TRACT R HOMES**

THIS IS TO CERTIFY that the following language amending Article IV, Section 3 constitutes the Fourth Amendment to the Declaration of Covenants and Restrictions Buenaventura Lakes Subdivision, Unit 1, Tract Q and Tract R Homes, the original of which is recorded at Official Records Book 539, Page 523, and amended pursuant to the amendments recorded at: Official Records Book 2743, Page 1016; Official Records Book 4645, Page 454; and Official Records Book 4792, Page 2341 all of the Public Records of Osceola County, Florida (hereinafter collectively referred to as the "Declaration"). This Fourth Amendment was duly and properly adopted by the Board at a Board Meeting held on May 4, 2022 and by the Members at the Annual Members' Meeting held on May 4, 2022, pursuant to Article VII, Section 2 of the Second Amendment to the Declaration.

Article IV, Section 3 is hereby amended as follows:

ARTICLE IV—COMMON AREA

...

Section 3: Extent of Owner's Easements. The Owner's easements of enjoyment created hereby shall be subject to the following:

[No change to Paragraph A]

B. With respect to all other property comprising the Common Area, the Owner's easements of enjoyment shall be subject to the rights of the Association as follows:

1. To establish reasonable rules for usage of Common Area facilities;
2. To suspend the voting rights and the right of an Owner to use Common Area facilities for any period during which any fee, fine, or other monetary obligation due to the Association ~~assessment levied against his Living Unit~~ remains unpaid for more than ninety (90) days ~~thirty (30) days after notice~~, and for a period not to exceed sixty (60) days for any infraction of the Book of

Additions to text are indicated by underline; deletions by ~~strikeout~~.

Resolutions;

3. To mortgage any or all of said facilities for the purposes of improvement or repair pursuant to approval of two-thirds (2/3) of the votes of the Owners who are voting in person or by proxy at a regular meeting of the Association or at a meeting duly called for such special purpose.

EXECUTED at 4 Lake Villa Way KISSIMEE (City), Osceola County, Florida, on this the 25 day of May, 2022.

WITNESSES:

LAKE VILLAS Q AND R HOMEOWNERS ASSOCIATION, INC.

[Signature]  
Print Name: Wilfredo Rodriguez

By: [Signature]  
Print Name: Juan S Curet  
President

[Signature]  
Print Name: ARACELIA MOWJARDIN

Attest: [Signature]  
Print Name: Hilary R. Hernandez

[Signature]  
Print Name: Lourdes M. Walker  
[Signature]  
Print Name: Mirella Baray

(CORPORATE SEAL)

STATE OF FLORIDA  
COUNTY OF Osceola

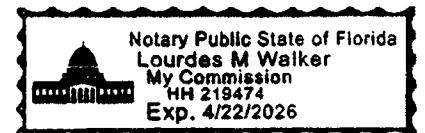
THE FOREGOING INSTRUMENT was acknowledged before me by means of [  ] physical presence or [  ] online notarization this 25 day of May, 2022, by Juan S Curet and Hilary R. Hernandez who  are personally known to me to be the President and Secretary, respectively, of LAKE VILLAS Q AND R HOMEOWNERS' ASSOCIATION, INC., or  have produced \_\_\_\_\_ (type of identification) as identification. They acknowledged executing this document in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid on this 25 day of May, 2022.

[Signature]  
Notary Public-State of Florida  
Print Name: Lourdes M. Walker

Commission No.: HH 219474  
My Commission Expires: 04/22/2026

Additions to text are indicated by underline; deletions by ~~strikeout~~.



This instrument prepared by and  
should be returned to: )  
) )  
Elizabeth A. Lanham-Patrie, Esquire )  
Becker and Poliakoff, P.A. )  
111 North Orange Ave. )  
Suite 1400 )  
Orlando, Florida 32801 )  
407-8750955 )  
) )  
) )

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**CERTIFICATE OF  
FIFTH AMENDMENT TO  
BY-LAWS OF  
LAKE VILLAS Q AND R HOMEOWNERS ASSOCIATION, INC.**

THIS IS TO CERTIFY that the following language amending Article II, Section 2(b), Article IV, Sections 1, 4, 5(c), 8 and 14(e) and (f) and Article VI constitutes the Fifth Amendment to the By-Laws of Lake Villas Q and R Homeowners Association, Inc., which was originally recorded at Official Records Book 539, Page 544 and amended pursuant to the amendments recorded at: Official Records Book 861, Page 1972; Official Records Book 881, Page 2389; Official Records Book 890, Page 340; and Official Records Book 4792, Page 2345 all of the Public Records of Osceola County, Florida (hereinafter collectively referred to as the "By-Laws"). This Fifth Amendment was duly and properly adopted by the Members at the Annual Members' Meeting held on May 4, 2022, pursuant to Article XVI, Section 1 of the By-Laws.

Article II, Section 2(b) is hereby amended as follows:

**ARTICLE II—MEMBERSHIP AND VOTING PROVISIONS**

...

**Section 2. Voting.**

[No change to paragraph (a)]

(b) Each Owner entitled to vote (as set forth below in Section 4) may cast the Living Unit's vote by one (1) of the following methods:

(1) In person, when the voting member is present at any meeting of the Association;

(2) By Absentee Ballot, when the voting member anticipates being unable to attend a particular meeting. Such Ballot may be used to vote only on ~~specified questions at any meeting, and for the election of Directors at an annual meeting.~~ An official Absentee Ballot, which form must be used in order to be valid, shall be distributed with the meeting notice, and shall be returned to a designated disinterested "receiver" ~~not less than five (5) business days prior to the~~

~~particular meeting indicated therein.~~ Said receiver, who shall not be either a member or an employee of the Association or a relative of a member or an employee, shall devise a system of verifying the voting members who respond while preserving the secrecy of their ballot. ~~Upon receipt of the Absentee Ballots, the~~ At the annual meeting, the receiver shall tabulate the votes cast and shall report the same to the Secretary ~~no less than twenty four (24) hours prior to the meeting at which the votes are to be cast.~~ A voting member who, subsequent to submitting on Absentee Ballot, actually attends that particular meeting shall not be permitted to vote in person on those matters dealt with in the Absentee Ballot, but may vote on any other questions properly introduced at the meeting;

(3) By Proxy, at all meetings of the members, each member may vote by proxy. All proxies shall be in writing and filed with the Secretary. Proxies shall be valid only for the particular meeting designated therein, and any lawful adjournments of that meeting. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his/her Living Unit.

[No change to paragraph (c)]

Article IV, Sections 1, 4, 5(c), 8, and 14 (e) and (f) are hereby amended as follows:

#### **ARTICLE IV—DIRECTORS**

##### **Section 1. Number.**

The affairs of this Association shall be managed by a Board of ~~three (3) at least five (5), but no more than nine (9),~~ three (3) Directors, all of whom shall be members of the Association ~~and a majority of whom shall be full-time residents of the Living Units.~~ Upon adoption of these By-Laws the number of Directors shall be established at ~~five (5); thereafter the number may be determined by a majority of the members voting at an annual or special meeting.~~ three (3).

...

##### **Section 4. Removal.**

Any director may be removed from the Board, with or without cause, by a majority of the members of the Association voting at a duly called special meeting or by written agreement, according to the procedures of Section 720.303(10), Florida Statutes, as amended from time to time.

##### **Section 5. Resignation and Disqualification.**

[No change to paragraphs (a) and (b)]

(c) A Director who becomes more than ninety (90) days delinquent in the payment of any fee, fine, or other monetary obligation to the Association shall be deemed to have abandoned his or her seat on the Board, creating a vacancy on the Board to be filled according to Article IV, Section 6 of the By-Laws. ~~'s delinquency of more than thirty (30) days after notice in the payment of an assessment shall automatically constitute a resignation effective when such disqualification is recorded by the board at a regular or special meeting.~~

[No change to paragraphs (d) and (e)]

...

**Section 8. Regular Meetings.**

Regular meetings of the Board of Directors shall be held ~~monthly~~ at a fixed time and place as may be determined by the Board. The ~~schedule of such regular meetings shall be noticed~~ publicized to the members of the Association in accordance with Section 720.303(2), Florida Statutes, as amended from time to time. Should a scheduled meeting be cancelled for any reason, that meeting shall be held within seven (7) days of the originally scheduled time, and notice shall be posted in a public place on the premises continuously for at least forty-eight (48) ~~twenty-four (24)~~ hours prior to said meeting.

...

**Section 14. Powers and Duties.** The Board of Directors, charged with the responsibility for the administration of the affairs of the Association, shall exercise for the Association powers, duties and authority vested in or delegated to the Association and not reserved to the members by the Articles of Incorporation, the Declaration or these By-Laws. Such powers and duties, as may be more fully defined in other sections of these By-Laws, shall specifically include, but shall not be limited to, the following:

[No change to paragraphs (a)-(d)]

(e) To suspend the voting rights and the right to use the Association's recreational areas and facilities of a member who shall be in default for more than ninety (90) days in paying any fee, fine, or other monetary obligation due to the Association thirty (30) days after notice in the payment of any assessment. Such rights may be suspended in accordance with the procedures in Section 720.305(4), (5), and (6), Florida Statutes, as amended from time to time. The suspension ends upon full payment of all obligations currently due or overdue to the Association without further notice for a period of thirty (30) days and thereafter until full payment is made, including such penalties as may be levied;

(f) To suspend for a period not to exceed sixty (60) days, ~~the voting rights and the right to use the Association's recreational areas and facilities of a member, or a member's tenant, guest, or invitee, who, after due notice and opportunity for a hearing before a committee, as provided in Section 720.305(2), Florida Statutes, as amended from time to time, the Board is deemed to have violated~~ the Declaration, these By-Laws, or any of the published rules and regulations;

[No change to paragraphs (g)-(k)]

Article VI is hereby amended as follows:

**ARTICLE VI—BOOKS AND RECORDS**

~~The books, records and papers of the Association shall be available for inspection by any member of the Association upon request for an appointment during regular office hours made at least twenty-four (24) hours in advance. Such documents shall be inspected only on the premises of the Association's principal office and shall not be removed therefrom. However, copies of the Declaration, the Articles of Incorporation and the By-Laws of the Association shall be available for purchase at a reasonable cost as determined by the Board of Directors. Personal records of individual members or their lessees including, but not limited to, leases, purchase contracts and mortgages, shall at no time be subject to inspection by other members. The official records of the Association shall be made available to a member for inspection or photocopying at the Association's office within 10 business days after receipt by the Board or its designee of a written request. The inspection, and copying of the records, shall be in accordance with Section 720.303(5), Florida Statutes, as amended from time to time.~~

(Signatures on Next Page)

EXECUTED at 4 Lake Villa Way, Kissimmee (City), Osceola County, Florida, on this the    day of   , 2022.

WITNESSES:

LAKE VILLAS Q AND R HOMEOWNERS ASSOCIATION, INC.

[Signature]

Print Name: Wilfredo Rodriguez

[Signature]

Print Name: ARCEZH MOUSTAADIN

[Signature]

Print Name: Lourdes M. Walker

[Signature]

Print Name: Mirella Garcia

By: [Signature]

Print Name: Juan J. Curet  
President

Attest: [Signature]

Print Name: Hilary R. Hernandez

(CORPORATE SEAL)

STATE OF FLORIDA  
COUNTY OF Osceola

THE FOREGOING INSTRUMENT was acknowledged before me by means of [] physical presence or [] online notarization this 25 day of May, 2022, by Juan J. Curet and Hilary R. Hernandez who  are personally known to me to be the President and Secretary, respectively, of LAKE VILLAS Q AND R HOMEOWNERS' ASSOCIATION, INC., or  have produced \_\_\_\_\_ (type of identification) as identification. They acknowledged executing this document in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid on this 25 day of May, 2022.

[Signature]  
Notary Public-State of Florida  
Print Name: Lourdes M. Walker

Commission No.: HH 219474  
My Commission Expires: 04/22/2026

