

Bay Villas Association

Regarding: Board Resolution

Dear Bay villas Association Members,

As you are aware it is the duty and obligation of the Board to make sure the By-Laws and Rules of the Association are followed by all of the members. These Rules and By-Laws were established to ensure the original intent of the designers and developers of Bay Villas remains intact. Each and every member of the Association purchased their Villa in Bay Villas because of the design and the overall beauty of Bay Villas. It is the intent of the present Board to look after the interest of the members by insuring this original concept and beauty is maintained.

Enclosed is a copy a resolution that was passed by the Board on December 1, 2005. The Board is of the opinion that there have been several instances in the past where the passed Boards have not required members to comply with the Rules and By-Laws. This Resolution indicates the Board will not go back and require these members to comply with the rules and By-Laws and also puts members on notice that in the future the Board will require strict compliance.

It is to the advantage of all the members to have Bay Villas original design intent to be maintained. This will maintain Bay Villas as a great place to live and also maintain the property values.

To assist the Board, the Board has asked the assistance of the Association attorneys and has also hired an architect as a consultant. The attorneys are in the process of developing a set of documents that will assist the members in making application to the Bay Villas Architectural Board. The architect will work with the Board and the Bay Villas Architectural Review Board to assist in reviewing and making decisions on member request.

The board will also ask the architect to assist from time to time on alternate designs for the members Villas. The architect is presently working on alternate new designs for the green houses.

Yours Very Truly,


Richard G Ward on behalf of the Board

BOARD RESOLUTION

BAY VILLAS ASSOCIATION, INC.

WHEREAS, BAY VILLAS ASSOCIATION, INC. ("Association") is the Corporation in charge of the operation, maintenance and management of BAY VILLAS as described in the Declaration of Covenants, Conditions and Restrictions thereof ("Declaration") recorded at O.R. Book 938, Pages 632, *et seq.* in the Public Records of Collier County, Florida and as subsequently amended; and

WHEREAS, the Board of Directors ("Board") of the Association is responsible for the day to day administration of the affairs of the Association; and

WHEREAS, the Board's duty includes the enforcement of the Declaration, Articles of Incorporation, By-Laws, and Rules and Regulations promulgated thereto ("Governing Documents"); and

WHEREAS, the Board of Directors has recently engaged legal counsel to review enforcement of the Governing Documents; and

WHEREAS, after investigation by the Board, it appears that the Association has not consistently enforced certain covenants and restrictions of the Governing Documents; and

WHEREAS, the Board wishes to provide notice that it will, on a prospective basis, consistently and even handedly enforce all provisions of the Governing Documents; and

WHEREAS, without limiting the Board's general intention to enforce all provisions of the Governing Documents, the Board wishes to provide specific notice to unit owners of the policies contained in the Governing Documents as they pertain to architectural control; and

WHEREAS, the Board has adopted this Resolution at a duly noticed meeting, after considering the advice of legal counsel.

NOW THEREFORE, it is resolved as follows:

1. The above recitations are true and correct and each and everyone is incorporated herein in its entirety by reference.

2. From the effective date of this Resolution, it is the intention of the Board to enforce all provisions of the Governing Documents, including without limitation, Article VII of the Declaration. Violations which may have occurred prior to the effective date of this Resolution may or may not be "grandfathered," in the discretion of the Board and after considering the advice of legal counsel. No violations of the Governing Documents occurring after the effective date of this Resolution will be "grandfathered," and the Association will pursue all appropriate legal action to resolve same.

This Resolution was adopted at duly noticed meeting of the Board of Directors on the 15th day of December, 2005, and shall be considered effective as of that date.

WITNESSES:
(TWO)

BAY VILLAS ASSOCIATION, INC.

Signature

Arnold T. Sigler

BY:

Richard G. Ward
Richard G. Ward, President

Printed Name

ARNOLD T. SIGLER

Date:

Dec 1, 2005

Signature

Sylvia J. Booker

ATTEST:

Ann M. Ray
Ann M. Ray, Secretary

Printed Name

Sylvia J. Booker

Date:

Dec 1, 2005