

**BERMUDA GREENS CONDOMINIUM ASSOCIATION, INC.**

**BOARD RESOLUTION REGARDING ENFORCEMENT OF GOVERNING DOCUMENT PROVISIONS RELATIVE TO WINDOW REPLACEMENT**

WHEREAS, Bermuda Greens Condominium Association, Inc. (“Association”) is the entity responsible for the operation and management of Bermuda Greens, a Condominium as described in the Declaration of Condominium of Bermuda Greens recorded in Official Records Book 1662, Page 1248 *et seq.* of the Public Records of Collier County, Florida, as further amended from time to time (the “Declaration”); and

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

WHEREAS, Article 7 of the Amended and Restated By-Laws of Bermuda Greens Condominium Association, Inc. (the “Bylaws”) authorizes the Board to make, amend, and enforce Rules and Regulations governing the operation of the Association and the use of the Common Elements and Condominium Property. Section 11.3(D) of the Declaration states that appearance of the windows shall be subject to the Rules and Regulations of the Association; and

WHEREAS, the Association, through its Board of Directors, has the obligation to ensure compliance with the Governing Documents, including but not limited to the Declaration and the Rules and Regulations, to the best of its ability; and

WHEREAS, the Board recognizes that the provisions contained in Section 11.3(D) of the Declaration, specifically as it relates to specifications (the “Provisions”), have not been consistently enforced and, as such, there are Units that do not comply with the Provisions; and

WHEREAS, the Board wishes to reaffirm the Provisions, recognize its obligation to ensure adherence to said Provisions, and confirm that, from this day forward, it intends to enforce the Provisions.

NOW, THEREFORE, it is hereby resolved as follows:

1. The above provisions are herein incorporated by this reference.
2. From the date this Resolution is approved forward, the Association, through its Board of Directors, will strictly enforce the Provisions, as amended and supplemented from time to time. An Owner may not install a window after the effective date of this Resolution if the specifications do not comply with the Provisions, as amended and supplemented from time to time. If and when any window is to be replaced, prior Association approval must be obtained and the specifications to be approved must comply with the Provisions in effect when prior Association approval is sought (the “Current Provisions”). The Board recognizes that Units S-1, M-10 and H-1 are not in compliance with the Current Provisions as of the date of this Resolution, and that those non-compliant windows may remain for the balance of their useful life, but must conform to the Current Provisions when replaced.

Adopted by the Board of Directors this 12 day of March 2019 and effective March 12, 2019.

The number of Board members who voted in favor of this Resolution is Five. The number of Board members who voted against this Resolution is Zero. The vote of each Director is reflected in the minutes of the meeting at which this Resolution was adopted.

BERMUDA GREENS CONDOMINIUM  
ASSOCIATION, INC.

BY:   
Fred Demma, President

Date: March 12, 2019

(CORPORATE SEAL)

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Clement J. Ross, Jr.  
3-12-2019



CLEMENT J ROSS, JR.  
Commission # GG 256908  
Expires September 10, 2022  
Bonded Thru Budget Notary Services