

BOARD RESOLUTION

**PALM COLONY AT PELICAN LANDING
CONDOMINIUM ASSOCIATION, INC.**

I, the undersigned Secretary of the Corporation named above, hereby certify that the Corporation is organized and existing under and by virtue of the laws of the state of Florida as a corporation not for profit with its principal office at:

2180 West State Road 434, Suite 5000
Longwood, Florida 32779

I FURTHER CERTIFY that at a duly called meeting of the Board of Directors of the Corporation held on February 16, 2009 at which a quorum was present and voting, the following resolution was proposed discussed, and approved by the Board:

RESOLVED, that the following are the rules for installation of hurricane shutters or hurricane wind abatement systems:

General

Hurricane Shutters or other protective devices, including a hurricane wind abatement screen, visible from outside a unit must be approved by the Board and in accordance with these requirements, rules and regulations.

In this Resolution the use of the reference "Association" means Palm Colony at Pelican Landing Condominium Association, Inc. The Declaration of Condominium of Palm Colony at Pelican Landing is recorded as Instrument Number 6743373 in the Official Records of Lee County, Florida, as subsequently amended.

Definition

"Hurricane Shutter" shall mean any device, installation, equipment or appliance, whether permanently or temporarily affixed or attached in any manner to any portion of the exterior of the building or any portion of the building so as to be visible from the exterior of the building, used, either directly or indirectly, as its main purpose or incidental to its main purpose, as protection against storm damage, water penetration by driven rain, wind damage or damage from physical objects or projectiles carried by wind or storm.

Installation Request

1. Unit Owners desiring installation of Hurricane Shutters on their unit shall apply for approval to the Association.
2. The application shall be accompanied by the following items regarding the installing contractor, if there is not a valid copy of each currently on file with the Association: a copy of an Occupational License and a Certificate of Competency or Contractors License valid in this municipality, and a certified set of drawings from a licensed Florida engineer certifying that the product complies with applicable building codes.
3. A color sample must be submitted with the application.
4. Within twenty (20) days subsequent to receipt of the written request and accompanying documentation, the Board shall either approve or disapprove the proposed installation of the Hurricane Shutters.

Insurance Requirements

1. No contractor shall begin work or install material unless contractor has obtained Public Liability Insurance, including completed operations, in an amount not less than \$1,000,000.00, Workers' Compensation Insurance in an amount not less than \$500,000.00, and Automobile Liability Insurance, including non-owned automobiles, in an amount not less than \$500,000.00. Notwithstanding any minimum amount required herein, no insurance coverage shall be less than the minimum amount required by law. Each such insurance policy shall, for the duration of the construction, name the Association as an additional insured.
2. All insurance policies shall contain a clause requiring a minimum of ten (10) days prior notification to the Association in the event such policy is to be canceled, terminated or modified in any manner. No Contractor or proposed Hurricane Shutter installation shall be approved unless and until appropriate certificates of insurance are received by the Association from the Insurance Agent of the Installing Contractor naming the Association on the certificate.

Unit Owner Responsibilities

1. Unit Owner agrees to be responsible for all costs and expenses in the installation, maintenance and continued first class upkeep of the hurricane shutters, and for all insurance with respect to any casualty in connection with the Hurricane Shutters. Unit Owner shall permit Association to inspect the shutters or screens, as necessary, to ensure compliance with the Association's Rules.
2. Unit Owner assumes all responsibility for obtaining all necessary Building Permits. Unit Owner is also responsible for adherence and compliance to applicable building codes.

3. Unit Owner agrees to construct and maintain the Hurricane Shutter referred to herein in a first-class manner. If Unit Owner fails to maintain the Hurricane Shutters as required herein, after fifteen (15) days written notice from the Association to the Unit Owner, Association shall have the right to perform, or have performed any required maintenance or repair work or to have the Hurricane Shutters removed and the property restored to its condition prior to the installation of the Hurricane Shutters. Unit Owner hereby agrees to be personally responsible for all costs thus incurred and grants Association a lien right against the condominium unit referred to herein in order to secure payment of any such sums. Said lien shall be forecloseable in the same fashion as liens granted to the Association under the Declaration of Condominium for non-payment of condominium assessments.

4. Unit Owner agrees to indemnify, defend and hold harmless the Association from any and all claims, actions, costs or expenses of any nature whatsoever, including but not limited to attorney's fees, arising out of, or because of, the construction and maintenance of the Hurricane Shutters.

5. Unit Owner agrees to be responsible for any damage to the Common Elements or other units within the Condominium which is caused as a result of the construction, installation or maintenance of the Hurricane Shutters described herein.

6. It is expressly understood and agreed by the Unit Owner that all the above responsibilities shall be binding upon Unit Owner and his heirs, successors in interest, and assigns, and shall be a condition implied in any conveyance or any instrument affecting title of the aforesaid condominium unit and that this instrument shall be recorded in the Public Records of Lee County.

Terms and Conditions for Approval

The Board of Directors at special meeting will adopt a resolution, entitled "HURRICANE SHUTTER SPECIFICATIONS". These specifications establish the minimum requirements for the approval process and installation of Hurricane Shutters. In addition to technical requirements which may be adopted by the Board, the following shall apply to all such requests and approvals thereof.

1. Shutters shall be installed as per specifications as adopted by the Board. The shutter material and installation shall conform to said resolution "Hurricane Shutter Specifications."

2. All costs in connection with the subject installation and materials shall be borne by the homeowner and not the Association.

3. The homeowner will be responsible to maintain the hurricane shutters, indemnify and hold the Association harmless from any costs or liability involved in the installation, maintenance, or restoration of the hurricane shutters.

4. The Association has the right to demand that the owner maintain and repair the hurricane shutters and mechanism for operating same, and restore the area to its original condition in the event that the shutters are ever removed.

7. If the owner fails to undertake any of his obligation under these terms and conditions, the owner and his successors in title agree to allow the Association access to the unit for maintenance, repair or restoration, and pay the cost of the work, including attorney fees should the Association by law require to bring an action to enforce the provisions of the document.

8. The Application for Approval to Proceed With Installation of Hurricane Shutters shall be completed by the homeowner. The completed application shall together with the required exhibits, be submitted to the Board. The homeowner shall be notified of action taken and a copy of the approved request shall be placed in the homeowner's file. No shutters may be installed until the application for installation has been approved by the Association

Technical Specification Requirements

1. The materials, equipment, installation and construction used, which is incorporated into or part of the Hurricane Shutter shall conform, in all respects to the requirements of construction established by the local government agency having jurisdiction over construction in the Condominium regarding the Hurricane Shutter wind load requirements.

2. No Hurricane Shutter shall be permitted or approved, unless it is determined that the product has been tested by a licensed Florida engineer to meet local wind load requirements of construction established by the local government agency having jurisdiction over construction.

3. No Hurricane Shutter shall be permitted or approved, unless the materials used in, incorporated into or a part of the Hurricane Shutter shall be, at a minimum, as follows:

A. Type of Shutter:

- Aluminum Slat Rolling (Roll Down) Shutters
 - Manual Rolling Shutters
 - Motorized Rolling Shutters
- Wind Abatement Screens
 - Manual Rolling Screens
 - Motorized Rolling Screens
- No other type of shutter or screen is allowed on any opening

B. Color:

All shutters and screens must blend with the aesthetics of the buildings as defined by the Architectural Review Committee ("ARC"). Color samples must be submitted to and approved by the ARC.

1. The slats and housing box of an aluminum rolling shutter system must be "tan." The screen of a hurricane wind abatement system must be either "tan" or "brown."
2. The color of all other shutter and screen components, consisting of, but not limited to, side tracts and build out framing, shall be white.
(All paint shall be factory finished.)

C. Installation:

1. Over windows and sliding glass doors shutters must be on the exterior of the building. Windows and sliding glass doors may only be covered by aluminum slat hurricane shutters and not by a wind abatement screen system.
2. On lanais, Rolling Shutters or a Wind Abatement Screen must be installed inside the screen, along the perimeter of the lanai, and mounted flush to the ceiling.
3. The fastening of Rolling Shutters or a Wind Abatement Screen to upper level lanai floors must be done in a way and with proper sealing that will prevent water from corroding enforcing bars in the floor and/or otherwise leaking into adjoining lower level lanais.

D. Fasteners

All fasteners used for attaching the components of any shutter or wind abatement system must be corrosion resistant or stainless steel. Fastener spacing must comply with the Florida Building Code. Stress and shear factors must be calculated in engineering drawings and must also comply with the applicable building code.

The fasteners used to attach any shutter or wind abatement system to a lanai and/or the building must be properly installed and sealed to prevent damaging water leakage from occurring.

Manufacture and Installation Standards

ROLLDOWN

1. Mounting System. Rolling shutters on lanais must be mounted using a bracket or end cap mounted system. Brackets should be made of galvanized steel, triple coated with rust inhibitor HDZ2000, and fastened structurally to the building.
2. Rolling Shutter Slats. Rolling Shutter Slats should be made of 60 mm Extruded Aluminum. 60 mm Extruded Aluminum slats are manufactured by extruding a high quality, 6063-T6 aluminum to produce a single-piece slat with a nominal wall thickness of 0.050" or greater. Slats must be electrostatically painted with a liquid factory applied paint. No Sun Shade Slats shall be permitted.
3. Storm Bars. No Storm Bars will be allowed on any openings.
4. Side Tracks. Side tracks are to be manufactured of extruded aluminum 6063-T6. Side tracks should be custom painted using a factory finished, baked on paint system. Side tracks must have decorative cover as to cover tapcons. Tracks cannot show tapcon cover buttons. Paint should contain UV inhibitors to prevent color fading. The minimum depth of the tracks where slats are held should be no less than 3.0". Mounting anchors for structural support should be recessed in the boxed area of the side track; fasteners should be every 6 inches. Tracks should be lined with commercial-grade, tightly woven, high-density nylon pile weather stripping.
5. Manual Operators. Manually operated shutters should use a stainless steel worm gear with sealed ball bearings and enclosed casing. Manual gears must be permanently lubricated. Detachable handles and universal assemblies are to be stainless steel or an equivalent non-corrosive material.
6. Somfy (or other similar) Motors. Motorized shutters must use UL listed motors. Electrical switches must also be UL listed. Motors must be tubular with protected non-corrosive casing, and have thermal cut off protection.
7. Reel. Reels must be made of galvanized steel or aluminum.
8. Shutter Housing or Hoods. Lanais and windows: hoods for lanais must be made of 3105-H14-aluminum alloy, custom-formed to size and housing designed. Hoods must be custom painted using a factory finished, baked on paint system. The prefinished, embossed or textured aluminum hood must refract light rather than reflect light. Hoods are to be structurally attached to the building. Lanai hoods must be mounted flush with the ceiling. No end cap systems will be approved for lanai installations. Hoods must be sealed to ceiling using matching sealant to provide protection from moisture, insect and dirt intrusion. Hood shapes may be five or six sided, depending on the installation of the shutter. Four-sided hoods will not be permitted.

All hurricane, wind abatement, and security system installations must be permitted.

This should be the responsibility of your Contractor.

Any fines related to not obtaining the appropriate building permits will be the responsibility of the homeowner.

Adopted by the Board of Directors of Palm Colony at Pelican Landing Condominium Association, Inc., Lee County, Florida, this 16th day of February 2009.

Corporate Seal:

PALM COLONY AT PELICAN
LANDING CONDOMINIUM
ASSOCIATION, INC.

Date: 2.16.09

By: [Signature]
Robert Baxter, President

Date: 2/16/09

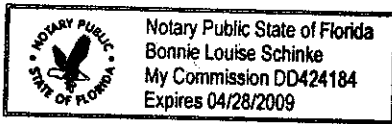
By: [Signature]
Judy Whitbeck, Secretary

STATE OF FLORIDA)
)
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 16th day of February, 2009, by Robert Baxter, President, and Judy Whitbeck, Secretary, of Palm Colony at Pelican Landing Condominium Association, Inc., a Florida corporation, on behalf of the corporation. They are personally known to me or have produced _____ as identification and did not take an oath.

(Notary Seal)

[Signature]
Signature of Notary Public



Bonnie L. Schinke
(Print, type or stamp commissioned
Name of Notary Public)

Commission No.: DD424184