

PROPOSED AMENDMENTS
TO THE DECLARATIONS OF PROTECTIVE COVENANTS
OF
GABLES ESTATES NUMBER 2,
GABLES ESTATES NUMBER 3,
GABLES ESTATES NUMBER 4,
LOTS 14-21, BLOCK 1 OF COCOPLUM SECTION ONE
AND
LOTS 1-9 OF BLOCK 12 OF COCOPLUM SECTION TWO PLAT "A"

(Additions indicated by underlining; Deletions indicated by ~~striking through~~.)

1. PROPOSED AMENDMENT TO THE "MEANING OF TERMS" IN THE DECLARATIONS TO ADD THE FOLLOWING:

Subdivisions: Notwithstanding anything else contained herein, "subdivision" as used herein shall refer to the properties located in the following subdivisions: **Gables Estates Number 2** (according to the Plat thereof, recorded in Plat Book 60 at Page 37 of the Public Records of Miami Dade County, Florida, as may have been replatted) with its Declaration of Protective Covenants recorded in Official Records Book 467 Page 106, as amended; and **Gables Estates Number 3** (according to the Plat thereof, recorded in Plat Book 65, at Page 66 of the Public Records of Miami Dade County, Florida, as may have been replatted) with its Declaration of Protective Covenants recorded in Official Records Book 579 Page 1, as amended; and **Gables Estates Number 4** (according to the Plat thereof, recorded in Plat Book 70, at Page 99 of the Public Records of Miami Dade County, Florida, as may have been replatted) with its Declaration of Protective Covenants recorded in Official Records Book 3001 Page 734, as amended; and **Lots 14 – 21, Block 1 of Cocoplum Section One** (according to the Plat thereof, recorded in Plat Book 99, at Page 39 the Public Records of Miami Dade County, Florida, as may have been replatted) with its Declaration of Protective Covenants recorded in Official Records Book 8894 Page 590, as amended; and **Lots 1-9 of Block 12 of Cocoplum Section Two Plat "A"**(according to the Plat thereof, recorded in Plat Book 114, at Page 2 the Public Records of Miami Dade County, Florida, as may have been replatted) with its Declaration of Protective Covenants recorded in Official Records Book 10709 Page 1168, as amended.

All of the Subdivisions listed above are governed by and subject to the restrictions set forth in the Declarations of Protective Covenants covering all of Gables Estates Number 2, at Official Records Book 467, Page 106 of the Public Records of Miami-Dade County, as amended from time to time; the Declaration of Protective Covenants covering all of Gables Estates Number 3, Official Records Book 579, Page 1, as amended from time to time; the Declaration of Protective Covenants covering all of Gables Estates Number 4, Official Records Book 3001, Page 734; the Declaration of Protective Covenants covering all of Lots 14 – 21 Block 1 of Cocoplum Section One, Official Records Book 8894 Page 590, as amended from time to time; and Declaration of Protective Covenants covering all of Lots 1-9 of Block 12 of Cocoplum Section Two Plat "A", Official Records Book 10709 Page 1168, as amended from time to time (collectively, the "Declarations").

The Subdivisions shall also be governed by and subject to all of the restrictions set forth in the Declarations, the By-Laws of Gables Estates Club, Inc., the Charter of Gables Estates Club, Inc. and the Rules and Regulations of Gables Estates Club, Inc., all as may be amended from time to time.

Subdivider: Notwithstanding anything else contained herein to the contrary, “subdivider” and “grantor” means the Gables Estates Club, Inc. (sometimes referred to as the “Club” herein), a Florida corporation, its respective successors and assigns, which is successor and assign of Three Bays Properties #2, Inc., Three Bays Properties #3, Inc. and Three Bays Properties #5, Inc. for purposes of the Declarations.

2. PROPOSED AMENDMENT TO THE LAST PARAGRAPH OF ARTICLE 13 OF THE DECLARATIONS TO PROVIDES AS FOLLOWS:

PROVIDED, HOWEVER, that nothing herein contained shall preclude a selling grantee, a bank, a savings and loan Gables Estates Club, Inc. or an insurance company or a publicly held regulated financial institution from holding mortgage on property situated in Gables Estates Numbers 2, 3 and 4, Lots 14 through 21 of Block 1 of Cocoplum Section One or Lots 1 through 9 of Block 12 of Cocoplum Section Two Plat “A” Subdivisions and such selling grantee, bank, savings and loan Gables Estates Club, Inc., insurance company or publicly held regulated financial institution shall have unrestricted and absolute right to take title to the said property in settlement and satisfaction of the said mortgage, or to foreclose the said mortgage in accordance with the terms thereof and the Laws of the State of Florida, and to bid upon the said property at the foreclosure sale, and, if the successful bidder, to take title thereto, ~~and to sell the said property to any person, firm or corporation whether or not a member of “GABLES ESTATES CLUB, INC.”~~ subject, however, to the all restrictions set forth in the Declarations and the right of subdivider Gables Estates Club, Inc. to redeem or purchase at the foreclosure sale as hereinabove provided, and subject to option to purchase obtained in Protective Covenant Number 15.

3. PROPOSED AMENDMENT TO ARTICLE 14 OF THE DECLARATIONS TO ADD A PARAGRAPH AT THE END TO PROVIDE AS FOLLOWS:

Each owner, his tenants and guests, and the Club shall be governed by and shall comply with the provisions of the Declarations. If an owner, his or her guest or tenant fail to comply with the terms of this Declarations, the By-Laws, the Charter, Florida Law and/or the Rules and Regulations adopted pursuant thereto, as they may be amended from time to time, and as a result of such failure it becomes necessary for Gables Estates Club or its agent to employ an attorney in order to ensure that the owner, his or her guest or tenant complies with his or her said obligations, then and in such event, the owner will be obligated to reimburse Gables Estates Club, Inc. for the costs of such attorney’s fees, regardless of whether or not suit or other legal action was ever instituted.

4. PROPOSED AMENDMENT TO ADD ARTICLE 20 TO THE DECLARATIONS TO PROVIDE AS FOLLOWS:

20. Assessments and Collection

Gables Estates Club, Inc., shall have a lien on all the lots in the Subdivisions, to secure the payment of any such annual or special assessments or other charges that are due and to become due or may lawfully be levied by the Board of Governors, together with interest, and costs of collection, if any, including court costs and reasonable attorney’s fees at trial and appellate level and the record owners of such lots shall be personally liable for all such charges. Such lien shall be effective from and after the time of recording among the public records of Miami-Dade County, Florida, of a Claim of Lien by Gables Estates Club, Inc. setting forth the amount of each lien as of the date of such statement. All payments upon accounts shall be first applied to interest, then the late fee, then to any costs and reasonable attorney’s fees incurred by Gables Estates Club, Inc. and then to the assessment payment first

due. The foregoing method of applying payments shall be applicable notwithstanding any restrictive endorsement, designation or instruction placed on or accompanying a payment.

In the event any owner fails to pay any assessment, fee or charge within ninety (90) days after the same becomes due and payable, then interest at the highest amount allowable by law shall accrue and the Board shall have the right to charge a late fee in the highest amount allowable by law and to elect on behalf of Gables Estates Club, Inc. either some or all of the following remedies, or any other remedy available under the laws of the State of Florida, which remedies shall not be mutually exclusive, and the election of any one of such remedies shall not be deemed to be a waiver of any other such remedies: (a) To accelerate the entire amount of any assessment allocable to the lot for the remainder of the calendar year; (b) Foreclosure; (c) Action at law to collect such unpaid assessment(s), plus interest and costs of collection, including court costs and reasonable attorney's fees. The Club may attach rental income for delinquent lots and may withhold approval for the transfer of a lot until all past due amounts. In the event any pre-litigation mediation or alternative dispute resolution is required by the Florida Statutes, the Gables Estates Club and any owners, tenants or other occupants shall comply with such statutory requirements.

5. PROPOSED AMENDMENT TO ADD ARTICLE 21 (AND DELETE ARTICLE 16) TO THE DECLARATIONS TO PROVIDE AS FOLLOWS:

21. Amendment:

An amendment may be proposed by either a majority of the Directors or by twenty-five percent (25%) of the entire voting interests. An amendment may be adopted by a vote of fifty one percent (51%) of the entire voting interests of the Club at a duly noticed meeting at which a quorum is present, or by the written agreement of fifty one percent (51%) of the entire voting interests. Amendments correcting errors, omissions or scrivener's errors may be executed by the officers of the Association, upon Board approval, without need for Association membership vote.