

**SECOND AND FINAL NOTICE OF THE  
ANNUAL MEETING OF THE MEMBERSHIP  
LAKEMONT COVE CONDOMINIUM ASSOCIATION, INC.**

January 30, 2008

All Members  
Lakemont Cove Condominium Association, Inc.

On **March 6, 2008 at 3:00 p.m.**, at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida, the Annual Meeting will be held for the purpose of electing directors and conducting the lawful business of the Association.

An identification of agenda items is as follows:

**Agenda**

1. Call to Order
2. Certification of Proxies & Determination of Quorum
3. Proof of Due Notice of Meeting
4. Reading and Approval of Minutes from Prior Members' Meeting
5. Reports
6. Old Business, if any
7. New Business
  - A. Vote on Financial Reporting Requirements
  - B. Vote on Use of Reserve Funds
  - C. Vote on Amendment #1 to the Bylaws
  - D. Vote on Amendment #2 to the Bylaws
8. Adjournment

**PLEASE NOTE: Pursuant to Florida Law, an election of the directors of this Association is not required, since the number of persons who submitted candidate intent forms for the Board is equal to the number of vacancies to be filled (2). Accordingly, the Names of those persons will be announced at the annual Meeting as follows: Denis Avagliano and Jim Murphy.**

**NOTE:** If a majority of the directors so elect, an Organizational Meeting of the Board of Directors will be held immediately upon the adjournment of the Annual Meeting for the purpose of electing officers and such other business as may lawfully be conducted. The directors present at the Annual Meeting may decide to defer the Organizational Meeting to a later time, in which case notice will be announced and no further posting will be necessary.

**A quorum of at least a majority (63) of persons entitled to cast the votes of the members must be present in person or by proxy, at the meeting, in order for business to be conducted. It is therefore, VERY IMPORTANT that you either attend or return your Proxy in the enclosed return envelope before the meeting.**

BY ORDER OF THE BOARD OF DIRECTORS



Brad Thomas, CAM  
Association Manager

## **VOTING BY PROXY**

If you are unable to attend the Annual Meeting and wish to vote by proxy, please note the following information about **PROXIES**:

1. If you appoint a proxy and later decide you will be able to attend the meeting in person, you may withdraw your proxy when you register at the meeting.
2. A proxy is for the purpose of appointing another person to vote for you as you specifically direct (except for non-substantive items), in the event that you might not be able to attend the meeting. It must be signed by all owners of the unit or the designated voter.
3. The proxy should be submitted to the Association prior to the scheduled Annual Meeting date. It can be mailed to the Association to Cypress Hammock, c/o Sandcastle Community Management, P.O. Box 8478, Naples, Florida, 34101-8478 (a self-addressed envelope is enclosed) or hand-delivered. It is encouraged that the proxy be submitted as long before the meeting as possible, in order to avoid delay in registration.
4. A proxy may be revoked in writing or superseded by a later proxy to another person. It may also be assigned (substituted) by the person designated on the proxy to a third person if the person you designate as proxy decides that he or she will be unable to attend the meeting.

**LIMITED PROXY**

The undersigned, owner(s) or designated voter of \_\_\_\_\_ Lakemont Cove Lane # \_\_\_\_\_ in Lakemont Cove Condominium Association, Inc., appoints

\_\_\_\_\_  
(PRINT NAME OF PROXYHOLDER/Person that will attend the meeting in your place)

OR THE ASSOCIATION PRESIDENT, *Wayne Klinkhammer*, AS MY PROXYHOLDER, to attend the meeting of the members of **Lakemont Cove Condominium Association, Inc.**, to be held **March 6, 2008** at **3:00 p.m., at the Pelican Landing Community Center, 24501 Walden Center Drive, Bonita Springs, Florida**. The proxyholder named above has the authority to vote and act for me to the same extent that I would if personally present, with power of substitution, except that my proxyholder’s authority is limited as indicated below:

**GENERAL POWERS** (You may choose to grant general powers, limited powers or both. **Check “General Powers”** if you want your proxyholder to vote on other issues which might come up at the meeting and for which a limited proxy is not required).

**General Powers**

\_\_\_\_ I authorize and instruct my proxy to use his or her best judgment on all other matters which properly come before the meeting and for which a general power may be used.

**LIMITED POWERS (FOR YOUR VOTE TO BE COUNTED ON THE FOLLOWING ISSUES, YOU MUST INDICATE YOUR PREFERENCE IN THE BLANK(S) PROVIDED BELOW).**

**I SPECIFICALLY AUTHORIZE AND INSTRUCT MY PROXYHOLDER TO CAST MY VOTE IN REFERENCE TO THE FOLLOWING MATTERS AS INDICATED BELOW:**

A. Should an audit of the Association’s financial records by a Certified Public Accountant be waived for fiscal year 2008 and be replaced with a statement of cash receipts and disbursements from the management company? **(Board recommends voting in favor of waiving the financial reporting requirement for 2007 as there was an audit conducted in early 2007)**

\_\_\_\_\_  
In favor of waiving audit

\_\_\_\_\_  
Opposed to waiving audit

B. Should funds be borrowed from reserves to pay the annual insurance premiums for 2008-09 policy to avoid interest expenses with repayment to reserves to take place prior to the 2009 renewal? **(Board recommends voting in favor of borrowing from reserves.)**

\_\_\_\_\_  
In favor of borrowing from reserves

\_\_\_\_\_  
Opposed to borrowing from reserves

C. Should the ByLaws of Lakemont Cove Condominium Association, Inc. be amended as stated in Amendment #1? **(Board recommends voting in favor of Amendment #1.)**

\_\_\_\_\_  
In favor of Amendment #1

\_\_\_\_\_  
Opposed to Amendment #1

D. Should the ByLaws of Lakemont Cove Condominium Association, Inc. be amended as stated in Amendment #2? **(Board recommends voting in favor of Amendment #2.)**

\_\_\_\_\_  
In favor of Amendment #2

\_\_\_\_\_  
Opposed to Amendment #2

DATE: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE(S) OF OWNER(S) OR DESIGNATED VOTER

**THIS PROXY IS REVOCABLE BY THE UNIT OWNER AND IS VALID ONLY FOR THE MEETING FOR WHICH IT IS GIVEN AND ANY LAWFUL ADJOURNMENT. IN NO EVENT IS THE PROXY VALID FOR MORE THAN NINETY (90) DAYS FROM THE DATE OF THE ORIGINAL MEETING FOR WHICH IT WAS GIVEN.**

\*\*\*\*\*

**(Voter: Leave this section blank. To be completed by proxyholder named above in the event he/she cannot attend the meeting)**

**SUBSTITUTION OF PROXYHOLDER**

The undersigned, appointed as proxyholder above, designates \_\_\_\_\_ to substitute for me in voting the proxy set forth above.

\_\_\_\_\_ Date: \_\_\_\_\_

Signature of proxyholder

\*\*\*\*\*

**Information on Items to be voted on**

**A. Vote on Waiver of Financial Reporting Requirements**

Florida Statute 718.111(13)(a)3 states that an Association with total annual revenues \$400,000.00 or more shall prepare audited financial statements. This audit is prepared by a Certified Public Accountant at a cost of approximately \$4,000 to \$8,000. Most Associations have an audit done every 5 to 10 years and waive this requirement each of the other years. Lakemont Cove just had audited financial statements prepared for the 2006 fiscal year. **Board recommends voting in favor of waiving audit.**

**B. Vote on Use of Reserve Funds**

Pursuant to Chapter 718.112(2)(f)(3) of the Florida Statutes, reserve funds and any interest accruing thereon shall remain in the reserve account or accounts, and shall be used only for authorized reserve expenditures unless their use for other purposes is approved in advance by a majority vote at a duly called meeting of the association. **Board recommends voting in favor of borrowing from reserves for insurance premiums.**

**C. Vote on Amendment #1**

Historically, it has been very difficult to obtain a quorum for membership meetings at Lakemont Cove. This amendment would change the quorum requirement so that forty-two (42) units must be represented in order to conduct business. The current requirement is sixty-three (63) units must be represented to conduct business. **Board recommends voting in favor of Amendment #1.**

**D. Vote on Amendment #2**

This proposed amendment will bring your Bylaws into compliance with the state statute. Future changes in the statute that limits late charges would not require any further amending of your Bylaws. The proposed amendment would effectively change the late fee from \$100 to \$60. **Board recommends voting in favor of Amendment #2.**

If you have any questions regarding these items, please contact the management office for further information.

**IT IS VERY IMPORTANT THAT YOU MAIL THIS FORM**  
**SINCE THE PROXY IS NEEDED TO ESTABLISH**  
**QUORUM TO HOLD THE MEETING.**

**AMENDMENTS TO THE BYLAWS  
OF  
LAKEMONT COVE CONDOMINIUM ASSOCIATION, INC.**

Additions indicated by underlining.

Deletions indicated by ~~striking through~~.

**Amendment #1**

3.16. A quorum of the Members shall consist of persons entitled to cast votes on behalf of a ~~majority~~ one-third (1/3) of the entire Membership. A quorum of any Class Members shall consist of persons entitled to cast votes on behalf of such Class Members. When a quorum is present at any meeting and a question which raises the jurisdiction of such meeting is presented, the holders of a majority of the Voting Interests present in person or represented by written Proxy shall be required to decide the question. A quorum is not required at the Annual Members' Election or Special Members' Election. However, if the question is one which, by express provision of the Act or the Neighborhood Documents (provided the express provision of the Neighborhood Documents is in accordance with the requirements of the Act), requires a vote other than the majority vote of a quorum, then such express provision shall govern and control the required vote on the decision of such question.

**Amendment #2**

5.3. A Home Owner who fails to timely pay any Neighborhood Assessment shall be charged a late charge ~~of One Hundred Dollars (\$100)~~ by the Association in an amount equal to the highest amount permissible by law for such late Neighborhood Assessment. Home Owners shall be responsible to pay all legal fees (including but not limited to, attorney and paralegal fees and court costs) incurred in connection with the collection of late Neighborhood Assessments whether or not an action at law to collect said Neighborhood Assessment and foreclose the Association's lien has been commenced. The Board has authorized the following initial schedule of fees for such circumstances (which is, however, subject to change without notice as provided in Section 5.4).