

**BYLAWS OF MOBILE MANOR, INC.**  
**150 LANTERN LANE**

**NORTH FT. MYERS, FL. 33917**

**AMENDED March 4th, 2010**

**AMENDED November 7, 2013**

**AMENDED March 6<sup>th</sup>, 2014**

**AMENDED February 1, 2018**

**AMENDED March 6th 2020**

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Preamble To MM Inc. Bylaws

Mobile Manor Inc. is a nonprofit corporation. Mobile Manor Inc. is also a property owner of certain properties within Mobile Manor Unrecorded Subdivision. It is regulated under Title 617 Florida Statutes and authorized under Its Articles of Incorporation whose primary purpose is to “maintain its recreational properties”. Mobile Manor Unrecorded Subdivision is further governed by the ordinances of Lee County. Additional purposes related to its aforementioned primary purpose are to provide venues for the residents of Mobile Manor Unrecorded Subdivision and to promote harmony within the Mobile Manor Community. To help facilitate these objectives, the following bylaws are presented. These bylaws are to serve as guidelines for the board of directors to accomplish these purposes.

**ARTICLE I:-MEMBERSHIP DEFINITIONS**

**Member** A dues paying resident or owner of a Mobile Manor property who is current for the previous 12 months through the current month. New residents, with dues paid current and for a least three (3) months from their first month of residency and individuals residing in member properties will be considered members.

**Voting Member,** A member and property owner of a lot within Mobile Manor Unrecorded Subdivision or a resident of a non dues paying property, who has been a member for at least 12 months, through the current month will be eligible to vote. Also, new owners that have been members from their first month of residency for a least 3 months, will be eligible to vote. Eligible voting members for at least the previous 12 months will also be able to run for board office. If an owner who is not a resident is a dues payer, only the owner will have the right to vote, unless the owner gives the resident his proxy. New owners, with dues paid current and for a least three (3) months from their first month of residency Each lot will have only one vote.

**Social Club** A standing committee of the Mobile Manor Inc. Board of Directors responsible for activity planning, establishing of its rules, budgets and day to day maintenance of the community center.

**ARTICLE II: NAME AND PRINCIPAL PLACE OF BUSINESS**

- Sec. 1. The name of this corporation shall be Mobile Manor, Inc-
- Sec. 2. The principal office of the corporation in this State shall be located at 150 Lantern Lane, N. Fort Myers, FL. All correspondence and deliveries pertaining to the Corporation to be to this address.
- Sec. 3. Other offices for the transaction of business shall be located at such places as the Board of Directors may from time to time determine.

**ARTICLE III: OBJECTIVES**

The objectives and general purposes of this Corporation ~~shall be:~~are:

- 1 To maintain the properties owned by the corporation.
- 2 To promote the mutual interest of the members.
- 3 To find solutions for our common problems.
- 4 To inform the members regarding matters of common interest.
- 5 The will of the membership is the highest authority of the Corporation.
- 6 To cooperate with other property owners of Mobile Manor to maintain the common areas (roadways, walkways and roadway lighting)
- 7 To promote good relations among our members and with the community

**ARTICLE IV: MEETINGS AND QUORUMS**

- Sec. 1. Regular meetings of the Corporation members will be held at 2:30 p.m. the first Thursday of each month from November through April of each year. Said meetings to be held on corporate property, or elsewhere, as will be defined in the notice of such meeting. All lot owners (voting and non-voting) and residents may attend the monthly and annual meetings. Input from all residents will be welcomed. Only voting members shall vote on corporation business
- Sec. 2. Special meetings of the Corporation may be called at any time by the President or in his or her ~~absence~~, unavailability the Vice President, or in his/her unavailability, a majority of the Directors at a location designated by the notice.
- Sec. 3. It will be the duty of the Directors, President or Vice-President to call a special meeting whenever so requested by those Corporation members, presenting a petition, constituting more than twenty (20%) of the Corporation voting membership. The petition must contain the reason(s) for and justifications for, signed by at least four (4) current board members
- Sec. 4. The annual meeting will be the regular meeting held in the month of March. Notice of the time and place of the annual meeting shall be posted on corporate property not less than ten days prior to the meeting.

- Sec. 5. Proxies will be allowed but must be in writing. Proxy forms can be obtained at the office or online on the Mobile Manor Inc. web site. Completed and signed proxy forms can be mailed, emailed or faxed to the office.
- sec. 6. A quorum for the transaction of business at the annual meeting shall be 35 voting memberships. Proxies will not be used to constitute a quorum.
- Sec. 7. A quorum for the transaction of regular community monthly meetings or special community meetings shall be 25 voting memberships, proxies will not be used to constitute a quorum.
- Sec. 8. An agenda will be prepared by the Secretary in consultation with the President, posted and available to the membership at least three (3) days prior to the meeting. Any item presented and not on the agenda will be tabled unless added to the agenda by board motion, approved unanimously, and considered a study item and will appear on the next month's agenda. All meetings will be recorded.

**ARTICLE V: ADMINISTRATION AND MANAGEMENT  
OFCORPORATION BOARD OF DIRECTORS**

- Sec. 1. The administration and management of the Corporation affairs, including the Corporation property, and the providing of utilities, will be vested in the Corporation through the Board of Directors. The Corporation will maintain a membership vote and shall maintain such accounts and records as necessary and prudent in accordance with good business standards. The Corporation, through its officers and directors, will have the powers, authorities and responsibilities, as are vested in the officers and directors of a corporation not for profit under the laws of the State of Florida.
- Sec. 2. The business property of the Corporation and, generally, the management and control of the Corporation and the property owned by it, will be conducted and managed by the Board of Directors of (9) members who will be elected by the voting membership.
- Sec. 3. The regular monthly meetings of the Board of Directors will be the fourth Tuesday of the month prior to each regular monthly meeting. unless specifically announced, board meetings will be held at the principal office of the corporation, or the community center. All Mobile Manor residents may attend the community and board meetings.
- Sec. 4. Special meetings of the Board of Directors will be held in the principal office of the Corporation or at such place as the majority of the Directors will designate.
- Sec. 5. A majority of the Board of Directors will constitute a quorum at any monthly or special meeting.
- Sec. 6. The Board of Directors will, as it may be necessary, appoint committees to handle the day-to-day affairs of the Corporation, each committee to include at least one (1) member of the Board of Directors.
- Sec. 7. All salaries and wages of any Corporation employee will be determined and regulated by the Board of Directors.

- Sec. 8. All contract bids on any Corporation facilities must be approved by the Board of Directors. In addition, any bid/expenditure/commitment over \$2000 must be approved by the voting membership in attendance. Purchases greater than \$700 must be approved by the board at a regular board meeting. Agenda of such meeting will include a description of the expenditure; except during a board declared emergency.
- (A) An Audit committee will be appointed by the Board of Directors immediately after the annual election. It will conduct an annual audit of the Corporation.
- (B) An office manager may be appointed by the Board of Directors. The duties and salary of the manager or other employees will be set by the Board of Directors.
- Sec. 9. The Board of Directors will consist of (9) members: President, Vice-President, Secretary, Treasurer, five (5) members elected at large. The President and Vice-President are to be elected yearly and may not serve more than four (4) consecutive one year terms. The Secretary and Treasurer will be elected each year. Board members at large are elected for a two (2) year term but may not serve more than two (2) consecutive terms. The president and vice president will run as a team, one of them must be a full time resident.
- Sec. 10. The Board of Directors will adopt a budget for each fiscal year. The fiscal year of the Corporation will be January 1st through December 31st of each year. Copies of the proposed budget will be presented to the members at the January Meeting.
- Sec. 11. The Corporation Treasurer or his or her designee will deposit the Corporation funds in such bank or banks as the Board of Directors may direct. Withdrawals of such funds will be made by the Treasurer or others as designated by the Board of Directors.
- Sec. 12. The Board of Directors may make such rules and regulations governing the use of Corporation property as they may deem proper, such rules can not violate the Articles of Incorporation, Florida Statutes Section 617 or invalidate other provision(s) of these bylaws.
- Sec. 13. No Corporation employee may be elected or appointed to serve on the Corporation Board of Directors.
- Sec. 14. The Board of Directors may bar the use of the facilities to members or guests who become undisciplined or destructive.
- Sec. 15. The Board of Directors may bar the use of key/keys to corporate property that are being used in an undisciplined or destructive manner by members/guests and ask for the immediate return of such key/keys. If key/keys are not returned, the person/persons retaining the key/keys will be responsible for the cost of changing the lock/locks in question.
- Sec. 16. All complaints must be in writing and addressed to the Board of Directors at 150 Lantern Lane, The complaint will be reviewed at the next regular board meeting.

The Board will respond to the complaint within 30 days. Resolution of the complaint will take place in a timely manner. The complaint and the complainant will be kept confidential if requested. Upon resolution, a copy of the Board response will be given to the complainant and will be kept on file.

Sec 17 The Mobile Manor Inc. Board of Directors will also serve as the Board of Directors of the Mobile Manor Water Co Inc in accordance with the Mobile Manor Water Co, Inc. Articles of Incorporation. Chapter 25-30 Florida Statutes, the Florida Public Service Commission regulations and the Florida Department of Environmental Quality.

## **ARTICLE VI: OFFICERS**

Sec. 1. The Corporation will have a President, Vice-President, Secretary, and Treasurer. They will be elected or re-elected at the Annual Meeting of the Corporation. Any officer may be removed with just cause upon a  $\frac{3}{4}$  majority vote of the membership at any special meeting called for such purpose and upon which notice has been given to the membership. The quorum of such special meeting must be 35 voting memberships. A  $\frac{3}{4}$  majority vote is needed to remove an officer.

Sec 2 (A) The officers serve as directors with designated responsibilities. The president will facilitate and assist the office staff in completion of their administrative tasks and chair board and community meetings. The President, or in his/her absence, the Vice-President, will preside at all meetings of the Board of Directors and the Corporation, unless he/she requests a moderator/parliamentarian. The Board of Directors will have supervision over the officers, board members and affairs of the Corporation and manager. The president and the vice president will be nominated as a team and one nominee must be a full time resident of Mobile Manor.

(B) The Secretary is responsible for issuing notices of all meetings and will attend and keep minutes of the same. He/she will be custodian of the Corporate Seal, have charge of the Corporation records and papers, and will perform all the duties incidental to his/her office. The Secretary or his or her designee will also maintain an directory of the names, addresses/email addresses (if available) of each member of the Corporation

(C) The Treasurer will have custody of the funds of the Corporation, will have supervision of books of accounting, and will insure that vouchers, receipts, records and other papers incidental to such office are maintained.

(D) Minutes of Association meetings will be placed in the office and the Mobile Manor website ([www.mobilemanor.net](http://www.mobilemanor.net)) within ten (10) days following the meeting. Minutes of Board meetings to be available to the Board members not later than three ten (10) days following the meeting.

(E) Recordings of meetings will be retained for 12 months unless a longer time is requested by the Board of Directors or a member for a specific purpose.

Sec. 3. Each of the officers above described, will in addition to the powers and duties conferred upon them herein, have all the powers, authorities and responsibilities as are designated to officers of a corporation not for profit under the laws of the State of Florida.

## ARTICLE VII: ELECTIONS

- Sec. 1. The election of officers and directors will be held at ~~the~~ Annual Meeting in March.
- Sec. 2. Nominating committee of three (3) members will be appointed by the President at the regular Community meeting in December.
- Sec. 3. Only voting members can be nominated. Any member desiring to run for an office will submit an acceptance in writing for the office of their choice by the end of the January meeting. ~~date~~. Such forms will be filed with the Secretary and remain on file during the Directors term of office. Acceptance will be submitted to the nominating committee at that meeting. Nominations may also be made from the floor at the January meeting.
- (a) No property owner not residing in Mobile Manor will hold an office on the Mobile Manor Board of directors
- (b) When an officer or director of the Board has once served his/her maximum years of consecutive terms, a one (1) year ineligibility is to be served off the Board before he/she is eligible for further nominations to the Board.
- Sec. 4. A ballot will be prepared mailed to the voting membership not less than thirty (30) days before the Annual Meeting with instructions for voting.
- Sec 5. The nominating committee will appoint two election commissioners. The commissioners will be charged with the responsibility of receiving all ballots. All ballots will be mailed to each qualified voter at their Lee County Appraiser record address or other address as they have notified the Mobile Manor office. The committee will designate a third party mail receipt service to receive the ballots and deposit them in a locked ballot box. Said box will be retrieved by the commissioners on the day of the election. Each candidate may have an appointed person present when the ballots are being counted or retrieved. All ballots will be embossed with the Mobil Manor seal to insure validity. Candidates receiving a plurality of votes will be elected.
- Sec. 6. All vacancies of officers and directors will be filled by appointment by the Board of Directors at a regular board meeting

## ARTICLE VIII: MAINTENANCE

- Sec 1 Costs to cover the recurring membership/maintenance expenses for each succeeding year, will be decided and voted by 2/3 majority of the the board in advance of, or before December 20th preceding the year for which Maintenance Fees are to be paid, and by a 2/3 majority of the members at a regular community meeting. If no action is taken as required, the Maintenance Fee will be presumed to have been left at the amount of the previous year
- Sec. 2.  
(A) Payment of membership/maintenance fees can be paid in twelve (12) equal consecutive installments by the last day of the month for the following month or in advance.

(B)The total of the increase for recurring common expenses will not be more than 05% of the Maintenance Fee of the prior year and approved by the membership, entitled to cast, by at least 2/3 majority of the votes of the members at a regular community meeting,

(C) In the event such an annual increase for recurring expenses proves to be insufficient, it may be amended upon approval by the voting membership. Such approval must be by sixty percent (60%) of the voting membership. Any increase for the remaining portion of the calendar year will be due in equal monthly installments.

Sec. 3 When property transactions (sell/purchase) are in progress, it is incumbent upon the seller to see that the potential buyer has a conference with the office manager, relative to his or her obligations to the Corporation.

#### **Article IX; USE OF THE COMMUNITY CENTER AND SOCIAL CLUB**

Sec. 1. All lot owners and renters of voting properties, and members and their accompanied guests may utilize the community center, except for paid events where all residents are welcome.

Sec. 2. Only voting members are eligible to reserve the community center for community or private parties.

Sec 3. The social club will operate under the supervision of the Mobile Manor Inc. Board of Directors.

(A) A Board liaison will be appointed and will work with the Social Club leadership to ensure an open line of communication, cooperation and understanding.

(B) The Social Club will maintain a journal of income, expenses and the account balance.

#### **Article X: AMENDMENT OF BYLAWS**

Sec. 1. Upon proper notice, the bylaws may be amended, altered or rescinded by a 2/3 vote of required quorum of 25 voting members in attendance, at a regularly scheduled Community meeting and the Board of Directors provided a written notice has been delivered or mailed to all voting members of the intent to amend bylaws at least twenty (30) days before the date of such meeting, proxy forms will be accepted.

#### **ARTICLE XI: PARLIAMENTARY RULES**

Sec. 1. Roberts' Rules of Order (latest edition) will govern the conduct of meetings when not in conflict with the Articles of Incorporation. The Board may also make such rules and regulations covering its meeting as it may, in its discretion, determine necessary.

