

Dear Tom, EBIA Board and Voting Representatives;

Attached, you will find a proposed Voting Draft of the Amended-Restated Declaration of Covenants and Restrictions, and Articles of Incorporation and Bylaws of the Association.

Our committee was formed nearly three years ago with the task of re-writing EBIA's governing documents. Shortly thereafter, EBIA's general counsel Jamie Costello was retained by the committee and was requested to begin such a re-write. Since the current documents are numerous and very old and there have been considerable changes in the laws governing such associations, his recommendation was to begin anew rather than performing surgery on what we had. The process was deliberative in which there was much discussion and consideration, with these final draft documents being the result of a spirited collaboration between the committee and the Association counsel.

It was our collective aim to provide in these documents:

1. The powers in the Bay Beach Association (BBA) to be able to act to protect the entire community in the event of a real disaster where a building or association was unable or unwilling to continue to operate;
2. The tools in the master documents allowing BBA to protect the Bay Beach community from a neighborhood association being taken over by stealthy investors operating under multiple various entities to turn part of our community into short term rentals or de facto hotels. For most of us in SW Florida, this may sound like a far-fetched idea, but it is already happening with increased frequency on the east coast of Florida, so it is prudent for us to pay attention and develop the ability to deal with such a scenario if it were to surface;
3. Language which hopefully clarifies the distinction between owners and members. One of the important goals in this process was to make it easier for owners to understand this rather complicated structure; and

4. An overall framework for the neighborhoods to work through BBA to preserve the unique character of Bay Beach, balancing the interests of the neighborhood associations and BBA.

Although no document of this sort is ever perfect – it reflects what we have all learned: the combination of what we know now and expect will be true into the future. It is our feeling that these will stand Bay Beach in good stead. We hope that you will look at these documents with that in mind and we stand ready to answer your questions and assist in addressing the concerns of the Members as we move forward.

For the EBIA Document Rewrite Committee,

Keith Kiner, Chairman

Ed Lombard

Jim Domres

Terry Hawkins