



MARKUP #1 ->

ISSUE #1

NOTICE OF MEETING OF THE BOARD OF DIRECTOR AND MEMBERS

LAS BRISAS AT DORAL CONDOMINIUM No. 7 ASSOCIATION, INC

TO ALL ASSOCIATION MEMBERS:

NOTICE IS HEREBY GIVEN in accordance with Section 718.112, Florida Statutes (the "Condominium Act") and Article Association's By-Laws that a Meeting of the Board of Director ("Board") will be convened on **Monday, June 04, 2018, at 7:00 p.m. in the Association's Clubroom, located at 5749 NW 115th Court, Doral Florida 33178 ("Meeting")**. The agenda for the Board and owner Meeting is set forth below.

AGENDA FOR BOARD MEETING

- 1. Call to Order.
- 2. Establish of a quorum of Directors.
- 3. Approval of the Minutes from the April 10, 2018.
- 4. Retroactive approval of use Reserves Funds 2016-2017.
- 5. Adjournment.

LAS BRISAS AT DORAL CONDOMINIUM NO. 7 ASSOCIATION, INC.

By: Board of Director

DATE this: 20 day of May 2018

MARKUP #1 · OUTDATED STATUTE LOCK

BOARD & COUNSEL REVIEW

Sec. N/A (p. 1): Declaration references Florida Statutes without express Kaufman language ("as amended from time to time"), risking unconstitutional impairment of contract challenges upon statutory changes.

Statutory / Legal Reference: Kaufman v. Shere, 347 So. 2d 627 (Fla. 3d DCA 1977); Cohn v. Grand Condo. Ass'n, 62 So. 3d 1120 (Fla. 2011)

Statutory Comparison: Under Florida Supreme Court precedent (Cohn), legislative amendments that impair vested contract rights cannot be applied retroactively to an existing community unless the Declaration contains express language adopting the statute "as amended from time to time" (the Kaufman doctrine).

CURRENT WORDING IN DOCUMENT:
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SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
In accordance with Kaufman v. Shere, amend the governing law clause to read:
"...governed by Chapter 718 [or 720], Florida Statutes, as the same exists on the date hereof and as the same may be amended from time to time."