

**NOTICE OF ANNUAL MEETING
OF THE WINDJAMMER CONDOMINIUM ASSOCIATION OF
LAUDERDALE-BY-THE-SEA, FLORIDA, INC.**

TO ALL MEMBERS:

On **Tuesday, November 9, 2010 at 4:00 p.m. at the Community Church Lauderdale By The Sea, 4433 Bougainvillea Drive, Lauderdale By The Sea, Florida**, the Annual Meeting of the Association will be held for the purpose of electing Directors and such other business as may lawfully be conducted.

A Quorum of all Association members must be present, in person or by proxy, at the meeting, in order for the business to be conducted, including election of Directors. It is therefore VERY IMPORTANT that you either attend or provide a proxy.

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. A **proxy** is for the purpose of appointing **another person** to vote for you in the event that you might not be able to attend the meeting. It must be signed by all owners of the unit week(s) or the one among them that they designated on a voting certificate. If you intend to vote for Directors and do not attend the Annual Meeting, **you must vote by proxy**.
2. The proxy should be submitted to the Association **prior to the scheduled time of the meeting**. It can be hand-delivered, either by you or your proxy, or mailed to the Association at **c/o Board of Directors, 4244 El Mar Drive, Lauderdale-By-The-Sea, Florida 33308-5497**. It is encouraged that the proxy be submitted as long before the meeting as possible, in order to avoid delay in registration.
3. 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.
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 A proxy may be **revoked** in writing or **superseded** by a later proxy to another person.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.
5. A **proxy form**, is enclosed with this notice for your use, if needed.

Again, please be sure to attend the Annual Meeting or send in your proxy, and submit a voting certificate if your unit week(s) is owned by more than one person or a corporation. Thank you for your assistance in conducting the business of your Association.

Immediately following the Annual Meeting, the organizational meeting of the Board of Directors will be held for the purpose of electing officers of the Association.

Also, immediately after the Annual Meeting, the Board of Directors will meet to consider and adopt a budget for the upcoming Fiscal year. A copy of the proposed budget is attached.

The agenda for the Board Meeting is as follows:

- a. Certifying quorum – Call to Order
- b. Proof of Notice of Meeting
- c. New Business:
 - 1) **Elect Officers**
 - 2) **Consider and Adopt Budget**
- d. Adjournment

Dated: September 30, 2010

BY ORDER OF THE BOARD OF DIRECTORS

**John Boutin, LCAM, CMCA
General Manager**



4244 El Mar Drive
Lauderdale-By-The-Sea, FL 33308
(954) 776-4232 Fax: (954) 351-9153

Email: info@Windjammerresort.com
www.windjammerresort.com

September 30, 2010

Dear Owner:

Please find enclosed Notice of 2010 Annual Owner's Meeting, 2011 Budget Meeting and 2010 Organizational Meeting scheduled for Tuesday, November 9, 2010 at 4:00 p.m.

If you cannot attend, it is imperative that you return your Proxy as soon as possible. We must have a quorum, (826 proxies) to hold a legal meeting; failure to do so will create additional expenses for the Association. PLEASE RETURN YOUR PROXY TODAY in the enclosed envelope. You may also, FAX your Proxy to (954) 351-9153.

This year we are also asking that each owner please fill out a new "Certificate of Appointment of Voting Representative". There are numerous Unit Weeks for which we have no certificate on record and the ones we do have are quite dated. Please include it with your Proxy for mailing or faxing. Remember, if yours is the only name on the deed, a certificate is not needed.

We must fill two (2) vacancies on the Board of Directors for 2011. Up for re-election are Treasurer Nancy Ingalls and Assistant Secretary Michelle Watson. Both have submitted their candidacy for re-election to the Board.

Please note that the Annual Meeting will be held at the Community Church in Lauderdale-By-The-Sea, 4433 Bougainvillea Drive. (Located North of Commercial Blvd, one block West of A1A). Same as last year.

Sincerely,

John Boutin, CMCA, LCAM
General Manager

Enclosures

We ask that your Proxy be returned no later than October 15, 2010. Please note that it must be received before the meeting to be counted.

Please submit before October 15, 2010

Return this form to Windjammer

GENERAL PROXY

[_____]

The undersigned owner(s) or designated voter of Unit/Week No. _____ in **The Windjammer, A Condominium**, appoints

(Check one)

_____ a) **Diane Y. Boutin**, Secretary of the Association, on behalf of the Board of Directors, or

_____ b) _____ (if you check b, write in the name of your proxy. **They must attend the meeting to be counted.**) as my proxy holder* to attend the meeting of the members of **The Windjammer Condominium Association of Lauderdale-By-The-Sea, Florida, Inc.**, to be held **Tuesday, November 9, 2010, at 4:00 p.m., in the Community Church Lauderdale By The Sea, 4433 Bougainvillea Drive, Lauderdale By The Sea, Florida.**

SINCE THERE ARE NO ISSUES TO BE VOTED ON BY LIMITED PROXY, THIS IS A GENERAL PROXY FOR QUORUM PURPOSES ONLY.

Dated: _____, 2010.

SIGNATURE(S) OF OWNER(S) OR

DESIGNATED VOTER

*Failure to check either (a) or (b), or, if (b) is checked, failure to write in the name of the proxy, is an appointment of the **Secretary** of the Association as your proxy holder.

=====

SUBSTITUTION OF PROXY

The undersigned, appointed as proxy above, does hereby designate _____ to substitute for me in the proxy set forth above.

Dated: _____, 2010.

PROXY HOLDER

THIS PROXY IS REVOCABLE BY THE UNIT/WEEK 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.

Return this form to Windjammer

Please note the following information about VOTING CERTIFICATES: A voting certificate is for the purpose of establishing who is authorized to vote for a unit week(s) owned by more than one person (even if husband and wife) or a corporation. A voting certificate is not needed if the unit week(s) is owned by only one person. A voting certificate is not a proxy and may not be used as such. A voting certificate must be signed by all of the owners of the unit week(s) or the appropriate corporate officer.

THIS YEAR, WE ARE ASKING THAT ALL UNIT OWNERS SEND IN A NEW VOTING REPRESENTATIVE CERTIFICATE.

The ones we have on file are quite old and should be updated. Thank you for your cooperation.

CERTIFICATE OF APPOINTMENT OF VOTING REPRESENTATIVE

To the Secretary of ***The Windjammer Condominium Association of Lauderdale-By-The-Sea, Florida, Inc.*** (the "Association")

THIS IS TO CERTIFY that the undersigned, constituting all of the record owners of Unit/Week No. _____ in The Windjammer, A Condominium, have designated

(Name of Voting Representative)

as their representative to cast all votes and to express all approvals that such owners may be entitled to cast or express at all meetings of the membership of the Association and for all other purposes provided by the Declaration, the Articles and By-Laws of the Association.

The following examples illustrate the proper use of this Certificate:

- (i) Unit week(s) owned by John Doe and his brother, Jim Doe. Voting Certificate required designating either John or Jim as the Voting Representative (NOT A THIRD PERSON).
- (ii) Unit week(s) owned by Overseas, Inc., a corporation. Voting Certificate must be filed designating an officer or employee entitled to vote, signed by President or Vice-President of Corporation and attested by Secretary or Assistant Secretary of Corporation.
- (iii) Unit week(s) owned by John Jones. No Voting Certificate required.
- (iv) Unit week(s) owned by Bill and Mary Rose, husband and wife. Voting Certificate required designating either Bill or Mary as the voting representative. NOT A THIRD PERSON.

This Certificate is made pursuant to the Declaration and the By-Laws and shall revoke all prior Certificates and be valid until revoked by a subsequent Certificate.

DATED the _____ day of _____, 2010.

OWNER

OWNER

OWNER

NOTE: This form is not a proxy and should not be used as such.

**THE WINDJAMMER CONDOMINIUM ASSOCIATION
OF LAUDERDALE-BY-THE-SEA, FLORIDA, INC.**

**NOTICE OF 2010 ANNUAL MEETING OF UNIT OWNERS
Tuesday, November 09, 2010 at 4:00 p.m.**

AGENDA

- 1.) Introduction and Greetings from Chairman
- 2.) Roll Call and Proxy Certification – Chairman Ken Direktor
- 3.) Proof of Notice of Meeting
- 4.) Minutes of the 2009 Annual Meeting
- 5.) Reports of Officers – President’s Update
- 6.) Appointment of Inspectors of Election
- 7.) Election of Directors (2)
- 8.) Unfinished Business
- 9.) New Business
- 10.) Adjournment

BY ORDER OF THE BOARD OF DIRECTORS

Location:

Community Church LBTS
4433 Bougainvillea Drive

Lauderdale By The Sea, FL 33308

Posted on October 5, 2010
John Boutin, CMCA, LCAM
General Manager

**THE WINDJAMMER CONDOMINIUM ASSOCIATION
OF LAUDERDALE-BY-THE-SEA, FLORIDA, INC.**

**NOTICE OF 2010 BUDGET MEETING
Tuesday, November 09, 2010 at 5:00 p.m.**

AGENDA

- 1) Roll Call and Quorum**
- 2) Minutes of 2009 Annual Budget Meeting**
- 3) Review and adopt proposed 2011 budget**
- 4) Adjournment**

BY ORDER OF THE BOARD OF DIRECTORS

**THE WINDJAMMER CONDOMINIUM ASSOCIATION
OF LAUDERDALE-BY-THE-SEA, FLORIDA, INC.**

**NOTICE OF 2010 ORGANIZATIONAL MEETING
Tuesday, November 09, 2010 at 5:30 p.m.**

AGENDA

- 1) Roll Call**
- 2) Proof of Notice of Meeting**
- 3) Minutes of the 2009 Organizational Meeting**
- 4) Election of Directors (2) for 2011**
- 5) Unfinished Business**
- 6) New Business**
- 7) Adjournment**

BY ORDER OF THE BOARD OF DIRECTORS

Windjammer Condominium Association of Lauderdale-by-the-Sea, Inc.

4244 El Mar Drive

Lauderdale-By-The-Sea, FL 33308

ASSOCIATION COLLECTIONS POLICY

Dear Owner: September 30, 2010

This letter serves to re-publish, in accordance with Florida Statute 721.15(3), Association by-laws, and policies established by the Board of Directors, the practiced collection of maintenance assessments and property taxes.

1. All maintenance assessments and property taxes are due on or before January 1st late on January 2nd.
2. A late fee of twenty-five dollars (\$25.00) per unit week will be assessed on January 11th to all unit weeks that have unpaid assessments or taxes.
3. Interest will be charged to all delinquent balances at a rate of eighteen percent (18%) per annum. Interest will be charged per unit/week, and it will begin to accrue as of the due date.
4. Use of unit week or weeks will be denied until all maintenance fees are paid in full.
5. Delinquent owners will be suspended from all exchange privileges until maintenance fees are current. Florida Statute 721.13 (6) (d) provides for a "Lock - Out" of any owner whose account is not current. You will be prohibited from using your unit in any way. This includes banking your time with the exchange company.
6. Late payments including any late fees, interest and any collection charges made at the time of check-in must be in the form of cash, cashier's check or money order.
7. Payments on an account will be applied in the following order:
 - Late fees
 - Interest
 - Attorney's fees and costs
 - Property taxes
 - Maintenance assessments

In the past, Management has always been very forgiving regarding late payments, often waiving late fees and interest, but due to the current economic climate, we must now strictly adhere to our collection policies.

Respectfully,

John Boutin, CMCA, LCAM

General Manager

Florida Statute 721.15

3. Delinquent assessments may bear interest at the highest rate permitted by law or at some lesser rate established by the managing entity. In addition to such interest, the managing entity may charge an administrative late fee in an amount not to exceed \$25 for each delinquent assessment. Any costs of collection, including reasonable collection agency fees and reasonable attorney's fees, incurred in the collection of a delinquent assessment shall be paid by the purchaser and shall be secured by a lien in favor of the managing entity upon the timeshare interest with respect to which the delinquent assessment has been incurred; however, in the event that a managing entity turns the matter over to a collection agency, the managing entity must advise the purchaser at

least 60 days prior to turning the matter over to the collection agency that the purchaser may be liable for the fees of the collection agency and that a lien may result therefrom.

PLEASE NOTE THE FOLLOWING IMPORTANT INFORMATION

The following are other important issues affecting your timeshare that were approved by the Board of Directors at a Regular Meeting of the Board of Directors held on July 30, 2010. A draft of the minutes is available for viewing in the owner's section of our web site. The minutes will remain in draft form until they are approved by the Board at the next Board Meeting. Approval of the minutes is a legal procedural requirement and does not affect the motions or votes on said motions by the Board of Directors.

- Due to the costs incurred by the Association for allowing the payment of maintenance assessments by credit card, owners who do elect to pay by credit card will be charged an administrative fee of 3% of the charged amount.
- Payments by credit card will no longer be available online. Owners must call in their credit card payment to the management office so that we have verbal acceptance by the owner of the administrative fee.
- Owners who would like to have management store personal effects in the Association warehouse space will have to use a standardized sealed container, sign a release of liability and attest that the value of the contents are less than \$100.00. A storage charge of \$60.00 per year will be payable in advance.
- La Costa Realty will no longer be marketing or selling Windjammer Association weeks. The listing, marketing and sales of all Association weeks will be handled in-house by current management and Gulf Eastern Property Management, Inc, Licensed Real Estate Broker.