

This instrument prepared by/return to:  
McCabe | Ronsman  
110 Solana Rd., Suite 102  
Ponte Vedra Beach, Florida 32082

**CERTIFICATE OF AMENDMENT**  
**TO THE BYLAWS OF**  
**COASTAL OAKS AT ATLANTIC BEACH OWNERS ASSOCIATION, INC.**

**THIS AMENDMENT** to the Bylaws of Coastal Oaks at Atlantic Beach Owners Association, Inc. (“Association”), originally recorded at Official Records Book 17875, Page 331, et seq., of the Official Records of Duval County, Florida, is made by the Developer (a/k/a “Declarant”), Buccaneer Beach, LLC, per Section 12.9(c) of the Declaration of Covenants, Conditions, Restrictions and Easements for Coastal Oaks at Atlantic Beach, originally recorded at Official Records Book 17875, Page 301, et seq., of the Official Records of Duval County, Florida, and duly recorded amendments thereto. *Additions are indicated by underline; deletions are indicated by ~~strikethrough~~.*

ARTICLE II

MEETINGS OF MEMBERS

At all meetings of members, each member may vote in person or by proxy, except that members may not vote for directors by proxy. All proxies shall be in writing and filed with the Secretary of the Association prior to such meeting. Each proxy shall be revocable and shall automatically cease upon the conveyance by a member of his or her Residential Lot. Otherwise, proxies shall expire ninety (90) days after the date of the meeting for which it was originally given.

ARTICLE IV

~~NOMINATION AND ELECTION OF DIRECTORS~~

Section 1. Initial Board & Transition of Control. The initial Board shall be appointed by the Declarant and shall serve until successor directors are elected or until removed from the Board by the Declarant, in the case of Board members appointed by the Declarant.

Upon termination of the Class B membership, the existing Board or a majority of the members shall have the right to call for a general election for the Board (hereinafter referred to as the “First General Election”). The First General Election shall be held at a place and time to be determined by the then existing Board but in no event shall such election be more than sixty (60) days after receipt by the Board of written notice signed by a majority of the members calling for such election. All subsequent regular elections shall occur at the annual meeting of the Members.

~~Nominations for election to the Board shall be made by the existing Board members and may also be made from the floor at a meeting called for electing Board members. The Board shall~~

~~make as many nominations as it deems necessary but not less than the number of vacancies which are required to be filled.~~

~~— Election to the Board shall be by secret, written ballot. The persons receiving the most votes shall be elected. Cumulative Voting is not permitted.~~

Section 2. Annual Meeting & Elections. Although the Association is not a condominium association, elections shall be conducted in the manner similar to that provided by Chapter 718 of the Florida Statutes effective on the date these Bylaws are adopted in accordance with the following provisions. The Board of Directors shall be elected by written ballot or by voting machine. At least sixty (60) days before a scheduled election, the Association shall mail or hand-deliver, whether by separate Association mailing or included in another Association mailing (including regularly published newsletters) to each Member entitled to vote, a first notice of the date of the annual meeting and election. Any Member or other eligible person desiring to be a candidate for the Board of Directors shall give written notice to the Association not less than forty (40) days before the scheduled election. Nominations of candidates from the floor at the annual meeting are prohibited. The Association shall thereafter mail or deliver a second notice of the annual meeting and election to all Members entitled to vote, together with a written notice, agenda, and a ballot which shall list all candidates in alphabetical order by surname, at least fourteen (14) days before the annual meeting and election. Members entitled to vote shall return their completed ballots using a two-envelope system, described further below, to preserve anonymity of ballots. The election shall be decided by a plurality of ballots cast. There shall be no quorum requirement to conduct an election; however, at least ten percent (10%) of the eligible voters must cast a ballot in order to have a valid election for the Board of Directors. There shall be no cumulative voting, and no Member shall permit any other person to vote his or her ballot. Any improperly cast ballots will be deemed invalid; provided, however, that the Association may accept ballots cast in a manner that does not strictly comply with the two-envelope system so long as the Board, in its reasonable discretion, does not have reason to suspect that the ballot was cast fraudulently or by someone other than the Member eligible to vote.

(a) Two-Envelope Election Process. Accompanying the second meeting notice and ballot shall be an outer envelope addressed to the agent authorized by the Association to receive the ballots and a smaller, inner envelope in which the ballot shall be placed once completed. The exterior of the outer envelope shall indicate the name of the voter, and the Lot numbers (or property address) being voted, and shall contain a signature space for the voter. Once the ballot is completed, the voter shall place the completed ballot in the inner, smaller envelope and seal the envelope. The inner envelope shall be placed within the outer, larger envelope, and the outer envelope shall then be sealed. Each inner envelope shall contain only one ballot, but if a person is entitled to cast more than one ballot, the separate, inner envelopes required may be enclosed within a single, outer envelope identifying all Lot numbers or property addresses for which ballots have been enclosed. The voter shall sign the exterior of the outer envelope in the space provided for such signature. The envelope shall either be mailed or hand delivered to the Association by the stated deadline. Upon receipt by the Association, no ballot may be rescinded or changed.

(b) Candidate Information Sheet. Upon request of a candidate, the Association shall include an information sheet, no larger than 8 1/2 inches by 11 inches, which must be furnished by the candidate at least thirty-five (35) days before the election to be included with the mailing of the ballot and second meeting notice. The costs associated with the copying, mailing, and delivery shall be borne by the Association.

(c) Assistance for Disability. Any Member who needs assistance with casting a ballot for reasons related to a blindness, an inability to read or write, or other disability may obtain assistance in casting his or her ballot.

(d) Election Not Required. An election and balloting are not required unless more candidates file notices of intent to run than vacancies exist on the Board.

(e) Electronic Notices & Voting. Notwithstanding anything herein to the contrary, the Association may conduct elections and other membership votes through an Internet-based online voting system if a member consents, in writing, to online voting and any requirements imposed by law are followed. In addition, any notice required or permitted to be provided by the Association to a Member may be provided by electronic transmission if the Member consents in writing to receive notice by electronic transmission and provides an e-mail address to the Association to be used for such purposes.

IN WITNESS WHEREOF, Buccaneer Beach, LLC has caused this certificate to be executed in its name on this 28<sup>th</sup> day of MAY, 2020.

Buccaneer Beach, LLC



Signed

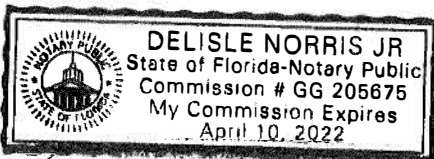
JAMES WATSON

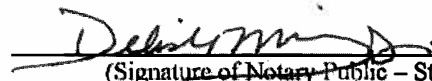
Printed

As its Managing Member

STATE OF FLORIDA,  
COUNTY OF Florida

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 28<sup>th</sup> day of May, 2020, by James Watson, as Managing Member of Buccaneer Beach, LLC, on behalf of the Company.





(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known or  Produced Identification

Type of Identification Produced: \_\_\_\_\_