

Prepared by/Return to:  
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**FIRST AMENDMENT TO THE  
BYLAWS  
OF  
EAGLE LANDING AT OAKLEAF PLANTATION  
HOMEOWNERS' ASSOCIATION, INC.**

**THIS FIRST AMENDMENT TO THE BYLAWS** of Eagle Landing at OakLeaf Plantation Homeowners' Association, Inc. ("Association") is made as of the date indicated below in accordance with Article XXVII, Section 1 of the Bylaws.

*Article XXI of the Bylaws is deleted in its entirety and replaced with the following. Substantial rewording. See governing documents for current text.*

**ARTICLE XXI  
ELECTION OF DIRECTORS**

Section 1. Notice of Election & Candidate Nomination. The Board of Directors shall be elected by written ballot cast by the Members. The election shall occur in conjunction with the annual meeting, and eligible candidates elected shall take office upon the adjournment of the annual meeting. At least sixty (60) days before a scheduled election, the Association shall mail, deliver, or electronically transmit, whether by separate Association mailing or included in another Association mailing (including any 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 stating his or her intention to run for a Director position not less than forty (40) days before the scheduled election. Nomination of candidates from the floor at the annual meeting is prohibited. The Association shall thereafter mail, deliver, or electronically transmit a second notice of the annual meeting and election to all Members entitled to vote, together with an agenda, a ballot which shall list all eligible candidates in alphabetical order by surname, and any candidate information sheets which have been timely provided to the Association, 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, the Association must receive ballots from at least five percent (5%) of the total, eligible voting interests of the Members 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. Ballots for election of Directors may not be cast by proxy. 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. Any Member who needs

assistance with casting a ballot for reasons related to a blindness, inability to read or write, or other disability may obtain assistance in casting his or her ballot by contacting the Association.

Section 2. Two-Envelope Election Process. Along with the second annual meeting notice, the Association shall provide a ballot, an outer envelope addressed to the agent authorized by the Association to receive the completed ballots, and a smaller, inner envelope into which the completed ballot shall be placed by the Member. The exterior of the outer envelope shall indicate the name of the Member authorized to cast the ballot, the Lot numbers (or property address) for which the vote may be cast, and shall contain a signature space for the Member authorized to cast the vote. Once the ballot is completed, the voting Member shall place the completed ballot in the inner, smaller envelope and seal the envelope. The inner envelope shall be placed into the outer, larger envelope, and the outer envelope shall then be sealed. Each inner envelope shall contain only one ballot. The Member authorized to cast the vote 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 so it is received by the Association before the last call for ballots at the annual meeting. Upon receipt by the Association, no ballot may be rescinded or changed.

Section 3. Candidate Information Sheet. Upon request of a candidate, the Association shall include an information sheet, no larger than 8 ½ inches by 11 inches, which must be furnished by the candidate at least forty (40) days before the annual meeting and election to be included with the mailing of the second annual meeting notice, ballots, and envelopes. The costs associated with the copying, mailing, and delivery shall be borne by the Association. The candidate information sheet may contain information regarding the educational and professional background of the candidate along with other truthful information and reasons for which the candidate believes he or she should be elected.

Section 4. Counting of Ballots. The counting of ballots shall occur at the annual meeting in the presence of Members in attendance. The agent authorized to receive ballots on behalf of the Association shall bring all sealed outer envelopes to the annual meeting. A committee of at least three persons who are not current Directors, Officers, candidates, or persons within the third degree of consanguinity of Directors, Officers, or candidates, shall either be appointed by the Board before the annual meeting or by the membership at the annual meeting. The committee shall first review all outer envelopes and compare the signatures thereon to the roster of Members maintained by the Association to confirm that the outer envelope was signed by a person authorized to exercise the vote for the Member and Lot. If the outer envelope is signed by an authorized person, it shall be opened, and the inner envelope shall be placed in a separate receptacle. If the outer envelope is not signed by an authorized person, it shall be marked "disregarded," shall not be opened, and shall be set aside to be kept with the Association's Official Records for at least one year following the annual meeting. Once all outer envelopes have been reviewed and verified, the committee may begin to open the inner envelopes and count the ballots therein. If any ballot purports to indicate a number of votes exceeding the total number of positions available on the Board to be elected, it shall be marked "disregarded," shall not be counted, and shall be set aside to be kept with the Association's Official Records for at least one year following the annual meeting. After all ballots have been counted, the committee shall announce the results at the annual meeting.

Section 5. Election Not Required. An election and balloting are not required unless more candidates timely submit notices of intent to run than vacancies exist on the Board. If the number

of eligible candidates who timely submit notices of intent to run is less than or equal to the total number of vacancies on the Board of Directors, then no balloting or election is necessary, and the eligible candidates shall take office upon adjournment of the annual meeting, regardless of whether a quorum was attained.

Section 6. 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.

Section 7. Staggered Terms – Determination by Lot. If two or more Director candidates receive an equal number of votes such that the term to be served by each cannot be determined by the election results (or if an election is not required because the number of candidates who timely submitted notices of intent to run did not exceed the number of vacancies on the Board), the terms to be served by each such Director shall be determined by lot (e.g., drawing straws, drawing playing cards, etc.), which shall occur at the annual meeting or the next meeting of the Board.

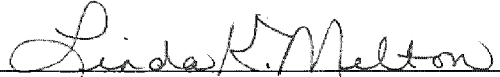
**APPROVED** on this 20 day of OCTOBER, 2021, by the affirmative vote of fifty-one percent (51%) of the Members (other than the Class C Member) present in person or by proxy and voting at a duly called meeting of the Members and by the Class C Member in accordance with Article XXVII, Section 1 of the Bylaws.

**EAGLE LANDING AT OAKLEAF  
PLANTATION HOMEOWNERS'  
ASSOCIATION, INC.**

  
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Kirk Lingle, as Secretary

STATE OF FLORIDA  
COUNTY OF CLAY

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 25<sup>th</sup> day of OCTOBER, 2021, by Kirk Lingle, as Secretary of Eagle Landing at OakLeaf Plantation Homeowners' Association, Inc., on behalf of the corporation.

  
\_\_\_\_\_  
(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: \_\_\_\_\_

