

Prepared by and Return to:
Leland W. Wilson
Association Legal Services
12600 World Plaza Ln # 63
Fort Myers, FL 33907

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**CERTIFICATE OF AMENDMENT TO THE DECLARATION OF
VILLAS AT KINGS GATE ASSOCIATION, INC.**

WHEREAS, this Amendment is made on 6th day of June, 2024 to the Bylaws of VILLAS AT KINGS GATE ASSOCIATION, INC., (the "Bylaws"). The original Bylaws were recorded by Instrument No. 3208049 *et seq.*, of the Public Records of Charlotte County, Florida.

WHEREAS, the Amendment to the Bylaws, is recorded as an exhibit hereto; and

WHEREAS, at a duly called special meeting of VILLAS AT KINGS GATE ASSOCIATION on the 18 day of December, 2024 at which a quorum was present, the members approved the amendments to the Bylaws hereinafter set forth.

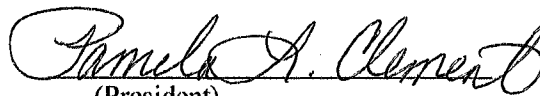
NOW, THEREFORE, the undersigned hereby certify that the following Amendment to the Bylaws, is a true and corrected copy of the amendment as amended by the membership.

SEE ATTACHED

WITNESS my signature hereto this 18 day of December, 2024,

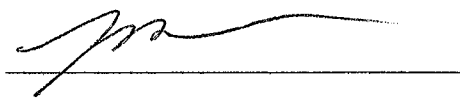
VILLAS AT KINGS GATE ASSOCIATION

By: Pamela Clement


(President)



Witness Name: Janice Thompson



Witness Name: Juston Markham

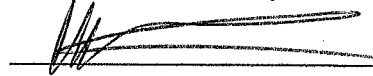
STATE OF FLORIDA)

) SS:

COUNTY OF CHARLOTTE)

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 18 day of December, 2024 by Pamela Clement, President of VILLAS AT KINGS GATE ASSOCIATION, INC., a Florida corporation, on behalf of the corporation. She is personally known to me or has produced Drivers License as identification.

Alicia Jolicoeur
Printed Name of Notary Public



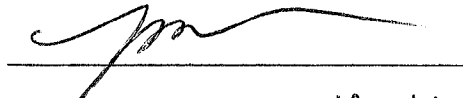
(Signature of Notary Public)

Seal:

Attest: Margaret Ellwein
Margaret Ellwein
(Vice President or Secretary)

Janice Thompson

Witness Name: Janice Thompson



Witness Name: Justin Markham

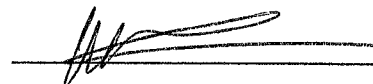
STATE OF FLORIDA)

) SS:

COUNTY OF CHARLOTTE)

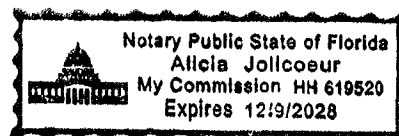
The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 18 day of December, 2024 by Margaret Ellwein, Secretary of VILLAS AT KINGS GATE ASSOCIATION, INC., a Florida corporation, on behalf of the corporation. He/She is personally known to me or has produced Drivers License as identification.

Alicia Jolicoeur
Printed Name of Notary Public



(Signature of Notary Public)

Seal:



Prepared by and return to:

Leland Wilson, Esq
Association Legal Services
12600 World Plaza Ln.
Building 63
Ft. Myers, FL 33907
(239) 887-4276 (Telephone)
(239) 237-5155 (Facsimile)

AMENDMENT TO THE BYLAWS OF VILLAS AT KINGS GATE ASSOCIATION, INC.

THIS AMENDMENT TO THE BYLAWS OF VILLAS AT KINGS GATE ASSOCIATION, INC., ("Amendment") is made this 18 day of December, 2024, by Villas at Kings Gate Association, Inc., a Florida non-profit corporation.

RECITALS

WHEREAS, the Bylaws for Villas at Kings Gate Association, Inc., was officially recorded on January, 24th, 2023 in the Official Records of Charlotte County, Florida at Instrument No. 3208049 *et seq.* (the "Bylaws"). The Bylaws were not attached to the originally recorded Declaration of Covenants, Conditions and Restrictions in error and were filed at a later date to correct this.

WHEREAS, at a duly called meeting of Villas at Kings Gate Association, Inc., Florida not-for-profit corporation on the 18 day of December, 2024 at which a quorum was present, the majority of both the Members and Directors approved the amendments to the Bylaws hereinafter set forth.

WHEREAS, the Board has adopted this Amendment in accordance with the requirements of its Bylaws and intends that the Bylaws and all amendments hereto, including but not limited all amendments and restatements identified in these recitals, shall be further amended by this instrument.

NOW THEREFORE, it is declared that the Amendment shall be and is as follows:

1. BYLAWS, ARTICLE 4.1. shall be deleted in its entirety and replaced as follows:

4.1. Number and Terms of Service. The Board of Directors shall consist of three (3) nor more than five (5) Directors, but shall be such a number as the Board shall from time to time determine. In order to provide for a continuity of experience by establishing a system of staggered terms of office, it is the intention of these Bylaws that a system of staggered terms be created and thereafter maintained. To maintain a staggered Directorate, the Board may hold seats in future elections open for one, two or three-year terms, when necessary or appropriate, and must be stated as to length of term when the position becomes vacant. In any election where candidates are elected for different terms, those candidates receiving the higher number of votes shall be elected to the lengthier seat. Directors shall serve a term of three (3) years. Directors shall be elected by the members or in the case of a vacancy, as described herein. Each member on the Board shall serve until their successors are duly elected or until such Director's death, resignation or removal as hereinafter provided or as otherwise provided by Statute or by the Articles.

2. BYLAWS, ARTICLE 4.2. is hereby amended as follows:

4.2. Qualifications. ~~Except for Directors appointed by the Developer, each~~ Each Director must be a Member or Primary Occupant of a Villa, or the spouse of one of them. ~~No person shall be elected or appointed for successive terms totaling more than four (4) consecutive years, unless therein occurs a hiatus of at least one (1) year between terms.~~ Initial terms by appointment for less than one (1) year shall be excluded from consideration and determining

the total number of years or terms served. Persons seeking to be members of the Board of Directors must be members of good standing of the Association, ninety (90) days prior to the notice of election with all current and past assessments, fees, penalties or other charges paid in full. All prospective candidates must be compliant under Florida Statutes 720.306 (9) (b).

3. BYLAWS, ARTICLE 4.3. is hereby amended as follows:

4.3 Nomination and Elections. In each annual election the members shall elect by written secret ballot as many Directors as there are regular terms of Directors expiring, unless the balloting is dispensed with as provided for by law.

(A) First Notice Candidates. Not less than sixty (60) days before the election, the Association shall mail or deliver, to each owner entitled to vote, a first notice of the date of the election. The first notice may be given by separate Association mailing or included in another Association mailing or delivery, including a regularly published newsletter. Any owner or other eligible person desiring to be a candidate may qualify as such by giving written notice to the Association not less than forty (40) days before the annual election.

(B) Second Notice. If there are more qualified candidates than there are Directors to be elected, balloting is required, and at least fourteen (14) days before the election, the Association shall mail or deliver a second notice of election to all owners entitled to vote in the contested election, together with a secret ballot listing all qualified candidates in alphabetical order, by surname, and the notice of the annual meeting required by Section 3.3 above.

(C) Balloting. Where balloting is required, Directors shall be elected by a plurality of the votes cast, provided that at least twenty percent (20%) of the eligible voters cast ballots. ~~Proxies may not be used in elections.~~ In the election of Directors, there shall be appurtenant to each Living Unit as many votes for Directors as there are Directors to be elected, but no Living Unit may cast more than one vote for any candidate, it being intended that voting for Directors shall be noncumulative. Tie votes shall be broken by agreement among the candidates who are tied, or if there is no agreement, by lot, or by another method required by law (if any).

(D) In the event that there are only as many (or fewer) candidates pre-qualified for election as there are open seats on the Board, no election shall be held, and the pre-qualified candidates shall automatically become Members of the Board after the annual meeting.

(E) Electronic Voting. The Association may conduct the election of Directors through an internet-based online voting system if a written consent is received from the Owner and the provisions of Section 720.317, Florida Statutes, as amended from time to time, are followed.

4. BYLAWS, ARTICLE 8.3. is hereby amended as follows:

8.3. Vote Required. Except as otherwise provided by law, or by specific provision of the Villas Documents, a proposed amendment to these Bylaws shall be adopted if it is approved by at least two-thirds (2/3rds) of the voting interests of the Association present (in person or by proxy) and voting at any annual or special meeting called for the purpose, provided that the full text of any proposed amendment was given to the Members with notice of the meeting. ~~Prior to the Turnover of Control of the Association by the Developer as provided~~

~~for Section 16 of the Declaration, Bylaw amendments may be adopted by a vote of majority of the Directors, without need for a vote of the owners.~~

- 5. **CONFLICT OF PROVISIONS.** Except as modified and amended by the terms hereof, the Bylaws shall remain in full force and effect as if fully restated herein.

IN WITNESS WHEREOF, Declarant has made and executed this Amendment to Bylaws this 18 day of December, 2024.

VILLAS AT KINGS GATE ASSOCIATION, INC.

Pamela Clement
Pamela Clement, President

Date: 12-18-2024

Margaret Ellwein

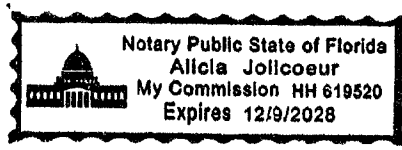
Date: 12-18-2024

Margaret Ellwein, Vice-President/Secretary

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this on this 18 day of December 2024, by Pamela Clement as President of Villas at Kings Gate Association, Inc., who is personally known to me or has produced drivers license as identification.

[Notary Seal]

[Signature]
Notary Public



Package Summary Recording Report

Report generated: Fri, 20 Dec 2024 05:53 AM EST

Package: Villas at Kings Gate - Amendment to Bylaws - 73B82E73-D805-9B94-7847-57A245ABFCF6

Status: Recorded

Submitter: Association Legal Services (FLTDW4)

Recipient: Charlotte County, FL

Documents

Document Name	Document Type	# of Pages	Status	Recording Number	Recording Date	Fees
Villas at Kings Gate - Bylaws Amendment	RESTRICTIONS	5	Recorded	E 3478100	Thu 12/19/2024 03:46 PM EST	44.00

Fees

Fee Type	Payment Account Name	Fee Amount
Recording Fees	COGENT BANK (0311) (ACH *****0311)	44.00
Submission Fees	COGENT BANK (0311) (ACH *****0311)	5.00
Total Fees:		49.00

Questions Contact:

Simplifile Support 800.460.5657, option 3

5072 North 300 West

Provo, UT 84604