

FIRST AMENDMENT TO THE BYLAWS OF FREEDOM AT ARBOR MILL
HOMEOWNERS ASSOCIATION, INC.

THIS FIRST AMENDMENT to the Bylaws of Freedom at Arbor Mill Homeowners Association, Inc. is made as of the date written below and in accordance with the Articles of Incorporation, Article XI – Bylaws, and §720.306 Florida Statutes.

This Amendment to the Bylaws applies to that document referenced above, which was recorded August 21, 2017 in the Official Records at Book 18095, Page 2417, et seq of the current public records of Duval County, Florida.

This Amendment to the Bylaws substantially alters the Bylaws under heading III. by deleting the text under and within that heading in its entirety and replacing it with the text below.

The balance of the Bylaws as recorded, other than what is written herein, remains unchanged unless it directly conflicts with the text below, in which case this Amendment controls.

Heading III of the Bylaws is hereby stricken and replaced with the following text to read as follows:

III. Election of Directors.

A. Number of Seats and Filling Vacancies: The Affairs of the Association shall be managed by a Board of Directors consisting of five (5) Directors. Any vacancy occurring on the board before the expiration of a term may be filled by an affirmative vote of the remaining directors, even if the remaining directors constitute less than a quorum, or by the sole remaining director. The appointment shall be for the unexpired term of the seat being filled. Filling a seat created by recall is governed by 720.303(10) Florida statutes and the rules adopted by the division.

B. Votes needed: To be valid, the election must occur at a meeting of the Members at which a quorum is present. Ballots submitted before and up to the time they are counted at the meeting shall count toward the quorum, as will those ballots cast at the meeting. Elections shall be by plurality vote. Each member may cast the number of votes to which such Member is entitled as set forth elsewhere in these Bylaws.

C. Quorum: A quorum of members shall be set at thirty percent (30%) of the total voting interests.

D. Staggered terms: The Board is elected in staggered two (2) year terms. A minority of total seats is elected every other year at the expiration of their two-year term, with the majority elected the next year, or until removed from office with or without cause by the affirmative vote of a majority of the Members or the Board that appointed them.

E. Mailed, Secret Ballot: The Board of Directors shall be selected by the members using written mailed secret ballots at an annual meeting. The directors selected shall take office upon adjournment of the meeting.

F. First Notice of Meeting of Members to Elect the Board: The first notice of the date of the election will be mailed, electronically transmitted, or hand delivered not less than 60 days before a scheduled election. It will contain the name and correct mailing address of the Association. It will disclose the procedure and deadline to consent to electronic voting, if the board has previously provided for an online voting system.

G. Candidates: A unit owner or other eligible person desiring to be a candidate for a seat on the Board must give written notice to the association not less than 40 days before a scheduled election. Written notice shall be effective when received by the association. Written notice shall be accomplished in accordance with one or more of the following methods:

- a. By certified mail, return receipt requested, directed to the association; or
- b. By personal delivery to the association; or
- c. By regular U.S. mail, facsimile, telegram, or other method of delivery to the association.
- d. The certified mailing receipt will serve as a receipt that the written notice of candidacy was received by the Association.
- e. An information sheet, no more than one 8 ½ x 10 inch page, describing the candidate's background, education, or other qualifications may be provided by the candidate. If it is provided not less than 35 days before the election, the Association must include it to all members in the Second Notice. The original copy provided by the candidate shall become a permanent part of the official records.

H. Second Notice: The association shall mail or deliver the second notice no less than 14 days and no more than 34 days prior to the election. Accompanying the ballot shall be an outer envelope addressed to the person or entity authorized to receive the ballots and a smaller inner envelope in which the ballot shall be placed. The exterior of the outer envelope shall indicate the name of the voter, and the unit or unit numbers being voted, and shall contain a signature space for the voter. Once the ballot is filled out, 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. 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. Upon receipt by the association, no ballot may be rescinded or changed.

I. Ballot: The ballot shall indicate in alphabetical order by surname each and every unit owner or other eligible person who desires to be a candidate for the board of administration,

and who gave written notice to the association not less than 40 days before a scheduled election, unless such person has withdrawn his candidacy in writing prior to the mailing of the ballot.

- a. No ballot shall indicate which candidates are incumbents on the board.
- b. No write-in candidates shall be permitted.
- c. No ballot shall provide a space for the signature of or any other means of identifying a voter.
- d. All ballot forms utilized, whether those mailed to voters or those cast at a meeting, shall be uniform in color and appearance.
- e. Envelopes containing ballots received by the association shall be retained and collected by the association shall be retained and collected by the association and shall not be opened except in the manner and at the time provided herein.
- f. Any envelopes containing ballots shall be collected by the association and shall be transported to the location of the duly called meeting of the unit owners.
- g. The association shall have available at the meeting additional blank ballots for distribution to the eligible voters who have not cast their votes.
- h. Each ballot distributed at the meeting shall be placed in an inner and outer envelope.

J. Counting Votes: At the meeting, ballots shall be handled as follows:

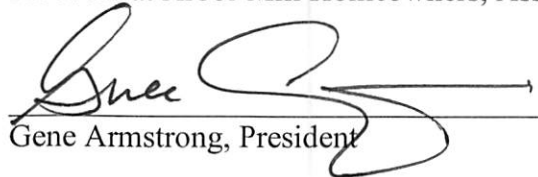
- a. As the first order of business, ballots not yet cast shall be collected.
- b. The signature and unit identification on the outer envelope shall be checked against a list of qualified voters, unless previously validated.
- c. Any exterior envelope not signed by the eligible voter shall be marked "Disregarded" or with words of similar import, and any ballots contained therein shall not be counted.
- d. The voters shall be checked off on the list as having voted.
- e. Then, in the presence of any unit owners in attendance, and regardless of whether a quorum is present, all inner envelopes shall be first removed from the outer envelopes and shall be placed into a receptacle.
- f. Upon the commencement of the opening of the outer envelopes or accessing of the electronic votes, whichever occurs first, the polls shall be closed, and no more ballots shall be accepted.
- g. The inner envelopes shall then be opened and the ballots shall be removed and counted in the presence of the unit owners. Any inner envelope containing more than one ballot shall be marked "Disregarded", or with words of similar import, and any ballots contained therein shall not be counted.
- h. All envelopes and ballots, whether disregarded or not, shall be retained with the official records of the association.
- i. If two or more candidates for the same position receive the same number of votes, the term to be served shall be determined by lot (e.g. drawing of high card, straws, etc.) which shall occur at the meeting.

K. Election Not Required: If number of eligible candidates, who timely submitted notices of their intent to run is less or the same number as the total vacancies available then no balloting or election is necessary and the candidates shall take office at the meeting's adjournment.

L. Electronic Notices and 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. Any notice required or permitted to be provided by the Association may be provided by electronic means if the Member consents in writing and provides an e-mail address to be used for that purpose.


The Amendment was approved on the 11TH day of MARCH 2022, by the affirmative vote of a majority of the members of the Board of Directors.

Freedom at Arbor Mill Homeowners, Assn., Inc.


Gene Armstrong, President

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledge before me by Gene Armstrong, President of Freedom at Arbor Mill Homeowners Assn, Inc. who is X personally known to me and/or who provided _____ as identification on this 11th day of March 2022.


Notary Signature
Stamp with Expiration Date

