Prepared by and return to: Joseph A. Bare, Esq. Varnum, LLP 999 Vanderbilt Beach Rd. Ste 300 Naples, FL 34108

# CERTIFICATE OF AMENDMENT TO THE BYLAWS OF REGATTA LANDING CONDOMINIUM ASSOCIATION, INC.

I HEREBY CERTIFY that the following Amendments to the Amended and Restated Bylaws of Regatta Landing Condominium Association, Inc. were duly approved and adopted by the members of Regatta Landing Condominium Association, Inc. at the duly noticed Special Members' Meeting on May 23, 2023. Said amendments were approved by a proper percentage of voting interests of the Association.

The Amended and Restated Bylaws of Regatta Landing Condominium Association, Inc. are recorded at Official Records Book 6168 Page 1027 of the Public Records of Collier County, Florida.

WITNESSES: ASSOCIATION, INC. (TWO)

REGATTA LANDING CONDOMINIUM

### STATE OF FLORIDA **COUNTY OF COLLIER**

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared [X] in person or [ ] virtual attendance, William Earney, as President of Regatta Landing Condominium Association, Inc. who is [X] personally known to me or [ ] has produced his Driver License, as identification, and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid the day of June 2023. JOSEPH A. BARE MY COMMISSION # HH137680 EXPIRES: June 03, 2025 Notary Phones: State of Plonida

Print Name:

# Amendment to the Amended and Restated Bylaws of Regatta Landing Condominium Association, Inc.

Additions are Underlined Deletions are Stricken

#### Section 4.1 of the Bylaws, is hereby amended as follows:

4.1 The Board of Directors shall consist of three (3) five (5) persons. Directors shall be Members of the Condominium Association, or shall be authorized representatives, officers or employees of a corporate Member of the Condominium Association. Notwithstanding the above, not more than one (1) Director is eligible to serve while also serving as a Director of the Regatta Landing Dock Slip Association, Inc. and in the event there shall ever be a time at which more than one (1) Director is also serving as a Director of the Regatta Landing Dock Slip Association, Inc., the Directors serving both association shall decide amongst themselves within ten (10) days who shall resign, and if they cannot decide, all Directors serving both Association's shall be deemed to have vacated their seat and causing vacancies to be filled pursuant to these Bylaws. Upon approval of this amendment, the two new directorships shall be filled by a special election to be held as soon as practical within the requirements of the Condominium Act and the Governing Documents.

## Section 4.3 of the Bylaws, is hereby amended as follows:

4.3 A system of staggered terms shall be implemented. Thus at the special election following the adoption of these amendments, two (2) Directors shall be elected. The candidate receiving the most votes shall be elected to serve until the Annual Members' Meeting in 2025, and the candidate receiving the second most votes shall be elected to serve until the Annual Members' Meeting in 2024. If the election is uncontested the Directors shall determine which Directors take the longer terms by unanimous agreement and in the absence of unanimous agreement it shall be determined by the drawing of straws, so that two (2) Directors elected at the 2022 Annual Meeting shall serve until the 2024 Annual meeting and one (1) Director elected or appointed at the 2022 Annual Meeting, shall serve until the 2023 Annual Meeting, and t Thereafter all Directors shall serve two (2) year terms extending until the Annual Members' Meeting at which the successor is duly elected and qualified or until he is removed as provided herein.