

This instrument prepared by/return to:
Edward Ronsman, Esq.
McCabe | Ronsman
111 Solana Rd., Suite B
Ponte Vedra Beach, FL 32082

CERTIFICATE OF AMENDMENT
OF THE
BYLAWS OF HAWTHORN HOMEOWNERS ASSOCIATION, INC.

THIS AMENDMENT to Bylaws of Hawthorn Homeowners' Association, Inc. ("Association"), is made by the undersigned officers of the Association who certify the following amendment was approved by a majority of the Board of Directors as provided for in Article XIII of the Bylaws of the Association, originally recorded at Book 12745, Page 245, et seq. of the Official Public Records of Duval County, Florida. Except as expressly set forth below, all other provisions of the Bylaws shall remain in full force and effect.

(Additions are indicated by underline, deletions are indicated by ~~strike through~~).

ARTICLE IV – BOARD OF DIRECTORS

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Section 2. Method of Nomination. Members shall self-nominate as set forth in Section 3 below. Until Turnover (as more fully defined in the Declaration), the Board of Directors shall consist of Directors appointed by the Class B Member. After Turnover, the persons to be elected by the Class A Members shall be made by a nominating committee or from the floor by Members at the annual meeting.

Section 3. Election. Although the Association is not a condominium association, elections shall be conducted in the manner 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 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 from the floor at the annual meeting are prohibited. The Association shall thereafter mail or deliver a second notice of the election to all Members entitled to vote, together with a written notice, agenda, and a ballot which shall list all candidates in alphabetical order. Elections shall be decided by a plurality of ballots cast. There shall be no quorum requirement; however, at least twenty percent (20%) 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.

a. 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 thirty-five (35) days before the election

to be included with the mailing of the ballot. The costs associated with the copying, mailing, and delivery shall be borne by the Association.

b. 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.

c. 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.

~~Section 3. — Election. — After Turnover, the Members may cast one vote for each Parcel or Reconfigured Parcel owned in respect to each vacancy. An election shall be by secret written ballot. Cumulative voting is not permitted. The election of Directors shall take place at the annual meeting and Members may vote in person at a meeting or by ballot that the Member personally casts prior to such meeting. Those persons receiving the largest number of votes shall be elected. At the first annual meeting after Turnover, the Class A Members shall elect one third (1/3) of the Directors to be elected by the Class A Members for a term of one (1) year, one third (1/3) of the Directors to be elected by the Class A Members for a term of two (2) years and one third (1/3) of the Directors to be elected by the Class A Members for a term of three (3) years (should the membership of the Board of Directors not be divisible by three, then the classes of Directors shall be made as nearly equal as possible). Thereafter, all Directors to be elected by the Class A Members shall be elected for a three (3) year term, it being the intent that the terms of the Directors should be staggered. Provided however, for so long as the Class B Member has the right to appoint the minority of the Directors or at least one Director, the Class B Member shall appoint and replace such persons at its sole discretion.~~

{Remainder of this page left intentionally blank}

IN WITNESS WHEREOF, the President and Secretary of Hawthorn Homeowners' Association, Inc. have executed this certificate on this 17th day of September, 2018.

Witnesses

[Signature]
Signature of Witness 1
CEOLA B. ACKLEY
Printed

[Signature]
Signature of Witness 2
Ash M. Smith
Printed

Hawthorn Homeowners Association, Inc.

[Signature]
Signature of President
JEFFREY J. MARCELL
Printed

[Signature]
Signature of Secretary
CHANDRASHEKAR R.
Printed

STATE OF FLORIDA
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 17th day of September, 2018, by Jeffrey Marcell, as President of Hawthorn Homeowners Association, Inc. and by Chandra Shekar, as Secretary of Hawthorn Homeowners Association, Inc.

[Signature]
(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: _____

