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Charlie Green, Lee County Clerk of Circuit Court, Rec. Fee \$18.50 Deputy
Clerk JMILLER

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**CERTIFICATE OF AMENDMENT TO BYLAWS OF
BERMUDA PARK CONDOMINIUM ASSOCIATION, INC.**

This CERTIFICATE OF AMENDMENT made as of this 15th day of March, 2006, by Bermuda Park Condominium Association, Inc., a Florida not-for-profit corporation (the "Association").

WHEREAS, the Association has recorded Bylaws on March 28, 2002 in O.R. Book 3609, Page 4206 in the Public Records of Lee County, Florida;

WHEREAS, the Association wishes to amend Section 4.1 of the Bylaws to implement staggered terms for the board of directors;

WHEREAS, the Bylaws permit the Association to amend the Bylaws under Section 10 thereof; and

WHEREAS a meeting of the Board of Directors was held on March 15, 2006, where a quorum was present, and after due notice, a resolution to amend Section 4.1 as set forth below was approved by the affirmative vote of at least a majority of the entire membership of the Board of Directors and that at a meeting of the members held on March 15, 2006, where a quorum was present, and after due notice, a resolution to amend Section 4.1 as set forth below was approved by the affirmative vote of at least 66 2/3rds of the voting interest of the Association.

NOW, THEREFORE, the Bylaws are amended as follows [all interlineated provisions are to be deleted and all provisions in bold and underlined are new]:

1. Section 4.1 is amended as follows:
 - 4.1 Number and Terms of Service. While the Developer is in control of the Association, the number of directors which will constitute the whole Board of Directors shall be three (3). The affairs of the Association shall be governed by a Board of Directors of not less than three (3) nor more than five (5) directors, the exact number to be determined in the first instance in the Articles and thereafter, except as provided herein, from time to time upon majority vote of the membership; provided, however, that the number of directors shall always be an odd number and shall always be at least three (3). ~~A director's term will end at the annual election at which the director's successor is to be duly elected, unless the director sooner resigns or is recalled as provided in Section 4.5 herein.~~ **In order to implement a staggered term and provide for continuity of service, at the first annual meeting or special meeting of the members for the election of directors held after adoption and certification of the Amendment to Bylaws dated March 15, 2006, the two nominees who receive the highest number of votes at such election shall be seated for a term of two years. The remaining directors shall be seated for a term of one year. If no election is held due to lack of candidates the Board of Directors will decide amongst itself (and failing the ability to do so will be decided by lot) which directors will be seated for one year and two year terms. Thereafter, all seats will be for two year terms. It is the intention of these Bylaws that a staggered Board of Directors be maintained, with general provision for two year terms, with two seats being open in even-numbered years (2006, 2008, etc.) and three seats being open in odd-numbered years (2007, 2009, etc.). Vacancies on the Board will be filled by the remaining members of the Board, with the unexpired term of the Director vacating the seat.** Directors shall be elected by the members as described in Section 4.3 herein, or in case of a vacancy, as provided in Section 4.4 herein. Directors must be natural persons who are 18 years of age or older. Directors may not vote at board meetings but by proxy or by secret ballot.
2. The Bylaws as amended hereby and not inconsistent herewith shall remain in full force and effect.

WITNESSES:

BERMUDA PARK CONDOMINIUM ASSOCIATION,
INC., a Florida not-for-profit corporation

(1)

Witness

Print Name

(2)

Witness

Print Name

By:

Title:

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 19th day of June, 2006 by Maxine Jenkins as the President of BERMUDA PARK CONDOMINIUM ASSOCIATION, INC. who [☒] is personally known to me or [☐] has produced _____ as identification.

Notary Public

Print Name of Notary Public

My Commission
My comm. exp. Mar. 30, 2008
Comm. No. DD 282867