

This instrument was prepared by:  
**MARK D. FRIEDMAN, ESQ.**  
Becker & Poliakoff, P.A.  
625 North Flagler Drive – 7<sup>th</sup> Floor  
West Palm Beach, FL 33401  
(W-C 112)

**CERTIFICATE OF AMENDMENT TO THE  
AMENDED AND RESTATED BY-LAWS OF  
NETTLES ISLAND, INC.**

---

WHEREAS, the **Declaration of Condominium for Nettles Island, Inc.** has been duly recorded in the Public Records of St. Lucie County, Florida, in Official Record Book **186** at Page **2720**; and

WHEREAS, the By-Laws are attached as an exhibit thereto; and

WHEREAS, the **Amended and Restated Declaration of Condominium for Nettles Island, Inc.** has been duly recorded in the Public Records of St. Lucie County, Florida, in Official Record Book **1956** at Page **1750**; and

WHEREAS, the Amended and Restated By-Laws are attached as an exhibit thereto; and

WHEREAS, at a duly called and noticed meeting of the membership of **Nettles Island, Inc.**, a Florida not-for-profit corporation, held 2/14/2009, the aforementioned Amended and Restated By-Laws were amended pursuant to the provisions of said Amended and Restated By-Laws.

NOW, THEREFORE, the undersigned hereby certify that the following amendments to the Amended and Restated By-Laws are a true and correct copy of the amendments as amended by the membership.

**AMENDMENTS TO THE  
AMENDED AND RESTATED BY-LAWS FOR  
NETTLES ISLAND, INC.**

(Additions shown by "underlining",  
deletions shown by "~~strikeout~~",  
unaffected text indicated by "...")

ARTICLE 1  
Identity

These are the Amended and Restated By-laws of Nettles Island, Inc., a corporation not-for-profit incorporated under Florida Statute 617 and Florida Statute 718, The Condominium Law.

1.1 Office. The office of the Association shall be on the condominium property at 9801 S. Ocean Drive, Jensen Beach, Florida 34957 ~~a location designated by the Board of Directors.~~

\* \* \*

ARTICLE 5  
Directors

\* \* \*

5.4 Vacancies. If the position of any director becomes vacant by reason of death, resignation, retirement, disqualification or removal from office, then a majority of the remaining directors, even should they constitute less than a quorum, shall choose a successor or successors who shall hold office to the end of the term of the person they are replacing. ~~until the next election.~~

\* \* \*

5.7 Board Meetings. The Board of Directors may establish a schedule of regular meetings and ~~or~~ may call meetings as they deem them necessary. Notice of all meetings shall be posted on the condominium property at least three (3) days in advance of each meeting. Each director shall be entitled to receive notice by mail, fax, hand-delivery or electronic transmission at least three (3) days prior to the date of the meeting.

Special meetings of the directors may be called by the President and must be called by the Secretary at the written request of one-third (1/3) of the votes of the directors on the Board. The request for a special meeting or notice of a special meeting must state the purpose or purposes of the proposed meeting. Business transacted at all special meetings shall be confined to that stated in the request and the notice. Directors shall also be entitled to three (3) days notice of special meetings, except in the case of an emergency. The written request of one-third (1/3) of the directors on the Board must be delivered to the official site of the Association, the Condominium Office. The date of any meeting called by a third of the directors must be scheduled within two (2) business days of receipt by the Association of such written request, and the date of the meeting must take place within two weeks of the receipt by the Association of such written request.

Members shall be entitled to attend all Board meetings to comment on all agenda items. The Board may adopt reasonable rules and regulations limiting the length of comment by members. Members may participate at Board meetings under the same standards as set out in Article 4.11 of Amended By-Laws

\* \* \*

ARTICLE 7  
Officers

The Executive Officers of the Association shall consist of a President, a Vice-President, a Treasurer and a Secretary, all of whom must be directors. Officers shall be elected by the Board of Directors annually and may be peremptorily removed at any meeting by a concurrence of a majority of all of the directors. A person may hold more than one (1) office, except that the President may not also be the Secretary. The Board of Directors may, from time-to-time, elect or appoint such other officers and designate their powers and duties as the Board shall deem necessary or appropriate.

~~All executive positions of this Association shall be filled by members of the Board with at least one (1) year's prior service, except if no one is available to fill a given position who has this requisite experience, the Board may appoint a member with less than one (1) year's service.~~

\* \* \*

ARTICLE 9  
Fiscal Management

\*\*\*

9.9 Accounting Records and Financial Reports. The Association shall maintain accounting records according to generally accepted accounting principles. The records shall be open to inspection by the members or their authorized representatives at reasonable times.

Within ninety (90) days after the end of the fiscal year, the Association shall prepare and complete, or contract for the preparation and completion of, a financial report for the preceding fiscal year, as required by the Condominium Act as amended from time to time.

~~Within ninety (90) days beyond the fiscal year the Association shall mail, or furnish by personal delivery to each member a complete financial report of actual receipts and expenditures for the previous twelve (12) months. The annual financial account shall be audited unless an audit is waived by a majority of the members in advance of the year for which the audit will be performed.~~

\* \* \* \* \*

WITNESS my signature hereto this 17 day of April, 2009, at St. Lucie County, Florida.

NETTLES ISLAND, INC.

Diane Franze  
Witness  
DIANE FRANZE  
(PRINT NAME)

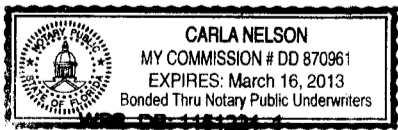
By: Charles W. Cates  
Charles W. Cates President

Carla Nelson  
Witness  
Carla Nelson  
(PRINT NAME)

Attest: Sharilyn M. Brady  
Sharilyn M. Brady Secretary

STATE OF FLORIDA :  
COUNTY OF ST. LUCIE :

The foregoing instrument was acknowledged before me this 17 day of April, 2009, by Charles W. Cates and Sharilyn M. Brady, as President and Secretary, respectively, of Nettles Island, Inc., a Florida not-for-profit corporation, on behalf of the corporation. They are personally known to me, or have produced \_\_\_\_\_ as identification and did take an oath.



Carla Nelson (Signature)

Carla Nelson (Print Name)  
Notary Public, State of Florida at Large