

This instrument Prepared By:
MARNIE DALE RAGAN, ESQUIRE
Haber Law, LLP.
251 NW 23rd Street
Miami, FL 33127

CERTIFICATE OF AMENDMENT TO THE AMENDED AND RESTATED BY-
LAWS OF LA TERRE AT AVENIR NEIGHBORHOOD ASSOCIATION, INC.

The undersigned being the President of La Terre at Avenir Neighborhood Association, Inc. located in Palm Beach County, Florida, the Amended and Restated Neighborhood Declaration of Protective Covenants, Restrictions and Easements for La Terre at Avenir having been recorded in the Official Records Book 32214, at Page 0015 of the Public Records of Palm Beach County, Florida, with the Amended and Restated By-laws of La Terre at Avenir Neighborhood Association, Inc. attached thereto, do hereby certify that a duly noticed meeting of the members of La Terre at Avenir Neighborhood Association, Inc., held on January 6, 2025, where in accordance where the required percentage of the Voting Members present at the meeting or in person approved the following amendment to the Amended and Restated By-Laws of La Terre at Avenir Neighborhood Association, Inc., in accordance with the provisions of Article 13 of its By-Laws.

The foregoing Amendment shall be effective as of the date of recordation of this Certificate in the Public Records of Palm Beach County, Florida. Except as specifically amended hereby, the Declaration and governing documents shall remain in full force and effect ab initio.

(New language is indicated by underscored type, old language is indicated by ~~lined type~~).

The Amended and Restated By-Laws of La Terre at Avenir Neighborhood Association, Inc. shall be amended as follows:

1. Section 3.4 of the Amended and Restated By-Laws of La Terre at Avenir Neighborhood Association, Inc. shall be amended as follows:

3.4. ~~Except as otherwise provided in the Articles, a written notice of each Members' meeting, whether an Annual Members' Meeting or a special meeting (collectively~~

~~"Meeting"), shall be given to each Member entitled to vote thereat at his last known address as it appears on the books of the Association and shall be mailed or hand delivered to the said address or electronically transmitted to the location furnished by the Member for that purpose not less than fourteen (14) days nor more than forty-five (45) days prior to the date of the Meeting. Proof of such mailing, delivery or electronic transmission shall be given by the affidavit of the person giving the notice. Any notice given hereunder shall state the time and place of the Meeting and the purposes for which the Meeting is called. The notices of all Annual Members' Meetings shall, in addition, specify the number of Directors of the Association to be designated by Declarant and the number of Directors to be elected by the Members, if applicable. Notwithstanding any provisions hereof to the contrary, notice of any Meeting may be waived before, during or after such Meeting by a Member or by the person entitled to vote for such Member by signing a document setting forth the waiver of such notice.~~

The Association will utilize a condominium style election and comply with the election process as prescribed by Chapter 718, Florida Statutes, and the associated Administrative Rules governing the election process. The Election of Directors shall be held at the annual members' meeting, except as herein provided to the contrary. At least 60 days before a scheduled election, the Association shall mail, deliver, or electronically transmit, by separate association mailing or included in another association mailing, delivery, or transmission, including regularly published newsletters, to each Owner entitled to a vote, a first notice of the date of the election. Any Owner or other eligible person desiring to be a candidate for the Board shall give written notice to the Secretary of the Association of his or her intent to be a candidate at least forty (40) days prior to the scheduled election and must be eligible to serve on the Board at the time of the deadline for submitting a notice of intent to run in order to have his or her name listed as a proper candidate on the ballot or to serve on the Board. Together with the notice of meeting and agenda sent in accordance with the By-Laws, the Association shall then, mail, deliver or electronically transmit a second notice of the meeting, not less than fourteen (14) continuous days prior to the date of the meeting, to all Owners entitled to vote therein, together with a ballot that lists all candidates. Upon request of a candidate, an information sheet, no larger than 8-1/2 inches by 11 inches furnished by the candidate, which must be furnished by the candidate to the Association at least thirty five (35) days before the election, must be included with the mailing, delivery or electronic transmission of the ballot, with the costs of mailing or delivery and copying to be borne by the Association. The Association is not liable for the contents of the information sheets prepared by the candidates. In order to reduce costs, the Association may print or duplicate the information sheets on both sides of the paper.

The election of directors shall be by written ballot or electronic voting, if such process is adopted by the Association. Proxies may not be used in electing the Board at general elections or to fill vacancies caused by resignation or otherwise, provided, however, that limited proxies may be used to fill a vacancy resulting from the recall of a director, in the manner provided by the rules of the Division. Elections shall be decided by a plurality of ballots and votes cast. There is no quorum requirement, however at least 20 percent of the eligible voters must cast a ballot in order to have a valid election. There shall be no

cumulative voting. An owner shall not permit any other person to vote his or her ballot, and any ballots improperly cast are deemed invalid. An Owner who needs assistance in casting the ballot for the reasons stated in Section 101.051, F.S. may obtain such assistance. The regular election must occur on the date of the annual meeting. Notwithstanding anything contained herein to the contrary, if and to the extent a vacancy occurs on the Board and/or additional Directors are to be elected in accordance herewith, the Board may, in its sole and absolute discretion, hold a meeting to elect the Directors prior to the annual meeting.

Within 90 days after being elected or appointed to the Board, each newly elected or appointed Director shall certify in writing to the Secretary of the Association that he or she has read the Association's Declaration of Covenants, Articles of Incorporation, Bylaws and current written policies; that he or she will work to uphold such document and policies to the best of his or her abilities; and that he or she will faithfully discharge his or her fiduciary responsibility to the Association's members and complete such other educational curriculum as may be required by Florida Law. The Secretary shall cause the Association to retain a Director's written certification or educational certificate for inspection by the Members as required by Florida Law. Failure to have such written certification or educational certificate on file does not effect the validity of any Board action.

Notwithstanding the provisions of this section, an election is not required if the number of vacancies equals or exceeds the number of candidates. For purposes of this paragraph, the term "candidate" means an eligible person who has timely submitted the written notice of his or her intention to become a candidate.

2. Section 3.7 of the Amended and Restated By-Laws of La Terre at Avenir Neighborhood Association, Inc. will be deleted in its entirety.

~~3.7. At any Annual Members' Meeting when elections of Directors are to occur, written ballots are to be supplied to Members for such purposes. Members may vote for Directors in person or by Proxy. Members are not permitted to vote for Directors by absentee ballot. Furthermore, at any Annual Members' Meeting at which Directors are to be elected, the "Chairman" (as hereinafter defined in Paragraph 7.2) shall appoint an "Election Committee" consisting of three (3) Members to supervise the election, count and verify ballots, disqualify votes if such disqualification is justified under the circumstances and certify the results of the election to the Board. The Election Committee shall be able to determine questions within its jurisdiction by plurality vote of all three (3) members, but matters resulting in deadlocked votes of the Election Committee shall be referred to the entire Board for resolution.~~

3. Section 4.2 of the Amended and Restated By-Laws of La Terre at Avenir Neighborhood Association, Inc. shall be amended as follows:

4.2. The election and, if applicable, designation of Directors shall be conducted in accordance with the Articles. Except for Declarant-appointed Directors, Directors must be Members ~~or the parents, children or spouses of Members.~~

IN WITNESS WHEREOF, La Terre at Avenir Neighborhood Association, Inc, A Florida corporation not-for-profit, has caused these presents to be executed in its name by its President and its corporate seal affixed hereto, this 4th day of FEBRUARY, 2025.

[CORPORATE SEAL]

La Terre at Avenir Neighborhood Association, Inc.

BY: [Signature]
President

ATTESTED: [Signature]
Secretary

WITNESS:

[Signature]
Witness Signature

CARMEN ROODRICK
Witness Name Printed

Address: 7668 Sierra Ter. W
BOCA RATON, FL 33433

[Signature]
Witness Signature

Megan Lundrigan Kelly
Witness Name Printed

Address: 4719 Betelnut St
BOCA RATON FL 33428

STATE OF FLORIDA)
COUNTY OF Palm Beach

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State of Florida, County of Palm Beach, to take acknowledgments, personally appeared William Rosenberg, President of the corporation named in the foregoing Amendment, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said Corporation and that the seal affixed is the true and corporate seal of said Corporation.

WITNESS my hand and official seal in the County and State last aforesaid on this 4th day of February, 2025.

[Signature]
NOTARY PUBLIC, State of Florida
at Large

My Commission Exp.: NOV. 2, 2028



LAUREN D. CHIEFFO
Commission # HH 567911
Expires November 2, 2028