

Prepared by and  
when recorded return to:

Jonathan J. Ellis, Esq.

**SHUMAKER**

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**CERTIFICATE OF AMENDMENT TO BYLAWS OF DEL WEBB BEXLEY  
COMMUNITY ASSOCIATION, INC.**

This Certificate of Amendment to the Bylaws of Del Webb Bexley Community Association, Inc. (the "Association").

**WHEREAS**, the Association is subject to the Community Declaration for Del Webb Bexley, as recorded in Official Records Book 9774, Page 2623, *et seq.*, of the public records of Pasco County, Florida, as amended from time to time (the "Declaration");

**WHEREAS**, the Association is also subject to the Bylaws of Del Webb Bexley Community Association, Inc., as recorded in Official Records Book 9774, Page 2734, *et seq.*, of the public records of Pasco County, Florida, as amended from time to time (the "Bylaws");

**WHEREAS**, Section 12.3 of the Bylaws provides that a proposed amendment shall be adopted by approval of: (a) a majority of all of the Board of Directors; and (b) fifty-one percent (51%) of the Voting Interests present at a duly called meeting of the members entitled to vote;

**WHEREAS**, at a duly noticed meeting of the Board of Directors, held in the manner required by the Association's Governing Documents, the Board of Directors voted to approve the Amendments to the Bylaws attached to this Certificate as **EXHIBIT A**; and

**WHEREAS**, at a duly noticed meeting of the Members of the Association, held in the manner required by the Association's Governing Documents, the requisite number of Members voted to approve the Amendments to the Bylaws attached to this Certificate as **EXHIBIT A**;

**NOW, THEREFORE**, the Association hereby declares and certifies as follows:

1. The foregoing recitals are true and correct.
2. All initially capitalized terms not defined herein or in the Amendments shall have the meaning set forth in the Declaration or Bylaws.
3. With respect to the Amendments, text to be deleted is indicated by strikethrough (~~strikethrough~~) and text to be added is indicated by an underline (underline). Ellipses ( . . . ) indicate that the language omitted by the ellipsis shall remain unchanged.
4. In the event that there is a conflict between the Amendments and the previously existing Bylaws, the Amendments shall control.

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5. All provisions of the Declaration, Bylaws and Articles are hereby ratified and shall be of full force and affect, except as specifically modified and amended by the Amendments.

**IN WITNESS WHEREOF**, the undersigned has hereunto set its hand and seal.

WITNESSES:

Signature Bonna A. Larson  
 Print Name: Bonna A. Larson  
 Address: 101 E. Kennedy Blvd. Suite 2800,  
Tampa, FL 33602

Signature Stephanie M. Scholz  
 Print Name: Stephanie M. Scholz  
 Address: 101 E. Kennedy Blvd. Suite 2800,  
Tampa, FL 33602

DEL WEBB BEXLEY COMMUNITY  
 ASSOCIATION, INC.  
 a Florida not for profit corporation

By: Gary D. Zima  
 Gary Zima, President

STATE OF FLORIDA  
 COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☒ online notarization, this 2nd day of July, 2024, by Gary Zima, as President, for Del Webb Bexley Community Association, Inc., a Florida not for profit corporation, on behalf of the corporation, who is personally known to me or has produced Driver's License – Online ID Verification as identification.



Notarial act performed by audio-visual communication

NOTARY PUBLIC  
 Print Name: Bonna A. Larson  
 My Commission Expires: May 8, 2027

**IN WITNESS WHEREOF**, the undersigned has hereunto set its hand and seal as.

WITNESSES:

Signature Bonna A. Larson  
 Print Name: Bonna A. Larson  
 Address: 101 E. Kennedy Blvd. Suite 2800,  
Tampa, FL 33602

Signature Stephanie M. Scholz  
 Print Name: Stephanie M. Scholz  
 Address: 101 E. Kennedy Blvd. Suite 2800,  
Tampa, FL 33602

DEL WEBB BEXLEY COMMUNITY  
 ASSOCIATION, INC.  
 a Florida not for profit corporation

By: Mario Delgado  
 Mario Delgado, Secretary

STATE OF FLORIDA  
 COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☒ online notarization, this 2nd day of July, 2024 by Mario Delgado, as Secretary, of the Del Webb Bexley Community Association, Inc., a Florida not for profit corporation, on behalf of the corporation, who is personally known to me or has produced Driver's License – Online ID Verification as identification.

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Notarial act performed by audio-visual communication

Signed on 20240702 11:06:18 -8:00  
NOTARY PUBLIC

Print Name: Bonna A. Larson

My Commission Expires: May 8, 2027

## EXHIBIT "A"

### Amendments to the Bylaws Del Webb Bexley Community Association, Inc.

#### 4. Board of Directors.

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~~4.7 Appointment and Election of Directors. Until the Turnover, the Declarant shall have the unrestricted power to appoint a majority of the Directors of the Association, subject, however, to the option of the Founder to appoint one (1) Director of the Association until such time as Declarant has purchased all of the Additional Property from Founder pursuant to the Declarant Purchase Contract pursuant to Section 28.5 of the Declaration. From and after the Turnover, or such earlier date determined by Declarant in its sole and absolute discretion, the members shall elect all Directors of the Association at or in conjunction with the Annual Members Meeting. Notwithstanding the foregoing, from and after Turnover, for so long as Declarant holds at least five percent (5%) of the total number of Lots planned for DEL WEBB BEXLEY out for sale, Declarant, at Declarant's sole option, may elect one (1) member of the Board, which may be designated by the Founder pursuant to Section 28.5 of the Declaration. Nothing herein shall require Declarant to elect or place any members on the Board after Turnover.~~

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4.87 Election. Election to the Board shall be by secret written ballot, unless unanimously waived by all members present. The Persons receiving the most votes shall be elected. Cumulative voting is not permitted. Boards of directors shall be elected by a plurality of the votes cast by eligible voters. A Member may nominate himself or herself as a candidate for the Board only in advance of the meeting in accordance with the following procedures:

- 4.7.1 At least sixty (60) days before a scheduled election for any seat on the Board the members are entitled to fill, the Association shall mail, deliver, or electronically transmit to each owner entitled to a vote, a first notice of the date of the election.
- 4.7.2 An owner or other eligible person desiring to be a candidate for the Board must give written notice of his or her intent to be a candidate to the Association, through the designated representative as set forth in the first notice, at least forty (40) days before a scheduled election. Written notice of intent to be a candidate shall be effective when received by the Association.
- 4.7.3 The Association may, at its option, forward all applications to the Community's manager to verify the nominee's ability to serve on the Board.

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- 4.7.4 Together with the written notice of the meeting and any agenda, the Association shall mail, deliver, or electronically transmit a second notice of the election to all owners entitled to vote, together with a ballot that lists all candidates. The Association shall mail or deliver the second notice no less than fourteen (14) days and no more than thirty-four (34) days prior to the election. The second notice and accompanying documents shall not contain any communication by the Board that endorses, disapproves, or otherwise comments on any candidate.
- 4.7.5 At the option of the Board, the Association may host a duly noticed meeting of the membership prior to the annual meeting to allow the nominees to present a statement to the membership and answer members' questions.
- 4.7.6 Upon request of a candidate, an information sheet which may describe the candidate's background, education, and qualifications, no larger than 8 1/2 inches by 11 inches, which must be furnished by the candidate at least 35 days before the election, must be included with the mailing, delivery, or transmission of the ballot, with the costs of mailing, delivery, or electronic transmission 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.
- 4.7.7 At the option of the Board, ballots may pre-print all candidates names. Names must be placed in alphabetical order by last name.
- 4.7.8 Accompanying the ballot shall be an outer envelope addressed to the person or entity authorized to receive the ballots and a smaller inner envelope in which the ballot shall be placed. The exterior of the outer envelope shall indicate the name of the voter, and the address of the property being voted, and shall contain a signature space for the voter. Once the ballot is filled out, the voter shall place the completed ballot in the inner smaller envelope and seal the envelope. The inner envelope shall be placed within the outer larger envelope, and the outer envelope shall then be sealed. Each inner envelope shall contain only one ballot, but if a person is entitled to cast more than one ballot, the separate inner envelopes required may be enclosed within a single outer envelope.
- 4.7.9 The voter shall sign the exterior of the outer envelope in the space provided for such signature. The envelope shall either be mailed or hand delivered to the Association. Upon receipt by the Association, no ballot may be rescinded or changed.
- 4.7.10 Envelopes containing ballots received by the Association shall be retained and collected by the Association and shall not be opened except in the manner and at the time provided herein.
- 4.7.11 Any envelopes containing ballots shall be collected by the Association and shall be transported to the location of the duly called meeting of the unit owners.
- 4.7.12 The Association shall have available at the meeting additional blank ballots for distribution to the eligible voters who have not cast their votes. Each ballot distributed at the meeting shall be placed in an inner and outer envelope in the manner provided in subsection (4.7.8) of this Section.
- 4.7.13 Notwithstanding subsection (4.7.5), during an emergency satisfying the requirements of Section 720.316, Florida Statutes, including a public health emergency, the Association may require that all eligible voters vote by mail-in ballots only and require that all ballots be returned to the Association by a specified date before the meeting. Any such requirements shall be listed in bold in the second notice and shall include the date by which the Association must receive a ballot in order for it to be counted.
- 4.7.14 Each envelope and ballot shall be handled in the following manner: As the first order of business, ballots not yet cast shall be collected. The ballots and envelopes shall then be



handled as stated below by an impartial committee of counters. The business of the meeting may continue during this process. The signature and property identification on the outer envelope shall be checked against a list of qualified voters.

- 4.7.15 Any exterior envelope not signed by the eligible voter shall be marked "Disregarded" or with words of similar import, and any ballots contained therein shall not be counted. The voters shall be checked off on the list as having voted. Then, in the presence of any owners in attendance, and regardless of whether a quorum is present, all inner envelopes shall be first removed from the outer envelopes and shall be placed into a receptacle. Upon the commencement of the opening of the outer envelopes, the polls shall be closed, and no more ballots shall be accepted. The inner envelopes shall then be opened and the ballots shall be removed and counted in the presence of the unit owners. Any inner envelope containing more than one ballot shall be marked "Disregarded," or with words of similar import, and any ballots contained therein shall not be counted. All envelopes and ballots, whether disregarded or not, shall be retained with the official records of the Association. All ballots are then counted and the results of the election are announced at the annual meeting.

4.8 Electronic Voting. The Board of Directors may adopt a resolution providing Owners with the opportunity to vote through an online or electronic voting system.

