

This instrument prepared by and should be returned to:)
Elizabeth A. Lanham-Patrie, Esquire)
Becker and Poliakoff, P.A.)
111 North Orange Ave.)
Suite 1400)
Orlando, Florida 32801)
407-8750955)

**CERTIFICATE OF
FIFTH AMENDMENT TO
BY-LAWS OF
LAKE VILLAS Q AND R HOMEOWNERS ASSOCIATION, INC.**

THIS IS TO CERTIFY that the following language amending Article II, Section 2(b), Article IV, Sections 1, 4, 5(c), 8 and 14(e) and (f) and Article VI constitutes the Fifth Amendment to the By-Laws of Lake Villas Q and R Homeowners Association, Inc., which was originally recorded at Official Records Book 539, Page 544 and amended pursuant to the amendments recorded at: Official Records Book 861, Page 1972; Official Records Book 881, Page 2389; Official Records Book 890, Page 340; and Official Records Book 4792, Page 2345 all of the Public Records of Osceola County, Florida (hereinafter collectively referred to as the "By-Laws"). This Fifth Amendment was duly and properly adopted by the Members at the Annual Members' Meeting held on May 4, 2022, pursuant to Article XVI, Section 1 of the By-Laws.

Article II, Section 2(b) is hereby amended as follows:

ARTICLE II—MEMBERSHIP AND VOTING PROVISIONS

...

Section 2. Voting.

[No change to paragraph (a)]

(b) Each Owner entitled to vote (as set forth below in Section 4) may cast the Living Unit's vote by one (1) of the following methods:

(1) In person, when the voting member is present at any meeting of the Association;

(2) By Absentee Ballot, when the voting member anticipates being unable to attend a particular meeting. Such Ballot may be used to vote only on ~~specified questions at any meeting, and for~~ the election of Directors at an annual meeting. An official Absentee Ballot, which form must be used in order to be valid, shall be distributed with the meeting notice, and shall be returned to a designated disinterested "receiver" ~~not less than five (5) business days prior to the~~

~~particular meeting indicated therein.~~ Said receiver, who shall not be either a member or an employee of the Association or a relative of a member or an employee, shall devise a system of verifying the voting members who respond while preserving the secrecy of their ballot. ~~Upon receipt of the Absentee Ballots, the~~ At the annual meeting, the receiver shall tabulate the votes cast and shall report the same to the Secretary ~~no less than twenty-four (24) hours prior to the meeting at which the votes are to be cast.~~ A voting member who, subsequent to submitting on Absentee Ballot, actually attends that particular meeting shall not be permitted to vote in person on those matters dealt with in the Absentee Ballot, but may vote on any other questions properly introduced at the meeting;

(3) By Proxy, at all meetings of the members, each member may vote by proxy. All proxies shall be in writing and filed with the Secretary. Proxies shall be valid only for the particular meeting designated therein, and any lawful adjournments of that meeting. Every proxy shall be revocable and shall automatically cease upon conveyance by the member of his/her Living Unit.

[No change to paragraph (c)]

Article IV, Sections 1, 4, 5(c), 8, and 14 (e) and (f) are hereby amended as follows:

ARTICLE IV—DIRECTORS

Section 1. Number.

The affairs of this Association shall be managed by a Board of three (3) ~~at least five (5), but no more than nine (9),~~ Directors, all of whom shall be members of the Association ~~and a majority of whom shall be full-time residents of the Living Units.~~ Upon adoption of these By-Laws the number of Directors shall be established at five (5); thereafter the number may be determined by a majority of the members voting at an annual or special meeting.

...

Section 4. Removal.

Any director may be removed from the Board, with or without cause, by a majority of the members of the Association voting at a duly called special meeting or by written agreement, according to the procedures of Section 720.303(10), Florida Statutes, as amended from time to time.

Section 5. Resignation and Disqualification.

[No change to paragraphs (a) and (b)]

(c) A Director who becomes more than ninety (90) days delinquent in the payment of any fee, fine, or other monetary obligation to the Association shall be deemed to have abandoned his or her seat on the Board, creating a vacancy on the Board to be filled according to Article IV, Section 6 of the By-Laws. ~~'s delinquency of more than thirty (30) days after notice in the payment of an assessment shall automatically constitute a resignation effective when such disqualification is recorded by the board at a regular or special meeting.~~

[No change to paragraphs (d) and (e)]

...

Section 8. Regular Meetings.

Regular meetings of the Board of Directors shall be held ~~monthly~~ at a fixed time and place as may be determined by the Board. ~~The schedule of such regular meetings shall be noticed~~ publicized to the members of the Association in accordance with Section 720.303(2), Florida Statutes, as amended from time to time. Should a scheduled meeting be cancelled for any reason, that meeting shall be held within seven (7) days of the originally scheduled time, and notice shall be posted in a public place on the premises continuously for at least forty-eight (48) ~~twenty-four (24)~~ hours prior to said meeting.

...

Section 14. Powers and Duties. The Board of Directors, charged with the responsibility for the administration of the affairs of the Association, shall exercise for the Association powers, duties and authority vested in or delegated to the Association and not reserved to the members by the Articles of Incorporation, the Declaration or these By-Laws. Such powers and duties, as may be more fully defined in other sections of these By-Laws, shall specifically include, but shall not be limited to, the following:

[No change to paragraphs (a)-(d)]

(e) To suspend the voting rights and the right to use the Association's recreational areas and facilities of a member who shall be in default for more than ninety (90) days in paying any fee, fine, or other monetary obligation due to the Association thirty (30) days after notice in the payment of any assessment. Such rights may be suspended in accordance with the procedures in Section 720.305(4), (5), and (6), Florida Statutes, as amended from time to time. The suspension ends upon full payment of all obligations currently due or overdue to the Association without further notice for a period of thirty (30) days and thereafter until full payment is made, including such penalties as may be levied;

(f) To suspend for a period not to exceed sixty (60) days, ~~the voting rights and the right to use the Association's recreational areas and facilities of a member, or a member's tenant, guest, or invitee,~~ who, after due notice and opportunity for a hearing before a committee, as provided in Section 720.305(2), Florida Statutes, as amended from time to time, ~~the Board~~ is deemed to have violated the Declaration, these By-Laws, or any of the published rules and regulations;

[No change to paragraphs (g)-(k)]

Article VI is hereby amended as follows:

ARTICLE VI—BOOKS AND RECORDS

~~The books, records and papers of the Association shall be available for inspection by any member of the Association upon request for an appointment during regular office hours made at least twenty-four (24) hours in advance. Such documents shall be inspected only on the premises of the Association's principal office and shall not be removed therefrom. However, copies of the Declaration, the Articles of Incorporation and the By-Laws of the Association shall be available for purchase at a reasonable cost as determined by the Board of Directors. Personal records of individual members or their lessees including, but not limited to, leases, purchase contracts and mortgages, shall at no time be subject to inspection by other members. The official records of the Association shall be made available to a member for inspection or photocopying at the Association's office within 10 business days after receipt by the Board or its designee of a written request. The inspection, and copying of the records, shall be in accordance with Section 720.303(5), Florida Statutes, as amended from time to time.~~

(Signatures on Next Page)

EXECUTED at 4 Lake Villa Way, Kissimmee (City), Osceola County, Florida, on this the ___ day of _____, 2022.

WITNESSES:

LAKE VILLAS Q AND R HOMEOWNERS ASSOCIATION, INC.

[Signature]

Print Name: Wilfredo Rodriguez

By: [Signature]

Print Name: Juan J. Curet
President

[Signature]

Print Name: ARCEZA MOUTARIN

Attest: [Signature]

[Signature]
Print Name: Lourdes M. Walker

Print Name: Hilary R. Hernandez

[Signature]

Print Name: Minetta Garay

(CORPORATE SEAL)

STATE OF FLORIDA
COUNTY OF Osceola

THE FOREGOING INSTRUMENT was acknowledged before me by means of [] physical presence or [] online notarization this 25 day of May, 2022, by Juan J. Curet and Hilary R. Hernandez who are personally known to me to be the President and Secretary, respectively, of LAKE VILLAS Q AND R HOMEOWNERS' ASSOCIATION, INC., or have produced _____ (type of identification) as identification. They acknowledged executing this document in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid on this 25 day of May, 2022.

[Signature]
Notary Public-State of Florida
Print Name: Lourdes M. Walker

Commission No.: HH 219474
My Commission Expires: 04/22/2026

