



**KEVIN C. KARNES**  
**CLERK OF THE COURT**  
**& COMPTROLLER**  
LEE COUNTY, FLORIDA

2115 Second St.  
P. O. Box 2278  
Fort Myers, FL 33902  
(239) 533-5007  
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<b>Transaction #</b> 104273159	<b>Name:</b> COL CHRISTOPHER J REDDISH
<b>Receipt #</b> 23228713	
<b>Date:</b> September 5, 2023 12:36 pm	<b>Address:</b> 148 LIMEBURN TRL
<b>Cashier:</b> SDEJAGER	SAINT SIMONS ISLAND, GA 31522
<b>Department:</b> Recording	
<b>Source:</b> Mail	<b>Attention:</b>
<b>Returned:</b> Mail	

**RESTRICTIONS**

CFN: 2023000292898

RECORDING FEE \$27.00

**MISC TRANSMITTAL**

<b>PAYMENT:</b>			
CHECK	4777	AMOUNT:	\$27.00
<b>Total Payments:</b>	<b>Total Fees:</b>	<b>Escrow Deposit:</b>	<b>Overage/Refund:</b>
\$ 27.00	\$ 27.00	\$ 0.00	\$0.00



THIS INSTRUMENT WAS PREPARED BY,  
AND AFTER RECORDING RETURN TO:  
AnnaDanielle Carter, Esq.  
HAMILTON MIKES, P.A.  
3301 Bonita Beach Road, Suite 200  
Bonita Springs, Florida 34134

Deputy Clerk SDEJAGER  
#1

**CERTIFICATE OF AMENDMENT**

**AMENDMENTS TO THE  
BYLAWS OF  
ESTERO POINTE COMMUNITY ASSOCIATION, INC.**

I, the undersigned President of Estero Pointe Community Association, Inc., hereby certify that on June 27, 2023, at a duly-called and properly-noticed meeting of the Association members at which a quorum was present, the following amendments to the Bylaws were approved by the required percentage of voting interests of the Association.

See Exhibit A attached hereto for amendments.

Dated this 12 day of JULY, 2023.

Witnesses:

BENJAMIN F. CURTIS III  
By: BENJAMIN F. CURTIS III

ERIK S. SHORT  
By: ERIK S. SHORT

ESTERO POINTE COMMUNITY ASSOCIATION, INC.

By: Christopher Reddish  
Association President

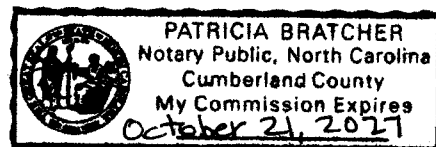
(Corporate Seal)

STATE OF North Carolina  
COUNTY OF Cumberland

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 12 day of JULY, 2023, by Christopher Reddish as Association President for Estero Pointe Community Association, Inc.

Patricia Bratcher  
Signature of Notary Public  
Print Name: Patricia Bratcher

Personally Known ☐ OR Produced Identification ☒  
Type of Identification Produced Driver's licence



The Declaration of Covenants, Conditions, Restrictions and Easements for Estero Pointe was originally recorded at Instrument No. 2016000228419 in the Public Records of Lee County, Florida.



**AMENDMENTS  
TO THE  
BYLAWS  
OF  
ESTERO POINTE COMMUNITY ASSOCIATION, INC.**

Additions are (underlined).

Deletions are ~~stricken through~~.

**Amendment to Sections 3.4., 3.5., 3.6., 3.7., 3.10. and 3.11 of the Bylaws**

**Section 3. Membership; Members' Meetings; Voting and Proxies.**

(Sections 3.1. through 3.3. Remain Unchanged)

3.4. Except as otherwise provided in the Articles, ~~a written~~ notice of each Members' meeting, whether an Annual Members' Meeting or special meeting (collectively "Meeting"), shall be given to each Member entitled to vote thereat at the address of the Home owned by such Owner, or such other address as the Owner shall notify the Association of in writing and shall be mailed to the said address not less than fourteen (14) days nor more than forty-five (45) days prior to the date of the Meeting. Proof of such mailing shall be given by the affidavit of the person giving the notice. Hand delivery and electronic notice of membership meetings to Owners who previously consented to receive notice by electronic transmission is permissible. Any notice given hereunder shall state the time and place of the Meeting and the purposes of 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 the person entitled to vote for such Member by signing a document setting forth the waiver of such notice.

3.5. The Members may, at the discretion of the Board, act by ~~written~~ response in lieu of a Meeting provided ~~written~~ notice of the matter or matters to be agreed upon is given to the Members or duly waived in accordance with the provisions of these Bylaws. A photographic, photostatic, facsimile, electronic, or equivalent reproduction of a signed response is sufficient or a response submitted through an online voting system. Unless some greater number is required under the Governing Documents and except as to the election of Directors, which shall be accomplished by plurality vote, the decision of a majority of the votes cast by Members as to the matter or matters to be agreed or voted upon shall be binding on the Members provided a quorum is either present at such meeting or submits a response if action is taken by ~~written~~ response in lieu of a Meeting, as the case may be. The notice with respect to actions to be taken by ~~written~~ response in lieu of a Meeting shall set forth the time period during which the ~~written~~ responses must be received by the Association.

3.6. (a) A quorum of the Members shall consist of Members entitled to cast twenty percent (20%) of the total number of votes of the Members. Limited "Proxies" and general "Proxies" (as herein defined in Paragraph 3.10) may be used to establish a quorum.



(b) When a quorum is present at any Meeting and a question which raises the jurisdiction of such Meeting is presented, the holders of a majority of the voting rights present in person or represented by ~~written~~ Proxy shall be required to decide the question. However, if the question is one upon which a vote other than the majority vote of a quorum is required by express provision of the Governing Documents or by law, then such express provision shall govern and control the required vote on the decision of such question.

3.7. At any Annual Members' Meeting when elections of Directors are to occur, written or electronic ballots are to be supplied to Members for such purposes. The Board shall adopt a procedure to be followed for each election, which procedure shall specify if nominations for Directors shall be submitted before the meeting so that absentee ballots may be used or if nominations for Directors will be taken at the Meeting in which case absentee ballots may not be used. Any procedure adopted by the Board shall require the use of secret written or electronic ballots. Members may not vote for Directors by Proxy, but Proxies may be used to establish a quorum. 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.

(Sections 3.8. and 3.9. Remain Unchanged)

3.10. Voting rights of Members shall be as stated in the Articles with respect to the election of all Boards other than the First Board. Such votes may be cast as provided in Section 3.7 above. Proxies may be used to vote on other agenda items at meetings at which Directors are to be elected, and may also be used to establish a quorum. "Proxy" is defined to mean an instrument containing the appointment of a person who is substituted in the place and stead of the person or authorized representative of an entity entitled to vote. Proxies shall be in writing, electronically mailed, or transmitted through an online voting system, and signed by the person or authorized representative of an entity giving the same and shall be valid only for the particular meeting designate therein, and if so stated in the Proxy, any adjournments thereof, provided, however, any proxy automatically expires ninety (90) days after the date of the meeting for which it was originally given. A Proxy must be filed with the Secretary of the meeting for which it was originally given. A Proxy must be filed with the Secretary of the Association before the appointed time of the Meeting in order to be valid. Any Proxy may be revoked prior to the time a vote is cast in accordance with such Proxy.

3.11. The voting on any matter at a Meeting shall be by secret written or electronic ballot upon request of the holders of twenty percent (20%) of the votes represented at such Meeting and entitled to be cast on such matter, if such request is made prior to the vote in question.