

**ARTICLES OF AMENDMENT TO
ARTICLES OF INCORPORATION OF
TYMBER CROSSINGS HOMEOWNERS ASSOCIATION, INC.**

Pursuant to the provisions of §617.1006, *Fla. Stat.*, TYMBER CROSSINGS HOMEOWNERS ASSOCIATION, INC. ("Association") adopts the following Articles of Amendment to its Articles of Incorporation.

FIRST: Amendment adopted:

Articles XI, Section 11.2 of the ARTICLES OF INCORPORATION OF TYMBER CROSSINGS HOMEOWNERS ASSOCIATION, INC. is hereby amended as follows (additions are indicated by underlining; deletions are indicated by ~~strike-outs~~, omitted and unaltered provisions are indicated by ellipses):

...

**ARTICLE VI
AMENDMENTS**

11.2 ~~Any amendment or amendments to these Articles of Incorporation so proposed shall be transmitted to the President of the Association or other officer of the Association in the absence of the President, who shall thereupon call a special meeting of the members of the Association for a day no sooner than 10 days nor later than 30 days from the receipt by him of the proposed amendment or amendments, and it shall be the duty of the secretary to give to each member written or printed notice of such meeting, stating the time and place of the meeting and reciting the proposed amendment or amendments in reasonably detailed form, which notice shall be mailed to or presented personally to each member not less than 10 nor more than 30 days before the date set for such meeting. If mailed, such notice shall be deemed to be properly given when deposited in the United States Mail, postage prepaid, addressed to the member at his post office address as it appears on the records of the Association. Any member may, by written waiver of notice signed by such member waive such notice, and such waiver when filed in the records of the corporation, whether before or after the holding of the meeting, shall be deemed equivalent to the giving of such notice to such member. At such meeting the amendment or amendments proposed must be approved by an affirmative vote of not less than 66.67 percent of all votes eligible to be cast by the total membership in order for such amendment or amendments to become effective.~~

These Articles of Incorporation may be amended by the affirmative vote of the majority of Owners who are voting in person or by proxy at a meeting of the members at which a quorum has been attained (e.g., once a quorum of those Owners attending in person or by proxy has obtained at a regular/annual or special meeting of the members of the Association, a majority of those Owners attending the meeting in person or by proxy may amend these Articles of Incorporation). Alternatively, these Articles of Incorporation may be amended by an instrument signed by not less than a majority (i.e., 50% plus one) of the Owners.

FILED
SECRETARY OF STATE
DIVISION OF CORPORATIONS
APR 14 AM 11:25

**AMENDMENT TO BY-LAWS OF
TYMBER CROSSINGS HOMEOWNERS ASSOCIATION, INC.**

The following amendments are made to Article II, Section 2.3, and Article IX, Section 9.2, of the BY-LAWS OF TYMBER CROSSINGS HOMEOWNERS ASSOCIATION, INC., recorded in Official Records Book 4490, Page 802, *et. seq.* of the Public Records of Volusia County, Florida (additions are indicated by underlining, deletions are indicated by ~~strikethrough~~, and omitted but unaltered provisions are indicated by ellipses):

...

ARTICLE II

MEMBERSHIP. VOTING. QUORUM. PROXIES

...

2.3 Quorum. A quorum at members' meeting shall consist of the owners of ~~thirty~~ (36) twenty-five (25) lots, and decisions shall be made by a majority vote of all votes properly cast at a meeting at which a quorum is present, except where approval by a greater number is required by the Articles of Incorporation, the By-Laws or the Declaration of Covenants and Restrictions.

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ARTICLE IX

AMENDMENTS

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9.2 Resolution. A resolution adopting a proposed amendment may be proposed by either the Board of Directors or by the members of the Association. Directors and members not present in person or by proxy at the meeting considering the amendment may express their approval in writing, provided such approval is delivered to the secretary at or prior to the meeting. ~~Except as elsewhere provided, such approval must be either by:~~

a. ~~Not less than sixty five percent (65%) of the entire membership of the Board of Directors and by not less than sixty five percent (65%) of the votes of the entire membership of the Association, or~~

b. ~~By not less than seventy five percent (75%) of the votes of the entire membership of the Association.~~

These By-Laws may be amended by the affirmative vote of the majority of Owners who are voting in person or by proxy at a meeting of the members at which a quorum has been attained (e.g., once a quorum of those Owners attending in person or by proxy has obtained at a

regular/annual or special meeting of the members of the Association, a majority of those Owners attending the meeting in person or by proxy may amend these By-Laws). Alternatively, these Articles of Incorporation may be amended by an instrument signed by not less than a majority (i.e., 50% plus one) of the Owners.

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