

**THIS DOCUMENT PREPARED BY  
AND RETURN TO:**  
Sona A. Bosinger, Esq.  
ARIAS BOSINGER LACQUANITI, PLLC  
845 E. New Haven Ave.  
Melbourne, FL 32901

-----the space above this line is reserved for recording purposes-----

**CERTIFICATE OF AMENDMENT TO FIRST AMENDED AND RESTATED BYLAWS  
OF SABAL PALM ESTATES HOMEOWNERS ASSOCIATION, INC.**

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, as President and Secretary of SABAL PALM ESTATES HOMEOWNERS ASSOCIATION, INC. (hereinafter "Association"), pursuant to the Florida Statutes and the FIRST AMENDED AND RESTATED BYLAWS OF SABAL PALM ESTATES HOMEOWNERS ASSOCIATION, INC., recorded in Official Records Book 4242, Page 1786, of the Public Records of Brevard County, Florida, as amended and supplemented (hereinafter "Bylaws"), hereby certify that the AMENDMENT TO FIRST AMENDED AND RESTATED BYLAWS OF SABAL PALM ESTATES HOMEOWNERS ASSOCIATION, INC., which amendment is attached hereto and by reference made a part hereof (hereinafter "Amendment"), was duly adopted at a meeting of the members on the 28 day of January, 2026 (hereinafter "Meeting").

Said Amendment was approved at the Meeting in accordance with the requirements of Article XIV, Section 1 of the Bylaws by a majority vote of a quorum of members present in person or by proxy. Proper notice was given for the Meeting pursuant to the Bylaws of the Association and the Florida Statutes. The Notice of the Meeting stated the purpose, time, date and location of the Meeting.

The Association is a homeowners association created pursuant to the laws of the State of Florida. With the exception of the attached Amendment, all other terms and conditions of the Bylaws shall remain in full force and effect.

IN WITNESS HEREOF, the Association has caused these presents to be executed in its name, this 28 day of January, 2026.

Signed, sealed and delivered  
in the presence of:

SABAL PALM ESTATES  
HOMEOWNERS ASSOCIATION, INC.

WITNESS 1:

[Signature]  
(Sign)  
ALAN L. KUSEMAN  
(Print)  
695 AUTUMN GLEN DR  
(Post Office Address)  
MELBOURNE, FL 32940  
(City/State/Zip)

PRESIDENT:

By: [Signature]  
(Sign)  
Marvin Jackson  
(Print)  
748 Autumn Glen Dr  
(Post Office Address)  
Melbourne, FL 32940  
(City/State/Zip)

WITNESS 2:

[Signature]  
(Sign)  
Monica Wiseman  
(Print)  
695 Autumn Glen Dr  
(Post Office Address)  
Melbourne, FL 32940  
(City/State/Zip)

STATE OF FLORIDA  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me, by means of  physical presence  
or  online notarization, this 28 day of January, 2026, by  
Marvin Jackson, as President of SABAL PALM ESTATES HOMEOWNERS  
ASSOCIATION, INC., a Florida not for profit corporation, on behalf of the corporation, who is  
 personally known to me or who has  produced \_\_\_\_\_ as  
identification.

NOTARY PUBLIC

[Signature] (Sign)  
Olivia Hayes (Print)



State of Florida, At Large  
My Commission Expires: 2/12/2027

Signed, sealed and delivered  
in the presence of:

SABAL PALM ESTATES  
HOMEOWNERS ASSOCIATION, INC.

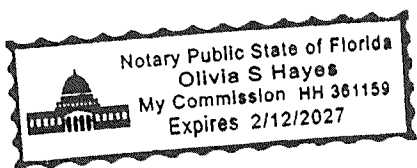
**WITNESS 1:**  
*Alan L. Wiseman*  
(Sign)  
ALAN L. WISEMAN  
(Print)  
695 AUTUMN GLEN DR  
(Post Office Address)  
MELBOURNE, FL 32940  
(City/State/Zip)

**SECRETARY:**  
Attested: *Christine Fills*  
(Sign)  
Christine Fills  
(Print)  
615 Autumn Glen Dr  
(Post Office Address)  
Melbourne, FL 32940  
(City/State/Zip)

**WITNESS 2:**  
*Monica Wiseman*  
(Sign)  
Monica Wiseman  
(Print)  
695 Autumn Glen Dr  
(Post Office Address)  
Melbourne, FL 32940  
(City/State/Zip)

STATE OF FLORIDA  
COUNTY OF Brevard

The foregoing instrument was acknowledged before me, by means of  physical presence  
or  online notarization, this 28 day of January, 2026, by  
Christine Fills, as Secretary of SABAL PALM ESTATES HOMEOWNERS  
ASSOCIATION, INC., a Florida not for profit corporation, on behalf of the corporation, who is  
 personally known to me or who has  produced \_\_\_\_\_ as  
identification.



NOTARY PUBLIC  
*Olivia Hayes* (Sign)  
Olivia Hayes (Print)

State of Florida, At Large  
My Commission Expires: 2/12/2027

**AMENDMENT TO FIRST AMENDED AND RESTATED BYLAWS OF  
SABAL PALM ESTATES HOMEOWNERS ASSOCIATION, INC.**

The following amendments are made to the FIRST AMENDED AND RESTATED BYLAWS OF SABAL PALM ESTATES HOMEOWNERS ASSOCIATION, INC., recorded in Official Records Book 4242, Page 1786, *et seq.*, of the Public Records of Brevard County, Florida (additions are indicated by underlining, deletions are indicated by ~~striketrough~~, and omitted but unaltered provisions are indicated by ellipses):

[...]

**ARTICLE IV – MEETING OF MEMBERS**

[...]

**SECTION 3. Annual Meetings.** The annual meeting of the members shall be held in the month of March or April on a day established by the Board of Directors. The time of the meeting shall normally be 7:00 PM unless a different time is established by the Board of Directors. The annual meeting of the members shall not be held on a legal holiday. The meeting should be held before the deadline to file the corporation Annual Report as required by the Florida Division of Corporations.

[...]

**SECTION 7. Organization.** At each meeting of the members, the President, or in his absence, the Vice President, shall act as chairman of the meeting. The Secretary, or in his absence, any person appointed by the chairman of the meeting, shall act as Secretary of the meeting. The Secretary shall record the minutes of all meetings of the members and transcribe these into electronic format and place a ~~printed~~ copy into the official records.

[...]

**ARTICLE V – BOARD OF DIRECTORS**

**SECTION 1. Number.** The affairs of this Association shall be managed by a Board of Directors of a minimum of three (3) Directors and a maximum of seven (7) Directors, who ~~need not~~ shall be members of the Association. The number of directors shall always consist of an odd number.

[...]

**SECTION 5. Qualifications.** Co-owners of a lot may not serve as members of the board of directors at the same time unless they own more than one lot or unless there are not enough eligible candidates to fill the vacancies on the board at the time of the vacancy. A person who has been suspended or removed by Section 3 of Article V of these Bylaws, or who is delinquent in the payment of any assessment due to the association, is not eligible to be a candidate for board membership and may not be listed on the ballot.

## ARTICLE VI – NOMINATION AND ELECTION OF DIRECTORS

**SECTION 1. Nomination.** Nomination for election to the Board of Directors shall be made by a nominating committee. Nominations may also be made from the floor at the annual meeting. The nominating committee shall consist of a Chairman, who shall be a Member of the Board of Directors, and two or more members of the Association. The nominating committee shall be appointed by the Board of Directors not less than 45 days prior to the annual meeting of the members, to serve from that time until the close of the annual meeting. The nominating committee shall make as many nominations for election to the Board of Directors as it shall in its discretion determine, but not less the number of vacancies that are to be filled. ~~Such nominations may be made from among members and non-members.~~

**SECTION 2. Election.** Election to the Board of Directors shall be by ~~secret~~-written ballot. Votes may be cast in person, by limited proxy, or by absentee ballot personally cast by the Voting Member. Elections shall be determined by a plurality of the ballots cast, with the candidates receiving the largest number of votes elected with respect to the number of vacancies to be filled. Cumulative voting is not permitted.

## ARTICLE VII – MEETING OF DIRECTORS

**SECTION 1. Regular Meetings.** Regular meetings of the Board of Directors ~~shall~~ will normally be held monthly at such place and hour as may be fixed from time to time by resolution of the Board of Directors. Any monthly meeting may be postponed until the next monthly meeting due to extenuating circumstances, such as lack of quorum or extreme weather events affecting the community. The Board may not skip two consecutive meetings except in an emergency as defined by state law. Record of postponed meetings shall be recorded in the next regular meeting minutes. Meetings shall not be scheduled on legal holidays. Meetings of the Board of Directors shall be open to all Owners, and notices of meetings shall be posted in a conspicuous place on the Association's property at least 48 hours in advance, except in an emergency. In the alternative, if notice is not posted, a notice must be mailed to each member at least 7 days before each meeting, except in an emergency. Notice of any meeting in which assessments against lots are to be established shall specifically contain a statement that assessments will be considered and the nature of such assessments. Notice of a meeting of the Board of Directors need not be given to any Director who signs a waiver of notice either before or after the meeting. Attendance of a Director at a meeting shall constitute a waiver of notice of such meeting and a waiver of any and all objections to the place of the meeting, the time of the meeting and the manner in which it has been called or convened, except when a Director states, at the beginning of the meeting or promptly upon arrival of the meeting, any objection to the transaction of affairs because the meeting was not lawfully called or convened.

[...]

**SECTION 4. Organization.** At each meeting of the Board of Directors, the President, or in his absence, the Vice President, shall act as chairman of the meeting. The Secretary, or in his absence, any person appointed by the chairman of the meeting, shall act as Secretary of the meeting. The Secretary shall record the minutes of all meetings of the Board of Directors and transcribe these into electronic format and place a ~~printed~~ copy into the official records.

[...]

**ARTICLE IX – OFFICERS AND THEIR DUTIES**

[...]

**SECTION 9. Duties.** The duties of the officers are as follows:

[...]

**D. TREASURER:** The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and disburse such funds as directed by resolution of the Board of Directors; sign all checks and promissory notes of the Association; keep property books of account; ~~cause an annual review of the Association books to be made by a public accountant at the completion of each fiscal year~~ serve as the Estoppel agent for the association; prepare an annual financial report within 60 days after the close of the fiscal year as described in Article XV of these Bylaws; and prepare an annual budget.

[...]

**ARTICLE XI – BOOKS AND RECORDS**

The books, records and papers which constitute the official records of the Association as required by State law shall be subject to inspection by any Member. The official records shall be maintained within Brevard county and are available for inspection by members or their authorized agents within 10 business days after receipt by the Secretary of a written request for access. Upon receipt of written request, the Secretary will contact the requesting member or agent to arrange a time and place for inspection and provide the name of an association officer who will assist. The time and day requested may not conflict with the assisting officer’s normal working schedule and may include hours outside of normal business hours and weekends. If photocopies of official records are required, the actual cost of photocopying will be borne by the requesting Member. Requested photocopies of official records will be provided within 2 business days of the arranged inspection and upon payment by the Member of photocopying costs. If inspection is not required and a Member only requests photocopies of specific official records, the photocopies will be provided within 10 business days after receipt by the Secretary of a written request for copies. ~~No member may request copies and inspection more than once per calendar quarter.~~ Members may obtain copies of the Declaration, the Articles and the Bylaws of the Association, within 5 business days, at actual cost of reproduction by written ~~or phone~~ request to the Secretary.

**ARTICLE XII – ASSESSMENTS**

As more fully provided in the Declaration, each Member is obligated to pay to the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Any assessments which are not paid by the due date shall be delinquent. Delinquent assessments are immediately subject to a ~~\$35.00~~ \$25.00 late fee. The Association may bring an action at law against the owner or owners of the lot for payment of the assessments and may enforce its lien for the assessments by foreclosure or any other means available under the law. The Association is entitled to collect any costs, including interest and reasonable attorney’s fees, from the delinquent owner as a result of any such action. No owner may waiver or otherwise escape liability for any assessment by nonuse of the common area or abandonment of his lot.

[...]

### ARTICLE XV – FISCAL MANAGEMENT

The provisions for fiscal management of the Association set forth in the Declaration and Articles of Incorporation shall be supplemented by the following requirements:

[...]

B. The Board of Directors shall adopt a budget ~~in January~~ no later than October for ~~each~~ the following fiscal year which shall contain estimates of the cost of performing the functions of the Association, including but not limited to the common expense budget, which shall include, without limiting the generality of the foregoing, the estimated amounts necessary for maintenance, and operation of common areas, landscaping, streets and walkways, office expenses, utility services, replacements and operating reserve, casualty insurance, liability insurance, administration and salaries. After establishing the annual budget, the Board of Directors shall also establish the proposed assessments against each Member as more fully provided in the declaration. The assessments shall be set no later than in ~~February~~ November at a regular or special meeting of the Board of Directors. Notice of assessments and the due date will be mailed before the ~~annual meeting of the Members~~ end of the current fiscal year. A copy of the annual budget will be provided with the assessment notice. Delivery of a copy of any budget to each Member shall not affect the liability of any Member for any such assessments, nor shall delivery of a copy of such budget or amended budget be considered as a condition precedent to the effectiveness of said budget as originally adopted.

C. The depository of the Association shall be such bank of banks as shall be designated from time to time by the Directors and in which the monies of the Association shall be deposited. Withdrawal of monies from such accounts shall be only by ~~check signed by~~ persons as authorized in these Bylaws.

~~D. A review of the accounts of the Association shall be made annually, at the completion of each fiscal year, by a public accountant or, alternatively, a audit may be made by the Certified Public Accountant (CPA).~~

[...]