

AMENDMENT  
TO  
BYLAWS  
OF  
SUNLAND VILLAGE EAST GARDEN CONDOMINIUMS – PHASE THREE  
OWNERS ASSOCIATION

The Sunland Village East Garden Condominiums Phase Three Owners Association Bylaws dated September 24, 1992, as amended, are hereby amended as follows:

Section 1.7.1 of Article 1 is amended to read as follows:

These Bylaws may only be amended, at a regular or special meeting of the Members (Unit Owners), by a vote of the Members entitled to cast more than fifty percent (50%) of the votes entitled to be cast by the Members present in person.

Section 1.7.2 of Article 1 is amended to read as follows:

The Board of Directors, without the consent of any Unit Owner, shall have the right to amend these Bylaws in order to: (i) comply with the Condominium Act or any other applicable law if the amendment does not adversely affect any Unit Owner; (ii) correct any error or inconsistency in these Bylaws if the amendment does not adversely affect the rights of any Unit Owner; or (iii) comply with the requirements or guidelines in effect from time to time of any governmental or quasi-governmental entity or federal corporation guaranteeing or insuring mortgage loans or governing transactions involving mortgage instruments including, without limitation, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Federal Housing Administration or the Veterans Administration.

Section 2.4 of Article 2 is amended to read as follows:

Quorum. Except as otherwise provided in the Articles, the Declaration or these Bylaws, the presence in person of Members entitled to cast one-tenth (1/10<sup>th</sup>) of the total authorized votes in the Association shall constitute a quorum at all meetings of the Members. If a quorum shall not be present at any meeting, the Members entitled to vote thereat shall have the power to adjourn the meeting from time to time, without notice other than announcement at the meeting, until a quorum shall be present.

Section 2.6 of Article 2 is amended to read as follows:

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Section 3.1 of Article 3 is amended to read as follows:

Number. The Board of Directors shall be elected by the Unit Owners. The number of directors may be changed from time to time by the Board of Directors but the number of directors may not be less than three (3) or more than five (5) and must always be an odd number.

Section 3.2 of Article 3 is amended to read as follows:

Term of Office. Each director must at all times be a member of the Association. Upon election, a director shall serve a term of two (2) years.

Section 3.3 of Article 3 is amended to read as follows:

Removal. Any one or more of the members of the Board of Directors may be removed from the Board of Directors, with or without cause, by Members (Unit Owners) having more than two-thirds (2/3) of the votes entitled to be cast by the Members present in person at any regular or special meeting.

Section 3.6 of Article 3 is amended to read as follows:

Vacancies. When vacancies are caused by the removal of a member of the Board of Directors by a vote of the Unit Owners as set forth in Section 3.3 of these Bylaws, all vacancies in the Board of Directors shall be filled by a vote of a majority of the remaining directors though less than a quorum or by a sole remaining director. Any person so elected shall serve the unexpired portion of the prior director's term. Any newly created directorship shall be deemed a vacancy. Any person elected to fill such a vacancy shall serve until the next annual meeting of the Members.

Section 3.8 of Article 3 is amended to read as follows:

Special Meetings. Special meetings of the Board of Directors may be called by the President on three business days notice to each director, given in writing, by hand delivery, mail or e-mail, which notice shall state the time, place and purpose of the meeting. Special meetings of the Board of Directors shall be called by the President or Secretary in like manner and on like notice on the written request of at least two directors.

Section 3.10.1 (10) of Article 3 is amended to read as follows:

(10) Declare the office of a member of the Board to be vacant in the event such member shall be absent from three (3) consecutive regular meetings of the Board of Directors.

Sections 3.11 of Article 3 is added to read as follows:

Nominating Committee.

3.11 A nominating committee consisting of at least three (3) members (and such larger number as the board may designate or approve from time to time) one of whom shall be designated as chairman, shall be selected by the president and approved by the board on or before the first day of November of each calendar year. Each member of the committee must be a member of the association and may not then be a member of the board. The committee shall meet at such time and place as determined by its chairman. The nominating committee shall select and notify the secretary in writing of the names and addresses of nominees.

Section 4.1 of Article 4 is amended to read as follows:

Enumeration of Officers. The principal officers of the Association shall be the president, vice president, the secretary, and the treasurer. The Board of Directors may create such other offices as the affairs of the Association may require. All officers shall be elected by the Board of Directors. The President must be a member of the Board of Directors. Any other officers may, but need not, be members of the Board of Directors.

Section 4.3 of Article 4 is amended to read as follows:

Term. The officers of the Association shall be elected annually by the Board of Directors and each shall hold office for one (1) year unless he shall sooner resign, or shall be removed, or otherwise disqualified to serve.

Section 4.4 of Article 4 is amended to read as follows:

Resignation and Removal. Any officer may be removed from office with or without cause by the Board of Directors. Any officer may resign at any time by giving written notice to the Board of Directors, the President or the Secretary. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 4.5 of Article 4 is amended to read as follows:

Vacancies. A vacancy in any office may be filled by appointment by the Board of Directors. The officer appointed to such vacancy shall serve for the remainder of the term of the officer he replaces.

#### CERTIFICATION

The certification is amended to read:

This amendment is made pursuant to and meets the requirements of Article 1, Section 1.7 of the Sunland Village East Garden Condominium Three Association Bylaws, dated September 24, 1992 as amended. All other provisions of the Sunland Village East Garden Condominium Three Association Bylaws, dated September 24, 1992, as amended, are hereby reaffirmed.

This is to certify that the foregoing amendment to Sunland Village East Garden Condominium Three Association Bylaws dated September 24, 1992, as amended, was duly adopted.

Robert Scheitlin  
President

Wayne C. Berg  
Secretary

10-21-08  
Date

