

Prepared by and Return to:  
**Karen Wonsetler, Esq.**  
Wonsetler & Webner, P.A.  
860 North Orange Ave.  
Suite 135  
Orlando, FL 32801  
407-770-0846

**Recording: Orange Co.**  
**Cross References to**  
**Instrument #20160204191 [CCR]**

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**FIRST AMENDMENT TO BYLAWS FOR RUBY LAKE**  
**COMMUNITY ASSOCIATION, INC.**

**THIS AMENDMENT TO BYLAWS FOR Ruby Lake Community Association, Inc.** is made on this 20<sup>th</sup> day of May, 2020, by **Pulte Home Company, LLC, a Michigan limited liability company**, (the "Declarant").

**RECITALS:**

**WHEREAS**, the Bylaws for **Ruby Lake Community Association, Inc.** are recorded in Instrument Number 20160204191 et seq., and specifically beginning at 20160204191, as Exhibit "4" to the Community Declaration and as amended thereafter, all of which are recorded in the Public Records of Orange County, Florida.

**WHEREAS**, the Community Declaration including the Bylaws set forth governing procedures to the property described therein and provides for certain membership property rights, obligations, and other matters; and,

**WHEREAS**, Section 12.2 of the Bylaws reserves to the Declarant the right to alter, modify, change, revoke, rescind, or cancel any portion of the Bylaws as it deems appropriate prior to Turnover. Turnover has not occurred as of the date of the execution and recordation of this amendatory instrument; and,

**NOW THEREFORE**, in consideration of the premises herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Bylaws are hereby amended, modified and supplemented as follows:

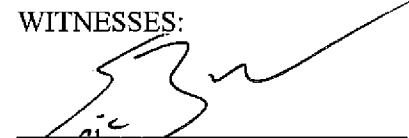
1. Recitals. The recitals stated above are hereby incorporated herein in full by reference. Capitalized terms used in this Amendment shall have the same meaning as set forth in the Declaration and Bylaws for **Ruby Lake Community Association, Inc.** or as set forth herein.

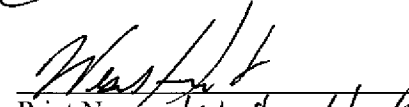
2. Amended Provisions: The Bylaws shall be amended as set forth in **EXHIBIT A** attached hereto and incorporated in full by reference. Note that Underscore indicates NEW language and ~~Strikethrough~~ indicates DELETED language.:

3. Reaffirmation. Except as expressly modified hereby, all terms and provisions of the Bylaws are hereby ratified, confirmed and shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to the Bylaws for **Ruby Lake Community Homeowners Association, Inc.**, to be executed as of the day and year first above written.

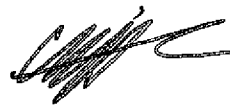
WITNESSES:

  
Print Name: Eric Baker

  
Print Name: Wesley Hunt

"DECLARANT"

**Pulte Home Company, LLC, a Michigan limited liability company.**



By: Cliff Torres [Seal]

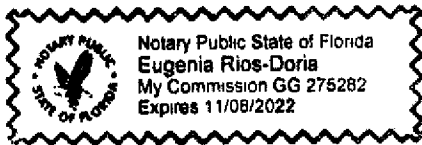
Print Name:

Title: DIRECTOR OF LAND DEVELOPMENT

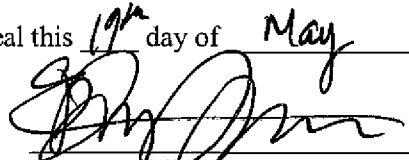
STATE OF FLORIDA  
COUNTY OF ORANGE

I HEREBY CERTIFY that on this day personally appeared before me by means of  physical presence or  online notarization, Cliff Torres, as the authorized agent and Director of Land Development of **Pulte Home Company, LLC, a Michigan limited liability company**, to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same on behalf of the corporation.

WITNESS my hand and the official seal this 19<sup>th</sup> day of May, 2020.



(NOTARY SEAL)

  
Notary Public, State of Florida  
My commission expires: 11/08/2022

**Exhibit A**  
**To Ruby Lake Community Assoc. Inc. First Amendment to its Bylaws**

**Section 3.4 – Notice of Members Meeting** as set forth in the original Bylaws is hereby DELETED in its entirety and replaced with the following:

**3.4 – Notice of Members Meeting**

A. Membership Meetings other than the Annual Membership Meeting require written notice sent by mail to each Member of the Association not less than ten (10) days prior to the meeting, and shall include in the notice the time, date, location and purpose of the Special Membership Meeting. The Notice requirements for the Annual Membership Meeting are as set forth in Section “B” below. For purposes of this Section 3.4, the Membership Meeting after Turnover at which the Members elect the Board of the Association shall also constitute an Annual Membership Meeting.

B. Notwithstanding any other notice requirements set forth in the Bylaws, the following shall be the requirements for proper notice of the Annual Membership Meeting:

1. Affidavit of Notice:

An officer of the Association, or the manager or other person providing notice of the Association meeting, must provide an affidavit or United States Postal Service certificate of mailing, to be included in the Association’s official records, affirming that the all required notices were mailed, or hand delivered and/or electronically transmitted in accordance with this provision.

2. Initial Notice:

At least 60 days prior to a scheduled election, the Association shall mail, deliver, or electronically transmit, to each Owner a first notice (the “Initial Notice”) of the Annual Membership Meeting.

3. Intent for Candidacy & Candidacy Information Sheets:

Any Member in good standing who wishes to be a candidate for the Board must file with the Secretary or Management written notice of his or her intent to be a candidate at least 40 full calendar days before a scheduled election. In order to be a Member in good standing, the candidate must not owe any monetary obligation to the Association as of the deadline for candidacy submission. In addition to each candidate being permitted to submit their candidacy information sheet which will be mailed with the Second Notice, the Board will also give each candidate a reasonable and equal opportunity to communicate his or her qualifications to the Members and to solicit votes prior to the noticed Annual Membership Meeting.

Floor Nominations and write in candidacies are strictly prohibited. Only those eligible candidates who submitted timely intent for candidacy forms shall be permitted to stand for election and only those advance candidates shall appear on the pre-printed ballot which will be distributed to each Member in advance of the Membership Meeting. There shall be no provision for write-in candidates.

4. Second Notice:

In addition to the Initial Notice, a second written notice (the "Second Notice") of an Annual Membership Meeting must include an agenda, must be mailed, hand delivered, or electronically transmitted to each Owner at least 14 days before the Annual Membership Meeting, and may also be posted at any time prior to the annual meeting. The written ballot will be enclosed with the Second Notice listing in alphabetical order by candidates last name all eligible candidates.

The agenda for the Annual Membership Meeting & Election will be set by the Board and included in the Second Notice of the Annual Membership Meeting. Together with the Second Notice the Association will include a written ballot that lists all eligible candidates and Owners shall use this ballot to cast their vote.

If an Owner has opted in to receive electronic notices, then the Association may send the Initial Notice and Second notice and all enclosures therewith via electronic means to those Owners whose e-mail addresses are included in the Association's official records.

Upon request of a candidate, an information sheet, no larger than 8 1/2 inches by 11 inches, which must be furnished by the candidate at least 35 days before the election, must be included with the mailing, delivery, or transmission of the ballot, with the costs of mailing, delivery, or electronic transmission and copying to be borne by the Association. The Association is not liable for the contents of the information sheets prepared by the candidates. To reduce costs, the Association may print or duplicate the information sheets on both sides of the paper.

Unless an Owner waives in writing the right to receive notice of the Annual Membership Meeting, such notice must be hand delivered, mailed, or electronically transmitted to each Owner. Notice for meetings and notice for all other purposes must be mailed to each Owner at the address last furnished to the Association by the Owner, hand delivered or electronically transmitted.

**Section 3.5.1 – No Quorum of Membership Required for Election of the Board of Directors.** The following Section 3.5.1 is hereby added to the Bylaws:

**3.5.1: No Quorum of Membership Required for Election of the Board of Directors.**  
Notwithstanding any language to the contrary, there is no Membership quorum requirement necessary in order to conduct the election of the Board of Directors at the Annual Membership Meeting so long as at least 20 percent or more of the eligible voters have cast a written ballot either by mail, electronically or in person prior to the call for final balloting during the scheduled meeting.

**Section 3.8.1 Proxies Prohibited for Use in Election of Candidates to the Board of Directors.** The following Section 3.8.1 is hereby added to the Bylaws:

**3.8.1 – Proxies Prohibited for Use in Election of Candidates to the Board of Directors.**  
Notwithstanding any provision to the contrary, General or Limited Proxies shall not be permitted for purposes of electing candidates to the Board of Directors at the Annual Membership Meeting. Owners vote directly either by mail, electronically (if available) or in person by hand delivery to the property manager at or prior to the Meeting. General or Limited Proxies are permitted for use at the Annual Membership Meeting if there is any

agenda item requiring a Membership vote other than the election of candidates to the Board of Directors.

**Section 4.8 –Election.** Section 4.8 as set forth in the original Bylaws is hereby DELETED in its entirety and replaced with the following:

**Section 4.8 Election.** Election to the Board shall be by written ballot, which shall be cast by mail, in person hand delivered by the Owner at the Annual Membership Meeting or electronically if available. The election of the Board of Directors which occurs at an Annual Membership Meeting, shall be by either written ballot or by electronic voting. There shall be no write in candidates nor floor nominations permitted and only those eligible candidates who submitted in advance timely notices of intent for candidacy shall be listed on the election ballot. The persons receiving the most votes shall be elected. Cumulative voting is not permitted. If there is a tie for the last seat on the board, the seat shall remain vacant and filled subsequently by the Board unless the candidates who tied agree during the Membership Meeting to a means of resolution, i.e. flipping a coin, prior to the adjournment of that meeting.