

Record and Return to:  
Jane L. Cornett, Esq.  
Becker & Poliakoff, P.A.  
759 SW Federal Highway, Suite 213  
Stuart, FL 34994

-----THIS SPACE FOR RECORDER'S USE-----  
**CERTIFICATE OF AMENDMENT  
TO THE  
AMENDED AND RESTATED  
BYLAWS  
OF**

**CACHE CAY PROPERTY OWNERS' ASSOCIATION, INCORPORATED**

The Bylaws for Cache Cay Property Owners' Association, Incorporated are recorded in the Public Records of Indian River County, Florida, at Official Records Book 862, Page 1061 et.seq., and were revived at Official Records Book 1739, Page 659 et.seq. and were Amended and Restated at Official Records Book 3288, Page 295 et.seq. The same Amended and Restated Bylaws are hereby amended as approved by a vote sufficient for approval by the members at the Annual Meeting held on February 17, 2024 and reconvened on March 19, 2024.

*1. Section 4.1 is hereby amended as follows:*

**4.1 Number and Terms of Service.** The number of Directors which shall constitute the whole Board shall be five (5) to seven (7), the exact number to be determined by the Board in advance of any election. All Directors will be elected for a two (2) year term. Any member who has served on the Board of Directors for four (4) or more consecutive years shall be ineligible for re-election to the Board for a period of one (1) year. It is the intention of these Bylaws that a staggered Directorate be maintained. To maintain a staggered Directorate, the Board may hold seats in future elections open for one (1) or two (2) year terms, when necessary or appropriate. In any election where candidates are elected for different terms, those candidates receiving the higher number of votes shall select the term preferred by that candidate(s). In the event that there is no election, such as in a case where there are fewer pre-qualified candidates than open seats, the newly seated Directors shall agree amongst themselves which shall serve the two-year terms and which shall serve the one-year terms, and absent their agreement, all Directors shall decide. This decision shall be recorded in the minutes of a duly noticed Board meeting. In the event the Directors cannot agree on which among them shall serve the lengthier and shorter terms, the Board shall hold a "run-off" election, wherein those receiving the most votes will be elected to a lengthier term. Directors shall be elected in accordance with the Act, these Bylaws and the election rules, if any, and the process established and utilized by the Board. Not less than sixty (60) days before a scheduled election, the Association shall mail, or deliver, whether by separate Association mailing or included in another Association mailing or delivery including regularly published newsletters, and including electronic transmission for those Members who have so consented, to each Member entitled to vote, a first notice of the date of the election. Any eligible person who nominates himself to be a candidate may do so no later than forty (40) days prior to the annual meeting and may also submit a resume by such deadline on one side of an 8-1/2" x 11" sheet of paper. Nominations from the floor shall not be accepted. Not less than fourteen (14) days prior to the annual meeting, the Association shall send a Second Notice of annual meeting to all Members, along with an election ballot for the election of Directors, any timely submitted candidates' resumes, a proxy and any

other documents in the Board's discretion. The election ballot shall contain the names of all candidates who nominated themselves in a timely manner, listed in alphabetical order by surname. If a voter checks off the names of more candidates than the number of Directors to be elected, the election ballot shall not be counted for the election. Elections shall be determined by a plurality of the votes cast; a quorum of the Members need not cast a vote for a valid election to occur, so long as at least ten percent (10%) of the eligible Voting Interests cast a ballot. The candidates who are elected shall take office upon the adjournment of the annual meeting. The Board may require all ballots to be received by the Association at some point prior to the annual meeting so that the votes can be tallied prior to the annual meeting and the results announced at the annual meeting. No election shall be necessary if the number of candidates is less than or equal to the number of vacancies. In the instance that no election is required, the Association shall only be required to send the Second Notice of Annual Meeting, a proxy and any other documents in the Board's discretion.

A Director's term ends at the adjournment of the second annual meeting following his election, unless he/she was only elected to a one (1) year term, sooner dies, resigns, is recalled, or becomes ineligible for Board membership due to no longer owning a Lot in the Community, or becomes ineligible under these Bylaws or the Act.

***2. The foregoing amendment to the Amended and Restated Bylaws was adopted by the members by a vote sufficient for approval.***

***3. All provisions of the Amended and Restated Bylaws are herein confirmed and shall remain in full force and effect, except as specifically amended herein.***

[Signatures on following page.]

IN WITNESS WHEREOF, the undersigned has caused these to be signed by its President and its Secretary this 10<sup>th</sup> day of April, 2024.

WITNESSES:  
(TWO)

Cache Cay Property Owners' Association, Inc.

[Signature]  
Witness #1 Signature

Naomi Winston  
Witness #1 Printed Name

835 20th Pl, Vero Beach, FL 32960  
Witness #1 Address

835 20th Pl, Vero Beach, FL 32960  
Witness #1 Address

[Signature]  
Witness #2 Signature

Julie Barrett Gerber  
Witness #2 Printed Name

835 20th Place Vero Beach, FL 32960  
Witness #2 Address

835 20th Place Vero Beach, FL 32960  
Witness #2 Address

BY: [Signature]  
President

Address: 85 Cache Cay Drive Vero Beach FL

Date: 4-10-24

BY: [Signature]  
Secretary

Address: 46 Cache Cay Dr. Vero Beach

Date: April 15 24

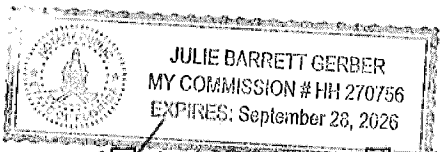
STATE OF Florida  
COUNTY OF Indian River

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 10 day of April 2024, by Ann Randall as President of Cache Cay Property Owners' Association, Inc., a Florida Corporation, on behalf of the corporation. He/She is  personally known to me or  has produced \_\_\_\_\_ (type of identification) as identification.

My commission expires: 9/28/26

[Signature]  
Notary Public  
Julie Barrett Gerber  
Printed Name

STATE OF Florida  
COUNTY OF Indian River



The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization this 10<sup>th</sup> day of April 2024, by Gail Simpson as Secretary of Cache Cay Property Owners' Association, Inc., a Florida Corporation, on behalf of the corporation. He/She is  personally known to me or  has produced \_\_\_\_\_ (type of identification) as identification.

My commission expires: 9/28/26

[Signature]  
Notary Public  
Julie Barrett Gerber  
Printed Name




CERTIFICATE

Cache Cay Property Owners' Association, Inc. by its duly authorized officers, hereby certifies that the amendment to the Amended and Restated Bylaws, a copy of which is attached hereto, was duly and regularly approved by the members at the Annual Meeting held on February 17, 2024 and reconvened on March 19, 2024.

IN WITNESS WHEREOF, the undersigned has caused these to be signed by its President and its Secretary this 10<sup>th</sup> day of April, 2024.

WITNESSES:  
(TWO)

Cache Cay Property Owners' Association, Inc.

  
\_\_\_\_\_  
Witness #1 Signature  
Naomi Lonston  
\_\_\_\_\_  
Witness #1 Printed Name

BY: Ann Randall  
\_\_\_\_\_  
President

Address: 85 Cache Cay Dr Vero Beach FL

835 20th Pl, VB, FL 32960  
\_\_\_\_\_  
Witness #1 Address

Date: 4-10-24

Julie Barrett Gerber  
\_\_\_\_\_  
Witness #2 Signature  
Julie Barrett Gerber  
\_\_\_\_\_  
Witness #2 Printed Name

BY: Julie Simpson  
\_\_\_\_\_  
Secretary

Address: 46 Cache Cay Vero Beach

835 20<sup>th</sup> Place Vero Beach FL 32960  
\_\_\_\_\_  
Witness #2 Address

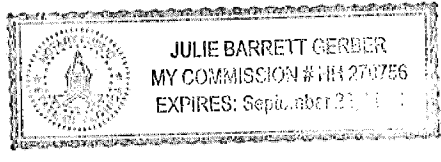
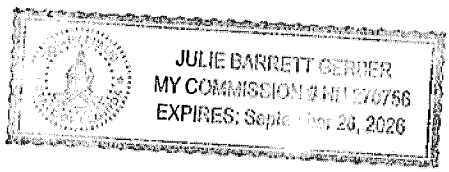
Date: April 15/24

STATE OF Florida  
COUNTY OF Indian River

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My commission expires: 9/28/26

Julie Barrett Gerber  
\_\_\_\_\_  
Notary Public  
Julie Barrett Gerber  
\_\_\_\_\_  
Printed Name



STATE OF Florida  
COUNTY OF Indian River

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Julie Barrett Gerber  
Notary Public  
Julie Barrett Gerber  
Printed Name

