Kevin C. Karnes, Lee County Clerk of Circuit Court
INSTR. # 2022000132637, Doc Type RES, Pages 2, Recorded 4/20/2022 at 1:58 PM, Deputy Clerk TBARRIS ERECORD
Rec Fees: $18.50

Prepared by and return to:
Steven J. Adamczyk, Esq.
999 Vanderbilt Beach Rd. Ste 300
Naples, FL 34108
239-241-7384

CERTIFICATE OF AMENDMENT TO THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF PALOMA AND AMENDED AND RESTATED BYLAWS OF PALOMA COMMUNITY ASSOCIATION, INC.

I HEREBY CERTIFY that the following amendments to the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Paloma and Amended and Restated Bylaws of Paloma Community Association, Inc. were duly approved and adopted by the membership of Paloma Community Association, Inc. at the duly noticed Meeting of Members on the 19th day of March 2022. Said amendments were approved by a proper percentage of voting interests of the Association.

The Amended and Restated Declaration of Covenants, Conditions and Restrictions of Paloma and the Amended and Restated Bylaws for Paloma Community Association, Inc., including the legal description of the Lee County, Florida real property subject to this amendment, were recorded on February 22, 2013, at Instrument Number 2013000043139 of the Public Records of Lee County, Florida.

Additions are underlined. Deletions are ~~stricken through.~~

1. **Section VII(2) of the Amended and Restated Declaration of Covenants, Conditions and Restrictions of Paloma is hereby amended as follows.**

> Section 2. Capital Contribution on Sale By Owner Other Than Declarant. At the time of the closing of a Dwelling pursuant to a sale by an Owner other than Declarant, each purchaser shall pay to the Association a sum equal to one thousand dollars ($1,000.00) ~~two months of Assessments~~ charged by the Association at the time of conveyance as Capital Contribution. These monies shall be the Association's property, and shall be held by the Association through its Board of Directors, pursuant to the powers described in the Articles and By-Laws. The Capital Contribution shall be deemed ordinary association income and need not be separated from or held as applied differently than Assessments. No refund of a Capital Contribution will be made on re-sale.

2. Section 4.2(b) of the Amended and Restated Bylaws is amended as follows.

4.2 Election of Directors. The election of Directors shall be conducted in accordance with Chapter 720.306, Florida Statutes, and the following manner:

...

(b) ~~Nominations for Directors and additional directorships created at the meeting shall be made from the floor or in advance if absentee ballots are accepted.~~ Nominations for election to the Board of Directors shall be made in writing at least forty (40) days in advance of the day of election.

WITNESSES:
(TWO)

Signature
Gordon Moore
Print Name

Signature
KENNETH SMITH
Print Name

PALOMA COMMUNITY ASSOCIATION, INC.

BY: David S. O'Malley
~~Jerry Shulz, President~~
DAVID S. O'MALLEY
PRESIDENT

STATE OF FLORIDA
COUNTY OF LEE

David S. O'Malley

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared [ ] in person or [✓] virtual attendance, ~~Jerry~~ Shulz, as President of Paloma Community Association, Inc. who is [ ] personally known to me or [✓] has produced his Driver License, as identification, and who executed the foregoing instrument and acknowledged before me that he executed the same.

WITNESS my hand and official seal in the County and State last aforesaid the 20th day of April 2022.

Notary Public State of Florida
Steven J Adamczyk
My Commission HH 019535
Expires 07/09/2024

Notary Public, State of Florida
Print Name: Steve Adamczyk