

**Amendments to Various Sections
of the Bylaws of the
Sanderling Property Owners Association, Inc.**

Whereas, ARTICLE XIX of the Bylaws of the Sanderling Property Owners Association, Inc. (“SPOA”) provides for the Bylaws to be altered, amended or added to at any duly called meeting of the Owners, provided that the amendments be approved in writing by the holders of mortgages of not less than fifty (50%) percent, in the aggregate, of the Lots and Dwelling Units subject to mortgages; that the amendments be approved by the Board of Directors of SPOA; and that no amendment to the Declaration shall be necessary unless such amendment to the Bylaws creates an inconsistency with the Declaration;

Whereas, the SPOA Bylaws as amended effective December 31, 2016, provide for the date of the Annual Meeting to be the first Saturday in October of each year while the Sanderling Racquet and Swim Club (“SRSC”) Bylaws provide for its the Annual Meeting to be held on the Saturday prior to the date Columbus Day is officially observed each year; and

Whereas, the Board of Directors deem it to be in the best interests of the members of both the SPOA and the SRSC to hold the Annual Meeting of each organization at the same date each year; and

Whereas, ARTICLE XI, Section 4 (d) of the SPOA Bylaws authorizes the Board of Directors in addition to any other rights set forth in the Bylaws to levy summary charges as liquidated damages against a Member for violations of any rules or regulations adopted by the Board of Directors or the breach of any obligations contained in the Declaration or the Bylaws, in addition to such damages as have actually been suffered, in an amount not more than \$5.00 for any one violation, but for each day a violation continues after notice, it shall be considered a separate violation; and

Whereas, the Board of Directors of the Association deems it to be in the best interests of the SPOA to increase the maximum levy per violation to discourage noncompliance on the part of an Owner or Owners with the obligations of the Declaration, the Bylaws and the rules and regulations adopted by the SPOA; and

Whereas, the Board of Directors recommends that the Bylaws provision requiring not less than fifty (50%) percent of the holders of mortgages on lots and Dwelling Units to approve all amendments to the Bylaws henceforth and in the future be deleted from the Bylaws, and replaced with requiring the approval of at least fifty percent (50%) of the votes cast by the Owners of Lots and Dwelling Units subject to the Declaration,

NOW, THEREFORE BE IT HEREBY

RESOLVED: Article VI, Section 4 of the Bylaws of the Sanderling Property Owners Association is amended to provide the following (*italicized words indicate changes/additions*):

Annual Meetings: Annual meetings shall be held *on the Saturday that is prior to the second Monday of October each year. In its reasonable discretion, if the Board of Directors determines that meeting on that day is not appropriate or possible, (due to causes such as religious holiday, actual or forecast weather, closure of the SRSC facility, etc.) then the Annual Meeting will be rescheduled so that notice of the meeting may be provided in accordance with the requirements of these Bylaws.* At each annual meeting, there shall be elected by ballot of the Owners, a Board of Directors in accordance with the provisions of ARTICLE VII Section 1 herein, and Members may also transact such other business as may properly come before them.;

RESOLVED: Article VII, Section 2 (n) of the Bylaws of the Association is amended to provide the following (*italicized words indicate changes/additions*):

(n) Adopting and amending reasonable Rules and Regulations governing the conduct of all people on The Properties and the operation and use of The Properties. The Board shall have the power to levy liquidated damages against the Owners for violation thereof or for violation of any provision of these Bylaws of the Declaration, for which any Owner (or his guests or tenants) is responsible, provided that no such levy may be for more than *fifty dollars (\$50.00), as the established baseline for the appraisal year beginning January 1, 2025 together with a five percent (5%) increase rounded to the next full dollar for every appraisal year thereafter,* for any one violation: but for each day a violation continues after notice, it shall be considered a separate violation, and;

FURTHER RESOLVED: Article XI, Section 4 (d) of the Bylaws of the Association is amended to provide the following (*italicized words indicate changes/additions*):

(d) To levy summary charges as liquidated damages against a Member for such violation, in addition to such damages as have actually been suffered, provided that no summary charges may may be levied for more than *fifty dollars (\$50.00), as the established baseline for the appraisal year beginning January 1, 2025 together with a five percent (5%) increase rounded to the next full dollar for every appraisal year thereafter,* for any one violation, but for each day a violation continues after notice, it shall be considered a separate violation. Collection of charges for damages or summary charges may be enforced against the Owner or Owners involved as if the charge were a Common Charge owed by the particular Owner or Owners; and

RESOLVED: Article XIX, Section 1(b) of the Bylaws be amended to provide the following (*italicized words indicate changes/additions*):

SECTION 1. Method of Amendment: These Bylaws may be altered, amended or added to at any duly called meeting of the Owners, provided:

(a) that the notice of the meeting shall contain a substantial statement of the proposed amendment:

(b) that the amendment be approved in writing by more than fifty (50%) percent, in the aggregate, *of the votes entitled to be cast by the Owners of Lots and Dwelling Units subject to the Declaration, in accordance with the provisions on voting set forth in Article FIVE of the Declaration:*

(c) that said amendment be approved by the Board of Directors of the Association, and

(d) that said amendment shall be fully consistent in a duly recorded amendment to the Declaration executed by the President and Secretary of the Association: however, no amendment to the Declaration, or the recordation thereof, shall be necessary unless such amendment to these Bylaws creates an inconsistency with the Declaration.

FURTHER RESOLVED: That the Board of Directors be and they are hereby further authorized to make any minor, conforming amendments to sections of the Bylaws that may be affected by the foregoing resolutions, and that all other sections and provisions to the Bylaws not otherwise modified above shall remain in full force and effect.

Approved by the Board of Directors of SPOA at a meeting duly called and held on September 15, 2024

(To be completed by Secretary after approval at the annual meeting)

CERTIFICATE OF SECRETARY

The above resolutions were adopted by a majority of the Board of Directors of the Sanderling Property Owners Association at a meeting properly called and held in person on October 12, 2024

Heidi Gillis, Secretary

Approved by Mortgagee of Lot _____ Name of Bank/Mortgage Holder

Name: _____
Title of Authorized Representative: _____