



INSTR # 101264750
OR BK 31998 PG 1853

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COMMISSION
BROWARD COUNTY
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Prepared by
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(305) 374 5600
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**AMENDMENT TO THE BYLAWS
OF NAUTICA COMMUNITY ASSOCIATION, INC.**

Pursuant to Section 9.3.2 of the Bylaws (the "Bylaws") of NAUTICA COMMUNITY ASSOCIATION, INC. (the "Corporation"), a not-for-profit Florida corporation, the Bylaws are amended as follows (words underlined are added and words ~~struck-through~~ are deleted):

Section 4.5 of the Bylaws is hereby amended as follows:

4.5 Annual Meeting. The annual meeting for the purpose of electing ~~directors and transacting any other~~ business shall be held at eight o'clock p.m. on the third Monday in March of each year, or at such other time in the months of March or April of each year as shall be selected by the BOARD and as is contained in the notice of such meeting. If the BOARD fails to call such meeting by the end of March of any year, then within thirty (30) days after the written request of any OWNER, or any Officer or director of the COMMUNITY ASSOCIATION, the Secretary shall call an annual meeting. During the period when DECLARANT appoints a majority of the directors, no annual meetings will be required.

Sections 4.9.5 and 4.9.6 of the Bylaws are hereby deleted.

Section 5.1.1 of the Bylaws is hereby amended as follows:

5.1.1 The affairs of the COMMUNITY ASSOCIATION shall be managed by a BOARD comprised of not less than three ~~seven~~ (7) directors. So long as DECLARANT is entitled to appoint any director pursuant to the ARTICLES, the number of directors will be determined, and may be changed from time to time, by DECLARANT by written notice to the BOARD. So long as any PARCEL DEVELOPER has the right to appoint any director, the number of directors shall be equal to the number of PARCELS (plus one if there are an even number of PARCELS), unless the PARCEL DEVELOPERS unanimously agree to the contrary. ~~Thereafter, the number of directors shall be equal to at least the number of PARCELS (plus one if there are an even number of PARCELS), and in any event the number of directors shall always be an odd number.~~

Sections 5.1.1, 5.2, 5.2.1, 5.2.2, 5.2.3, 5.2.3.1, 5.2.3.2, 5.2.3.3, 5.2.3.4, 5.2.3.5, 5.2.3.6 and 5.2.3.7 are hereby deleted and the following new Section 5.2 is hereby added to the Bylaws:

5.2 Appointment of Directors. Notwithstanding anything to the contrary contained in the Bylaws or other Community Association documents to the contrary, after turnover of the Community Association, the Directors of the Community Association shall be appointed by the the Board of Directors of Shoma Homes at Nautica Single Family Neighborhood Association, Inc. (the "Homes Association") and the Board of Directors of Shoma Homes at Nautica Single Family Townhomes Neighborhood Association, Inc. (the "Townhomes Association") as follows:

The Board of Directors of the Community Association shall be composed of seven (7) Directors. In years ending with an even number, such as 2002, 2004, 2006, etc., the Board of Directors of the Homes Association shall appoint four (4) Directors to the Community Association Board, and the Board of Directors of the Townhomes Association shall appoint three (3) Directors to the Community Association Board. In years ending with an odd number, such as 2003, 2005, 2007, etc., the Board of Directors of the Homes Association shall appoint three (3) Directors to the Community Association Board, and the Board of Directors of the Townhomes Association shall appoint four (4) Directors to the Community Association Board.

Section 5.16 of the Bylaws is hereby amended as follows:

5.16 Vacancies. Subject to the requirements of Paragraph 5.2.5, vacancies in the BOARD may be filled by a majority vote of the directors then in office, though less than a quorum, or by a sole remaining director, and the director so chosen shall hold office until the next annual election and until their successors are duly elected~~ed~~**appointed** and shall have qualified, unless sooner displaced. If there are no directors in office, then a special election of the OWNERS shall be called to elect the directors:

In accordance with Section 9.5 of the Bylaws, this Amendment shall be effective upon its recording in the Public Records of Broward County, Florida.

The foregoing Amendment to the Bylaws of the Corporation was proposed and approved, in accordance with Section 9.3.2 of the Bylaws.

[Signature Block on Following Page]

IN WITNESS WHEREOF, the undersigned Declarant having the authority to appoint a majority of the Board of Directors of the Corporation and owning a portion of the Subject Property has executed this Amendment this 27 day of July, 2001.

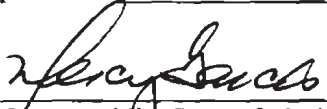
DECLARANT:

SHOMA DEVELOPMENT CORP.,
a Florida corporation

By: 
Masoud Shojae, President

STATE OF FLORIDA)
) ss
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 27 day of July, 2001, by Masoud Shojaee, as President of Shoma Development Corp., a Florida corporation, on behalf of the corporation. He is personally know to me or has produced _____ as identification.



Notary Public, State of Florida
My Commission Expires:



Prepared by
Richard L. Schanerman, Esq.
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INSTR # 101306252
OR BK 32070 PG 1127

RECORDED 09/05/2001 03:10 PM
COMMISSION
BROWARD COUNTY
DEPUTY CLERK 1921

**AMENDMENT TO THE ARTICLES OF INCORPORATION
OF NAUTICA COMMUNITY ASSOCIATION, INC.**

The Articles of Incorporation (the "Articles") of Nautica Community Association, Inc., a Florida not-for-profit corporation (the "Corporation"), are attached to the Master Declaration for Nautica, which is recorded in Official Records Book 29317 at Page 1748 of the Public Records of Broward County, Florida. Pursuant to the Florida Not for Profit Corporation Act and Article IX, Section 5 of the Articles, the Articles are amended as follows (words underlined are added and words struck-through are deleted):

Article V, Section 1 of the Articles is hereby amended as follows:

1. The affairs of the Community Association shall be managed by a Board consisting of not less than three (3) seven (7) directors, and which shall always be an odd number. The number of directors shall be determined in accordance with the Bylaws. In the absence of such determination, there shall be three (3) directors so long as Declarant has the right to appoint any director, and thereafter the number of directors shall be equal to the number of PARCELS (plus one if there is an even number of PARCELS).

Article V, Section 2 of the Articles is hereby amended as follows:

2. The directors of the Community Association shall be elected by the Owners appointed in accordance with the Bylaws, except that Declarant and the Parcel Developers shall have the right to appoint the directors of the Community Association as follows:

Article V, Section 2.2 of the Articles is hereby amended as follows:

2.2 Thereafter, so long as there is a Parcel Developer of any Parcel, the Parcel Developer of any such Parcel shall have the right to appoint one director for the Parcel, and all other directors including any directors elected "at large" shall be elected by Owners within the Parcels for which there is no Parcel Developer.

In accordance with Section 617.0123(1) of the Florida Not for Profit Corporation Act and Article IX, Section 6 of the Articles, this Amendment shall be effective upon its filing with the Florida Department of State and subsequent recording in Broward County, Florida.

In accordance with Article IX, Section 5 of the Articles of Incorporation, the Declarant adopted this Amendment on July 27, 2001.

The foregoing Amendment to the Articles of Incorporation of the Corporation was proposed and approved, in accordance with Article IX of the Articles.

[signature block on following page]

IN WITNESS WHEREOF, the undersigned Declarant having the authority to appoint a majority of the Board of Directors of the Corporation has executed this Amendment this 27th day of July, 2001.

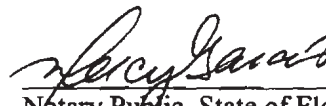
DECLARANT:

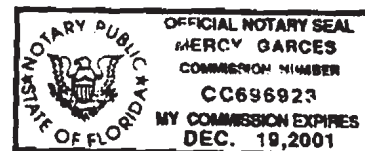
SHOMA DEVELOPMENT CORP.,
a Florida corporation

By: 
Masoud Shojae, President

STATE OF FLORIDA)
) ss
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this 27th day of July, 2001, by Masoud Shojae, as President of Shoma Development Corp., a Florida corporation, on behalf of the corporation. He is personally know to me or has produced _____ as identification.


Notary Public, State of Florida
My Commission Expires:



OR BK 32070 PG 1129

Prepared by
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INSTR # 101306253
OR BK 32070 PG 1130
RECORDED 09/05/2001 03:10 PM
COMMISSION
BROWARD COUNTY
DEPUTY CLERK 1921

**ARTICLES OF AMENDMENT
TO THE ARTICLES OF INCORPORATION
OF NAUTICA COMMUNITY ASSOCIATION, INC.**

The Articles of Incorporation (the "Articles") of Nautica Community Association, Inc., a Florida not-for-profit corporation (the "Corporation"), are attached to the Master Declaration for Nautica, which is recorded in Official Records Book 29317 at Page 1748 of the Public Records of Broward County, Florida. Pursuant to the Florida Not for Profit Corporation Act and Article IX, Section 5 of the Articles, the Articles are amended as follows (words underlined are added and words ~~struck-through~~ are deleted):

Article IV, Section 4.1 of the Articles is amended to read as follows:

4.1 Each Owner of a Townhouse Unit shall have a total of .886909 vote for each Townhouse Unit owned by that Owner. If more than one Owner owns a Townhouse Unit the total vote shall equal .886909 for such Townhouse Unit irrespective of the number of Owners of that Unit. Each Owner of a Unit other than a Townhouse Unit shall have a total of one vote for each Unit. If more than one Owner owns a Unit other than a Townhouse Unit the total vote shall equal one vote for such Unit irrespective of the Number of Owners of that Unit.

In accordance with Section 617.0123(1) of the Florida Not for Profit Corporation Act, this Amendment shall be effective upon its filing with the Florida Department of State.

In accordance with Article IX, Section 5 of the Articles of Incorporation, the Declarant adopted this Amendment on September 4, 2001.

The foregoing Amendment to the Articles of Incorporation of the Corporation was proposed and approved, in accordance with Article IX of the Articles.

[signature block on following page]


IN WITNESS WHEREOF, the undersigned Declarant having the authority to appoint a majority of the Board of Directors of the Corporation has executed these Articles of Amendment this ~~22nd~~^{4th} day of September, ~~2000~~²⁰⁰¹.

DECLARANT:
SHOMA DEVELOPMENT CORP.,
a Florida corporation

By: 
Masoud Shojaee, President

STATE OF FLORIDA)
) ss
COUNTY OF MIAMI-DADE)

The foregoing instrument was acknowledged before me this ~~22nd~~^{4th} day of September, ~~2000~~²⁰⁰¹, by Masoud Shojaee, as President of Shoma Development Corp., a Florida corporation, on behalf of the corporation. He is personally know to me or has produced _____ as identification.


Notary Public, State of Florida
My Commission Expires:



OR BK 32070 PG 1131