

PREPARED BY AND RETURN TO:
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CERTIFICATE OF AMENDMENT
GATELY OAKS UNIT 1 HOMEOWNERS ASSOCIATION, INC.
AMENDMENTS TO THE ARTICLES OF INCORPORATION
AND
AMENDED AND RESTATED DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS FOR
GATELY OAKS (UNIT 1, UNIT 1A, UNIT 2, UNIT 3A, UNIT 3B)

The undersigned Officers of Gately Oaks Unit 1 Homeowners Association, Inc. ("Association"), a Florida Not for Profit Corporation organized and validly existing to operate and maintain the Association according to the following: **Declaration of Covenants, Conditions Restrictions and Easements for Gately Oaks Unit 1, recorded in the Official Records Book 6919, Page 1021 of the public records of Duval County, Florida, as amended by the following amendments:** Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks Unit I and Gately Oaks III, Unit 3A recorded in the Official Records Book 7859, Page 1332 of the public records of Duval County, Florida; Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks, Units I, I-A, II, III, and III-A, recorded in the Official Records Book 7933, Page 0598 of the public records of Duval County, Florida; Amendment to Covenants, Conditions, Restrictions and Easements for Gately Oaks, recorded in the Official Records Book 8093, Page 136 of the public records of Duval County, Florida; and Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks, Units I, I-A, II, III-A, III-B, recorded in the Official Records 8269, Page 1061 of the public records of Duval County, Florida; **and Declaration of Covenants, Conditions Restrictions and Easements for Gately Oaks Unit One-A, recorded in the Official Records Book 7587, Page 703 of the public records of Duval County, Florida, as amended by the following amendments:** Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks Unit 1 and Gately Oaks III, Unit 3A, recorded in the Official Records Book 7933, Page 0598 of the public records of Duval County, Florida; Amendment to Covenants, Conditions, Restrictions and Easements for Gately Oaks, recorded in the Official Records Book 8093, Page 136 of the public records of Duval County, Florida; Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks, Units I, I-A, II, III-A, III-B, recorded in the Official Records Book 8269, Page 1061 of the public records of Duval County, Florida; **and Gately Oaks Unit Two, recorded in the Official Records Book 7498, Page 1139 of the public records of Duval County, Florida, as amended by the following amendments:** Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks Unit 1 and Gately Oaks III, Unit 3A, recorded in the Official Records Book 7933, Page 0598 of the public records of Duval County, Florida; Amendment to Covenants, Conditions, Restrictions and Easements for Gately Oaks, recorded in the Official Records Book 8093, Page 136 of the public records of Duval County, Florida; Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks, Units I, I-A, II, III-A, III-B, recorded in the Official Records Book 8269, Page 1061 of the public records of Duval County, Florida. The Gately Unit 2 Declaration spread the Gately 1 Declaration to Unit 2, or otherwise stated, subjected Unit 2 to the Gately 1 Declaration in addition to the covenants and restrictions referenced in the Gately 2 Declaration. Further the Gately Unit 2 Declaration also acted to amend the Gately 1 Declaration so as to add the contents of the Gately 2 Declaration to the Gately 1 Declaration; **and Gately Oaks III Unit 3A, recorded in the Official Records Book 7816, Page 1758 of the public records of Duval County, Florida, as amended by the following amendments** (collectively together the Declaration and all amendments hereinafter referenced as "Gately Unit 3A Declaration"). Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks Units I, I-A, II, III and IIIA, recorded in the Official Records Book 7859, Page 1332 of the public records of Duval County, Florida; Amendment to Covenants, Conditions, Restrictions and Easements for Gately Oaks, recorded in the Official Records Book 8093, Page 136 of the public records of Duval County, Florida; **and Gately Oaks Unit Three-B, recorded in the Official Records Book 8455, Page 2119 of the public records of Duval County, Florida, as amended by that certain Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks, Units I, I-A, II, III-A, III-B, recorded in the Official Records 8269, Page 1061 of the public records of Duval County, Florida; and those certain plats of Gately Oaks as follows:** Gately Oaks One, recorded in Plat Book 46, Pages 10, 10A and 10B of the current public records of Duval County, Florida; Gately Oaks Unit One-A, recorded in Plat Book 47, Pages 87 and 87A of the

**CERTIFICATE OF AMENDMENT
GATELY OAKS UNIT 1 HOMEOWNERS ASSOCIATION, INC.**

current public records of Duval County, Florida; Gately Oaks Unit Two, Plat Book 47, Page 76 and 76A of the current public records of Duval County, Florida, Gately Oaks Unit Three A, Plat Book 48, Pages 87, 87A, 87B, and 87C, of the current public records of Duval County, Florida, and Gately Oaks Unit Three B, Plat Book 49, pages 95 and 95A, of the current public records of Duval County, Florida, hereby certify and confirm that the amendments attached as Exhibit A and Exhibit B are valid and enforceable and were approved in accordance with the governing documents of the Association as follows: the amendments to the Articles of Incorporation of the Association were unanimously approved by the Board of Directors on both October 17 and November 5, 2019 and approved by no less than a majority of Members at a duly noticed Special Membership meeting held on December 5, 2019; and the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks (Unit 1, Unit 1A, Unit 2, Unit 3A, Unit 3B) ("Amended and Restated Declaration") was unanimously approved by the Board of Directors on October 17 and November 5, 2019 and approved by no less than 2/3 of the Members at a properly noticed Special Membership meeting held on December 5, 2019.

Exhibit A - Amendments to Articles of Incorporation

Exhibit B - Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements for Gately Oaks (Unit 1, Unit 1A, Unit 2, Unit 3A, Unit 3B)

IN WITNESS WHEREOF, Gately Oaks Unit 1 Homeowners Association, Inc., has caused this Certificate of Amendment to be duly executed in accordance with the authority hereinabove expressed as of the date identified below.

**GATELY OAKS UNIT 1 HOMEOWNERS
ASSOCIATION, INC.,**
a Florida not-for-profit corporation

ATTEST:

By: *Geoffrey J. Klimas*
Name: Geoffrey J. Klimas
Title: President

By: *Lori E. Peterson*
Name: LORI E. PETERSON
Title: Secretary

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was sworn to and subscribed before me this 17th day of December, 2019, by Geoffrey J. Klimas as President of Gately Oaks Unit 1 Homeowners Association, Inc., who is [] personally known to me or [] has produced _____ as identification and Lori E. Peterson as Secretary of Gately Oaks Unit 1 Homeowners Association, Inc., who is [] personally known to me or [] has produced _____ as identification.

[Notary Seal]

Susan Rose
Notary Public
Printed Name: Susan Rose
My Commission Expires: 6-20-22

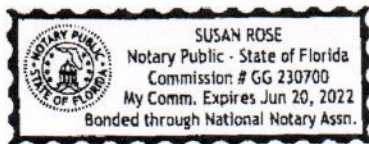


Exhibit A - Amendments to Articles of Incorporation

AMENDMENTS TO THE ARTICLES OF INCORPORATION:

~~Strikethrough~~ – denotes deletions from current text

Underline – denotes proposed additions

Article V. Voting

A. The affairs of the Association shall be administered and managed by the Board of Directors as described in Article VIII hereof.

B. ~~Until such time as the first Lot is conveyed to an Owner other than the Developer, The~~ membership of the Association shall be comprised of lot owners, the subscribers to these Articles, each of whom shall be entitled to cast a vote on all matters upon which the membership would be entitled to vote, and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot other than a security for the performance of any obligation, all such persons shall be Members. The vote for such Lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot.

C. ~~There shall be two classes of voting membership in the Association:~~

~~Class A. — Class A Members shall be all Owners, except the Developer while the Developer is a Class B Member, and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot other than a security for the performance of any obligation, all such persons shall be Members. The vote for such Lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot.~~

~~Class B. — The Class B Member shall be the Developer. The Class B Member shall be entitled to the number of votes held by all Class A Members plus one. The Class B membership shall cease when the Developer has conveyed over one hundred percent (100%) of the Lots within the Property, or when the Developer, in its sole discretion, elects to terminate its Class B membership, whichever occurs first. Upon the termination of its Class B membership, the Developer, if it still owns any Lots, shall become a Class A Member.~~

Article VII. Office

The principal office of the Association shall be ~~2051 Art Museum Drive, Suite 130, Jacksonville, Florida 32207, or such other place at such place as the Board of Directors may designate from time to time.~~

Article VIII. Board of Directors

A. The business affairs of this Association shall be managed by the Board of Directors. Each member of the Association Board of Directors shall be entitled to one vote.

B. ~~The names and addresses of the persons who are to serve as the initial Board of Directors until their successors are chosen, are as follows:~~

~~P.O. Box 30xxxx Jacksonville, FL 32235-xxxx~~

~~Director — Address~~

~~Melissa Ann McGill 2051 Art Museum Drive, Suite 130 Deen Jacksonville, Florida 32207~~

~~L. R. Towers 2051 Art Museum Drive, Suite 130 Jacksonville, Florida 32207~~

~~T. A. Vojtech 2051 Art Museum Drive, Suite 130 Jacksonville, Florida 32207~~

Article IX. Officers

C. ~~The persons who are to serve as officers of the Association until their successors are chosen are: Officer Name President Kenneth L. Johns, Jr. Vice President Lee Panitz, Jr. Secretary/Treasurer L. R. Towers~~

Exhibit A - Amendments to Articles of Incorporation

C. The officers shall be elected by the Board of Directors at their annual meeting as provided in the By-Laws. Any vacancies in any office shall be filled by the Board of Directors at any meeting duly held.

D. The President shall be elected from the membership of the Board of Directors, but no other officer need be a Director. The same person may hold two offices, provided, however, that the office of President and Vice President shall not be held by the same person, nor shall the office of President and Secretary or Assistant Secretary be held by the same person. Officers shall be elected annually.

Article X. By-Laws

B. The By-Laws may be amended, altered or rescinded upon the proposal of by a majority vote of the Board of Directors. ~~Upon such a proposal, a special meeting of the Members shall be called, the notice of which shall state that such proposal is to be voted upon at that meeting. The proposal shall be passed if a majority of the votes present at a meeting at which a quorum is present vote to approve the proposal.~~

Article XI. Amendment of Articles

A. These Articles of Incorporation may be amended by a majority vote of ~~upon the proposal~~ of the Board of Directors. ~~Upon such proposal, a special meeting of the Members shall be called, the notice of which shall state that such proposal is to be voted upon at that meeting. The proposal shall be passed if a majority of the votes present at a meeting at which a quorum is present vote to approve the proposal.~~

B. If so approved, a certified copy of the said amendment shall be filed in the office of the Secretary ~~OF~~ of the State of Florida.