

STATE OF ALABAMA)
BALDWIN COUNTY)

710331

AMENDMENT TO THE BY-LAWS OF BLUEWATER
CONDOMINIUM ASSOCIATION

WHEREAS, this is an Amendment to the By-Laws of **Bluewater Condominium Association**, a non profit corporation ("By-Laws") filed for record on the 26th day of October, 1995, in the Office of the Judge of Probate, Baldwin County, Alabama in Miscellaneous Book 85, pages 620, et seq.; and in accordance with Article X, Section a.(2) of the By-Laws a duly authorized meeting was held on the 16th day of January, 1999 at 1:00 O'Clock P.M. at the office of Meyer Real Estate, in Orange Beach, Alabama with twenty nine (29) units present, either in person or by proxy, out of a total of 84 units which represented thirty four and one half (34.5) percent of the total percentage of ownership in the condominium and twenty nine (29) units present, (which represented not less than two-thirds (2/3) of the outstanding votes present at such meeting in person or represented by proxy) voted in favor of amending the said By-Laws to change the date of the annual meeting each year as provided in Article II; by including in Article II a provision providing that each Unit is allocated one vote; by deleting the compensation provision for Directors in Article III; by deleting the salary provision for Officers in Article IV; by amending Article VIII to change the term "fiscal year" to "calendar year"

State of Alabama, Baldwin County
I certify this instrument was filed
and taxes collected on:

1999 February -10 10: 58AM
Instrument Number 478331 Pages 4
Recording 10.00 Mortgage
Deed Win Tax
Index DP 1.00
Archive
Adrian T. Johns, Judge of Probate.

WITNESSETH:

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS THAT:

The By-Laws described above and recorded in Miscellaneous Book 85, pages 620, et seq., in the Probate Office of Baldwin County, Alabama, are hereby amended as follows:

1. **ARTICLE II. MEMBERSHIP** is hereby amended as follows:

A. Section a. Annual Meeting. is deleted in its entirety and the following is substituted therein:

“Section a. Annual Meeting. The annual meeting of the Membership shall be held on the third Saturday in the month of April in each year, beginning with the year 1999 at the hour of 11:30 a.m., or at such other time on such other day within such month as shall be fixed by the Board of Directors, for the purpose of electing directors and for the transaction of such other business as may come before the meeting. If the day fixed for the annual meeting shall be a legal holiday in the State of Alabama, such meeting shall be held on the next succeeding business day. If the election of directors shall not be held on the day designated herein for any annual meeting of the Membership, or at any adjournment thereof, the Board of Directors shall cause the election to be held at a special meeting of the Membership as soon thereafter as may be convenient.”

B. Section j. Voting Rights. is deleted in its entirety and the following is substituted therein:

“Section j. Voting Rights. One vote is allocated to a whole Unit. If a whole Unit is owned by multiple Owners and if only one of the multiple Owners of a Unit is present at a meeting of the Association, he is entitled to cast the vote allocated to that Unit. If more than one of the multiple Owners are present, the vote allocated to that Unit may be cast only in accordance with the agreement of a majority in interest of the multiple Owners of that Unit. There is a majority agreement if any one of the multiple Owners casts the vote allocated to that Unit without protest being made promptly to the person presiding over the meeting by any of the other multiple Owners of that Unit.”

2. **ARTICLE III. BOARD OF DIRECTORS** is hereby amended as follows:

Section k. is deleted in its entirety.

3. **ARTICLE IV. OFFICERS** is hereby amended as follows:

Section j. is deleted in its entirety.

4. **ARTICLE VIII. FISCAL YEAR** is hereby amended as follows:

By deleting the contents of said Article in its entirety and by substituting the following therein:

“The calendar year of the Association shall be fixed by resolution of the Board of Directors.”

5. In all other respects, the Declaration of Condominium of Bluewater, a condominium, as amended, and the By-Laws, as amended are hereby reaffirmed and ratified. In the event of conflict between this amendment and any part of the By-Laws of Bluewater Condominium Association which relate to the above, this amendment shall be controlling.

The undersigned officers of the corporation hereby certify the above amendment was approved as stated above.

IN WITNESS WHEREOF, **BLUEWATER CONDOMINIUM ASSOCIATION**, an Alabama Non-Profit Corporation, has caused this Amendment to the By-Laws to be executed,

under seal, by its duly authorized officers, this the 16th day of January, 1998.

ATTEST: **BLUEWATER CONDOMINIUM ASSOCIATION,**
An Alabama Non-Profit Corporation.

BY: Wm O'Brien (SEAL)
ITS: Secretary

By: *Eric Copeland* (SEAL)
Its President

STATE OF ALABAMA)
BALDWIN COUNTY)

I, the undersigned authority, in and for said county, in said State, hereby certify that Eric Copeland, whose name as President of BLUEWATER CONDOMINIUM ASSOCIATION, an Alabama Non-Profit corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal, this the 16th day of January, 1998.

Jeanette Harris
Notary Public
My Commission Expires: 5/28/2001



AMENDMENT TO BY-LAWS OF BLUEWATER CONDOMINIUMS

Article III - Section b.

Number, tenure and Qualifications. The initial Board of Directors shall consist of five (5) directors. The By-Laws may be amended from time to time as provided for herein to increase or decrease the number of directors of the Association to not less than three (3) nor more than seven (7) directors. So long as the Developer has the exclusive right to select directors, with respect to directors elected or appointed by the Developer, each such Director shall hold office at the discretion of the Developer. Thereafter, each Director shall hold office until the next annual meeting of the members and until his successor shall have been duly elected and shall have qualified or until his death or until he shall have resigned or shall have been removed, as provided for herein. A Director need not be a member of the Association.

This paragraph to be changed to read as follows:

..... the number of directors of the Association will consist of seven directors.
..... seven directors shall be elected at the 1998 annual meeting. The board of directors will decide which four (4) will serve until 2000, which three (3) will serve until 1999. Starting with the 1998 annual meeting, and at subsequent annual meetings, four (4) directors shall be elected for two (2) year terms and three (3) directors shall be elected for one (1) year term from the names that are submitted for nomination.
.....a Director must be a member of the Association.

AMENDMENT TO RULES AND REGULATIONS CONCERNING THE USE OF BLUEWATER, A CONDOMINIUM

General Community Rules

13. The number of occupants per ~~rental~~ unit is limited to a maximum of eight (8) persons.