

This Instrument Prepared By:  
Robert Robins, Esq.  
1206 S. Ridgewood Ave.  
Daytona Beach, FL 32114

**CERTIFICATE OF AMENDMENT TO THE BY-LAWS OF CYPRESS TRAILS OF  
ORMOND OWNER'S ASSOCIATION, INC.**

This Amendment to the By-Laws is executed this 21 day of November, 2025  
by Cypress Trails of Ormond Owner's Association, Inc. ("CYPRESS TRAILS"), a  
Florida not-for-profit corporation.

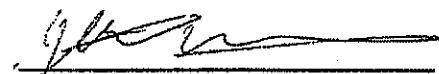
**RECITALS:**

Whereas, CYPRESS TRAILS is a homeowner's association in Ormond Beach,  
Volusia County, Florida, with Covenants and Restrictions recorded at Book 7728,  
Page 2445 and Amended at Book 7877, page 1955 of the Public Records of Volusia  
County, Florida;

Whereas, CYPRESS TRAILS desires to amend and modify its By-Laws as  
attached;

Whereas, the Board of Directors of CYPRESS TRAILS duly voted to approve  
the Amended By-Laws by a unanimous vote of the Board at a meeting held on  
September 24, 2025 and

NOW THEREFORE, the By-Laws are amended to incorporate the attached  
Exhibit "A".



Yanir Maidenberg, President  
Cypress Trails of Ormond  
Owner's Association, Inc., a  
Florida not-for-profit  
corporation

Kip Erzinger  
R.P. Erzinger

(Name and signature of Witness No. 1)

ADRIANA ALBANESE  
Adriana

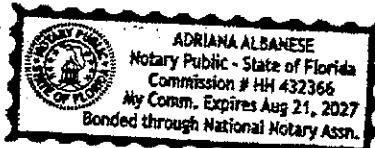
(Name and signature of Witness No. 2)

STATE OF FLORIDA }  
COUNTY OF VOLUSIA )

The foregoing instrument was acknowledged before me by means of  
✓ physical presence        online notarization this 29 day of November, 2025 by  
Yanir Maindenburg, President of Cypress Trails of Ormond Owner's Association,  
Inc., a Florida not-for-profit corporation, on behalf of the corporation. He is  
personally known to me or produced \_\_\_\_\_ as  
identification.

[SEAL]

Adriana  
Notary Public — State of Florida  
My Commission expires: 8/21/27



AMENDED BY-LAWS  
OF  
THE CYPRESS TRAILS OF ORMOND OWNER'S ASSOCIATION, INC.

1. GENERAL

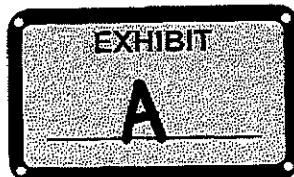
- 1.1 These are the By-Laws of The Cypress Trails of Ormond Owner's Association, Inc., herein called the Association, Florida non-profit corporation.
- 1.2 The fiscal year of the Association shall be the calendar year.
- 1.3 Definition of terms used: As used in these By-Laws, the capitalized words "President", "Secretary", and "Treasurer", shall mean the respective officers of The Cypress Trails of Ormond Owner's Association, Inc. Similarly, "Member" shall mean a member of the Association and "Director" shall mean a member of the Board of Directors of the Association. "By-Laws" shall mean these Amended By-Laws of the Association.

2. MEMBERSHIP, VOTING, QUORUM, PROXIES

- 2.1 Membership and votes in the Association shall be governed by the provisions of the Declaration of Covenants and Restrictions of the Association.
- 2.2 In case a lot is owned by more than one person or by a corporation or other entity, its vote may be cast by any person designated in writing by all owners of the lot, or by the president of a corporation in the case of a corporation and filed with the Secretary. Such designation shall be valid until revoked in writing.
- 2.3 A quorum at meetings of the Members shall consist of the Members, in person or by proxy, representing fifty-one percent (51%) of the votes of the Members, and decisions shall be made by a majority of the votes represented at the meeting at which a quorum is present, except where approval by a greater number is required by the Articles of Incorporation, these Amended By-Laws, or the Declaration of Covenants and Restrictions pertaining to the various units of Cypress Trails.
- 2.4 At meetings of the Members, votes may be cast in person or by proxy. Proxies shall be valid only for the particular meeting designated thereon and must be filed with the Secretary before the appointed time of the meeting. A Member may withdraw his/her proxy at any time before it is voted.

3. ANNUAL AND SPECIAL MEETINGS OF THE MEMBERS

- 3.1 An Annual Meeting of Members shall be held in November, The place and time of the meeting shall be designated by the Board of Directors. The purpose of the meeting shall be the election of Directors and transaction of any other business authorized to be transacted by the Members.
- 3.2 Special Meetings of the Members shall be held whenever called by the President or by a majority of Directors and must be called by such officers upon receipt of a written request by Members representing no less than one-third of the votes in the Association.
- 3.3 In the absence of a quorum at any meeting, the Members present may adjourn the meeting to a later time.



3.4 The order of business at Annual Members' Meetings, and as far as practical at other Members' meetings, shall be:

- a. Calling the roll and certifying proxies.
- b. Proof of notice of meeting.
- c. Reading and approval of minutes of previous Annual Meeting of Members.
- d. Reports of officers and committees.
- e. Appointment of inspectors of election.
- f. Election of Directors.
- g. Unfinished business.
- h. New business.

3.5 Written minutes of all meetings of Members shall be kept by the Secretary and be available for inspection by Members at all reasonable times.

#### 4. BOARD OF DIRECTORS

- 4.1 The Board of Directors of the Association shall consist of not less than three nor more than five directors. The exact number shall be determined by the Board of Directors prior to the time of annual elections. The Directors shall be Members who are residents of the development.
- 4.2 Elections of Directors shall be conducted in the Annual Meeting of Members. Election of Directors shall be by a plurality of the votes cast.
- 4.3 Directors normally shall be elected for a term of three (3) years, with terms staggered so that as near as possible to one-third of the Directors are elected each year. In the event of unfulfilled terms due to resignations or other causes, the remaining Directors shall appoint an eligible Member to fill the unfilled term.
- 4.4 A Director who is absent for three (3) consecutive Board meetings may be removed by a majority of the remaining Directors.
- 4.5 All members seeking election for the Board of Directors must be willing to undergo a background check which may be presented to all Members. A member who is delinquent may not seek election as per CC&R. Further, per statutory requirement, all elected members must present a board class certification within 90 days of being elected (or appointed) to the board.
- 4.6 Regular meetings of the Board of Directors will be held quarterly at a place to be decided from time to time by the Directors. Notice of dates, times, and places of the regular meetings of the Board of Directors shall be given in the quarterly newsletter of the Association. Regular meetings may be cancelled or the time and/or place of the regular meetings may be changed by the President, in which events all Members shall be notified by mail or other appropriate means of such changes at least three (3) days prior to the originally scheduled meeting.
- 4.7 Special meetings of the Directors may be called by the President, and must be called by the Secretary upon the written request of at least one-third of the Directors. Not less than three (3) days notice, stating time, place, and purpose of special meetings shall be given personally to each Director. Except in emergencies where time does not permit, Members shall be notified in advance of the special meetings.

4.7 A quorum at Director's meetings shall consist of a majority of the entire Board of Directors. The acts approved by a majority of those present at a meeting in which a quorum is present shall constitute the acts of the Board of Directors, except where approval by a greater number of Directors is required by the Articles of Incorporation or these Amended By-Laws.

4.8 The presiding officer of Director's meetings shall be the President or designee within the Board of Directors.

4.9 Minutes of all meetings of the Board of Directors shall be kept in businesslike manner by the Secretary of the Association and shall be available for inspection by Members at all reasonable times. Once meeting minutes are approved, they must be uploaded to the Association website for Members to view.

4.10 All meetings of the Board of Directors shall be open to Members.

5. POWERS AND DUTIES OF THE BOARD OF DIRECTORS. All of the powers and duties of the Association shall be executed by the Board of Directors. These powers and duties shall include those existing under common law and statutes, those enumerated in the Articles of Incorporation and in these Amended By-Laws, and, without limiting the generality of the foregoing, the following specific powers and duties:

- a. To make, levy, and collect assessments against Members and Member's lots to defray the costs of the Association and to use the proceeds of said assessments in the exercise of the powers and duties of the Association.
- b. To make and amend regulations governing the use of the property, real and personal, of the Association so long as such regulations do not conflict with nor extend those in the Declaration of Covenants and Restrictions, the Articles of Incorporation, these Amended By-Laws, or pertinent Florida Statutes.
- c. To employ such personnel as may be required for proper operation of the Association.

## 6. OFFICERS

6.1 The executive officers of the Association shall be a President, Treasurer, and a Secretary, all of whom shall be elected by the Board of Directors at its organizational meeting, and any of whom may be peremptorily removed from office by a majority of all Directors.

6.2 The President shall be the chief executive officer of the Association. He/she shall have all of the powers and duties which are usually vested in the office of the president of an association, including, but not limited to, the power to appoint committees from among the Members from time to time, as he/she may in his/her discretion determine appropriate to assist in the conduct of the affairs of the Association.

6.3 The Treasurer shall have the responsibility for Association funds and securities and shall be responsible for keeping full and accurate accounts of all receipts and disbursements in books belonging to the Association. He/she shall be responsible for the deposit of all monies and other valuable effects in the name and to the credit of the Association in such depositories as may from time to time be designated by the Board of Directors.

6.4 The Secretary shall keep the minutes of all proceedings at meetings of the Directors and the Members. He/she shall attend to the giving and serving of all notices to the Members and other notices required by law. He/she shall keep the records of the Association except those of the Treasurer, and shall perform all other duties incident to the office of secretary of an association as may be required by the Directors. At any meeting of the Association or the Directors at which the Secretary is absent, the presiding officer shall designate an acting secretary to keep minutes of the meeting. The Secretary shall also be responsible for producing and distributing to Members a quarterly newsletter of the Association. The newsletter shall include notices of scheduled meetings of the Members and Board of Directors, agenda of the scheduled meetings in so far as they are known in advance, summaries of minutes of past meetings, abstracts of pending amendments of By-Laws, and such other items as may be deemed to be of general interest to Members. Newsletter functions can also be fulfilled through an appropriate Association website to be maintained in a professional and regular fashion.

7. FISCAL MANAGEMENT. The provisions for fiscal management of the Association set forth in the Declaration of Covenants and Restrictions and the Articles of Incorporation shall be supplemented by the following provisions:

7.1 The assessment roll shall be maintained in a set of account books in which there shall be an account for each lot. Such an account shall designate the name and the address of the owner or owners, the amount of each assessment against the owners, the dates and amounts in which assessments come due, the amounts paid upon the account, and the balance due upon assessments.

7.2 The Board of Directors shall adopt a budget for each calendar year which shall include the estimated funds required to defray the common expense and to provide and maintain funds for the foregoing accounts and reserves according to good accounting practices. Copies of the proposed annual budget to be considered shall be available to each Member not less than fourteen (14) days prior to the Director's meeting set for adoption of that budget. Failure to obtain such copy shall not, however, affect the liability of any Member for payment of his/her proportionate share of the budget.

- 7.3 Assessments against the lot owners for their share of items of the budget shall be made for the calendar year annually in advance, on or before December 1 preceding the year for which assessments are made. If an annual assessment is not made as required, assessments shall be presumed to have been made in the amount of the last prior assessment and installments on such assessments shall be due upon each installment date until changed by an amended assessment. In the event that the annual assessment proves to be insufficient, the budget and assessments may be amended at any time by the Board of Directors and then unpaid assessments for the remaining portion of the calendar year for which the amended assessment is made shall be due and payable in equal installments on each due date for the remaining calendar year.
- 7.4 The depository of the Association, in which the monies of the Association shall be deposited, shall be such bank or banks as designated from time to time by the Board of Directors. Withdrawal of monies from such accounts shall be only by checks signed by such persons as are authorized by the Board of Directors.
- 7.5 An inspection of accounts of the Association shall be made annually by an independent firm or persons designated by the Board of Directors and, on request to the Secretary, a copy of the audit report shall be made available to any Member as per FL Statute 720.
8. PARLIAMENTARY RULES. Robert's Rules of Order, latest edition, shall govern the conduct of Association meetings when not in conflict with the Articles of Incorporation or these Amended By-Laws.
9. AMENDMENTS OF THE BY-LAWS.
  - 9.1 An amendment may be proposed by either the Board of Directors at its meetings or by the Members at any meeting of the Members.
  - 9.2 A notice to Members of the subject matter of the proposed amendment must be given in a reasonable manner at least fourteen (14) days prior to the meeting at which the proposed amendment is to be considered for adoption.
  - 9.3 An amendment may not be adopted at the same meeting at which it is first proposed.
  - 9.4 Directors and Members not present in person or by proxy at the meeting considering an amendment for adoption may vote on the amendment in writing received by the Secretary at or prior to the meeting via e-mail by noon the day of the election.
10. RECORDS OF THE ASSOCIATION. All of the books and records of the Association shall be kept in a businesslike manner and shall be made available for inspection by any Member at any reasonable time.